

Report Of The Clerk Of Council

6. a. Media Training, March 20th, 4:00-5:00 p.m., Fourth Floor Conference Room

Report Of The Chairman

7. a. Personnel Matter
- b. TIF Update
- c. Response to City re: Fire Contract
- d. Tuskegee Airmen Wrap-up

Open/Close Public Hearings

8. a. An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$29,203 of General Fund Undesignated Fund Balance to the Treasurer's Office for the purchase of a new AS400 computer system
- b. An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$30,803 of General Fund Undesignated Fund Balance to the Auditor's Office for the purchase of a new AS400 computer system and printers
- c. An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$45,500 of General Fund Undesignated Fund Balance to the Auditor's Office for the printing of tax bills and software updates
- d. An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, in General; Section 16-7, Deductions, Exemptions, Charitable Organizations, and Determination of Classification; so as to allow the deduction of Interstate Commerce Income from Gross Income
- e. An Ordinance to repeal Ordinance Number 055-08HR in its entirety, and to ensure that businesses are not harmed by such repeal

Approval Of Consent Items

9. An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$29,203 of General Fund Undesignated Fund Balance to the Treasurer's Office for the purchase of a new AS400 computer system **[THIRD READING] [PAGES 26-28]**
10. An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$30,803 of General Fund Undesignated Fund Balance to the Auditor's Office for the purchase of a new AS400 computer system and printers **[THIRD READING] [PAGES 29-31]**
11. An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$45,500 of General Fund Undesignated Fund Balance to the Auditor's Office for the printing of tax bills and software updates **[THIRD READING] [PAGES 32-34]**
12. An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and

Miscellaneous Business Regulations; Article I, In General; Section 16-7, Deductions, Exemptions, Charitable Organizations, and Determination of Classification; so as to allow the deduction of Interstate Commerce Income from Gross Income **[THIRD READING] [PAGES 35-39]**

13. An Ordinance to repeal Ordinance Number 055-08HR in its entirety, and to ensure that businesses are not harmed by such repeal **[THIRD READING] [PAGES 40-42]**
14. An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$775,000 of General Fund Undesignated Fund Balance to be transferred to the Mass Transit Fund **[SECOND READING] [PAGES 43-46]**
15. 12-05MA
Wyndham Enterprises
Rodney Wyndham
HI to GC (3.20 Acres)
Brickyard Rd. & Two Notch Rd.
22804-04-10 **[SECOND READING] [PAGES 47-48]**
16. 12-06MA
Lutheran Homes of South Carolina Foundation, Inc.
Stephen Minsky
M1/HI/RM-HD to OI (45 Acres)
Powell Rd.
17200-02-02/04/09/13/14/26 **[SECOND READING] [PAGES 49-52]**
17. Automated GIS-based Tracking Software for Land Development **[PAGES 53-55] {Forwarded from the D&S Committee}**
18. Community Development Week Proclamation **[PAGES 56-60] {Forwarded from the D&S Committee}**
19. Fair Housing Month Proclamation **[PAGES 61-64] {Forwarded from the D&S Committee}**
20. Ordinance to authorize a sanitary sewer easement to the City of Columbia for County owned property along a portion of Rosewood Drive **[FIRST READING] [PAGES 65-75] {Forwarded from the D&S Committee}**
21. Richland County South Paving Contract **[PAGES 76-79] {Forwarded from the D&S Committee}**
22. Selection of LandDesign Inc. as consultant for the preparation of two neighborhood Master Plans **[PAGES 80-96] {Forwarded from the D&S Committee}**
23. Albene Park Water Distribution System Principal Forgiveness Loan **[PAGES 97-110] {Forwarded from the A&F Committee}**
24. An Ordinance Authorizing the issuance and sale of not to exceed \$35,000,000 General Obligation Bonds, Series 2012A, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County

Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto **[FIRST READING BY TITLE ONLY] [PAGES 111-112] {Forwarded from the A&F Committee}**

25. An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$85,800 of General Fund Undesignated Fund Balance for expenses from the Republican Primary **[FIRST READING] [PAGES 113-115] {Forwarded from the A&F Committee}**
26. EMS Ambulance Purchase **[PAGES 116-118] {Forwarded from the A&F Committee}**
27. HMIS Grant Transfer **[PAGES 119-123] {Forwarded from the A&F Committee}**
28. Home Detention/Electronic Monitoring Program **[PAGES 124-131] {Forwarded from the A&F Committee}**
29. Finding that the Richland-Lexington Riverbanks Parks District may issue not exceeding \$32,000,000 General Obligation Bonds; to authorize the Richland-Lexington Riverbanks Parks District to issue such bonds and to provide for the publication of notice of the said finding and authorization **[FIRST READING and APPROVAL OF RESOLUTION] [PAGES 132-146] {Forwarded from the A&F Committee}**
30. Lower Richland Master Plan Area Change **[PAGES 147-149] {Forwarded from the A&F Committee}**
31. Monticello Road Streetscape Project-Parcel Acquisition **[PAGES 150-153] {Forwarded from the A&F Committee}**
32. Proposed Property Tax Reduction for Senior Citizens **[TO TABLE] [PAGES 154-157] {Forwarded from the A&F Committee}**
33. Former Farmers' Market Property-County Farmers' Market or SE Sports Complex **[TO TABLE] [PAGES 158-164] {Forwarded from the A&F Committee}**

Second Reading Items

34. An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-53, Land Development Permits; Subsection (B), Processes; so as to reduce the time to act on the application from sixty (60) days to thirty (30) days **[PAGES 165-171]**

Report Of Economic Development Committee

35.
 - a. Authorizing an Amendment to the Master Agreement Governing the I-77 Corridor Regional Industrial Park by and between Richland County, South Carolina, and Fairfield County, South Carolina, to expand the boundaries of the park to include certain real property located in Richland County; and other related matters **[FIRST READING] [PAGES 173-175]**
 - b. Project Roadrunner Inducement Resolution **[PAGES 176-177]**
 - c. An Ordinance Authorizing Pursuant to Section 4-1-175, South Carolina Code of Laws, 1976,

as amended, the execution and delivery of a Special Source Revenue Credit Agreement between Richland County, South Carolina and Project Roadrunner; and matters relating thereto **[FIRST READING BY TITLE ONLY] [PAGE 178]**

d. McEntire Produce, Inc., McEntire Limited Partnership, and R. C. McEntire Trucking, Inc. Inducement Resolution **[PAGES 179-189]**

e. Mars PetCare Set-Aside Grant **[PAGE 190]**

f. Project Roadrunner Closing Fund Grant **[PAGE 191]**

Report Of Rules And Appointments Committee

1. Notification Of Appointments

36. Accommodations Tax Committee-4 (2 Hospitality positions and 2 Lodging positions); one application was received from: Adam Miller, General Manager, Hilton **[PAGES 192-194]**

37. Business Service Center Appeals Board-2 (1 position for a CPA, one for a business person); two applications were received from the following: Vincent K. Bartley, V.K. Bartley Bookkeeping and Tax Service*; and Judy Carter, Director of the Ombudsman Office and Small Business Owner **[PAGES 195-202]**

38. Employee Grievance Committee-1; an application was received from: Ashlay S. Goodwine, Ombudsman Office **[PAGES 203-205]**

2. Discussion From Rules And Appointments Committee

39. Advertising with other publications **[PAGES 206-207]**

40. Whenever a motion is forwarded to full Council from Committee, the only way it goes back to Committee is if Council directs it back to Committee **[JACKSON][PAGES 208-209]**

41. Motion that Council rules be amended such that when 5 or fewer people are signed up to speak on a non-agenda item they be allowed to speak after those speaking to an agenda item have finished (towards the beginning of the meeting). If 6 or more people are signed up to speak on a non-agenda item then Council's current rule will take affect **[HUTCHINSON, JACKSON, ROSE][PAGES 210-211]**

42. Request for an opinion from the Ethics Commission **[PAGES 212-215]**

43. Reviewing Committee Qualifications **[PAGES 216-218]**

Other Items

44. Allen University Amendment to Lease Purchase Payment Schedule **[PAGES 219-227]**

45. IGA re: Firefighters Driving Ambulances **[PAGES 228-233]**

46. Report of the Regional Recreation Complex Ad Hoc Committee **[PAGES 234-238]**

- a. Report from the February 28, 2012 Meeting
 - b. Direction re: \$20M Option [**ACTION**]
47. Application for locating a Community Residential Care Home in an unincorporated area of Richland County: [**PAGES 240-247**]
- a. 1928 Heyward Brockington Road, Columbia, SC 29203
 - b. 1930 Heyward Brockington Road, Columbia, SC 29203

Citizen's Input

- 48. Must Pertain to Items Not on the Agenda

Executive Session

Motion Period

- 49. a. In order to address the bus situation in the Transportation workshop I move that the Administrator request from the city of Columbia the revenue generated from the 2% or 3% franchise fee imposed on the utility bill. [JACKSON, MALINOWSKI]
- b. Resolution for Mr. Willie Anderson [WASHINGTON]

Adjournment



Richland County Council Request of Action

Subject

Regular Session: February 21, 2012 [PAGES 7-14]

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, FEBRUARY 21, 2012 6:00 p.m.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.

MEMBERS PRESENT:

Chair	Kelvin E. Washington, Sr.
Vice Chair	L. Gregory Pearce, Jr.
Member	Gwendolyn Davis Kennedy
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Damon Jeter
Member	Bill Malinowski
Member	Jim Manning
Member	Paul Livingston
Member	Seth Rose

OTHERS PRESENT – Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Stephany Snowden, Melinda Edwards, Brad Farrar, Dale Welch, David Hoops, Bill Peters, John Hixon, Elizabeth McLean, Daniel Driggers, Pam Davis, Justin Martin, Dan Cole, Lillian McBride, Chris Eversmann, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:02 p.m.

INVOCATION

The Invocation was given by the Honorable Norman Jackson

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Norman Jackson

APPROVAL OF MINUTES

Regular Session: February 7, 2012 – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

Mr. Washington requested that the following items be added under the Report of the Chairman: TIF Update and letter from Columbia Mayor Steve Benjamin.

Ms. Dickerson moved, seconded by Mr. Livingston, to adopt the agenda as amended. The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Mr. Pearce recognized that Columbia Fire Chief Aubrey Jenkins was in the audience.

Mr. Rose recognized that former Councilwoman Bernice Scott was in the audience.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following were potential Executive Session Items:

- a. Eastover Water/Sewer Update**
- b. Fire Contract**

CITIZENS' INPUT

Mr. Odell Bookert spoke regarding the County taxes.

Mr. Rose moved, seconded by Mr. Jackson, to allow Chief Jenkins and Mr. Carricato to speak. A discussion took place.

Mr. Rose withdrew his motion.

Mr. Aubrey Jenkins, Mr. Travis Carricato, and Mr. Richard Foster spoke regarding the Fire Contract.

REPORT OF THE COUNTY ADMINISTRATOR

Firefighters Driving Ambulances Update – Mr. Pope stated that the IGA has been received from the City of Columbia. Dr. Gerard, the medical advisor, has reviewed the information. The IGA will be placed on the March 6th Council agenda.

An Afternoon with the Red Tails, February 25th, 2:30-4:00 p.m., Hamilton-Owens Airport Lobby – Ms. Snowden gave a brief update regarding this item.

Public Information Office Recognition – Mr. Pope stated that the Public Information Office was recognized in the NACo County News for their radio show.

REPORT OF THE CLERK OF COUNCIL

No report was given.

REPORT OF THE CHAIRMAN

Fire Contract – Mr. Washington referred this item to the Fire Ad Hoc Committee.

Transportation Steering Committee – Mr. Washington stated that he would be submitting a list of committee members and that Mr. Livingston would be Chairman of the committee.

TIF Update – This item was taken up under Other Items.

Letter from Columbia Mayor Steve Benjamin – Mr. Washington referred this item to the Fire Ad Hoc Committee.

PRESENTATIONS

Voterheads.com, Mike Switzer, Chair, Board of Directors – Mr. Karl McCollester, CO of Voterheads, gave a brief presentation.

Township Auditorium, Aundrai Holloman – Mr. Aundrai Holloman, Director, gave a brief update regarding the Township.

APPROVAL OF CONSENT ITEMS

- **An Ordinance Authorizing a Quit-Claim Deed to Bettye Garrick Byrd for an unnamed 50' Road shown on a plat in Plat Book "X" at Page 9275 and recorded in the Richland County Register of Deeds [THIRD READING]**
- **12-02MA, E. Randall Mosteller, RU to GC (0.40 Acres), Hwy. 76/Dutch Fork Rd., 01511-01-07 [THIRD READING]**

- 12-03MA, Peter & Debra Giglotti, Novella Taylor, RU to NC (1.95 Acres), 2233 Clemson Rd., 20281-01-33 [THIRD READING]
- An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-131, Table of Area, Yard, and Height Requirements; so as to correct referenced section numbers [THIRD READING]
- An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$29,2003 of General Fund Undesignated Fund Balance to the Treasurer's Office for the purchase of a new AS400 computer system [SECOND READING]
- An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$30,803 of General Fund Undesignated Fund Balance to the Auditor's Office for the purchase of a new AS400 computer system and printers [SECOND READING]
- An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$45,500 of General Fund Undesignated Fund Balance to the Auditor's Office for the printing of tax bills and software updates [SECOND READING]
- An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, In General; Section 16-7, Deductions, Exemptions, Charitable Organizations, and Determination of Classification; so as to allow the deduction of Interstate Commerce Income from Gross Income [SECOND READING]
- An Ordinance to repeal Ordinance Number 055-08HR in its entirety, and to ensure that businesses are not harmed by such repeal [SECOND READING]

Mr. Livingston moved, seconded by Ms. Hutchinson, to approve the consent items. The vote in favor was unanimous.

FIRST READING

An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$775,000 of General Fund Undesignated Fund Balance to be transferred to the Mass Transit Fund – Mr. Livingston moved, seconded by Mr. Pearce, to approve this item. The vote was in favor.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Sunnyside Drainage Ditch Capital Improvement Project Right-of-Way Purchase and Transfer – Mr. Pearce moved, seconded by Mr. Jackson, to defer until staff is ready to bring this item back. The vote in favor was unanimous.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Commercial Façade Improvement Grant Program – Mr. Malinowski moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

Specialized Aviation Service Operation (SASO) negotiation – Mr. Pearce stated that the committee recommended approval of this item. The vote in favor was unanimous.

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

I. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **Whenever a motion is forwarded to full Council from Committee, the only way it goes back to Committee is if Council directs it back to Committee [JACKSON]** – Mr. Malinowski stated that the committee recommended approval of this item. The vote in favor was unanimous.
- b. **Motion that Council rules be amended such that when 5 or fewer people are signed up to speak on a non-agenda item they be allowed to speak after those speaking to an agenda item have finished (towards the beginning of the meeting.) If 6 or more people are signed up to speak on a non-agenda item then Council's current rule will take affect [HUTCHINSON, JACKSON, ROSE]** – Mr. Malinowski stated that this item was held in committee.
- c. **Request for an opinion from the Ethics Commission** – Mr. Malinowski stated that this item was held in committee.
- d. **Reviewing Committee Qualifications** – Mr. Malinowski stated that this item was held in committee.

OTHER ITEMS

Richland County Public Library/Purchase of Ballentine Property – Mr. Jackson moved, seconded by Ms. Hutchinson, to approve this item. A discussion took place.

The vote in favor was unanimous.

Mr. Manning moved, seconded by Mr. Malinowski, to reconsider this item. The motion failed.

TIF Update – Mr. Livingston stated that the Committee met and discussed the following items: length of time for the TIF; percentage of revenue to be shared by the bodies during the TIF; oversight committee of bodies comprising the TIF; financial reporting; who will pay off bonds if there isn't enough money generated; how will the TIF affect the school districts in light of Act 388; maintenance costs of the TIF. The Committee will be bringing back information to Council.

CITIZEN'S INPUT

No one signed up to speak.

EXECUTIVE SESSION

=====
Council went into Executive Session at approximately 9:13 p.m. and came out at approximately 9:58 p.m.
=====

- a. **Eastover Water/Sewer Update** – Mr. Livingston moved, seconded by Mr. Manning, to direct the Administrator to proceed with negotiations as directed in Executive Session. The vote was in favor.

MOTION PERIOD

Richland County will create the "Richland County Fire Department" which will provide firefighting and other emergency services to all of the unincorporated areas of the County and regional townships within the unincorporated portions of the County. To develop a fire department with the following mission: The mission of the "Richland County Fire Department" is to provide safe, professional service through education, prevention, emergency services, community relations and highest achievable ISO rating
[WASHINGTON] – This item was referred to the Fire Ad Hoc Committee.

That Council conduct a work session to discuss the Unified Fire Service Contract. Said work session is to be scheduled and conducted before the end of February 2012 and will be held in County Council Chambers, open to the public and media. City Council and Staff to be invited, and Fire Chief Aubrey Jenkins to be present to answer questions.
[ROSE] – This motion was withdrawn.

I move that Council fix the animal shelter ordinance passed February 7, 2012 by implementing those items placed into the substitution motion made that same night.
[MANNING] – This item was referred to the D&S Committee.

Resolution for Frank Edison [KENNEDY] – Mr. Pearce moved, seconded by Ms. Dickerson, to adopt a resolution for Mr. Frank Edison. The vote in favor was unanimous.

Richland County Council

Resolution for South East Middle School [WASHINGTON] – Council unanimously adopted a resolution honoring South East Middle School.

Richland County Council and City of Council meet to discuss and negotiate the Fire Contract [JACKSON] – This item was referred to the Fire Ad Hoc Committee.

ADJOURNMENT

The meeting adjourned at approximately 7:33 p.m.

Kelvin E. Washington, Sr., Chair

L. Gregory Pearce, Jr., Vice-Chair

Gwendolyn Davis Kennedy

Joyce Dickerson

Valerie Hutchinson

Norman Jackson

Damon Jeter

Bill Malinowski

Jim Manning

Paul Livingston

Seth Rose

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

Zoning Public Hearing: February 28, 2012 **[PAGES 15-19]**

MINUTES OF



RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING TUESDAY, FEBRUARY 28, 2012 7:00 p.m.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.

MEMBERS PRESENT:

Chair	Kelvin E. Washington, Sr.
Vice Chair	L. Gregory Pearce, Jr.
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Damon Jeter
Member	Gwendolyn Davis Kennedy
Member	Paul Livingston
Member	Bill Malinowski
Member	Jim Manning
Member	Seth Rose

OTHERS PRESENT: Amelia Linder, Geo Price, Holland Leger, Suzie Haynes, Stephany Snowden, Sparty Hammett, Brian Cook, Milton Pope, Monique Walter, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 7:03 p.m.

ADDITIONS/DELETIONS TO AGENDA

There were no additions or deletions.

MAP AMENDMENT

12-01MA, Lexington County Health Services District, Inc., Kevin Stanley, RU to OI (3.5 Acres), Old Tamah Rd., 03500-04-37

Mr. Washington opened the floor to the public hearing.

Rev. Charles Jackson, Mr. Mike Biediger, Mr. Robert Callis, Mr. Ismail Ozbek, and Mr. Deepal Eliatamby spoke in favor of this item.

Mr. Mike Sloan, Ms. Carol Sloop, Ms. Charlene Meetze, and Mr. Calvin Elam spoke against this item.

The floor to the public hearing was closed.

Mr. Malinowski moved, seconded by Ms. Dickerson, to deny the re-zoning request. The vote in favor was unanimous with Ms. Hutchinson abstaining.

Mr. Malinowski moved, seconded by Mr. Jackson, to reconsider this item. The motion failed.

12-05MA, Wyndham Enterprises, Rodney Wyndham, HI to GC (3.20 Acres), North Springs Rd. & Woodley Way, 22804-04-10

Mr. Washington opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Ms. Hutchinson moved, seconded by Ms. Dickerson, to give First Reading approval to this item. The vote in favor was unanimous.

12-06MA, Lutheran Homes of South Carolina Foundation, Inc., Stephen Minsky, M-1/HI/RM-HD to OI (45 Acres), Powell Rd., 17200-02-02/04/09/13/14/26

Mr. Washington opened the floor to the public hearing.

The citizens chose not to speak at this time.

The floor to the public hearing was closed.

Ms. Kennedy moved, seconded by Ms. Dickerson, to give First Reading approval to this item. The vote in favor was unanimous.

12-08MA, LandTech Inc. of SC, Kevin Steelman, NC to RS-MD (4.01 Acres), Three Dog Rd. & US 76, 01506-01-11

Mr. Malinowski moved, seconded by Ms. Dickerson, to defer the public hearing and item until the March Zoning Public Hearing.

TEXT AMENDMENT

An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-53, Land Development Permits; Subsection (B), Processes; so as to reduce the time to act on the application from sixty (60) days to thirty (30) days

Mr. Washington opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Ms. Hutchinson moved, seconded by Mr. Livingston, to give First Reading approval to this item.

The vote was in favor.

An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; so as to permit "Repair and Maintenance Services, Automobile Major" in the GC (General Commercial District), with special requirements

Mr. Washington opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Mr. Livingston moved, seconded by Mr. Manning, to give First Reading approval to this item. A discussion took place.

Mr. Livingston withdrew his motion.

Mr. Pearce moved, seconded by Mr. Malinowski, to deny this item. The vote was in favor.

OTHER BUSINESS

Memo Regarding Group Homes (Information Only) – Mr. Malinowski moved, seconded by Mr. Manning, to accept this memo as information. The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 7:38 p.m.

Submitted respectfully by,

Kelvin E. Washington, Sr.
Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

- a. Personnel Matters [2]
- b. IGA re: Firefighters Driving Ambulances

Richland County Council Request of Action

Subject

For Items on the Agenda Not Requiring a Public Hearing

Richland County Council Request of Action

Subject

- a. Fire Committee Update
- b. Audit Presentation
- c. Employee Recognition
- d. Personnel Matter

Richland County Council Request of Action

Subject

- a. Media Training, March 20th, 4:00-5:00 p.m., Fourth Floor Conference Room

Richland County Council Request of Action

Subject

- a. Personnel Matter
- b. TIF Update
- c. Response to City re: Fire Contract
- d. Tuskegee Airmen Wrap-up

Richland County Council Request of Action

Subject

- a. An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$29,203 of General Fund Undesignated Fund Balance to the Treasurer's Office for the purchase of a new AS400 computer system
- b. An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$30,803 of General Fund Undesignated Fund Balance to the Auditor's Office for the purchase of a new AS400 computer system and printers
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- d. An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, in General; Section 16-7, Deductions, Exemptions, Charitable Organizations, and Determination of Classification; so as to allow the deduction of Interstate Commerce Income from Gross Income
- e. An Ordinance to repeal Ordinance Number 055-08HR in its entirety, and to ensure that businesses are not harmed by such repeal

Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$29,203 of General Fund Undesignated Fund Balance to the Treasurer's Office for the purchase of a new AS400 computer system
[THIRD READING] [PAGES 26-28]

Notes

January 24, 2012 - The Committee recommended that Council approve a budget amendment to the Richland County Treasurer's Office budget in the amount of \$29,203 for the purpose of sharing the cost of the purchase of a new AS400 computer system with the County Auditor's Office. The Committee directed staff to compare the cost of lease verses purchasing the system and also directed staff to determine what it would cost to provide this service in-house. The vote in favor was unanimous.

First Reading: February 7, 2012

Second Reading: February 21, 2012

Third Reading:

Public Hearing:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. __-11HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2011-2012 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$29,203 OF GENERAL FUND UNDESIGNATED FUND BALANCE TO THE TREASURER'S OFFICE FOR THE PURCHASE OF A NEW AS400 COMPUTER SYSTEM.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. That the amount of twenty nine thousand two hundred and three dollars (\$29,203) be appropriated to the FY 2011-2012 Treasurer's Office Budget. Therefore, the Fiscal Year 2011-2012 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2011 as amended:	\$ 141,103,754
Appropriation of General Fund undesignated fund balance	<u>29,203</u>
Total General Fund Revenue as Amended:	\$ 141,132,957

EXPENDITURES

Expenditures appropriated July 1, 2011 as amended:	\$ 141,103,754
Increase to Treasurer's Office	<u>29,203</u>
Total General Fund Expenditures as Amended:	\$ 141,132,957

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin Washington, Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only.
No Opinion Rendered As To Content.

First Reading:
Second Reading:
Public Hearing:
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$30,803 of General Fund Undesignated Fund Balance to the Auditor's Office for the purchase of a new AS400 computer system and printers **[THIRD READING] [PAGES 29-31]**

Notes

January 24, 2012 - The Committee recommended that Council approve a budget amendment to the Richland County Auditor's Office budget in the amount of \$29,203 for the purpose of sharing the cost of the purchase of a new AS400 computer system with the County Treasurer's Office. The Committee directed staff to compare the cost of lease versus purchasing the AS400 system and also directed staff to determine what it would cost to provide this service in-house. The Committee also recommended that Council approve a budget amendment for \$1,600 for printer upgrades for the new AS400 system. The vote in favor was unanimous.

First Reading: February 7, 2012

Second Reading: February 21, 2012

Third Reading:

Public Hearing:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. __-11HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2011-2012 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$30,803 OF GENERAL FUND UNDESIGNATED FUND BALANCE TO THE AUDITOR'S OFFICE FOR THE PURCHASE OF A NEW AS400 COMPUTER SYSTEM AND PRINTERS.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. That the amount of thirty thousand eight hundred and three dollars (\$30,803) be appropriated to the FY 2011-2012 Auditor's Office Budget. Therefore, the Fiscal Year 2011-2012 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2011 as amended:	\$ 141,103,754
Appropriation of General Fund undesignated fund balance	<u>30,803</u>
Total General Fund Revenue as Amended:	\$ 141,134,557

EXPENDITURES

Expenditures appropriated July 1, 2011 as amended:	\$ 141,103,754
Increase to Auditor's Office	<u>30,803</u>
Total General Fund Expenditures as Amended:	\$ 141,134,557

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin Washington, Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only.
No Opinion Rendered As To Content.

First Reading:
Second Reading:
Public Hearing:
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$45,500 of General Fund Undesignated Fund Balance to the Auditor's Office for the printing of tax bills and software updates [**THIRD READING**] [**PAGES 32-34**]

Notes

January 24, 2012 - The Committee recommended that Council approve a budget amendment to the Auditor's office budget in the amount of \$45,500 for the purpose of providing the ability to print tax bills for a full year and to defray the costs of software changes needed to the computer system in order to comply with Special Resource Revenue Agreements and the FILOT supplement policy previously approved by Council. The Committee recommends that funding for this request be appropriated from the fund balance of the County's general fund. The vote in favor was unanimous.

First Reading: February 7, 2012

Second Reading: February 21, 2012

Third Reading:

Public Hearing:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. __-11HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2011-2012 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$45,500 OF GENERAL FUND UNDESIGNATED FUND BALANCE TO THE AUDITOR'S OFFICE FOR THE PRINTING OF TAX BILLS AND SOFTWARE UPDATES.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. That the amount of forty five thousand five hundred dollars (\$45,500) be appropriated to the FY 2011-2012 Auditor's Office Budget. Therefore, the Fiscal Year 2011-2012 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2011 as amended:	\$ 141,103,754
Appropriation of General Fund undesignated fund balance	<u>45,500</u>
Total General Fund Revenue as Amended:	\$ 141,149,254

EXPENDITURES

Expenditures appropriated July 1, 2011 as amended:	\$ 141,103,754
Increase to Auditor's Office	<u>45,500</u>
Total General Fund Expenditures as Amended:	\$ 141,149,254

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin Washington, Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only.
No Opinion Rendered As To Content.

First Reading:
Second Reading:
Public Hearing:
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, In General; Section 16-7, Deductions, Exemptions, Charitable Organizations, and Determination of Classification; so as to allow the deduction of Interstate Commerce Income from Gross Income
[THIRD READING] [PAGES 35-39]

Notes

January 24, 2012 - The Committee recommended that Council amend Chapter 16, Licenses and Miscellaneous Business Regulations, to allow the deduction of interstate commerce income from gross income. This recommendation for approval is consistent with, and facilitates, the settlement approved by Council on December 13, 2011 regarding the Interstate Commerce lawsuits with FN Manufacturing LLC and McEntire Produce, Inc. The vote in favor was unanimous.

First Reading: February 7, 2012

Second Reading: February 21, 2012

Third Reading:

Public Hearing:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-12HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 16, LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS; ARTICLE I, IN GENERAL; SECTION 16-7, DEDUCTIONS, EXEMPTIONS, CHARITABLE ORGANIZATIONS, AND DETERMINATION OF CLASSIFICATION; SO AS TO ALLOW THE DEDUCTION OF INTERSTATE COMMERCE INCOME FROM GROSS INCOME.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, In General; Section 16-7, Deductions, Exemptions, Charitable Organizations, and Determination of Classification; is hereby amended to read as follows:

Sec. 16-7. Deductions, Exemptions, Charitable Organizations, and Determination of Classification.

- (1) No deductions from gross income shall be made except as follows:
 - (a) Income from business done wholly outside of the county jurisdiction on which a license fee is paid to another county or to any municipality, taxes collected for a governmental entity, or income which cannot be taxed pursuant to state or federal law. The applicant shall have the burden to establish the right to deduction by satisfactory records and proof by including with the business license application, either new or renewing, a separate itemized list showing all deductions claimed, or no deductions will be allowed. Deductions will be approved as authorized by this section.
 - (b) Businesses whose business activity(ies) are described by the North American Industry Classification System (NAICS) with codes beginning with 4411 or 4412, which includes the following:
 1. New and Used Automobile Dealers (441110 and 441120),
 2. Recreational Vehicle Dealers (441210),
 3. Motorcycle, ATV, and Personal Watercraft Dealers (441221),
 4. Boat Dealers (441222), and
 5. All Other Motor Vehicle Dealers (441229).

These businesses shall be authorized to deduct the amounts paid to customers in exchange for motor vehicle trade-ins as part of sales transactions.

(c) Income from sales generated by interstate commerce, i.e. sales of goods or products across state lines. Provided, however, such deducted income shall be included in the business' reported gross income.

(2) Exemptions.

(a) No person shall be exempt from the requirements of this article by reason of the lack of an established place of business within the County, unless exempted by State or Federal law.

(b) The following businesses, occupations or professions are exempt from the requirements of this article:

1. Teachers;
2. Ministers, pastors, preachers, rabbis and other leaders of commonly recognized religious faiths;
3. Telephone, telegraph, gas and electric and other utilities or providers regulated by the South Carolina Public Service Commission;
4. Insurance companies; and
5. An entity which is exempt from license tax under any state law other than South Carolina Code of Laws, § 4-9-30(12), or a subsidiary or affiliate of any such exempt entity.

(c) No person shall be exempt from this article by reason of the payment of any other tax or fee, unless exempted by State law, and no person shall be relieved of the liability for the payment of any other tax or fee by reason of the application of this article.

(3) In lieu of the license required by Section 16-1, a participant in a single annual event of not more than ten consecutive calendar days in length may be issued a permit at the rate of \$10.00 on gross income on the first \$2,000.00 and \$1.20 on each additional \$1,000.00 of gross income or fraction thereof. This permit will be valid only for the time period specified thereon and can be obtained for no more than one event annually. Organizers of such events may pay for and obtain a business license on behalf on all its vendors at a rate of \$10 per vendor or on the previous year's income generated by the event based upon the rate above, whichever is greater.

Inspections prior to the issuance of a permit may be waived. Inspections may be conducted during the event. For purposes of this subsection, an event is defined as participation by a group of exhibitors or others where displays are established in individual booths or stalls for the purpose of presenting to the audience goods, wares, merchandise or services offered for sale, rent or promotional purposes or for the general good will of the exhibitors. An event may be a trade show, an antique show, a craft show, or any other type of show fitting this definition.

(4) Notwithstanding any provision to the contrary, businesses and individuals defined as *contractor* herein shall be exempt from the provisions of this article in the following manner:

The business license fee shall be reduced by excluding that portion of the business' gross income generated from work done for which a Richland County building permit was obtained and a building permit fee paid (by either the general contractor or subcontractor responsible for that work), pursuant to the provisions of Section 6-51 of the Richland County Code of Ordinances.

If all income of a contractor is generated from work done for which a building permit fee is paid (by either the general contractor or subcontractor responsible for that work), said contractor shall be exempt from paying any business license fee. Such an exempt contractor shall still submit a business license application by the deadline with documentation attached establishing such contractor's right to an exemption.

Income generated from work done for which a Richland County building permit is not required, such as general repairs, shall be subject to a business license fee on that income.

(5) Charitable organizations which have exemptions from state and federal income taxes and/or are 501(c)(3) organizations according to the IRS Tax Code and where all proceeds are devoted to charitable purposes are exempt from a business license fee. Documentation of the claim to this exemption must be provided.

(6) The provisions of this article shall not extend to persons who grow their own agricultural produce or products, and use the Columbia State Farmers' Market, or other farmers' markets officially recognized by the County, to sell their produce directly to consumers.

(7) The License Official shall determine the appropriate classification for each business.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be effective beginning with calendar year 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin E. Washington, Sr., Chair

ATTEST THIS THE _____ DAY
OF _____, 2012

Michelle M. Onley
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

First Reading: February 7, 2012 (tentative)
Second Reading:
Public Hearing:
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance to repeal Ordinance Number 055-08HR in its entirety, and to ensure that businesses are not harmed by such repeal **[THIRD READING] [PAGES 40-42]**

Notes

January 24, 2012 - The Committee recommended that Council approve the ordinance repealing Ordinance number 055-08HR in its entirety, while ensuring that businesses are not harmed by such repeal. This recommendation for approval is consistent with, and facilitates, the settlement approved by Council on December 13, 2011 regarding the Interstate Commerce lawsuits with FN Manufacturing, LLC and McEntire Produce, Inc. The vote in favor was unanimous.

First Reading: February 7, 2012

Second Reading: February 21, 2012

Third Reading:

Public Hearing:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE TO REPEAL ORDINANCE NUMBER 055-08HR IN ITS ENTIRETY, AND TO ENSURE THAT BUSINESSES ARE NOT HARMED BY SUCH REPEAL.

WHEREAS, Ordinance Number 055-08HR was adopted on October 7, 2008, and went into effect on January 1, 2009; and

WHEREAS, Ordinance Number 055-08HR required business license fees for those businesses engaged in interstate commerce, but provided for such fees at a discounted rate; and

WHEREAS, Richland County Council adopted Ordinance Number ____-12HR on _____, 2012, which allows interstate commerce income to be deducted from gross income for business license purposes; and

WHEREAS, Richland County Council now wishes to repeal Ordinance Number 055-08HR in its entirety, but also wishes to ensure that business are not harmed by such repeal;

NOW, THEREFORE, pursuant to the authority by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

SECTION I. Ordinance Number 055-08HR, which was adopted by Richland County Council on October 7, 2008, and went into effect on January 1, 2009, is hereby repealed in its entirety for any business license issued after January 1, 2012.

SECTION II. No business which paid Business License fees on interstate commerce in the years 2009, 2010 or 2011, and which received the interstate commerce discount in any of those years shall be required to pay more Business License fees on an equivalent amount of income than that business would have paid starting in 2012 had the discounted rate not been repealed by this Ordinance (see Section I., above), and had the interstate commerce deduction not been added to Section 16-7 (see Ordinance Number ____-12HR). Any such business whose Business License fees would increase starting in 2012 as a result of both the repeal of Ordinance Number 055-08HR and the enactment of Ordinance Number ____-12HR shall be entitled to mitigation or relief of such increase in its Business License fee based on and up to an amount of gross income and interstate commerce income equivalent to the amounts reported for business license purposes in 2011.

SECTION III. Section II of this Ordinance shall remain in full effect for five (5) years beginning January 1, 2012. Beginning with Calendar year 2017, the relief provided by Section II of this Ordinance shall decrease for eligible businesses by 20% of the 2012 amount for each of the five years beginning with 2017; and shall be completely eliminated effective January 1, 2021, and thereafter.

SECTION IV. Severability. If any section, subsection, or clause of this article shall be deemed unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION V. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VI. Effective Date. This amendment shall be effective beginning with calendar year 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin E. Washington, Sr., Chair

ATTEST THIS THE _____ DAY

OF _____, 2012

Michelle M. Onley
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

First Reading: February 7, 2012 (tentative)
Second Reading:
Public Hearing:
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$775,000 of General Fund Undesignated Fund Balance to be transferred to the Mass Transit Fund **[SECOND READING] [PAGES 43-46]**

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. __-11HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2011-2012 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$775,000 OF GENERAL FUND UNDESIGNATED FUND BALANCE TO BE TRANSFERRED TO THE MASS TRANSIT FUND.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. That the amount of seven hundred seventy five thousand (\$775,000) of undesignated fund balance be appropriated for transfer from the General Fund to the Mass Transit Fund. Therefore, the Fiscal Year 2011-2012 General Fund and Mass Transit Fund Annual Budgets are hereby amended as follows:

GENERAL FUND

REVENUE

Revenue appropriated July 1, 2011 as amended:	\$ 141,212,192
Appropriation of General Fund undesignated fund balance	<u>775,000</u>
Total General Fund Revenue as Amended:	\$ 141,987,192

EXPENDITURES

Expenditures appropriated July 1, 2011 as amended:	\$ 141,103,754
Increase to Transfer Out	<u>775,000</u>
Total General Fund Expenditures as Amended:	\$ 141,987,192

MASS TRANSIT FUND

REVENUE

Revenue appropriated July 1, 2011 as amended:	\$ 1,670,000
Transfer In	<u>775,000</u>
Total Mass Transit Fund as Amended:	\$ 2,445,000

EXPENDITURES

Expenditures appropriated July 1, 2011 as amended:	\$ 1,670,000
Increase to Mass Transit	<u>775,000</u>
Total Mass Transit Fund Expenditures as Amended:	\$ 2,445,000

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin Washington, Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only.
No Opinion Rendered As To Content.

First Reading:
Second Reading:
Public Hearing:
Third Reading:

Funding Options to Address the CMRTA's Funding Gap

CURRENT GAP

\$2.5M

1. RC fund 100% of the \$2.5M
2. RC fund 0% of the \$2.5M
3. RC fund 50% of the \$2.5M = \$1,250,000
4. IGA* / CMRTA's CPA's analysis**
 - a. 31% of \$2.5M = \$775,000
 - b. 69% of \$2.5M = \$1,725,000

At the February 7, 2012 Council Meeting, Council voted to provide \$775,000 to the CMRTA for the current funding gap.

My recommendation is to take the new funds in the amount of \$775,000 from the County's General Fund Fund Balance regarding the County's participation in the GAP Funding.

PROJECTED FUTURE GAP (Beginning 10/1/12)

Options for \$2.5M (Beginning 10/1/12):

1. RC fund 100% of the \$2.5M
2. RC fund 0% of the \$2.5M
3. RC fund 50% of the \$2.5M = \$1,250,000
4. IGA* / CMRTA's CPA's analysis**
 - a. 31% of \$2.5M = \$775,000
 - b. 69% of \$2.5M = \$1,725,000

Notes:

* IGA (FY 12, 13)

RC = \$1,670,000 (31%)

City = \$3,800,000 (69%)

** The CMRTA's CPA's **DRAFT** analysis puts Richland County's percentage of service at 31% based on route mileage (Fixed and DART). This is consistent with the percentage breakout in the FY 12, 13 IGA.

Richland County Council Request of Action

Subject

12-05MA
Wyndham Enterprises
Rodney Wyndham
HI to GC (3.20 Acres)
Brickyard Rd. & Two Notch Rd.
22804-04-10 **[SECOND READING] [PAGES 47-48]**

Notes

First Reading: February 28, 2012
Second Reading:
Third Reading:
Public Hearing: February 28, 2012

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 22804-04-10 FROM HI (HEAVY INDUSTRIAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 22804-04-10 from HI (Heavy Industrial District) zoning to GC (General Commercial District) zoning.

Section II. Severability. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2012.

RICHLAND COUNTY COUNCIL

By: _____
Kelvin E. Washington, Sr., Chair

Attest this _____ day of
_____, 2012.

Michelle M. Onley
Clerk of Council

Public Hearing: February 28, 2012
First Reading: February 28, 2012
Second Reading: March 6, 2012 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

12-06MA
Lutheran Homes of South Carolina Foundation, Inc.
Stephen Minsky
M1/HI/RM-HD to OI (45 Acres)
Powell Rd.
17200-02-02/04/09/13/14/26 **[SECOND READING] [PAGES 49-52]**

Notes

First Reading: February 28, 2012
Second Reading:
Third Reading:
Public Hearing: February 28, 2012

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # 17200-02-02/13/14/26 FROM M-1 (LIGHT INDUSTRIAL DISTRICT) TO OI (OFFICE AND INSTITUTIONAL DISTRICT); AND TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 17200-02-04 FROM HI (HEAVY INDUSTRIAL DISTRICT) TO OI (OFFICE AND INSTITUTIONAL DISTRICT); AND TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 17200-02-09 FROM HI (HEAVY INDUSTRIAL DISTRICT), M-1 (LIGHT INDUSTRIAL DISTRICT), AND RM-HD (RESIDENTIAL, MULTI-FAMILY, HIGH DENISTY DISTRICT) TO OI (OFFICE AND INSTITUTIONAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 17200-02-02/13/14/26 from M-1 (Light Industrial District) zoning to OI (Office and Institutional District) zoning (as described on Exhibit A, which is attached hereto).

Section II. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 17200-02-04 from HI (Heavy Industrial District) zoning to OI (Office and Institutional District) zoning (as described on Exhibit A, which is attached hereto).

Section III. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 17200-02-09 from HI (Heavy Industrial District), M-1 (Light Industrial District), and RM-HD (Residential, Multi-Family, High Density District) zoning to OI (Office and Institutional District) zoning (as described on Exhibit A, which is attached hereto).

Section IV. Severability. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section V. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section VI. Effective Date. This ordinance shall be effective from and after _____, 2012.

RICHLAND COUNTY COUNCIL

By: _____
Kelvin E. Washington, Sr., Chair

Attest this _____ day of
_____, 2012.

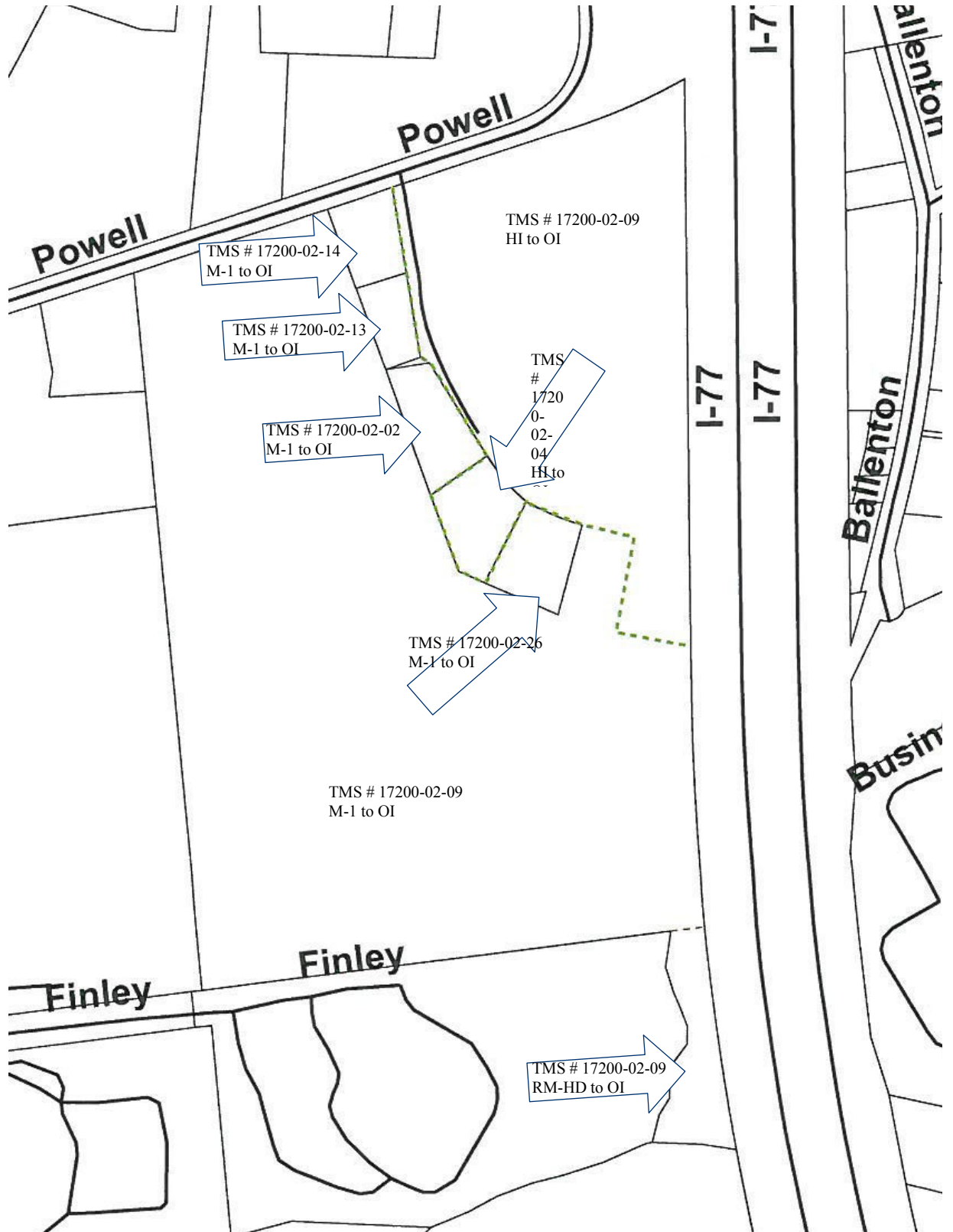
Michelle M. Onley
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only.
No Opinion Rendered As To Content.

Public Hearing: February 28, 2012
First Reading: February 28, 2012
Second Reading: March 6, 2012 (tentative)
Third Reading:

Exhibit A



Richland County Council Request of Action

Subject

Automated GIS-based Tracking Software for Land Development [PAGES 53-55] {Forwarded from the D&S Committee}

Notes

February 28, 2012 - The committee recommended that Council approve the request to select a vendor and negotiate a contract for a GIS-based tracking system for land development operations. Total cost and the selected vendor will be brought to Council for approval. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Automated GIS-based Tracking Software for Land Development

A. Purpose

County Council is requested to permit staff to select a vendor and negotiate a contract to implement a software system for managing land development and permitting operations among several County departments. This would be Phase I of the project, with the potential for Phase II (replacement of Ombudsman's Office system) and Phase III (replacement of Business Service system); if a determination is made that increased functionality would be provided by the selected vendor's software system. A Request for Proposals (RC-012-P-1112) was published October 20, 2011.

B. Background / Discussion

Staff has conducted a Development Review Process Analysis of operations related to land development and permitting functions. The review has included a survey of current business practices and suggested changes to improve operations. This activity has also included input from the development community. As many of the current documented business processes are not supported by contemporary technology and others rely on disjointed applications of limited functionality, staff is seeking to employ a system to comprehensively manage the life cycle of land development and permitting in Richland County. The system is expected to provide accessibility and accountability for procedures starting with initial development proposals and culminating in project inspection and completion. Items required of the system include mapping functions to review zoning and neighborhood issues, inspection management, and mobile access for staff and citizens. Because many of the automated systems integrate work-order management from an enterprise perspective, possible second and third phase implementations could include the Ombudsman and Business License Departments.

The use of geographical information system (GIS) for land development was included in the GIS Implementation Plan and associated capital plan. The GIS Goal for this area is to utilize GIS to assist in land analysis for comprehensive planning and development review; land use analysis for zoning and future planning; and field operations related to building inspection and permitting activity.

C. Financial Impact

The funds to support this expenditure are designated in the GIS Capital Bond account. The resulting system was described in the GIS Implementation Plan for which bond funds were designated. The cost of software, services, implementation, training, and initial maintenance are covered by the original bond funds.

Total cost for this request will be finalized through contract negotiations and brought to County Council for approval.

D. Alternatives

1. Approve the request to select a vendor and negotiate a contract for a GIS-based tracking system for land development operations.
2. Do not approve the request and continue operations with existing processes and disparate software, as available.

E. Recommendation

It is recommended that Council approve the request to select a vendor and negotiate a contract for a GIS-based tracking system for land development operations. Total costs and the selected vendor will be brought to Council for approval.

Recommended by: Department: Date:

F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers Date: 2/15/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

This is a funding decision for council however there are funds remaining from the GIS bond as stated.

Procurement

Reviewed by: Rodolfo Callwood Date: 2/16/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean Date: 2/17/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Policy decision left to Council's discretion.

Administration

Reviewed by: Sparty Hammett Date: 2/21//12
✓ Recommend Council approval Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend Council approval of the request to select a vendor and negotiate a contract for a GIS-based tracking system for land development operations. Total costs and the selected vendor will be brought to Council for approval. A state-of-the art information system is a vital need in improving the efficiency and effectiveness of land development-related operations.

Richland County Council Request of Action

Subject

Community Development Week Proclamation [**PAGES 56-60**] {Forwarded from the D&S Committee}

Notes

February 28, 2012 - The committee directed staff to amend the Proclamation and indicate that it is from the entire Council not just Council Chair. The committee recommended that Council approve the amended Proclamation. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Community Development Week Proclamation

A. Purpose

Community Development is requesting the inclusion of the Community Development Week Proclamation on Richland County Council’s agenda.

B. Background / Discussion

The 2012 National Community Development (CD) Week will be celebrated from April 9-14. It provides the opportunity for grantees to meet with their congressional members, display projects and programs, and involve the local community, including local businesses, citizens, and community groups in the weeklong celebration. This year marks the 26th anniversary of the National Community Development Week campaign. This annual campaign is designed to bring focus both locally and nationally on the numerous outstanding accomplishments over the past 38 years of the Community Development Block Grant (CDBG) program and over the past 21 years of the HOME Investment Partnerships (HOME) Program.

C. Financial Impact

There is no financial impact (for general or federal funds) to do this proclamation.

D. Alternatives

1. Approve the proclamation for Community Development Week, which will serve as another effort by Richland County to show the importance of CDBG and HOME in the community.
2. Do not approve the proclamation, which depicts the importance of CDBG and HOME to Richland County.

E. Recommendation

It is recommended to approve the proclamation for Community Development Week, which will serve as another effort by Richland County to show the importance of CDBG and HOME in the community.

Recommended by: Valeria D. Jackson Department: Community Development Date: February 13, 2012

F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 2/14/12

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

GrantsReviewed by: Sara Salley

Date: 2/15/12

 Recommend Council approval Recommend Council denial Council Discretion (please explain if checked)

Comments regarding recommendation:

LegalReviewed by: Elizabeth McLean

Date: 2/17/12

 Recommend Council approval Recommend Council denial Council Discretion (please explain if checked)

Comments regarding recommendation:

AdministrationReviewed by: Sparty Hammett

Date: 2/21/12

 Recommend Council approval Recommend Council denial Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend Council approval of the proclamation for Community Development week.

COUNTY OF RICHLAND)

**RICHLAND COUNTY PROCLAIMS APRIL 9-14, 2012
COMMUNITY DEVELOPMENT (CD) WEEK**

Whereas, the Community Development Block Grant (CDBG) Program has operated since 1975 to provide local governments with the resources required to meet the needs of persons of low- and moderate-income, and CDBG funds are used by thousands of neighborhood- based, non-profit organizations throughout the nation to address pressing neighborhood and human service needs; and

Whereas, the Community Development Block Grant program has had a significant impact on our local economies for ten (10) years through rehabilitated, new and converted housing, job creation and retention, infrastructure improvements and improved local tax bases; and

Whereas, Richland County, USA and other local governments have clearly demonstrated the capacity to administer and customize the CDBG program to identify, prioritize and resolve pressing local problems, such as affordable housing, neighborhood and human service needs, job creation and retention and physical redevelopment; and

Now, Therefore I, Kelvin E. Washington, Sr. by virtue of the authority vested in me as Chairperson Richland County Council, do hereby proclaim the week of **April 9-14, 2012**, as Richland County **Community Development Week** in Columbia, South Carolina, and urge all citizens to join us in recognizing the Community Development Block Grant program and the important role it plays in our community.

SIGNED AND SEALED this ____ day of _____, 2012, having been duly adopted by the Richland County Council on the ____ day of _____, 2012.

Kelvin E. Washington, Sr., Chair
Richland County Council

ATTEST this ____ day of _____, 2012

Michelle Onley
Interim Clerk of Council

Richland County Council Request of Action

Subject

Fair Housing Month Proclamation [PAGES 61-64] {Forwarded from the D&S Committee}

Notes

February 28, 2012 - The committee recommended that Council approve the request to adopt and present a Fair Housing Proclamation. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Fair Housing Month Proclamation

A. Purpose

Community Development is requesting the inclusion of the Fair Housing Month Proclamation on Richland County Council's agenda. April is National Fair housing Month and the 44th year of the enactment of the Civil rights Act of 1968.

Next month, we would also request a brief formal presentation of the Proclamation during Council's April 3, 2012 Meeting.

B. Background / Discussion

Richland County will celebrate its 10th year as an HUD Entitlement Community as it receives an annual allocation of Community Development Block Grant (CDBG) and HOME Investment Partnership Program funds. As a condition of receiving formula based funding the County certifies that it will affirmatively further fair housing. In order to do this, we conduct an analysis to identify impediments to fair housing choice within the County. We also take appropriate action to overcome the effects of any impediments identified as well as maintain records reflecting the analysis. A new Analysis of Impediments was recently approved and adopted by County Council in 2011.

C. Financial Impact

There will be no financial impact associated with this request.

D. Alternatives

- Approve the request to adopt and present a Fair Housing Proclamation. This will affirm the County's commitment to fair housing choice.
- Do not approve the request to adopt a Fair Housing Proclamation.

E. Recommendation

- It is recommended that Council approve the request to adopt and present a Fair Housing Proclamation to continue the County's commitment to fair housing choice.

Recommended by:
Valeria Jackson, Director

Department:
Community Development

Date:
February 13, 2012

F. Reviews

(Please SIGN your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

FinanceReviewed by: Daniel Driggers

Date: 2/14/12

 Recommend Council approval Recommend Council denial Council Discretion (please explain if checked)

Comments regarding recommendation:

GrantsReviewed by: Sara Salley

Date: 2/15/12

 Recommend Council approval Recommend Council denial Council Discretion (please explain if checked)

Comments regarding recommendation:

LegalReviewed by: Elizabeth McLean

Date: 2/17/12

 Recommend Council approval Recommend Council denial Council Discretion (please explain if checked)

Comments regarding recommendation:

AdministrationReviewed by: Sparty Hammett

Date: 2/21/12

 Recommend Council approval Recommend Council denial Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend Council approval of the Fair Housing Proclamation.

STATE OF SOUTH CAROLINA) FAIR HOUSING MONTH PROCLAMATION
COUNTY OF RICHLAND)

**A PROCLAMATION AFFIRMING RICHLAND COUNTY'S
COMMITMENT TO FAIR HOUSING & FURTHERING FAIR HOUSING CHOICE**

WHEREAS, April marks Fair Housing Month and the 44th anniversary of President Johnson signing the Fair Housing Act into law. Borne out of the tragic assassination of Dr. Martin Luther King and the culmination of local and national civil rights struggles, the Fair Housing Act established the Office of Fair Housing & Equal Opportunity (FHEO) at the U.S. Department of Housing and Urban Development. At FHEO, we and our partners and allies within HUD and across the nation carry out and advance the cause of equality in housing throughout the year.

WHEREAS, 2012 marks Richland County 10th year anniversary as an Entitlement Community receiving Community Development Block Grant (CDBG) and HOME Partnership funds to facilitate affordable housing programs and services for County residents;

WHEREAS, As an Entitlement community and partner of the US Department of Housing and Urban Development Richland County Council rejects the practice of discrimination with regard to race, color, national origin, religion, sex, familial status, or disability;

WHEREAS, the Richland County Council recognizes April as national Fair Housing Month and during the month as well as throughout the year encourage and support positive actions from County Government and other housing professionals, advocates and citizens in the provision and receipt of housing, programs and services to include sale, rental, financing transactions and support services;

WHEREAS, the Richland County Council recognizes the County Administrator as the Fair Housing Administrator for Richland County and the Community Development Department as the official coordinator of all Fair Housing initiatives on behalf of Richland County; and

NOW, THEREFORE, BE IT RESOLVED, that Richland County Council officially adopts April in recognition of Fair Housing Month.

SIGNED AND SEALED this 3 day of April, 2012, having been duly adopted by the Richland County Council on the ____ day of _____, 2012.

Kelvin E. Washington, Sr. Chair
Richland County Council

ATTEST this ____ day of _____, 2012

Michelle Onley
Interim Clerk of Council

Richland County Council Request of Action

Subject

Ordinance to authorize a sanitary sewer easement to the City of Columbia for County owned property along a portion of Rosewood Drive [**FIRST READING**] [**PAGES 65-75**] {**Forwarded from the D&S Committee**}

Notes

February 28, 2012 - The committee recommended that Council approve the ordinance authorizing the granting of a sanitary sewer easement to the City of Columbia for the amount of \$1. The vote in favor was unanimous.

First Reading:

Second Reading:

Third Reading:

Public Hearing:

Richland County Council Request for Action

Subject: Ordinance to authorize a sanitary sewer easement to the City of Columbia for County owned property along a portion of Rosewood Drive

A. Purpose

County Council is requested to approve a sanitary sewer easement to the City of Columbia on County owned property along a portion of Rosewood Drive.

B. Background / Discussion

In order to maintain and upgrade its sanitary sewer system, the City of Columbia is requesting that the County provide an easement on County owned property TMS#08716-01-04 (SW/S Rosewood Drive) to complete sewer improvements in the area. A copy of the request letter, easement, a map of the property and an ordinance are attached.

C. Financial Impact

The County will be paid the sum of \$1 for this easement.

D. Alternatives

1. Approve the ordinance authorizing the granting of a sanitary sewer easement to the City of Columbia.
2. Deny the ordinance authorizing the granting of a sanitary sewer easement to the City of Columbia.

E. Recommendation

It is recommended that County Council approve the ordinance authorizing the granting of a utility easement to the City of Columbia on County owned property along a portion of Rosewood Drive.

Recommended by: Staff

Department: Administration

Date: January 2012

F. Approvals

Public Works

Reviewed by: David Hoops

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Finance

Reviewed by: Daniel Driggers

Date: 2/15/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 2/17/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Policy decision left to Council's discretion. The easement was reviewed by Legal and is typical of the easements given frequently to the City of Columbia.

Administration

Reviewed by: Tony McDonald

Date: 2/17/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval.

COLUMBIA

Everybody Counts, Everybody Contributes, Everybody Benefits



December 12, 2011

Re: Congaree River Sanitary Sewer
Force Main, CIP #SS7115, CF#220-
374

Richland County
c/o Tony McDonald
PO Box 192
Columbia, SC 29202

Dear Mr. McDonald,

In order to maintain and upgrade its sanitary sewer system, the City is planning improvements along the Congaree River in the Columbia metropolitan area. Existing sanitary sewer infrastructure in this area is at capacity and susceptible to failure. The City has plans to construct a new 42" sanitary sewer force main that must be completed as soon as possible in order to meet current and future demands.

Our records indicate that you are the owner of property identified as Richland County TMS#08716-01-04 (SW/S Rosewood Drive, Columbia, SC 29201). In order to complete the sewer improvements in this area, we are requesting an easement along a portion of this property.

The Engineering Division has studied the route and location of the sanitary sewer line in order to obtain maximum benefits to the system with the least inconvenience to you.

Enclosed is the easement and exhibit depicting part of your property and the location and dimensions of the easement you are being requested to grant. The easement is required to be executed in the presence of an attorney and the City can provide an attorney to witness/notarize the easement by appointment at no cost to you if you're local. If not, other arrangements can be made. Please review and contact me at (803) 545-3235 or email me at ptwilliams@columbiasc.net to discuss as soon as possible.

Thank you for your prompt attention in this matter.

Yours very truly,

Paxton Williams
Right-of-Way Agent

PW
Enclosures

City of Columbia / Utilities and Engineering
1136 Washington Street • PO Box 147 • Columbia, SC 29217 • (803) 545-3400

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

EASEMENT

For and in consideration of the sum of One (\$1.00) Dollar, each to the other paid, the receipt of which is hereby acknowledged, Richland County (also hereinafter referred to as "Grantor"), does hereby grant unto the said City of Columbia (also hereinafter referred to as "Grantee"), its successors and assigns, an easement and right-of-way fifteen (15') feet in width, also a 15' temporary easement for construction purposes only, together with the right of ingress and egress at all times for the purpose of constructing, operating, reconstructing and maintaining a sanitary sewer main and with the right to remove shrubbery, trees and other growth from the construction area, provided that the property will be restored as nearly as practicable to its original condition upon completion of the construction and any trees which must be removed shall be moved from the premises, and any damaged shrubbery will be replaced with the same variety from nursery stock, said easement to run through property which the Grantor owns or in which the Grantor has an interest, situate, lying and being:

In the State of South Carolina, County of Richland, and near the City of Columbia, located at 630 Rosewood Drive, Columbia, South Carolina 29201, being further identified as a portion of Richland County tax map number 08716-01-04, as shown on tax maps prepared by the office of the Richland County Tax Assessor, 2011 Edition.

A permanent, exclusive easement for a sanitary sewer main, fifteen (15') feet in width, the centerline of said easement beginning at a point along the northeastern boundary of an existing 30' City of Columbia Sewer Easement, approximately one hundred ten (110) feet northeast of the northwestern property corner of the subject property; thence extending therefrom S69°30'53"E along the subject property, for a distance of one hundred five and five tenths (105.5) feet; thence turning and extending therefrom S24°30'53"E crossing the subject property, for a distance of one hundred eighty-one and ninety-three hundredths (181.93) feet to intersect the common boundary of the southeastern property line of the subject property and the northwestern property line of TMS#08716-01-02, n/f Richland County, at a point one hundred sixty-nine (169) feet northeast of the southwestern property corner of the subject property; thence terminating.

Be all measurements a little more or less.

Also, a 15' temporary construction easement as shown on the attached Exhibit "A".

This easement being more clearly shown and delineated on an easement drawing for Congaree River Sanitary Sewer Force Main Easement, CIP Project #SS7115, sheet 7 of 13, dated August 31, 2010, last revised October 5, 2011, prepared by Construction Support Services, Joel K. Nichols, S.C.P.L.S. #20474, for the City of Columbia, South Carolina and being on file in the Office of the

APPROVED BY
CITY OF COLUMBIA
LEGAL DEPT.

[Handwritten signature]
11-23/11

Department of Utilities and Engineering, City of Columbia, South Carolina under
file reference #220-374.

A copy of said easement drawing being attached hereto and made a part
hereof as Exhibit "A".

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

TO HAVE AND TO HOLD the aforesaid rights to the Grantee, its successors and assigns, as aforesaid, forever.

And the Grantor does hereby bind the Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the said premises unto Grantee, its successors and assigns against the Grantor and Grantor's successors and assigns and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

WITNESS the hand and seal of the Grantor by the undersigned this _____ day of _____, 20__.

WITNESSES:

RICHLAND COUNTY

(1st witness)

By: _____
(Signature)

(2nd witness)

Name: _____
(Print Name)

Title: _____
(Print Title)

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this _____ day of _____, 20__ by _____ of _____ on behalf of the within-named Grantor.
Name & Title of Officer City & State

(Notary's Signature)

NOTARY PUBLIC FOR: _____
(State)

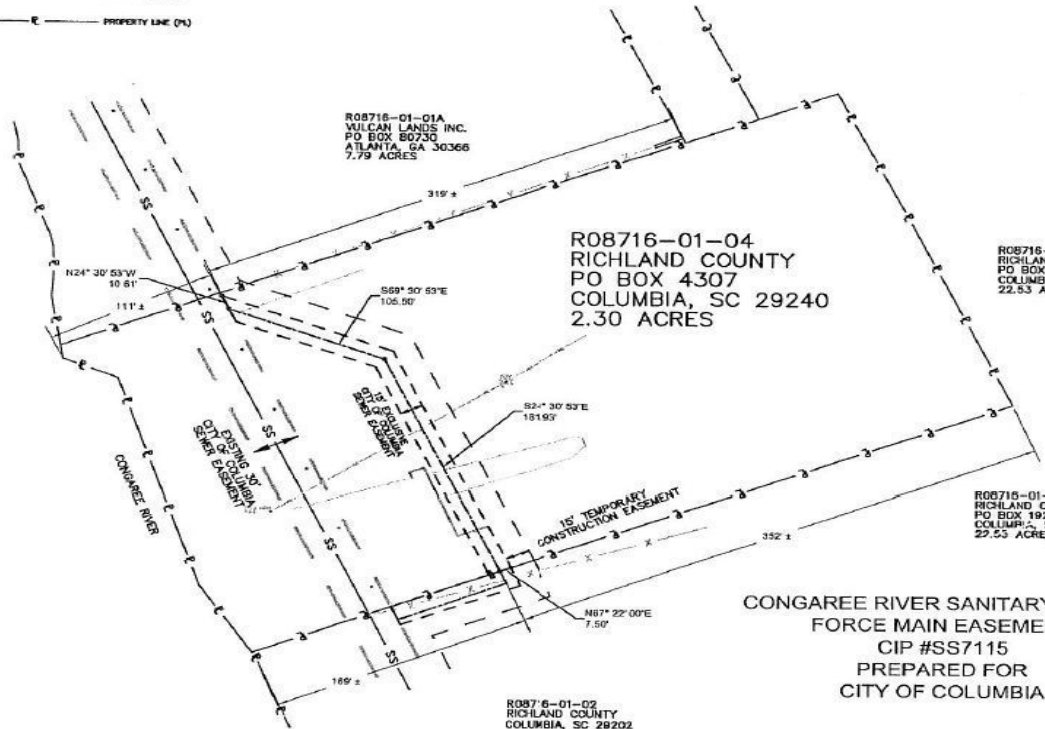
MY COMMISSION EXPIRES: _____
(Date)

EASEMENT 6 of 12.doc

EXHIBIT A

LEGEND:

- S — SANITARY SEWER GRAVITY (SS)
- E — EXISTING PERMANENT EASEMENT
- C — PERMANENT EASEMENT CENTER LINE
- - - PERMANENT EASEMENT (NEW)
- - - TEMPORARY EASEMENT
- - - FENCE LINE
- - - OVERHEAD POWER
- - - PROPERTY LINE (PL)

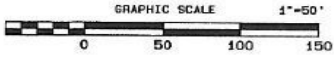


**CONGAREE RIVER SANITARY SEWER
FORCE MAIN EASEMENT
CIP #SS7115
PREPARED FOR
CITY OF COLUMBIA**

PERMANENT EASEMENT = 0.10 Acres
TEMPORARY EASEMENT = 0.11 Acres

EASEMENT DRAWING ACROSS PROPERTY OF
RICHLAND COUNTY
TMS # R08716-01-04
ALONG THE CONGAREE RIVER LOCATED IN COLUMBIA,
RICHLAND COUNTY, SOUTH CAROLINA

DRAWING NOT PLOTTED TO
SCALE MEASUREMENTS SHOULD
BE CHECKED AND VERIFIED



NO BOUNDARY SURVEY HAS BEEN CONDUCTED AROUND THIS PARCEL AT THIS DATE. ALL INFORMATION WAS TAKEN FROM PUBLIC RECORDS, TAX MAPS AND/OR RICHLAND COUNTY GIS 2011 EDITION. THIS DRAWING IS ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM. THE PERMANENT EASEMENT IS TO BE CENTERED ON THE ALIGNMENT LOCATION OF THE SANITARY SEWER MAIN SEWER LINE THROUGH THE AREA INCLUDED BY THE SANITARY SEWER MAIN SEWER EASEMENT. SHALL NOT BE FILED OVER OR CUT DOWN IN ANY MANNER WHICH WOULD CAUSE THE RAISING OR LOWERING OF THE GROUND LEVEL BEYOND THE ELEVATION WHICH EXIST AT THE TIME OF CONVEYANCE OF THE EASEMENT WITHOUT THE PRIOR APPROVAL OF THE CITY ENGINEER. NO BUILDINGS OR OTHER STRUCTURES OF ANY KIND, EITHER TEMPORARY OR PERMANENT, SHALL AT ANY TIME BE PLACED OR CONSTRUCTED WITHIN THE AREA OF THE SANITARY SEWER MAIN SEWER EASEMENT AS SHOWN ON THIS DRAWING.



Brown and Caldwell
JAMES F. MAZZEI, P.E.

JOEL R. NICHOLS, P.E. P.L.S. 46874
BUSINESS ADDRESS:
P.O. BOX 64008
COLUMBIA, SC 29260
jrnichols@brownandcaldwell.com
BUSINESS TELEPHONE NUMBERS:
(803) 776-9908 (VOICE)
(803) 776-2080 (FAX)
(803) 465-2102 (MOBILE)

CONSTRUCTION SUPPORT SERVICES
PO BOX 90408 COLUMBIA, SOUTH CAROLINA 29290
Office # (803) 776-9909 Fax # (803) 776-2988

SURVEYOR		DRAWN		PROJECT NO		DATE:
DENYS PROTEAU				050410V		08-31-10
REVISION	DATE	DESCRIPTION		BY		
1	10/05/2011	PER CITY OF COLUMBIA FINAL REVIEW		JKN	EXHIBIT	
					7 of 13	
					(CF# 220-374)	

ATTORNEY CERTIFICATION

I, _____, an attorney licensed to practice in the State of _____ do hereby certify that I supervised the execution of the attached Easement for Sanitary Sewer Main with Richland County as Grantor and the City of Columbia, as Grantee, this _____ day of _____, 20 _____.

State Bar Number: _____

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. _____-12HR

AN ORDINANCE AUTHORIZING AN EASEMENT TO THE CITY OF COLUMBIA FOR SANITARY SEWER MAIN TO SERVE THE CONGAREE RIVER SANITARY SEWER AND LOCATED AT 630 ROSEWOOD DRIVE; RICHLAND COUNTY TMS #08716-01-04.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant an easement to a sanitary sewer main to The City of Columbia for a portion of 630 Rosewood Drive, also identified as Richland County TMS #08716-01-04, as specifically described in the Easement, which is attached hereto and incorporated herein.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____.

RICHLAND COUNTY COUNCIL

By: _____
Kelvin Washington, Chair

Attest this _____ day of
_____, 2012.

Michelle Onley
Assistant Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only

No Opinion Rendered As To Content

First Reading:
Second Reading:
Public Hearing:
Third Reading:

Richland County Council Request of Action

Subject

Richland County South Paving Contract [**PAGES 76-79**] {Forwarded from the D&S Committee}

Notes

February 28, 2012 - The committee recommended that Council award the contract to R&T Grading, Inc. in the amount of \$1,000,000 for the paving of thirteen county roads. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Richland County South Paving Contract RC-521-CN-1112

A. Purpose

County Council is requested to approve the award of the South Paving contract to R&T Grading, Inc. for the paving of thirteen (13) County owned and maintained dirt roads.

B. Background / Discussion

The Richland County Paving Program was split into two contracts, the North and South Paving contracts. Each contract consists of 10-15 County owned and maintained dirt roads that will be paved. Along with the paving of the dirt roads, improvements to the storm drainage systems will be constructed. The improvements include the use of valley gutters and storm drainage systems. The South Paving contract Engineering Services were awarded to Jordon, Jones and Goulding, which was bought out by Jacobs Engineering, in June of 2004. The Engineering Services were completed and reviewed by the Engineering Staff at Public Works. The Project was advertised and bid on January 24, 2011. The Engineer's Construction Estimate was \$1,412,117.03, which included a ten (10%) contingency.

The following Dirt Roads are part of the South Paving Contract:

- Adams Jackson Road
- Bill Street
- Burdock Court
- Phoenix Court (Formerly Edward Court)
- Jay Street
- Lakin Road
- Pincushion Lane
- Tennessee Avenue
- Seabrook Avenue
- Short Way
- South Evans Street
- Third Street
- Wilson Nixon Road

There were four (4) bidders for the South Paving Project. R&R Grading, Inc has been determined to be the lowest, responsible, responsive bidder for the project with a bid of \$814,287. Listed below are the bid amounts for all bidders:

- JC Wilkie Construction - \$1,226,966.77
- Threlko, Inc - \$1,118,766.60
- R&T Grading, Inc. - \$814,287.00
- L-J General Contracting, Inc - \$1,220,462.30

Quarry Street is part of this contract but is being redesigned based on discussions between Richland County Public Works, Jacobs Engineering and a surrounding property owner Vulcan

Materials. Richland County Public Works will attempt to add this road to the contract via a change order once the new design is complete. Richland County Public Works requests a contingency to this bid amount for any changes that arise during construction and to allocate all the funding from the CTC. The available funding for this project is \$1,000,000.

C. Financial Impact

The County Transportation Committee (CTC) allocated \$4 million in 2004 to the Dirt Road Paving Projects. Construction of this project was delayed by the CTC for the over commitment of funds by the CTC. The contract will be funded with "C" funds allocated by the CTC and programmed by the South Carolina Department of Transportation (SCDOT). The have allocated and funded \$1,000,000 for the construction of the South Paving Project

D. Alternatives

There two (2) alternatives for this project and they are as follows:

1. Approve the request to award this construction contract to R&T Grading, Inc in the amount of \$1,000,000
2. Do not approve the request to award this construction contract to R&T Grading, Inc in the amount of \$1,000,000

E. Recommendation

It is recommended that County Council award this contract to R&T Grading, Inc in the amount of \$1,000,000 for the paving of thirteen (13) County Dirt Roads.

Recommended by: Donald V. Chamblee, PE, Deputy Director Public Works
Department: Public Works Date: 2/14/2012

Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 2/15/12

Recommend Council approval

Recommend Council denial

Council Discretion (explain if checked)

Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood

Date: 2/16/12

Recommend Council approval

Recommend Council denial

Council Discretion (explain if checked)

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 2/17/12

Recommend Council approval

Recommend Council denial

Council Discretion (explain if checked)

Comments regarding recommendation:

Administration

Reviewed by: Sparty Hammett

Date: 2/21/12

Recommend Council approval

Recommend Council denial

Council Discretion (explain if checked)

Comments regarding recommendation: Recommend Council approval of the request to award the construction contract to R&T Grading, Inc. in the amount of \$1,000,000.

Richland County Council Request of Action

Subject

Selection of LandDesign Inc. as consultant for the preparation of two neighborhood Master Plans [**PAGES 80-96**]
{**Forwarded from the D&S Committee**}

Notes

February 28, 2012 - The committee recommended that Council approve LandDesign, Inc. as the consultant and the expenditure of Neighborhood Improvement Program funds for the preparation of the Spring Hill and Lower Richland (Hopkins) Neighborhood Master Plans in an amount not to exceed \$289,000. The vote in favor was unanimous.

Richland County Council Request for Action

Subject: Selection of “LandDesign, Inc.” as the consultant, and an expenditure not to exceed \$289,000.00, for the preparation of two Neighborhood Master Plans, one for the Spring Hill neighborhood and one for the Lower Richland (Hopkins) area.

A. Purpose

County Council is requested to approve “LandDesign, Inc.” as the consultant for the preparation of two Neighborhood Master Plans, one for the Spring Hill neighborhood and one for the Lower Richland area at a total cost not to exceed \$289,000.00 to be funded by the Neighborhood Improvement Program.

B. Background / Discussion

On March 1, 2005, the Richland County Council approved the first 10 priority focal areas for Neighborhood Master Planning. The Neighborhood Improvement Program staff is tasked with ensuring completion of the master plans and working with Council to initiate the plans’ respective strategies. Since 2005, staff has procured consultants to complete each plan, and to date have completed seven (7) of the ten (10) proposed plans. As the Broad River Road Corridor Master Plan was the most recent to be completed and comprised a combination of two (2) of the proposed plans, only two remain: the Spring Hill and Lower Richland (Hopkins) Plans. In order to fulfill the remaining 2005 Neighborhood Master Planning obligations, the staff proposes initiation of work by the consultant “Land Design, Inc.”; such work to be completed within 12 months from the notice to proceed.

C. Financial Impact

\$289,000.00, which will be coming from the FY 2011-12 budget for the Neighborhood Improvement Program.

D. Alternatives

1. Approve “LandDesign, Inc.” as the consultant and expenditure in an amount not to exceed \$289,000.00, which will allow the development of two Neighborhood Master Plan areas within the County.
2. Do not approve “LandDesign, Inc.” as the consultant and expenditure in an amount not to exceed \$289,000.00, which will prevent the completion of the Neighborhood Master Plans.

E. Recommendation

It is recommended that Council approve “LandDesign, Inc.” as the consultant and the expenditure of Neighborhood Improvement Program funds for the preparation of the Spring Hill and Lower Richland (Hopkins) Neighborhood Master Plans in an amount not to exceed \$289,000.00.

F. Approvals

Finance

Reviewed by: Daniel Driggers

Date: 2/13/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Funds are available and encumbered as stated in the Neighborhood Improvement Fund.

Procurement

Reviewed by: Rodolfo Callwood

Date: 2/18/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Award should be contingent on mutually agreed on terms and condition and assisting the County in its inclusiveness goals of Local, Minority, Woman Disadvantaged Owned Businesses participation.

Planning and Development Services

Reviewed by: Holland Leger

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Award should be contingent upon completion and inclusion of the optional items as described in the Contract Fee Summary.

Legal

Reviewed by: Elizabeth McLean

Date: 2/21/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Policy decision left to Council's discretion. Procurement's recommendations should be added to the contract and Legal will conduct a final review if Council decides to move forward. I have a few comments from my initial review of the contract, but nothing that should stop Council from moving forward if that is their desire.

Administration

Reviewed by: Sparty Hammett

Date: 2/21/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend Council approval of "LandDesign, Inc." as the consultant to allow the development of two Neighborhood Master Plan areas within the County contingent on mutual agreement on the terms and conditions.



urban design planning civil engineering branding landscape architecture

FEBRUARY 6, 2012

AGREEMENT FOR PROFESSIONAL SERVICES

RICHLAND COUNTY STRATEGIC COMMUNITY MASTER PLAN

RICHLAND COUNTY, SC
LandDesign PN: 1011133

This agreement made this _____ day of _____, 2012, by and between the Richland County Government hereinafter referred to as "Client", and LandDesign, Inc., hereinafter referred to as "Consultant", for the provision of area planning services for Richland County, SC.

Now, therefore, the Client and Consultant agree as follows:

SCOPE OF SERVICES

The following scope of services is a series of tasks, with deliverables, intended to facilitate two concurrent planning processes. While the two resulting plans for the Hopkins and Spring Hill areas within Richland County will be separate, stand-alone plans generated through two separate processes, some efficiencies, which are reflected in the Contract Fee Summary, can be gained. Data collection, staff meetings and mapping efforts are examples of scope tasks that have a reduced fee due to the processes running concurrently.

PHASE 1: PROJECT INITIATION

Task 1.1: Kick-off Meeting with Staff & the Master Plan Advisory Committee & Study Area Visit

A kick-off meeting will mark the beginning of the project, allowing the Consultant, County staff and the Master Plan Advisory Committee (MPAC) to discuss the project purpose, schedule and project objectives. Also at the initiation of the project, and scheduled to take place the day of this kick-off meeting with the County, the team will conduct a half-day study area visit to expand our knowledge of existing conditions in both areas. If two committees are established, both committees will be invited to this single meeting and encouraged to participate in one or both area tours.

Task 1.2: Information Gathering / Data Collection

The team will conduct a fast-track data-needs inventory to identify the types and formats of data required for the project, including geographic, demographic, and economic data. A data-needs matrix will be compiled that addresses data needed, along with the desired format. Also included in the matrix will be a list of local plans, studies, and regulations that must be reviewed in the second phase. The team will compile and assess GIS data layers available from the County departments. We will also identify additional GIS data layers available from other sources that will augment the analysis, and we will rely on the Client to obtain such data. The results of the data-needs inventory will be provided to the County for discussion of specific data to be acquired.

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PHASE 2: RESEARCH & ANALYSIS

Task 2.1: Mapping

Using the data collected during the first phase, a series of maps will be developed using GIS technology. These maps will display the existing conditions in a number of areas, such as broad context, existing land use (and available land supply), transportation network, water and sewer, environmental assets and constraints, infrastructure service areas and community facilities. The mapping step will also include area-wide reconnaissance, ensuring that the team has a realistic picture of current conditions in the study areas and that major discrepancies between mapped data and actual conditions are noted.

Using CommunityViz (version 3.3), an ArcGIS extension for urban planning, land use planning, and resource management, to assess the suitability of land in the study areas for various land use types. As part of the mapping, the team will produce suitability maps that reveal the appropriate locations for residential and non-residential development in areas that are presently undeveloped or underutilized (land supply) based on environmental conditions and available infrastructure. This will further inform the decisions of all involved in the planning process as future land use choices are evaluated.

Task 2.2: Plan Review

We will review the plans and policies currently guiding development in the County. This review of local plans, studies, and regulations will include, but not be limited to, the following:

- Richland County Comprehensive Plan
- COATS 2035 Long Range Transportation Plan
- Central Midlands COG Bicycle and Pedestrian Plan
- COATS 2006-2012 Transportation Improvement Program
- Central Midlands COG Richland County Building Permit Activity Report
- Three Rivers Greenway Information (The River Alliance)
- Water and Sewer System Utilities Map
- Richland County Traffic Count Data

The purpose of this review and assessment of adopted plans and policies is to determine how the current pattern of development has been shaped by land use, transportation, environmental and other policies and related regulations. Key findings will be documented and included in each Community Profile / Needs Assessment Report (see Task 2.7).

Task 2.3: Stakeholder Interviews

Having established an understanding of current conditions in these areas of Richland County through analysis of available data, the team will interview key stakeholders in order to verify and supplement the data and further our understanding. These interviews are likely to include key staff from the County departments, elected officials, citizen leaders, regional partners, neighboring jurisdictions, representatives of various local, regional and state agencies, and interest groups. The team will participate in a two- to four-day session (up to two days per area), during which a series of one-hour meetings (up to five interviews per day) will be held with key stakeholders identified by the County. Stakeholders will assist the team in better understanding

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the specific local concerns that need to be addressed.

Task 2.4: Wikiplanning Civic Engagement Web Site

Prior to the first community meeting, the Consultant will construct and launch the online Wikiplanning civic engagement Web site(s) for the project. Meeting the requirements during each phase of the plan process requires that an ongoing relationship is built with participating residents. Wikiplanning, an interactive online tool developed by Ryan-Harris, LLC, can provide a format for a continuing online conversation with each resident who enters the Web site throughout the project's life. Through the use of a survey, posts of evolving project content, and other interactive activities, residents will be kept engaged as the plan matures. As all plan drafts are developed, they will be made available for viewing and/or downloading by project participants and may have plan-specific comment categories created for gathering feedback on each. By sending email invitations, Wikiplanning alerts participants as new activities are posted and queries residents as each new plan or document is posted, collecting and logging all participant feedback for subsequent analysis.

The survey will give the team an indication of community preferences. The team will prepare the survey questionnaire and work with the County to further define the variables that are of greatest concern to the community, as revealed during the planning process. Then, the team will conduct the survey online through this Wikiplanning tool.

Task 2.5: Community Profile / Needs Assessment

A Community Profile / Needs Assessment will be prepared for each area. The following describes the specific tasks that will be undertaken to accomplish this.

Task 2.5.1: Economic & Demographic Conditions

Our team will evaluate existing and projected economic and demographic patterns, and identify real estate market opportunities and constraints within the County and the study areas specifically. The data collection and analysis will be based upon primary field research and published information from secondary sources such as government agencies and real estate firms.

The economic and demographic analysis will combine qualitative research with quantitative demographic, economic, and real estate analyses. Qualitative research and community/business leadership interviews will indicate economic and market factors impacting Richland County, with an emphasis on the two subareas. Special attention will be given to major anchors and planned public and private investments. Quantitatively, the team will analyze economic and demographic trends, and provide forecasts through the planning period. The forecasts will provide the basis for determining future real estate demand for these subareas of Richland County.

Separate analyses will be prepared for residential, retail, office, and industrial uses. Residential real estate market data will be obtained for Richland County, as well as the greater Columbia metropolitan area. Several forecast scenarios will be prepared for population, households, and housing unit growth. Residential forecasts will be divided into single and multi-family components.

For retail uses, we will define primary and secondary trade areas, forecast expenditure potential,

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estimate sales capture rates for the two subareas, and determine the amount of square footage that could be supported for a variety of goods and services through the planning period. For office space, we will provide an overview of the existing market in Richland County and forecast the square footage that could be absorbed in the County and in the two study areas. Industrial uses will be analyzed from a more regional perspective, with the County's opportunities based on its competitive position and attributes within the Columbia metropolitan area.

As input to the Land Use element, specific locations will be recommended to accommodate residential, retail, office, and industrial demand, noting appropriate areas for higher-density development. Special consideration will be placed on mixed-use and employment opportunities to promote a balanced tax base and efficient provision of public services.

Task 2.5.2: Land Use

The team will examine existing land use patterns to determine how well these patterns accommodate land uses to sufficiently meet future demand as defined in tasks 2.5.1 above, efficiently utilize existing and planned infrastructure, and otherwise respond to the goals of the community. In doing so, we will summarize recent trends and explore options for alternative development patterns to consider—and encourage—in the future. Mixed-use development, for example, is being developed in the outlying areas of Richland County. To the extent that it achieves a variety of community goals, it may be a type of development that the County might accommodate more readily or even promote.

The team will also note the changes that have occurred within and around the County as a result of the adopted plan recommendations and later determine how those recommendations generally fit with the vision for the County, as established through this process. Based on this assessment and other analyses, the team will work with the citizens to generate ideas for future land use, later determining which adopted plan recommendations should be carried forward.

Task 2.5.3: Mobility/Circulation

The goal of this task is to identify transportation improvements in the study area that improve accessibility and create mobility linkages between activity centers and transportation facilities. To accomplish these goals, the Team will review and build upon the County's existing traffic study and will develop recommendations that will support implementing the Community Master Plans.

The objective of this task will be to evaluate the existing highway network in the study area to identify and quantify existing highway deficiencies. The Team will review the COATS 2035 Travel Demand Model (TDM) to identify existing and future highway needs in and around the study areas.

Livable communities are places built to encourage walking and bicycling with sidewalks, on-street bicycle facilities, multiuse pathways, and trails. The land uses in livable places are designed in a manner that allows homes, shopping, workplaces, recreation centers, and schools to be close together and accessible by walking and bicycling. Streets and pathway networks are designed in a context sensitive manner that holistically blend into and enhance the environment for pedestrians and bicyclists alike. In this way, the availability of safe bicycle and pedestrian facilities can contribute significantly to the quality of life for area residents. Bicycle and pedestrian needs in the study area will be identified through:

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- Review of the COATS Bikeway and Pedestrian Plan and other plans;
- Identification of existing facilities;
- Input and interviews through the Public Participation process; and
- Analysis of the Level-of-Service (LOS) provided by existing facilities at key locations, such as in the vicinity of schools.

The team will ensure that the relationship between transportation and land use is adequately considered throughout the planning process, particularly as the team considers alternate development scenarios for the community. Based on details reflected in the emerging Community Master Plans, the team will identify, and later refine and prioritize, specific multimodal transportation system improvements. Examples include capacity and operational projects as well as projects to implement Complete Streets recommendations through enhanced pedestrian, bicycle, and transit improvements (i.e., enhancements along select corridors or in activity centers).

The team will also evaluate public parking within major activity centers to ensure adequate parking is available and it is convenient and provides efficient access and circulation.

These improvements will create a multimodal transportation system that will connect activity centers, which will improve accessibility and mobility throughout the study area. Thus, the transportation recommendations will work toward developing Community Master Plans that will support multiple modes at each major activity center in the study area.

Task 2.5.4: Community Facilities

The team will incorporate details from current plans and review them for consistency with the vision and objectives established through the process. Through a review of current facilities plans and awareness of potential growth, the team will discuss the adequacy of existing and planned facilities and staff with representatives of each service provider. During the process, the team will examine Richland County's plans for parks, greenways, and recreational spaces as well as police, fire, and EMS services. Options that may improve service provision will be highlighted during the process so that future updates to—and the implementation of—facilities plans might take such options into consideration.

While school system improvements (i.e. the addition or expansion of schools) are determined by Richland County School District One, which serves Hopkins, and Richland County/Lexington School District Five, which serves Spring Hill, it is important to consider the impacts of new or expanded schools. Such facilities affect traffic volumes and circulation, influence housing location choices, and can act as a neighborhood focal point and community facility. Therefore, the locations of such facilities should be taken into account in any planning effort and preferred locations documented so that, at the very least, the plan might be used as a communication tool in discussions with the School District Boards.

Task 2.5.5: Natural Resources & Open Space

By mapping natural resources using data collected from the County and other sources, the team can develop a composite picture of these existing natural assets, and generally describe areas where two or more overlap. Using the composite map and the following considerations, the team will work with the citizens to establish priorities for natural resource protection that are consistent

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with the goals and objectives. Complementary and competing uses of natural resources and open space will be studied, such as the potential for undeveloped floodplains and wetlands to function as floodwater hazard mitigation while also providing for passive recreation. The team will explore ways the County and developers can support efforts to preserve Richland County's natural resources by permanently protecting and/or sensitively integrating them into development.

Task 2.5.6: Historic & Cultural Resources

It will be essential to review the inventory of cultural resources in the community, particularly historic structures, sites, and neighborhoods that contribute to the character of the County. Richland County has shown a commitment to retaining historic resources. This element of this Master Plan will include a background history of the County and an overview of the steps that have already been taken to document historic resources and designate them as significant components of the community and its heritage. Referring to inventories created by others and made available to our team by the County, our team will identify the resources that are valued by the community to ensure the plan not only acknowledges these resources but encourages growth in a manner that aims to protect them over the long term. The Master Plan will provide guidance to civic leaders in furthering their efforts to conserve and enhance Richland County's unique identity and character by protecting significant historic structures and sites.

Task 2.5.7: Urban Design & Architecture

Several subareas within the County have their own distinct character. It will be beneficial to further describe "character areas" and identify the contributing qualities that define the two study areas, distinguishing them from other areas in the County. Through this process, our team will work with citizens and other stakeholders to determine which features should be preserved and encouraged in the future as new development and redevelopment occurs. The team will examine the scale and appearance of development, particularly features and quality of architecture (scale, articulation, building orientation and placement) and streetscape. These observations may be the basis for standards to be incorporated into the redevelopment overlay district.

A set of images and other supporting visual materials will be developed to clearly communicate the essence of each area and the qualities that should be present as those communities continue to mature.

Task 2.6: First Community Meeting—Education Session and Visioning

In each area, the team will conduct an initial community meeting for a total of two meetings.

The first community meeting of the plan development process will achieve several objectives. First, it will provide a venue for educating citizens about opportunities of planning for the two areas. It will also allow the team to present the existing conditions documented during the first two phases of the project as well as the issues and opportunities revealed through the analysis of this data. The most important outcome of the meeting, though, will be the input attendees will give on the goals and objectives they would like to see achieved over the coming years. These goals and objectives will guide the creation of the Master Plan.

Task 2.7: Community Profile / Needs Assessment Reports

A report for each area will be generated to document the findings of Phase 2. At the conclusion

of the second phase, the team will submit the reports to the County outlining the most important issues Richland County must address in coming years, and the greatest opportunities the County should seek and build upon. Contained within each document will be the vision statement, goals and objectives developed during this second phase of the process.

PHASE 3: PLAN DEVELOPMENT

Task 3.1: Initial Concept Development

A planning workshop will be facilitated in each area for a total of two workshops. Each will be conducted with staff, the Master Plan Advisory Committees, and key individuals to develop preliminary concepts for each of the two areas and explore the many choices regarding future development. Up to two consecutive business days will be devoted to each workshop. Initial concepts will be generated and presented for evaluation at the second public meeting in that area (see Task 3.2). These concepts will indicate appropriate locations for and general relationships between land use, transportation and other infrastructure, open space, and other plan components. Presented as maps showing general, diagrammatic relationships, these concepts will be evaluated in terms of these established goals and objectives.

(OPTIONAL) 3.1-O: Land Use Modeling

CommunityViz allows for scenario planning in which alternative land use plans can be reviewed side-by-side and dynamically updated so that changes to a plan automatically cause recalculations of impacts. This tool has been used effectively to aid communication and decision-making in land use planning processes and is especially useful for areas roughly equal in size to this study area. Consultant team members are experienced in the use of this powerful planning application. The database available should be sufficient to undertake a scenario planning exercise as part of the second phase, during which the plan alternatives are created and evaluated. As an optional addition to task 3.1, the team can utilize CommunityViz to generate development scenarios and test the potential impacts of specific policies that are under consideration.

Task 3.2: Second Community Meeting—Concept Evaluation

In each area, the team will conduct a second community meeting for a total of two meetings.

At the second community meeting held midway through the workshop described above, concept plan(s) will be evaluated in a workshop setting to identify the preferred elements within each. This workshop will include exhibits and other informative elements combined with interactive exercises that will allow attendees to delve into the possibilities presented by each alternative concept. Inviting Richland County citizens and business owners to develop a real understanding of how elements of their County will interact in the future will elicit more useful feedback and continue to cultivate personal investment in the plan. The feedback received at this workshop will reveal the components of one or several concepts that are preferred by community members, which will be combined and refined in following tasks.

Task 3.3: Development of Illustrative Master Plan Map

The team will prepare illustrative master plan maps, one for each area, that incorporate elements of the preferred concepts, as determined through input received at the second public meeting. These plan maps will work out relationships in greater detail than has been reached previously in the process, addressing the issues and opportunities presented when land use, transportation,

environmental assets and constraints, and other elements are treated in the manner preferred by the community. These maps will be designed as informative, attractive graphic communication tools that can be easily understood by a variety of audiences.

Task 3.4: Preparation of Conceptual Area Illustrations

In many cases, one of the most helpful ways of communicating the spirit of a Master Plan is by demonstrating the results of putting it into action. To this end, the Consultant will prepare up to four development illustrations for key locations (up to two in each study area). These will conceptually illustrate development design at specific locations, representing the physical manifestation of the policies implied in the plans. The illustrations will be in the form of plan vignettes, cross-sections, and/or perspective sketches.

PHASE 4: RECOMMENDATIONS & IMPLEMENTATION STRATEGIES

Task 4.1: Development of Recommendations and Implementation Strategies

Once an illustrative plan map has been created, the Consultant will develop policy recommendations as well as strategies for implementing the plan that are consistent with the recommendations. LandDesign's approach to developing some of those strategies, which will be reviewed with the Master Plan Advisory Committees and outlined in the Master Plans, could propose implementation methods and tools associated with a broad set of topics ranging from economic development to transportation and will likely include the three suggested by Richland County in the RFP:

- **Redevelopment Overlay District Text**

One key to the successful implementation of a plan is an appropriate catalog of tools designed to fit the community's expectations. Those tools include development ordinances that are based on the community's adopted policies for the future. The preparation of an effective zoning district flows from an evaluation of the ordinances and guidelines presently available to determine whether they are capable of implementing the plan's directives and goals. With an understanding of the Client's objectives, which will guide decisions about the new district, the Consultant will review the County's current zoning ordinance. It is possible and appropriate to focus on shortfalls in the existing ordinances, such as limitations on land uses that must be included in certain districts to achieve the vision. We will then document the gaps in the provisions of the current districts so that this new district will be complementary and incorporate the details that are envisioned in the plan.

Overlay districts from other municipalities that have a similar purpose, as well as provisions that meet the objectives defined by the Client, will be reviewed. These will serve solely as examples when crafting a district customized for Richland. The Consultant will then prepare an initial draft of the district that reflects the major ideas discussed.

The Consultant will meet with key stakeholders identified by the Client who can provide necessary feedback regarding initial research and recommendations regarding the draft districts text. The Client shall be responsible for inviting the key stakeholders (or stakeholder groups) to the meeting. Specific revisions and suggested provisions will be reviewed and discussed to determine the feasibility of modified provisions.

The Consultant will conduct two workshops with the Client, the advisory committee and key

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stakeholders to work through initial research and recommendations. During and between these workshops, the Consultant will aim to accomplish the following:

- draft a purpose statement that will be incorporated into the text of the district(s);
- test preliminary design standards with respect to existing conditions on selected parcels;
- evaluate the application of new standards in terms of the potential for creating non-conforming conditions or uses, requests for variances, or increasing development costs; and
- gain consensus on the draft district text.

The preliminary draft will be reviewed in a meeting with the Client to ensure the direction is consistent with the stated objectives. A single set of notes documenting the revisions to be made as well as suggested provisions will be compiled during this review meeting. With Client approval of the notes, the draft will be modified and completed. This second or "complete" draft will be disseminated to stakeholders for review and comment. The end product will be incorporated into the plan as an appendix.

- **Cost Estimates for Improvements**

Through the planning process, specific improvements will be identified that will be required for the successful implementation of the plan. The cost of each improvement will depend on the nature and timing of the improvement. The specific improvements for which the team may provide cost estimates are unknown and will not be clearly understood until the plan is nearing completion. Therefore, this scope includes a process for identifying appropriate improvements, prioritizing them, and attaching an "order of magnitude" cost assumption to each. This will assist county leaders in determining the initial steps that will bring about results in the short term and maintain momentum through long-term implementation steps. The end product will be incorporated into the plan as an appendix.

- **Funding Sources**

Having identified a list of potential development, redevelopment and capital improvement priorities that are most suitable for the two subareas of Richland County, LandDesign will identify and describe funding mechanisms that could be utilized to implement the plans. From grants to public-private partnerships, a range of choices will be presented in a menu format. Each will be described to explain the source and applicability and to indicate whether it should be leveraged to obtain additional funding. The options, in combination with other funding sources already available to Richland County that could directly or indirectly affect the implementation of these plans could enhance the efforts of both public and private sectors. The end product will be incorporated into the plan as an appendix.

(OPTIONAL) Task 4.2-O: Fiscal Impact Analysis

Under direction from Richland County, our team will forecast tax base and fiscal impacts of the land use recommendations for each of the two subareas.

The fiscal year 2011-2012 Richland County budget will be analyzed to create preliminary revenue and expenditure indexes by land use type. We will then interview the County Manager, Finance Director, and department leaders to verify revenue and expenditure assumptions.

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Expenditures will be divided into operating and capital components. We will also obtain cost estimates and timing for new capital investments that would be required for each scenario through the planning period, and calculate the corresponding debt service under a typical municipal bond scenario.

We will produce a comprehensive fiscal impact model and calculate annual net municipal revenues through the planning period for the three development scenarios. The model will determine whether municipal revenues are adequate to serve each development scenario.

PHASE 5: PLAN DOCUMENTATION & ADOPTION

Task 5.1: Third Community Meeting—Presentation of the Plan

In each area, the team will conduct an initial community meeting for a total of two meetings.

At a third community meeting, the Consultant will present the Illustrative Master Plan Map along with the accompanying recommendations and implementation strategies. This presentation will invite feedback from the community, especially about new or modified strategies for putting the plan into action. While the Consultant will enthusiastically encourage feedback at this meeting, the greatest benefit is likely to be the public buy-in that may be engendered at this type of meeting, where a compelling vision for the future is being presented in a way that is both positive and clearly attainable.

Task 5.2: Plan Document Preparation

The Consultant will prepare the Master Plan document(s), which will be clear, concise, and suitable for a variety of audiences. The team prides itself on preparing plan documents that combine graphics and text in an informative, attractive way.

A draft of these documents will be delivered to the County and Master Plan Advisory Committee for review and comment, and then made available for public review and comment. Based on comments received, the team will make final modifications and deliver the final Master Plans to the County.

(OPTIONAL) Task 5.2-O: Executive Summary

At this time, the team will also design the Executive Summary, which will be a separate companion piece. One key to the successful implementation of any plan is the effective communication of it after the planning process. Public education efforts designed to rally support for the plan are key to this communication process. The brochure-style Executive Summary is a valuable communication device, as it summarizes the plan in a short reference document. In the last phase of the project, the team will design an executive summary that is illustrative, communicating the community's vision for the future and the key recommendations. The end product will serve as a marketing tool for the implementers of the plan, helping them "sell" others on the vision and methods for achieving it.

Task 5.3: Plan Presentation

Once draft plan documents are available, the Consultant will participate in presenting the Master Plans to the Planning Commission and the County Council, which will be one joint meeting that will take place as part of the adoption process. Since the amount of information to be covered by the plan is likely to be substantial, this meeting held in advance of a public hearing process is

recommended to allow the elected and appointed officials to absorb the information contained in the plan prior to adoption. The Consultant will assist the County in preparing for and making a presentation at the public hearings (up to two) as well.

DELIVERABLES (ONE SET FOR EACH OF THE TWO PLANS)

- Summary of Online Civic Engagement Campaign – One (1) hard copy and one (1) CD containing both editable and PDF versions of the document.
- Staff Review Draft of Master Plan (full document) – One (1) hard copy and one (1) CD containing both editable and PDF versions of the document and all digital files of the maps and graphics inserted into the plan.
- Public Review Draft of Master Plan (full document) – One (1) hard copy and one (1) CD containing both editable and PDF versions of the document and all digital files of the maps and graphics inserted into the plan.
- Final Master Plan (full document) – One (1) hard copy and one (1) CD containing both editable and PDF versions of the document and all digital files of the maps and graphics inserted into the plan.
- Maps – One (1) hard copy and one (1) digital version of each map produced for the process and included in the final plan document. The digital version of these maps, including all GIS shapefiles used to generate them, will be included on the CD that contains the Master Plan.
- *Optional* Executive Summary – One (1) hard copy and one (1) digital version in both editable and PDF formats, which will be included on the CD that contains the Master Plan. The Summary will be a brochure style that unfolds into a poster of the plan map and supporting illustrations.

CLIENT RESPONSIBILITIES

- A. County Staff will be expected to be involved in the process. The responsibilities of the Staff include but are not limited to the following:
- Project coordination – Participate in project coordination efforts (see below).
 - Input – In addition to gathering data and documents, Staff will act as a member of the project team by providing input throughout the process regarding existing conditions, issues, opportunities, concept plans, recommendations and implementation strategies.
 - Meeting space – Secure meeting space for all presentations, meetings with staff, MPACs, and other meetings that are required as part of this planning process. Staff will also set up these facilities in preparation for each meeting in accordance with guidelines established by the Consultant. The Client will be responsible for paying any fees associated with reserving and using meeting space.
 - Meeting facilitation – Participate in Community Meetings by helping the Consultant with facilitation, preparation and distribution of agendas, management of attendees (i.e., sign-in table), etc.

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- The Client will be responsible for scheduling and noticing (as required) all meetings following input from the Consultant.
 - Dissemination of information – Meeting notices, plan details, and other information disseminated to the public, stakeholders, interested groups and individuals, etc. shall be the responsibility of Staff. The Consultant will provide information at the appropriate times in PDF format so that it may be utilized by Staff in a variety of ways, such as uploading onto the County's web site. (Note: The project team will be responsible for adding content to the Wikiplanning Web site.)
- B. The Client shall provide full information at its disposal/available that is relevant to the project in the format requested. (Note: All documentation provided by the Client for purposes of this study shall be returned to the Client at the completion of this study.)

PROJECT COORDINATION

To ensure a successful and efficient process, regular communication between Consultant team members and the Client must be maintained. Through e-mail, regular phone calls initiated by the Consultant, and scheduled meetings, the Consultant will coordinate with the Client and will provide project updates, answer questions, discuss key issues, disseminate critical information, etc.

The Consultant will provide necessary staff/resources for all meetings necessary to complete the project as defined in the Scope outlined above. The Consultant will make every effort to minimize project costs by taking advantage of joint travel opportunities and consolidating meetings, interviews, and field reconnaissance. Some of the meetings listed in the Scope above will be scheduled for the same day.

Quality control/ quality assurance (QA/QC) is also achieved through regular coordination, as this provides an opportunity for internal review of work products throughout the process. QA/QC is included in the scope of work.

A copy of the agreed upon schedule for Consultant to perform its services will be provided to the Client at project initiation, following receipt of Client's input. Any schedule delays resulting from any circumstance, whether such circumstance is associated with the project defined in this Agreement or not, shall not in any way affect the Client's payment of fees to the Consultant in accordance with the terms specified in this Agreement as well as in Exhibit A, Standard Terms and Conditions of Contract, attached to this Agreement.

CONTRACT FEE SUMMARY

<u>DESCRIPTION</u>	<u>PHASE</u>	<u>FEE</u>
Richland County Strategic Community Master Plan	100	\$230,000.00
Optional Scope		
3.1-O: Land Use Modeling	200	\$28,800.00
4.2-O: Fiscal Impact Analysis	300	\$23,200.00
5.2-O: Executive Summary	400	\$7,000.00

Direct project expenses (travel, printing, etc.) for the services contained in this agreement are included in the lump sum amounts shown above.

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PROJECT SCHEDULE

The scope of services described herein and the contract fee provided above are based on the assumption that the plans for the Hopkins and Spring Hill areas within Richland County (a total of two plans) will be separate, stand-alone plans generated through two separate but concurrent processes initiated at the same time. The length of time required to complete each plan may differ; however, they will be completed as follows:

- Hopkins Community Master Plan – 12 months following the notice to proceed
- Spring Hill Community Master Plan – 9 months following the notice to proceed

The schedule for each includes time required to complete optional tasks; therefore, the timeframe indicated is the maximum required to complete each plan.

All work will be performed according to our Standard Terms and Conditions of Contract, incorporated into this contract by reference herein and attached as Exhibit A, except as modified above. If this proposal is acceptable and outlines our complete agreement, please signify your acceptance in the space provided and return both originals to our office for execution by LandDesign. This document will then constitute our complete agreement.

LANDDESIGN, INC.

BY: _____ DATE: _____
Margaret Nealon, RLA, AICP, for LandDesign, Inc.
Vice President

RICHLAND COUNTY

BY: _____ DATE: _____
Rodolfo Callwood

223 North Graham Street
Charlotte, NC 28202

V: 704.333.0325
F: 704.332.3246

www.LandDesign.com

N:_2011\1011133\Project Mgmt\Contract\1011133 ORIG CP_v2.docx

Washington DC
Charlotte NC
Beijing PRC

**EXHIBIT A
LANDESIGN, INC.
STANDARD TERMS AND CONDITIONS OF CONTRACT**

Contract Billing: Billing for contracts shall be on a monthly basis. Invoices are due upon receipt. Payment not received within thirty (30) days of invoice date will be subject to a service charge in the amount of one and one-half percent (1.5%) per month. If account is not paid per the terms of this agreement, LandDesign is entitled to recover any and all reasonable attorney fees associated related to the collection from client. In addition, LandDesign reserves the right to suspend all work in any case where invoices remain unpaid more than sixty (60) days from issue.

Reimbursable Expenses: Expenses incurred by LandDesign solely in the interest of the project are included in the project fee. Reimbursable expenses shall include but not be limited to all shipping and mailing costs, courier services, travel, long distance telephone and facsimile transmittals, supplies, printing and photographic reproductions. All permitting fees as well as project related expenses incurred by consultants and billed to LandDesign are expressly excluded from inclusion in the project fee. Permitting fees and consultant costs shall be billed to the Client at cost plus 1.1 multiplier. All reimbursable expenses shall be billed monthly and shall be payable upon the same terms and conditions applicable to labor and fee invoices due LandDesign, as set forth above.

Overtime Charges: LandDesign shall be paid overtime in any case in which the Client requests work to be complete prior to previously agreed upon completion date.

Commencement of Work: Client acknowledges that the fees of LandDesign set forth in this Contract contemplate prompt commencement by LandDesign of the work to which such fees relate. Accordingly, LandDesign shall have the unilateral right to terminate all or any portion of this Contract to the extent Client does not authorize LandDesign to promptly commence and complete performance of the work to be performed by LandDesign hereunder. LandDesign reserves the right to renegotiate contract fees if work is not completed within two years of the original date of this contract.

Additional Services: Any work required in addition to that detailed in this Contract will be billed on an hourly basis according to our then current rates or a negotiated lump sum fee. Extra work will include, but not be limited to: Changes in the Scope of Services; Changes made in response to program changes; Changes due to revision of site/base information provided by others; and Design modifications requested by the Client subsequent to prior approval.

Hourly Rates: Our hourly rates are as follows:

Partner	\$150.00 - \$300.00/Hour	Construction Administration Manager	\$ 85.00 - \$140.00/Hour
Principal	\$125.00 - \$200.00/Hour	Branding Manager	\$100.00 - \$140.00/Hour
Senior Associate	\$110.00 - \$180.00/Hour	Designer	\$ 80.00 - \$140.00/Hour
Associate	\$100.00 - \$170.00/Hour	Graphic Designer	\$ 80.00 - \$140.00/Hour
Manager	\$ 95.00 - \$160.00/Hour	Field Technician	\$ 60.00 - \$100.00/Hour
Landscape Architect	\$ 95.00 - \$160.00/Hour	CAD Services	\$ 65.00 - \$ 80.00/Hour
Professional Engineer	\$ 95.00 - \$160.00/Hour	Project Assistant	\$ 60.00 - \$ 90.00/Hour
Engineer (EI)	\$ 85.00 - \$140.00/Hour	Administrative Assistant	\$ 45.00 - \$ 70.00/Hour
Planner	\$ 80.00 - \$140.00/Hour		

All billing rates are subject to periodic adjustments at the discretion of LandDesign.

Ownership and Use of Documents: Upon payment in full of all sums due LandDesign by Client pursuant to this Agreement, the drawings, sketches, specifications, and other contract documents prepared by LandDesign for the project ("the Documents") shall become the property of Client, provided: (1) the Documents shall not be used by Client or any third party on any other project without the prior express written consent of LandDesign; (2) Client acknowledges that any machine readable or electronic copies of the Documents may vary or contain information different from physical copies and that LandDesign, will have no responsibility for such differences; (3) LandDesign will remove its seal and title blocks from the Documents provided to Client; (4) Client warrants that it will not make, allow or authorize any use to be made of the Documents which is in violation of any statute, rule, regulation or code or which is in any way illegal or contrary to law; and (5) Client agrees to indemnify and hold LandDesign harmless from and against all liability, damage or claims, including reasonable attorneys' fees, resulting from any claim against LandDesign by any third party arising out of the use of any of the Documents contrary to the provisions of this Agreement.

Governing Body: This Agreement shall be governed by the interpreted, construed, and enforced laws of the State of North Carolina.

Termination: Contract may be terminated at any time, by either LandDesign or Client, by notification in writing. In the event of termination, LandDesign shall be paid for services performed and reimbursable expenses incurred to the date of notification. Any expenses incurred by LandDesign due to termination of project by Client shall be paid by Client.

Acts of God and Third Parties: Notwithstanding any provision contained in this Contract to the contrary, LandDesign shall not be deemed in default hereunder, or otherwise liable or responsible, if any failure of its performance shall be due to any governmental regulations or controls, the need to obtain any governmental approvals, inability to obtain any material or service, strike, act of war, act of God, act of any third party, or any other cause whatsoever beyond the reasonable control of LandDesign, and the time for performance by LandDesign shall be extended by the period of delay resulting from or due to any of such causes.

General Provisions: LandDesign assumes no liability arising from this Contract Proposal or the work involved except in so far as it is liable for its acts or the acts of its employees. It is our policy to complete our services promptly and within established schedules, however, there is no expressed or implied guarantee as to when plans will be approved by the applicable governing agencies. We will progress our work in an expeditious and professional manner at all times.

Liability: LandDesign's liability for any and all injuries, claims, losses, expenses, damages or claim expenses arising out of this agreement, from any cause or causes, shall not exceed the total amount of \$50,000 or the amount of LandDesign's fee, whichever is greater. Such causes include, but are not limited to, LandDesign's negligence, errors, omissions, strict liability, breach of contract or breach of warranty.

NC Planning July 2008

Richland County Council Request of Action

Subject

Albene Park Water Distribution System Principal Forgiveness Loan [PAGES 97-110] {Forwarded from the A&F Committee}

Notes

February 28, 2012 - The committee recommended that Council approve the acceptance of the SRF principal forgiveness loan of \$304,025 and authorize Administration to complete the appropriate loan documents and increase the Joel E. Wood & Associates contract by \$25,200 once the loan documents are completed. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Albene Park Water Distribution System Principal Forgiveness Loan

A. Purpose

County Council is requested to approve a principal forgiveness loan for the Utilities Department that will provide \$304,025 in funds for the Albene Park Water Distribution System replacement. Approval is also requested to increase the current design contract with Joel E. Wood and Associates by the amount of \$25,200 for the additional engineering costs once the principal forgiveness loan is approved. The additional engineering funds as well as all estimated construction cost are included in the loan amount. The principle forgiveness loan was awarded by DHEC through the Drinking Water State Revolving Fund (SRF).

B. Background / Discussion

The Richland County Utilities Department currently operates the Albene Park Water Distribution System under a receivership agreement with DHEC. Because of the condition of the existing distribution system, DHEC, through the SRF program, has awarded a \$304,025 principal forgiveness loan to replace the distribution system as a continuation of the development of the Hopkins Community Water System. If approved, the funds will pay for the replacement of approximately 4500 feet of 6” asbestos pipe currently installed as the distribution system in the Albene Park Subdivision. See attached: loan approval letter, project cost estimate and sample loan assistance agreement.

This forgivable loan will require the County to redesign a portion of the current project, develop a bid package to meet SRF requirements and bid the project as directed by SRF. SRF is also requiring the existing design engineer, Joel E Wood & Associates to modify their environmental report in addition to the redesign and bidding mentioned above. The additional engineering services as well as the projected construction cost are included in the attached cost estimate and are fully funded by the forgivable loan. With Council’s approval, the engineering contract will be increased by \$25,200 to cover the additional engineering services once the principal forgiveness loan documents are completed.

The acceptance of this principal forgiveness loan and the construction of the new water distribution system in Albene Park Subdivision will be handled as a separate project but will require coordination between the existing Hopkins Water System Contractor and the new contractor. This service will be provided by the design engineer.

The award letter and project budget are attached as well as a sample Loan Assistance Agreement that explains the terms and conditions required by the SC Water Quality Revolving Fund Authority.

C. Financial Impact

The principal forgiveness loan will cover all cost associated with the replacement of the existing water distribution system in Albene Park. There will be no additional funds requested from the County as a result of accepting these loan funds and completing this project.

D. Alternatives

1. Approve the acceptance of the SRF principal forgiveness loan of \$304,025 and authorize Administration to complete the appropriate loan documents and increase the Joel E. Wood & Associates contract by \$25,200 once the loan documents are completed.
2. Do not approve the loan or contract increase for Joel E. Wood & Associates.

E. Recommendation

It is recommended that Council approve the acceptance of the SRF principal forgiveness loan of \$304,025, authorize Administration to complete the appropriate loan documents and increase the Joel E. Wood & Associates contract by \$25,200 to cover the additional engineering cost.

Recommended by: Andy Metts Department: Utilities Date: 2/08/12

F. Reviews

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers Date: 2/13/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood Date: 2/13/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Grants

Reviewed by: Sara Salley Date: 2/16/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean Date: 2/17/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

The agreement attached has been reviewed; however, it is only a sample. Although I would not suspect any substantive changes to be made before the County receives the

actual contact, the document will need to be reviewed again once the final version is obtained.

Administration

Reviewed by: Sparty Hammett

Date: 2/21/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend Council acceptance of the SRF principal forgiveness loan of \$304,025 and to authorize Administration to complete the appropriate loan documents and increase the Joel E. Wood & Associates contract by \$25,200 once the loan documents are completed.

BOARD:
Paul C. Aughtry, III
Chairman
Edwin H. Cooper, III
Vice Chairman
Steven G. Kisner
Secretary



C. Earl Hunter, Commissioner

Promoting and protecting the health of the public and the environment

BOARD:
Henry C. Scott
M. David Mitchell, MD
Glenn A. McCall
Coleman E. Buckhouse, MD

Bureau of Water

January 5, 2012

RECEIVED
JAN 09 2012
Richland County Utilities

Mr. Andy Metts
Richland County Utilities
7525 Broad River Road
Irmo, SC 29063

Re: Albene Park New Water Distribution System, SRF #4020002-01

Dear Mr. Metts:

The Drinking Water State Revolving Fund (DWSRF) Intended Use Plan for State Fiscal Year 2012 has been finalized and can be found at www.scdhec.gov/environment/water/docs/srf_dwiup.pdf.

The above referenced project has been selected to receive funds allotted to South Carolina's DWSRF program from the Federal Fiscal Year 2011 Full-Year Continuing Appropriation Act (P.L. 112-10) in an amount not to exceed \$304,025. This amount reflects the increase in project cost due to revised procurement requirements. These funds will be provided to you for loan assistance without any required repayment of principal nor interest accrued upon that principal amount.

Please have your engineer contact Butch Swygert at swygercw@dhec.sc.gov or (803) 898-4235 as soon as possible to discuss the requirements necessary to receive these funds.

Sincerely,

David C. Price, PE
Assistant to the Director
Water Facilities Permitting Division
& SRF Program Manager

cc: Ashlie Lancaster, SC Budget & Control Board
Trish Comp, SC Budget & Control Board
Butch Swygert, SC DHEC SRF Section



JOEL E. WOOD & ASSOCIATES

PLANNING • ENGINEERING • MANAGEMENT

HOPKINS SCHOOL COMMUNITY MISC. WATER SYSTEM IMPROVEMENTS					
EXTENSION 6 (ALLBENE PARK)					
ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1	MOBILIZATION	1	L.S.	\$3,000.00	\$3,000.00
2	CONSTRUCTION STAKING	1	L.S.	\$750.00	\$750.00
3	CLEARING & GRUBBING	1.4	AC.	\$1,500.00	\$2,100.00
4	TRAFFIC CONTROL	1	L.S.	\$1,500.00	\$1,500.00
5	SEDIMENT & EROSION CONTROL	1	L.S.	\$1,500.00	\$1,500.00
6	GRASSING: SEEDING, FERTILIZER, & MULCH	1.4	AC.	\$3,500.00	\$4,900.00
7	10" (C900 DR 18) PVC COMPLETE, INSTALLED, TESTED, STERILIZED, AND APPROVED FOR USE	1150	L.F.	\$22.00	\$25,300.00
8	6" (C900 DR 18) PVC COMPLETE, INSTALLED, TESTED, STERILIZED, AND APPROVED FOR USE	4300	L.F.	\$12.00	\$51,600.00
9	TIE TO 10" EXISTING LINE	1	EA	\$3,000.00	\$3,000.00
10	BORE & JACK 12.75" STEEL CASING W/ 6" RESTRAINED JOINT DUCTILE IRON CARRIER PIPE	100	L.F.	\$140.00	\$14,000.00
11	6" DUCTILE IRON PIPE (PR 200) W/ FLOWABLE FILL AND PAVEMENT PATCH AT ROADWAY	75	L.F.	\$108.00	\$8,100.00
12	10" GATE VALVE & BOX	1	EA	\$1,800.00	\$1,800.00
13	6" GATE VALVE & BOX	4	EA	\$800.00	\$3,200.00
14	3/4" POLYETHYLENE COPPER TUBE SIZE SERVICE TUBING (PR 200)	1600	L.F.	\$4.00	\$6,400.00
15	BORE 3/4" SERVICE TUBING UNDER PAVEMENT NO CASING	345	L.F.	\$10.00	\$3,450.00
16	NEW METER & METER BOX	40	EA	\$750.00	\$30,000.00
17	FIRE HYDRANT ASSEMBLY	3	EA	\$3,500.00	\$10,500.00
18	PAVED DRIVEWAY REPAIR	180	S.Y.	\$40.00	\$7,200.00
19	GRAVEL DRIVEWAY/ROADWAY REPAIR	35	TONS	\$35.00	\$1,225.00
20	ABANDON OLD WELL AND WELL HOUSE	1	LS	\$6,000.00	\$6,000.00
21	CHEMICAL FEED EQUIP. & HOUSE	1	LS	\$41,000.00	\$41,000.00
22	UPGRADE EXISTING WELL AND PUMP	1	LS	\$48,800.00	\$48,800.00
23	TIE EXISTING WELL TO SYSTEM	1	LS	\$3,500.00	\$3,500.00
TOTAL CONSTRUCTION COST =					\$278,825.00
SURVEYING =					\$8,400.00
ENGINEERING =					\$16,800.00
TOTAL PROJECT COST =					\$304,025.00

This is a preliminary construction cost estimate. The Client understands that Joel E. Wood & Associates has no control over the costs or the price of labor, equipment, materials, or the Contractor's method of pricing. The opinions of estimated cost provided herein are made on the basis of Joel E. Wood & Associates qualifications and experience. Joel E. Wood & Associates makes no warranty, expressed or implied, as to the accuracy of such opinions as compared to the bid or actual cost.

ANDY METTS

From: Comp, Trish [compp@olg.sc.gov]
Sent: Tuesday, February 07, 2012 3:12 PM
To: ANDY METTS
Subject: DW Loan Assistance Agreement for APF Project

Attachments: KMiBT20020120207143527.pdf



KMiBT20020120207
143527.pdf (83...

Andy

Attached is the model Loan Assistance Agreement (LAA) that we used for FY10 DW APF projects. The FY11 should be the same except for a few updates. As you will see this is essentially a grant agreement and bears no resemblance to our loan agreements used for loans that constitute debt.

Once we receive a request from DHEC to proceed on an APF LAA, we will send the LAA filled out for the County, an authorizing Resolution already individualized to the County, and a brief information package.

If you have any questions, please let me know.

Thanks
Trish

Patricia A. Comp
Loan Programs Manager
Office of Local Government
SC Budget & Control Board
1200 Senate Street
453 Wade Hampton Building
Columbia, SC 29201
T: 803.737.3808 F: 803.737.3807

FY 2010
DW - Sample

LOAN ASSISTANCE AGREEMENT

between

SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY

and

[PROJECT SPONSOR]

Dated

_____, 2011

relating to

[Project Name]

South Carolina Drinking Water Revolving Loan Fund

FY 2010 Federal Capitalization Grant

Loan Assistance Number: F3-

No. ____ of Two Executed Original Counterparts

LOAN ASSISTANCE AGREEMENT

THIS LOAN ASSISTANCE AGREEMENT is entered into as of the ___ day of _____, 2011, (the "*Effective Date*") between the SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY, a public instrumentality of the State of South Carolina (the "*Authority*"), and the [NAME IN CAPS], a _____ of the State of South Carolina (the "*Project Sponsor*").

WITNESSETH:

WHEREAS, the Authority is authorized by Title 48, Chapter 5, Code of Laws of South Carolina, 1976, as amended (the "*Act*") to administer the South Carolina Drinking Water Revolving Loan Fund (the "*Fund*") for the purpose of assisting Project Sponsors (as defined in the Act) in the construction of, among other things, public drinking water supply, storage, treatment and distribution facilities as defined in the Federal Safe Drinking Act, Title 42, United States Code, Section 300f et seq., as amended; and

WHEREAS, the Department of Health and Environmental Control (the "*Department*") is authorized by the Act to, among other things, develop a priority system and prepare an annual plan to insure compliance with the Federal Safe Drinking Water Act; and

WHEREAS, the Fiscal Year 2010 Federal Appropriations Act ("*Public Law 111-88*") requires the Fund, identified therein as the Drinking Water State Revolving Fund, to provide additional subsidization for drinking water infrastructure facilities; and

WHEREAS, the Act, as amended May 28, 2010, authorizes the Authority to fully implement all requirements of Public Law 111-88 for the Fund; and

WHEREAS, the Authority is authorized by the Act to enter into agreements with Project Sponsors in order to finance Projects (as defined in the Act) and the Department is authorized to select projects to receive additional subsidization in the form of Loan Assistance, herein defined; and

WHEREAS, the Project Sponsor proposes to acquire and construct the facilities described in Appendix "A" hereto (the "*Project*"), which Project will be part of the Project Sponsor's [waterworks/sewer/combined public utility] system (the "*System*"); and

WHEREAS, the Department has selected this Project to receive additional subsidization in the form of Loan Assistance, herein defined;

NOW, THEREFORE, BE IT AGREED AS FOLLOWS:

F3-

LOAN ASSISTANCE PROVISIONS

The Authority agrees to provide Loan Assistance, as defined below, to the Project Sponsor solely from Public Law 111-88 appropriations granted to the State of South Carolina (the "*State*") for the Fund subject to the terms and conditions of this Loan Assistance Agreement, applicable laws, regulations and all Federal and State requirements now and hereafter in effect governing the use of this Loan Assistance.

1. Loan Assistance Defined. Subject to the terms and conditions of this Agreement, the Authority agrees to make, and the Project Sponsor agrees to accept, the loan assistance herein provided for (the "*Loan Assistance*"), such term being defined as a loan which will not accrue interest and the principal of which is hereby forgiven in its entirety. The amount of the Loan Assistance is set forth in Appendix "B" hereto.
2. Purpose Limited to Project. The Project Sponsor shall use the Loan Assistance only to pay the actual eligible costs of the Project. The Project scope is described in Appendix "A" and more specifically as approved in the Project files of the Department. The Project Sponsor shall make no modifications to the Project scope without the written consent of the Department, such consent to be made part of this Agreement. Except to the extent otherwise approved in writing by the Department and made part of this Agreement, only the costs shown in the Project budget set forth in Appendix "A" shall be allowed and only in the amounts provided for each category. Loan Assistance may not be used to pay for labor performed by employees of the Project Sponsor.
3. Disbursements.
 - (a) Requests for disbursement shall be made by the Project Sponsor to the Department on forms of the Department, and shall be accompanied by such invoices and other proofs of incurred costs as the Department may reasonably require. The Project Sponsor shall comply with all requirements of the SRF Disbursement Package in submitting draw requests to the Department.
 - (b) The Authority shall make disbursements to the Project Sponsor under this Agreement only after receiving each Department approved draw request. The Authority shall incur no liability to the Project Sponsor in the event that the Department does not approve a draw request submitted by the Project Sponsor.
 - (c) The Authority will exert its best efforts to mail its check within seven (7) days of receiving such approved draw request, but no assurance is given by the Authority that such schedule will be met and the Authority shall incur no liability to the Project Sponsor for a delay.
 - (d) All disbursements shall be provided by the Authority in the form of a check mailed to the Project Sponsor.
 - (e) The Project Sponsor shall receive and promptly disburse the funds to be provided hereunder as trust funds for the purpose of paying the eligible costs of the Project and for no other purpose.
4. Budget Changes. Any change to the budget categories, the amounts therein, or increases/decreases to the total budget for the Project shown in Appendix "A" hereto, or to the Loan Assistance Amount shown in Appendix "B" hereto, shall require written approval by the Department and such approval shall be provided to the Project Sponsor and the Authority and shall be attached hereto and become a part of this Agreement without the requirement of further amendment.

5. Federal and State Requirements. The Project Sponsor hereby agrees to comply with the following requirements.
- (a) Civil Rights and Labor Standards Requirements and use of Disadvantaged Business Enterprise (DBE) firms and Debarment or Suspension Prevention. (Executive Order 12549)
 - (i) Positive efforts shall be made by the Project Sponsor and its consultants to utilize DBE firms as sources of supplies, services and construction. Such efforts should allow these sources the maximum feasible opportunity to compete for contracts and subcontracts to be performed utilizing Loan Assistance funds. Documentation of efforts made to utilize DBE firms shall be maintained by the Project Sponsor and its consulting firms and construction contractors.
 - (ii) The Project Sponsor shall not be debarred for noncompliance with Federal Law and shall not award contracts to any firm that has been debarred for noncompliance with Federal Law where the contract amount equals or exceeds the federal small purchase procurement threshold.
 - (iii) The Project Sponsor shall require all prime construction contractors to certify that subcontracts have not and will not be awarded to any firm that has been debarred for noncompliance with Federal Law, where the subcontract amount is expected to equal or exceed the Federal small purchase procurement threshold.
 - (iv) The Project Sponsor agrees to comply with all the requirements of 41 CFR Part 60-4 which implements Executive Order 11246 as amended (Equal Employment Opportunity).
 - (v) The Project Sponsor agrees to require all construction contractors and their subcontractors to comply with the Affirmative Action, Equal Opportunity Clause, Goals and Timetables, if the amount of the contract or subcontract is in excess of \$10,000.
 - (vi) The Project Sponsor shall require all contractors on the Project to comply with the Department of Labor's Safety and Health Regulations for construction promulgated under the Occupational Safety and Health Act of 1970 (PL 91-956) and under Section 107 of the Contract Work Hours and Safety Standards Act (PL 91-54).
 - (b) Davis-Bacon and Related Acts, as required by Public Law 111-88, certifying that all laborers and mechanics employed by prime contractors and subcontractors are paid wages at rates not less than those listed on the prevailing wage rate contained in the Project's contract documents and that all applicable provisions of the Davis-Bacon and Related Acts have been met. The Project Sponsor shall require the prime contractor to comply with the Davis-Bacon and Related Acts. See Attachment #1 herein.
 - (c) All applicable provisions of the Uniform Relocation and Real Property Acquisition Act of 1970 (PL 92-646) in regard to acquisition of real property (including easements) for the Project and any resulting relocation of persons, business and farm operations.
 - (d) Guidance Packages for: (i) Bidding and Award of Construction Contracts; (ii) Federal Requirements for the SRF Program; and (iii) Construction Contracts in the SRF Program.
6. Procurement Requirements. The Project Sponsor shall comply with all procurement requirements of law and, to the extent compliance therewith does not contravene any provision of law applicable to the Project Sponsor, shall comply with the procurement requirements set forth in Appendix "C" hereto.

-
7. Contract Award, Construction Inspection and Completion.
- (a) The Project Sponsor shall not execute construction contracts or issue the notice to proceed with respect to the Project prior to receiving written approval from the Department to award construction contracts.
 - (b) The Project Sponsor shall provide and maintain competent and adequate engineering supervision and continuous inspection of the Project to insure that the construction conforms to the plans and specifications approved by the Department. A monthly inspection report shall accompany each disbursement request.
 - (c) The Project Sponsor shall cause the Scope of Work identified in Appendix "A" to be completed and shall require all contractors to satisfactorily complete all work within the time stated in the executed construction contract. Extension of any contract completion date requires the Department's approval. Any costs incurred as a result of a time extension which has not received approval by the Department shall not be eligible for Loan Assistance participation.
 - (d) The Project Sponsor shall pay all costs to complete the Project not covered by the Loan Assistance.
8. Viability. The Project Sponsor shall, to the satisfaction of the Department, have developed and implemented appropriate managerial and financial capacity mechanisms to ensure compliance with state and federal regulatory requirements (e.g., Safe Drinking Water Act, Clean Water Act).
9. Reporting and Information. The Project Sponsor agrees to complete and submit all information and reports, in such form and according to such schedule, as may be required by the Department or the Authority.
10. Maintenance of Records. All pertinent Project records including, but not limited to, financial records, supporting documents, Davis-Bacon certifications and associated support documentation, certified payroll records, procurement records, and technical records for the Project shall be retained for a minimum of three years after the date of the final disbursement under this Agreement. However, if any litigation, claim, or investigative audit is started before the expiration of the three year period, then all such records must be retained for three years after the litigation, claim, or audit is resolved.
11. Accounting and Auditing.
- (a) The Project Sponsor shall account for the Project according to Generally Accepted Governmental Accounting Principles (GAAP).
 - (b) Within [six (6) or nine (9)] months of the end of each fiscal year of the Project Sponsor in which any funds are received under this Agreement, the Project Sponsor shall submit to the [Authority or Department's Office of Internal Audits at 2600 Bull Street, Columbia, South Carolina, 29201,] an annual financial audit prepared by a certified public accountant. The conduct of the audit and the audit shall be in accordance with Generally Accepted Auditing Standards as defined in Government Auditing Standards, Comptroller General of the United States, July 27, 2007, and revisions, updates or successors thereto. An audit, as required by OMB Circular No. A-133, Audits of States, Local Governments, and Non-Profit Organizations, may be necessary for each year program funds are disbursed to the Project Sponsor. (CFDA Number 66.468)

12. Release of Responsibility. The Project Sponsor shall undertake the Project on its own responsibility and shall release and hold harmless the Authority, the Department, the State and their officers, members and employees from any claim arising in connection with the design, construction or operation of the Project including any matter due solely to the negligence of any of these parties.
13. Access and Inspection. The Project Sponsor shall provide access to the Project work whenever it is in preparation, under construction, or after completion and provide proper facilities for access and inspection. The Project Sponsor shall allow the United States Environmental Protection Agency, the Inspector General of the United States, the Department and the Authority, or any authorized representative, to have access to any books, documents, plans, reports, papers, and other records pertinent to the Project. The Project Sponsor shall cause its engineers, contractors, auditors and employees to cooperate during such inspections and make available all materials relevant to the review, examination or audit of the Project and compliance with this Agreement.
14. Other Agreements. The Project Sponsor shall comply with all terms and conditions of any construction contracts or engineering agreements affecting the Project and its operation.
15. Compliance with Governmental Authority. The Project Sponsor shall comply with all environmental laws, rules and other provisions of legal force and effect and all such other provisions which govern the construction or operation of the Project. The Project Sponsor agrees that no date reflected in this Agreement, or in the Project completion schedule, or extension of any such date, shall modify any compliance date established in an operating permit. It is the Project Sponsor's obligation to request any required modification of applicable permit terms or other enforceable requirements.
16. Review and Inspection of Work. Any audit or review of plans and specifications and any inspection of the work shall be for the convenience of the Department only in order to determine that they are within the approved scope of the Project. No such review and inspection, approvals and disapprovals shall be an undertaking by the Department of responsibility for design or construction.
17. Sanctions. If the Project Sponsor does not comply with the provisions of the Agreement, the Authority, upon receipt of written instructions by the Department, may take any or all of the following actions: (a) require repayment of all or a portion of any Loan Assistance provided; (b) require the Project Sponsor to take corrective actions to comply with this Agreement; (c) cancel, terminate, or suspend, in whole or in part, the Loan Assistance provided through this Agreement; or (d) terminate the entire Agreement.
18. Severability. If any provision of the Agreement is found to be illegal, invalid, or unenforceable in any respect, the legality, validity, and enforceability of the other provisions of this Agreement shall not in any way be affected or impaired.
19. Complete Agreement. This Agreement contains Appendices "A", "B", "C", and "D" and all subsequent written approvals of the Department that alter any information contained in any of the Appendices hereto.
20. South Carolina Contract. This Agreement shall be governed by and construed in accordance with the laws of the State of South Carolina.

21. Notices. All notices hereunder shall be in writing and shall be addressed as follows:

If to the Project Sponsor:

Attention: _____

If to the Authority:

South Carolina Water Quality Revolving Fund
Authority
c/o Office of Local Government - SRF
South Carolina Budget and Control Board
1200 Senate Street
406 Wade Hampton Building
Columbia, South Carolina 29201

Attention: Patricia A. Comp

22. Counterparts. This Agreement is executed in two counterparts, which are separately numbered, but each of which is deemed an original of equal dignity with the other and which is deemed one and the same instrument as the other.
23. Term of Agreement. The Term of this Agreement begins on the Effective Date and will expire upon the satisfaction of the requirements of Paragraph 11 herein.

Richland County Council Request of Action

Subject

An Ordinance Authorizing the issuance and sale of not to exceed \$35,000,000 General Obligation Bonds, Series 2012A, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto **[FIRST READING BY TITLE ONLY] [PAGES 111-112] {Forwarded from the A&F Committee}**

Notes

February 28, 2012 - The committee recommended that Council approve the requested bond ordinance and associated projects. The vote in favor was unanimous.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. _____-12HR

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$35,000,000 GENERAL OBLIGATION BONDS, SERIES 2012A, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF RICHLAND COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; DELEGATING TO THE COUNTY ADMINISTRATOR CERTAIN AUTHORITY RELATED TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$85,800 of General Fund Undesignated Fund Balance for expenses from the Republican Primary **[FIRST READING] [PAGES 113-115]**
{Forwarded from the A&F Committee}

Notes

February 28, 2012 - The committee recommended that Council approve the budget amendment to the Board of Elections and Voter Registration in the amount of \$85,799.14 to cover election and personnel expenses resulting from the Republican Primary held in January. The vote in favor was unanimous (with one committee member abstaining from the vote).

First Reading:
Second Reading:
Third Reading:
Public Hearing:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. __-11HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2011-2012 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$85,800 OF GENERAL FUND UNDESIGNATED FUND BALANCE FOR EXPENSES FROM THE REPUBLICAN PRIMARY.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. That the amount of eighty five thousand eight hundred (\$85,800) of undesignated fund balance be appropriated for expenses from the Republican primary. Therefore, the Fiscal Year 2011-2012 General Fund budget is hereby amended as follows:

GENERAL FUND

REVENUE

Revenue appropriated July 1, 2011 as amended:	\$ 141,212,192
Appropriation of General Fund undesignated fund balance	_____ 85,800
Total General Fund Revenue as Amended:	\$ 141,297,992

EXPENDITURES

Expenditures appropriated July 1, 2011 as amended:	\$ 141,212,192
Increase to Board of Elections & Voter Registration	_____ 85,800
Total General Fund Expenditures as Amended:	\$ 141,297,992

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin Washington, Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only.
No Opinion Rendered As To Content.

First Reading:
Second Reading:
Public Hearing:
Third Reading:

Richland County Council Request of Action

Subject

EMS Ambulance Purchase [PAGES 116-118] {Forwarded from the A&F Committee}

Notes

February 28, 2012 - The committee recommended that Council approve the purchase to remount ten ambulance vehicles from Taylor Made Ambulance Company for a cost of \$769,270 with the funds coming from the EMS budget accounts. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: EMS Ambulance Purchase ESD02082012

A. Purpose

The purpose of this report is to obtain Council approval to award a purchase order to remount ten ambulances. This is a sole source procurement. Funding is available in the EMS budget. No other funds are needed.

B Background / Discussion

EMS has ambulances that have exceeded the end of their life cycle. Over twelve years ago EMS began to replace ambulances using the same manufacturer to establish continuity and standardization in the fleet. Standardization provides benefits in parts acquisition, maintenance, service, training and familiarization of equipment locations for Paramedics. The ambulances we have are “modular” which means the large patient compartment can be removed from the chassis, refurbished and remounted on a new chassis. That saves about \$30,000 per ambulance. The EMS ambulance fleet is manufactured by Taylor Made Ambulances. Sending the old ambulances back to the Taylor Made Factory for remounting will insure the vehicles are returned to “new” condition with a new warranty. The following ambulances will be remounted:

Unit	Year	Vin
205	2004	14067
209	2004	46782
216	2003	32563
218	2004	46493
223	2004	46988
230	2003	39453
231	2003	32564
232	2003	32565
233	2003	39416
235	2004	62979

C. Financial Impact

There is a significant cost for repairs to vehicles that are old and “out of contract.” “Out of contract” means that because of the age of the vehicle, it is no longer supported under the First Vehicles regular contract. Costs associated with repairs must be paid out of regular budget funds. Removing ten vehicles that are “out of contract” will reduce the repair costs.

The remount cost per vehicle is as follows:

New Chassis	\$ 41,726
Remount/Refurbish	\$ 35,201

Cost Per Vehicle	\$ 76,927

Cost for ten Vehicles \$769,270

The vehicle remount expenditure is budgeted and is available in EMS accounts:

10700000-531300 \$665,995

2210-5313

\$103,275

D. Alternatives

1. Approve the sole source purchase to Taylor Made Ambulance Company to remount ten ambulance vehicles for \$769,270.
2. Do not approve the purchase order.
3. Begin the procurement process for new ambulances.

E. Recommendation

It is recommended that Council approve the purchase to remount ten ambulance vehicles from Taylor Made Ambulance Company for a cost of \$769,270 with the funds coming from the EMS budget accounts.

Recommended by: Michael A. Byrd Department: Emergency Services Date 02-08-12

F. Approvals

Finance

Reviewed by: Daniel Driggers

Date: 2/16/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Appropriated budget dollars are available as stated in the ROA.

Procurement

Reviewed by: Rodolfo Callwood

Date: 2/16/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 2/17/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald

Date: 2/22/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Funds are available as indicated above.

Recommend approval.

Richland County Council Request of Action

Subject

HMIS Grant Transfer [**PAGES 119-123**] {Forwarded from the A&F Committee}

Notes

February 28, 2012 - The committee recommended that Council approve the HMIS grant transference from Richland County to the United Way. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: HMIS Grant Transfer

A. Purpose

Richland County currently is the conduit for the Homeless Management Information System (HMIS) Grant. The HUD grant is \$80,544 and is for the purposes of homeless information data collection for a 14-county area, to include Richland County, on the behalf of the Midlands Area Consortium for the Homeless (MACH). United Way of the Midlands (UWM) has supplied a written formal request to the County for HMIS grant transfer.

B. Background / Discussion

Richland County, as a goodwill gesture, took on the HMIS Grant when St. Lawrence Place/Trinity could no longer accommodate the grant in 2005. No other agency at that time was willing to become the grant conduit, including the MACH, who was not equipped to become the lead agency. With increased awareness, education and staffing, the United Way of the Midlands is now in position to take on the grant and desires to do so. A transfer would include both the new and renewal grants. UWM currently serves as the lead agency for the 14-county MACH, writes the annual HUD federal homeless application of \$2.5 million, and provides leadership and support for MACH activities, to include the HUD required Point-In-Time counts. UWM entered into initial discussions with the County on the transfer to combine, strengthen and streamline the UWM functions with the unstaffed MACH coalition. The Community Development Department and County Administration agree this transference would be the best thing for the MACH service area and UWM.

C. Financial Impact

Neither UWM nor MACH are able to provide the required annual HMIS cash match to continue operation of the grant. Richland County Community Development is the current staff that operates this grant and has historically provided this match with CDBG (non-general County) funds. The match is \$30,000 annually and Community Development would continue this match, as requested by UWM, for FY 2012-2015. That is provided CDBG funding would continue at or close to current FY 2012 funding levels. A MOU would be executed between Richland County and UWM. The HMIS grant match would be evaluated annually for these 3 years, if approved by Council. The combined financial impact total for these three years is \$90,000.

This amount of cash match funding would be required regardless if the grant was kept by the County or transferred to UWM.

D. Alternatives

1. Approve the request to approve the HMIS grant transference from Richland County to United Way.
2. Do not approve the HMIS grant transference from Richland County to United Way.

E. Recommendation

It is recommended that Council approve the request of the HMIS grant transference from Richland County to United Way.

Recommended by: *Valeria Jackson* Department: *Community Development* Date: *February 13, 2012*

F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers Date: 2/14/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Grants

Reviewed by: Sara Salley Date: 2/15/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean Date: 2/17/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

I would suggest that the Community Development Department verify with HUD that this continued grant match is an appropriate/legal use of the CDBG funds.

Administration

Reviewed by: Sparty Hammett Date: 2/22/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Recommend Council approval of the request of the HMIS grant transference from Richland County to United Way.

1800 Main Street
Columbia, SC 29201
tel 803.733.5400
fax 803.779.7803
www.uway.org

January 3, 2012



Mr. Milton Pope
County of Richland
2020 Hampton Street
Columbia, SC 29202

Dear Mr. Pope:

In fall 2011, United Way and Richland County began discussing the potential transfer of the County's HUD grant that supports the Homeless Management Information System (HMIS). We have been working with the Community Development Department to address issues that emerged in those discussions including a review of the pertinent contracts and agreements, staffing and the grantee requirements for the grant. To address the cash match requirement for the HUD HMIS grant, please accept our request for Richland County to provide continued cash support of \$30,000 per year for a period of three years (FY 2012-15).

The Homeless Management Information system (HMIS) is a federally required web-based client management system for homeless and at-risk populations. The county-managed system covers the 14-counties of the local homeless consortium, Midlands Area Consortium for the Homeless (MACH), which stretches from York, through the Midlands, to Aiken. The system supports 82 user licenses to agencies that represent a mix of homeless housing, shelter, and service providers. Examples of some of the providers on the system are: Transitions, Family Shelter, St. Lawrence Place, and Salvation Army.

HMIS facilitates the delivery of services to people who are homeless. HMIS data also are the basis for HUD required point in time counts that the MACH uses to secure funding for local agencies and that local government including Richland County and the City of Columbia need for HUD Consolidated Plans.

The HUD grant is approximately \$80,000 and is renewed annually through the HUD Continuum of Care funding process which is managed by MACH. The county currently provides \$30,000 in Community Development Block Grant (CDBG) federal funds as required federal match to support program staff. The county recently submitted an application to HUD for an additional grant of \$40,000 to support the system. A transfer of the HMIS system to United Way of the Midlands would include both the new and renewal grants.

UWM currently serves as "lead agency for the 14-county MACH homeless coalition, writes the annual HUD federal homeless application of \$2.5M, and provides leadership and support for MACH activities

including HUD required "counts" of the homeless. UWM support is provided at no cost to MACH. UWM entered into discussions with the County to transfer the HMIS grant because we felt combining the HUD lead agency functions and HMIS would strengthen the capacity of the unstaffed coalition. However, UWM is unable to provide cash-match resources to operate the grant. We also understand MACH is unable to provide funding to support the grant.

We acknowledge and appreciate the County's investment in staff and resource to administering this grant and the HMIS for the region. Toward our common goal of supporting the Continuum (MACH), please accept our request for continued match support as the next step in exploration of the grant transfer. Please contact me to discuss further at 733-5410 or Jennifer Moore, Senior Director, at 733-5421.

Sincerely,

A handwritten signature in black ink, appearing to read "J Mac Bennett". The signature is fluid and cursive, with a large initial "J" and "M".

J. Mac Bennett
President & CEO
United Way of the Midlands

Cc: Valeria Jackson, Director, Community Development Department
Mary Trivisono, Chair, Midlands Area Consortium for the Homeless

Richland County Council Request of Action

Subject

Home Detention/Electronic Monitoring Program [**PAGES 124-131**] {**Forwarded from the A&F Committee**}

Notes

February 28, 2012 - The committee recommended that Council approve the request from the Alvin S. Glen Detention Center (ASGDC) and allow the ASGDC to solicit for the services of a home detention/electronic monitoring company. The vote in favor was unanimous.

Richland County Council Request of Action

Home Detention/Electronic Monitoring Program

A. PURPOSE:

The Alvin S. Glen Detention Center (ASGDC) requests that County Council allow it to solicit for the services of a Home Detention/Electronic Monitoring Company. This will allow better accountability of individuals who are on home confinement.

BACKGROUND / DISCUSSION:

The ASGDC has had a long standing population reduction strategy in place for well over 15 years and this strategy has aided with keeping the inmate population down. In 1996 the ASGDC solicited a Request For Proposal (RFP) for companies that offered Home Detention/Electronic Monitoring. BI Incorporated gave the most responsive proposal and was awarded the contract. BI Incorporated operated Home Detention/Electronic Monitoring with oversight from the ASGDC. The company sold its rights to another home detention company, and later the company was purchased by another company.

South Carolina state statute and Richland County ordinance failed to specifically state any qualifications or requirements under the Home Detention Act. This led to a weak statute and enabled companies who had no knowledge of home detention/electronic monitoring to spring up overnight. This allowed the Courts to allow any “so called” home detention/electronic monitoring companies to operate within the State of South Carolina and Richland County.

The Home Detention Act was meant for all home detention services to operate through the local detention facility for accountability; this did not happen. This led to home detention companies opening and not being held accountable. There may be pre-trial inmates or Family Court inmates on home detention/electronic monitoring without any supervision.

In 2010 the State recognized the weakness in the Home Detention Act Statute Section 24-13-1510 and made significant changes to strengthen the statute (standards attached). The programs are an alternative to incarceration that can be used for pretrial offenders to increase the level of supervision and as a sentencing alternative.

C. FINANCIAL IMPACT:

There is no financial impact to the County. If the offender qualifies for the home detention program he/she will pay the cost.

D. ALTERNATIVES:

1. Approve the request and allow the ASGDC to solicit for the services of a home detention/electronic monitoring company.
2. Approve the ASGDC to run its own home detention program/electronic monitoring program. This would be a considerable cost to the county for manpower, equipment, and other necessary supplies.
3. Continue the current procedure.

E. RECOMMENDATION:

The ASGDC recommends that Council approves its request to solicit for the services of a Home Detention/Electronic Monitoring company.

Recommend by: Ronaldo D. Myers Department: Detention Center Date: January 31, 2012

F. Reviews

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 2/15/12

- ✓ Recommend Council approval
 - Council Discretion (explain if checked)
- Comments regarding recommendation:

Recommend Council denial

Procurement

Reviewed by: Rodolfo Callwood

Date: 2/16/12

- ✓ Recommend Council approval
 - Council Discretion (explain if checked)
- Comments regarding recommendation:

Recommend Council denial

Legal

Reviewed by: Elizabeth McLean

Date: 2/17/12

- Recommend Council approval
 - Council Discretion (explain if checked)
- Comments regarding recommendation:

Recommend Council denial

Policy decision left to Council's discretion.

Administration

Reviewed by: Sparty Hammett

Date: 2/21/12

- ✓ Recommend Council approval
- Council Discretion (explain if checked)

Recommend Council denial

Comments regarding recommendation: Recommend Council approval of the request to allow the ASGDC to solicit for the services of a home detention/electronic monitoring company. The program would be beneficial as an alternative to incarceration that can be used for pretrial offenders to increase the level of supervision and as a sentencing alternative.

South Carolina Home Detention Act Standards for Private Entity Contract Service Providers

Definitions.

All words and terms shall have their meanings as defined in the current edition of the Home Detention Standards of the Minimum Standards for Local Detention Facilities in South Carolina. Unless the context requires otherwise, the following additional words and terms shall have the meanings indicated below:

(a) "Governing Body" means the elected body of any county or municipality or consolidated government with statutory power to pass ordinances and enter into written contracts with corporations, enterprises, or agencies to provide public services.

(b) "Contract Service Provider" means any private entity that enters into written contracts or agreements with governing bodies or departments to provide supervision, counseling, and collection services for all participants placed in a program pursuant to the Home Detention Act.

Implementation.

These Contract Service Provider Home Detention Standards shall be officially in effect immediately upon their establishment by the South Carolina Association of Counties and their formal adoption by the South Carolina Department of Corrections. If a governing body has an actual contract already awarded at the time that these Standards take effect, and if that governing body wishes to delay application of these Standards in its jurisdiction because some or all of the requirements may present a conflict, then that governing body shall notify in writing the Local Detention Committee of the South Carolina Association of Counties. Such a delay must be only for the duration of the existing contract which has already been awarded. Upon the conclusion of that existing contract period, the governing body and any contract service provider used by the governing body must comply with these Standards.

Qualifications of Contract Service Providers.

Contract service providers must meet the following qualifications:

(a) Contract service providers must employ a person who is responsible for the direct supervision of caseworkers and who has a minimum of five (5) years experience in corrections, parole, or probation services.

(b) Clear criminal record.

1. All employees must be of good moral character and have not been convicted of a felony or any crime involving moral turpitude within the last ten (10) years, unless a pardon has been obtained.

2. No person shall be hired with an outstanding warrant for his/her arrest.

(c) Possess written evidence of general liability insurance coverage of at least \$1 million which must be maintained at all times while providing services.

(d) Must be at least twenty-one years of age.

(e) Each owner, director, or agent must sign a confidentiality statement agreeing to hold the identity of participants and records confidential. The confidentiality statement shall be maintained in the employee personnel files;

(f) A contract service provider must continuously maintain the following qualifications:

1. Each owner, director, agent, and employee must maintain a criminal record free of felony conviction or plea, and free of misdemeanor convictions or plea involving moral turpitude. In addition, each owner, director, agent, and employee must notify the governing body and department in writing if he or she has been charged with, arrested for, or pled guilty or nolo contendere to, or has been convicted of, any misdemeanor involving moral turpitude or any felony, within ten (10) business days of such event.
2. Each operator, director, agent, and case worker employed by a contract service provider must successfully complete orientation training within six (6) months of the beginning of operations and must complete relevant continuing education courses every year as required by the governing body.

Exclusions.

The following persons may not own, operate, direct, or serve as an employee or agent of a contract service provider furnishing services as described in the Home Detention Act: Any person for whom owning, operating, directing, or serving as an employee or agent would pose an actual, potential, or apparent conflict of interest due to the existence of a fiduciary, business, or personal relationship with any participant as defined in the Home Detention Act or in the Home Detention Standards, or due to the existence of any other relationship that would place the owner, operator, employee, or agent in a position to exert undue influence on, exploit, take undue advantage of, or breach the confidentiality of, any participant. Further, no judge, public probation or parole officer or employee, employee of a court in this state, employee of a detention or correctional agency, employee of a law enforcement agency, or any spouse thereof, to the extent services are to be provided within the same jurisdiction served by the judge, public probation or parole officer or employee, court employee, detention or correctional employee, or law enforcement employee, may own, operate, direct, or serve as an employee or agent of a contact service provider.

Contract Requirements.

Contract Service Providers must have a written agreement or contract with a governing body or department which contains the following requirements:

1. Description of the extent of services to be rendered;
2. Staff qualifications which meet or exceed these standards;
3. Criminal records checks completed on all staff;
4. Policies and procedures for staff training;
5. Bonding of staff;
6. Staffing levels and standards of supervision, including the type and frequency of contacts;
7. Collection procedures for handling court-ordered fines, fees, and restitution;
8. Procedures for handling indigent participants;
9. Violation reporting procedures and circumstances;
10. Reporting and record keeping procedures;
11. Default and contract termination procedures; and
12. A schedule listing the fees and charges assessed to the participants supervised by the contract service provider.

Additionally, the contract service provider must provide documentation to the governing body or department of its ability to furnish continuous service in these areas upon request.

Case Worker Standards.

The standards for any person employed as a caseworker with a contract service provider are:

- (a) Be at least 21 years of age at the time of appointment;
- (b) Have completed at least a standard two-year college course of study, or have at least four (4) years of criminal justice experience, at the time of appointment. Documentation of education and criminal justice experience shall be maintained in the employee personnel files;
- (c) Complete an initial orientation program and annual in-service training as required and approved by the governing body or department; and
- (d) Complete a criminal background check.
 - 1. A case worker must be of good moral character and have not been convicted of, or pled guilty or nolo contendere to, a felony or any crime involving moral turpitude within the last ten (10) years, unless a pardon has been obtained.
 - 2. No person shall be hired with an outstanding warrant for his/her arrest.

Contract Service Provider Employee Standards.

Any employee, agent, or volunteer who provides any service to participants or has access to contract service provider records, or who has telephone or face-to-face contact with participants under supervision, or access to participant data, must meet the following requirements:

- (a) Be at least 21 years of age;
- (b) Sign a confidentiality statement agreeing to hold the identity of participants and records confidential. This statement shall be maintained in employee personnel files;
- (c) Sign a statement cosigned by the contract service provider director or his/her designee that the employee has received an orientation on these rules as well as operations guidelines relevant to that employee's job duties. The signed statement and the established job duties shall be maintained in employee personnel files;
- (d) Complete a criminal background check.
 - 1. An employee must be of good moral character and have not been convicted of a felony or any crime involving moral turpitude within the last ten (10) years, unless a pardon has been obtained.
 - 2. No person shall be hired with an outstanding warrant for his/her arrest.
- (e) No person shall be employed who fails to possess at a minimum a high school or equivalent diploma.
- (f) Complete appropriate training within six (6) months of appointment and annual in-service training as required and approved by the governing body or department.
- (g) Employees may assist caseworkers with case related administrative duties, but they shall not be allowed to have decision making authority with respect to participants.

Training.

Employee training must consist of a minimum of forty (40) hours of instruction as follows:

1. One (1) hour orientation to electronic monitoring;
2. One (1) hour overview of types of equipment;
3. Two (2) to four (4) hours of training related to an overview of the criminal justice system;
4. Two (2) two-hour blocks (total four [4] hours) of instruction on recognizing and reading court orders;
5. Two (2) to four (4) hours of public relations;
6. One (1) hour on media relations;
7. One (1) hour on family and participant orientation;
8. Two (2) hours on the importance of record-keeping;
9. Eight (8) hours of data entry and familiarization with forms;
10. Eight (8) hours of installing and troubleshooting equipment;
11. Four (4) hours of staff and victim safety issues; and
12. Two (2) to four (4) hours on legal issues.

Contract Service Provider Responsibilities.

In addition to meeting all other requirements, every owner, operator, director, or agent is responsible for the following:

- (a) Providing services for the supervision, counseling, and collection of court-ordered fines of participants assigned to the contract service provider by the court;
- (b) The actions of all employees and agents carried out within the scope of employment, whether they are characterized as employees, agents, or independent contractors;
- (c) Training all employees who have contact with participants to provide accurate information regarding their case and to maintain confidentiality;
- (d) Maintaining an employee folder for every employee containing the job application, signed statements required by these rules, training records, criminal justice experience, documentation of education, and criminal history record check information;
- (e) Prohibiting the solicitation of participants for any products or services that present a conflict of interest.
- (f) Ensuring the quality of case management and execution of all court orders in a professional manner; and
- (f) Complete accountability to the governing body, department, and court in reporting the status of cases assigned to the contract service provider for supervision.

Contract Service Provider Reports.

All contract service providers shall provide the governing body, department, and court with a report in such detail and at such time intervals as required by the governing body, the department, and the court.

All records of the contract service provider shall be open to inspection as requested by the governing body, department, court, or Department of Corrections.

Contract Service Provider Records.

- (a) All records must be maintained in a secure and confidential manner.

(b) Each contract service provider must maintain the following records for the designated period of time as specified in the retention schedules provided by the Department of Archives and History for jail records. Records must be available and accessible for inspection by the governing body, department, court, and Department of Corrections upon request:

These records include, at a minimum:

1. All written contracts or agreements for services;
2. All court orders for all participants assigned for supervision;
3. All accounting ledgers and related documents;
4. All payment receipts issued to participants for all funds received;
5. All participant case history and management reports and documents;
6. All other documents pertaining to the case management of each participant assigned for supervision.

(c) Each contract service provider must make available all records, files, and other documentation pertaining to an individual participant when a law enforcement agency requests the information in writing because the participant is the subject of an investigation or is a potential witness in an active case.

Contract Service Provider Fees.

No contract service provider shall assess, collect, or disburse any funds as it pertains to the collection of court-ordered monies, except by written order of the court.

No contract service provider, owner, director, agent, or employee may offer any program service or component for an additional fee unless the fee charge has been ordered by the court.

Notification of the Sale, Merger, or Acquisition of the Contract Service Provider.

In the event that a contract service provider becomes associated with another corporation, enterprise, or agency, whether through acquisition, merger, sale, or any other such transaction, that contract service provider shall inform the governing body, department, and court within ten (10) calendar days after the effective date of the transaction. The written notice shall include the names, addresses, and telephone numbers of all primary parties, the effective date of the merger or sale or consolidation, and the nature of the business relationship of the new contract service provider. A violation of any provision contained in the applicable statute may result in a breach of contract for all services rendered.

Name, Location, and Telephone Number.

No contract service provider may assert or represent that it is owned, operated, or endorsed by the State of South Carolina, or any of its political subdivisions or departments thereof.

The owner, director, or agent must immediately notify the governing body, department, court, and Department of Corrections in writing of any change in the status of the primary contract service provider's location, address, or telephone number.

Richland County Council Request of Action

Subject

Finding that the Richland-Lexington Riverbanks Parks District may issue not exceeding \$32,000,000 General Obligation Bonds; to authorize the Richland-Lexington Riverbanks Parks District to issue such bonds and to provide for the publication of notice of the said finding and authorization **[FIRST READING and APPROVAL OF RESOLUTION] [PAGES 132-146] {Forwarded from the A&F Committee}**

Notes

February 28, 2012 - The committee recommended that Council adopt the county resolution calling for a Public Hearing to be held upon the question of the issuance of general obligation bonds not to exceed \$32,000,000, and that County Council approve the associated County Ordinance as presented. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Issuance of General Obligation Bonds by Riverbanks Zoo

A. Purpose

County Council is requested to approve the attached resolution, hold a public hearing, and approve the attached ordinance regarding the issuance of not exceeding \$32,000,000 general obligation bonds for the Riverbanks Zoo.

B. Background / Discussion

Pursuant to the requirements of Article 5 of Chapter 11 of Title 6 of the Code of Laws of South Carolina, 1976, as amended (the "Act"), the Richland-Lexington Riverbanks Parks District, South Carolina (the "District") is requesting the County Council to approve the District's issuing \$32,000,000 which will be used to defray the cost of the following improvements (the "Improvements"):

- a. HVAC and energy management system upgrades;
- b. Parking lots and road systems repairs, improvements and extensions;
- c. Roof repairs and replacement;
- d. Refurbishment of gunite structures;
- e. Upgrade IT network;
- f. Emergency communication and video surveillance systems;
- g. Replacement of restrooms, gift shop, and snack bar, and expansion of restaurant;
- h. Replacement of entryway and ticketing facilities;
- i. New children's garden;
- j. Interactive animal demonstration area;
- k. New sea lion exhibit, and repair and replacement of other animal exhibits as necessary;
- l. Acquisition of buildings on Rivermont Drive;
- m. Renovation of canal fountain in the botanical garden; and
- n. Relocate tram stop and acquire additional tram cars.

The first step in the procedure set forth in the Act is the submission of a Petition by the District's Commission to the County Council (a petition dated July 21, 2011 has been submitted); the second step is the holding of a public hearing by the County Council on this matter; and, the third step is the adoption of an ordinance approving the issuance of the bonds by the District.

Based on the above, the below actions are requested:

- (i) The adoption of a resolution entitled "A RESOLUTION CALLING FOR A PUBLIC HEARING TO BE HELD UPON THE QUESTION OF THE ISSUANCE OF NOT EXCEEDING \$32,000,000 OF GENERAL OBLIGATION BONDS OF RICHLAND-LEXINGTON RIVERBANKS PARKS DISTRICT, SOUTH

CAROLINA AND TO PROVIDE FOR THE PUBLICATION OF THE NOTICE OF SUCH HEARING” (the “County Resolution”);

(ii) Holding of the Public Hearing as discussed above; and

(iii) The adoption of an ordinance of the County Council entitled “AN ORDINANCE FINDING THAT THE RICHLAND-LEXINGTON RIVERBANKS PARKS DISTRICT MAY ISSUE NOT EXCEEDING \$32,000,000 GENERAL OBLIGATION BONDS; TO AUTHORIZE THE RICHLAND-LEXINGTON RIVERBANKS PARKS DISTRICT TO ISSUE SUCH BONDS AND TO PROVIDE FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION” (the “County Ordinance”).

A copy of the executed Petition, the proposed County Resolution and the proposed County Ordinance are attached hereto. Also attached hereto is a copy of a proposed schedule.

As discussed above and pursuant to the requirements of the Act, the District has submitted the Petition of the District’s Commission to the County Council which submission is the initial step in the process. The Commission believes that the operation of Riverbanks Zoo in the State and more specifically, within Richland and Lexington Counties, is a key to the tourism industry and provides substantial economic, recreational and educational benefits to the State and the County. The District believes that the construction and completion of the Improvements are necessary and important to the continued operation and success of the Riverbanks Zoo. The County Council received information about Riverbanks Zoo at its retreat in January.

C. Financial Impact

It is presently estimated that the debt service required by the total of the \$32 million (while planned for two issues) would require the present millage imposed for the debt service of Riverbanks Zoo to increase by about .4 of a mill. For example: using a residence valued at \$100,000 and applying the 4% assessment ratio to it, produces an assessed value of \$4,000 with the cost of one mill at \$4.00; multiplying .4 times \$4.00 equals \$1.60. Under these assumptions, an owner of a residence valued at \$100,000 would have his property tax increased by \$1.60. Currently debt service millage for the Zoo is .7 of a mill and we estimate that once these bonds are issued, total debt service millage would be around 1 mill to 1.1 mills until 2026 and then could decrease to .9 mill from 2027 through 2033—depending on interest rates.

D. Alternatives

Alternative 1: The County Council adopts the County Resolution calling for the Public Hearing to be held upon the question of the issuance of the Bonds. The Public Hearing is held and thereafter the County Council adopts the County Ordinance.

Alternative 2: The County Council makes a decision not to adopt the County Resolution and not go forward with holding the Public Hearing. As a result of such decision, the County Ordinance would also not be adopted.

Alternative 3: The County Council adopts the County Resolution calling for the Public Hearing to be held upon the question of the issuance of the Bonds. The Public Hearing is held and thereafter the County Ordinance is modified by the County Council and subsequently adopted.

E. Recommendation

It is recommended that County Council adopt the County Resolution calling for the Public Hearing to be held upon the question of the issuance of the Bonds, and that County Council approve the associated County Ordinance as presented.

Submitted on behalf of the District (Riverbanks Zoo) by co-counsel, Pope Zeigler, LLC and the Law Offices of Brian Newman.
February 14, 2012

F. Reviews

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Finance

Reviewed by: Daniel Driggers: Date: 2/15/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean Date: 2/17/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Policy decision left to the discretion of Council.

Administration

Reviewed by: J. Milton Pope Date: 2-17-12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Recommend approval based upon Council's discussion at the 2012 Retreat.

A RESOLUTION

CALLING FOR A PUBLIC HEARING TO BE HELD UPON THE QUESTION OF THE ISSUANCE OF NOT EXCEEDING \$32,000,000 OF GENERAL OBLIGATION BONDS OF RICHLAND-LEXINGTON RIVERBANKS PARKS DISTRICT, SOUTH CAROLINA AND TO PROVIDE FOR THE PUBLICATION OF THE NOTICE OF SUCH HEARING.

BE IT RESOLVED, by the County Council of Richland County (the “*County Council*”), the governing body of Richland County, South Carolina (the “*County*”):

WHEREAS, the County Council is empowered by Act No. 1189 enacted at the 1974 Session of the South Carolina General Assembly entitled:

AN ACT TO AUTHORIZE THE GOVERNING BODIES OF ALL COUNTIES OF THE STATE WHEREIN EXIST SPECIAL PURPOSE DISTRICTS CREATED PRIOR TO MARCH 7, 1973, TO ISSUE BONDS OF SUCH DISTRICTS IN FURTHERANCE OF POWERS EXISTING IN SUCH DISTRICTS AS OF MARCH 7, 1973; TO PROVIDE THE PROCEDURES PURSUANT TO WHICH SUCH BONDS MAY BE ISSUED; TO PRESCRIBE THE TERMS AND CONDITIONS UNDER WHICH BONDS MAY BE ISSUED AND THEIR PROCEEDS EXPENDED; TO MAKE PROVISION FOR THE PAYMENT OF SUCH BONDS AND TO VALIDATE ALL BONDS OF SUCH DISTRICTS ISSUED OR SOLD PRIOR TO THE EFFECTIVE DATE OF THIS ACT

approved July 9, 1974, as amended (the “*Enabling Act*”), to authorize the governing body of any special purpose district created prior to March 7, 1973 and located in whole or in part within the County to issue general obligation bonds of such special purpose district, the proceeds of which shall be used in the furtherance of any power or function committed to such special purpose district and in effect on March 7, 1973; and

WHEREAS, the Richland-Lexington Riverbanks Parks District, South Carolina (the “*District*”), a special purpose district created prior to March 7, 1973 (having been created by Act No. 1207 of the Acts of the General Assembly of the State of South Carolina for the year 1970, as amended) and located within the Counties of Richland and Lexington with the function of planning, establishing, developing, constructing, enlarging, improving, maintaining, equipping, staffing, operating, regulating, and protecting public recreational and zoo facilities within the territory in the counties of Richland and Lexington contiguous to the Saluda River and the Congaree River from Highway I-26 on the north to Granby Locks on the South, has petitioned the County Council to authorize the issuance of not exceeding \$32,000,000 of general obligation bonds of the District in order to raise moneys to defray the costs of improvements to the facilities of the District, such facilities popularly known as Riverbank Zoo and Garden, as follows:

- a. HVAC and energy management system upgrades;
- b. Parking lots and road systems repairs, improvements and extensions;
- c. Roof repairs and replacement;
- d. Refurbishment of gunite structures;
- e. Upgrade IT network;
- f. Emergency communication and video surveillance systems;
- g. Replacement of restrooms, gift shop and snack bar, and expansion of restaurant;
- h. Replacement of entryway and ticketing facilities;
- i. New children’s garden;

- j. Interactive animal demonstration area;
- k. New sea lion exhibit, and repair and replacement of other animal exhibits as necessary;
- l. Acquisition of buildings on Rivermont Drive;
- m. Renovation of canal fountain in the botanical garden; and
- n. Relocate tram stop and acquire additional tram cars.

WHEREAS, the County Council is now minded to proceed in accordance with the provisions of the Enabling Act with respect to the issuance of such general obligation bonds.

Section 1. The County Council finds that it may be in the interest of the District to raise moneys for the purpose of providing for the foregoing improvements, and in that connection hereby orders a public hearing to be held upon the question of the issuance of not exceeding \$32,000,000 general obligation bonds of the District.

A public hearing shall be held on the question of the issuance of not exceeding \$32,000,000 of general obligation bonds of the District in the County Council Chambers, Richland County Administration Building, 2020 Hampton Street, 2nd Floor, Columbia, South Carolina 29202, beginning at 6:00 p.m. on the 3rd day of April, 2012. A Notice of Public Hearing substantially in the form attached hereto as Exhibit A shall be published once a week for three (3) successive weeks in *The State*, a newspaper of general circulation in the District. The first such publication shall not be less than sixteen (16) days prior to the hearing date.

The aforesaid hearing shall be conducted publicly at the time and place above stated, and both proponents and opponents of the proposed bond issue shall be given a full opportunity to be heard in person or by counsel.

Following the above aforesaid public hearing, the County Council will determine whether and to what extent the proposed bonds should be issued. If the County Council determines that the proposed bonds should be issued, County Council shall authorize the issuance of such bonds by ordinance, which ordinance may be given first and second readings prior to the aforesaid public hearing.

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 COLUMBIA, SOUTH CAROLINA, this 6th day of March, 2012.

RICHLAND COUNTY COUNCIL

(SEAL)

Kelvin E. Washington, Sr., Chair

Attest:

Clerk of Council

NOTICE OF PUBLIC HEARING
ON THE PROPOSED ISSUE OF NOT EXCEEDING \$32,000,000
OF GENERAL OBLIGATION BONDS OF
RICHLAND-LEXINGTON RIVERBANKS PARKS DISTRICT

The County Council of Richland County (the “*County Council*”), the governing body of Richland County, South Carolina (the “*County*”), has determined that it may be in the interest of the Richland-Lexington Riverbanks Parks District, South Carolina (the “*District*”) to raise moneys to defray the costs of improvements to the facilities of the District, such facilities popularly known as Riverbanks Zoo and Garden, as follows :

- a. HVAC and energy management system upgrades;
- b. Parking lots and road systems repairs, improvements and extensions;
- c. Roof repairs and replacement;
- d. Refurbishment of gunite structures;
- e. Upgrade IT network;
- f. Emergency communication and video surveillance systems;
- g. Replacement of restrooms, gift shop and snack bar, and expansion of restaurant;
- h. Replacement of entryway and ticketing facilities;
- i. New children’s garden;
- j. Interactive animal demonstration area;
- k. New sea lion exhibit, and repair and replacement of other animal exhibits as necessary;
- l. Acquisition of buildings on Rivermont Drive;
- m. Renovation of canal fountain in the botanical garden; and
- n. Relocate tram stop and acquire additional tram cars

(collectively, the “*Improvements*”). It is estimated that the total cost of designing, constructing, renovating and equipping the Improvements will amount to approximately \$32,000,000. The Improvements consist of renovation and expansion of existing structures, construction of new facilities, and demolition of certain existing facilities to facilitate new construction.

Accordingly, the County Council has ordered a public hearing to be held upon the question of the issuance of such bonds in accordance with the provisions of Act No. 1189 enacted at the 1974 Session of the South Carolina General Assembly, as amended (the “*Enabling Act*”). Notice is hereby given that a public hearing will be held in the County Council Chambers, Richland County Administration Building, 2020 Hampton Street, 2nd Floor, Columbia, South Carolina 29202, beginning at 6:00 p.m. on the 3rd day of April, 2012, on the question of the issuance of not exceeding \$32,000,000 general obligation bonds of the District (the “*Bonds*”), the proceeds of which will be expended for the purpose of defraying the costs of the Improvements.

For the payment of principal and interest of the 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 on all taxable property within the District ad valorem taxes in an amount sufficient to pay said principal and interest and to create such sinking fund. The Bonds would be issued to defray the cost of the Improvements and issuance costs. The Riverbanks Parks Commission, the governing body of the District, has advised County Council that the Improvements are

necessary and desirable for the continued safe and orderly operation of Riverbanks Zoo and Garden and the enhancement of its status as a leading recreational, educational and tourist attraction.

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 Bonds should be issued and may thereupon authorize the governing body of the District to issue the Bonds to the extent it shall be found necessary.

COUNTY COUNCIL OF RICHLAND COUNTY

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

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

The foregoing constitutes a true, correct and verbatim copy of a resolution duly adopted by the County Council at a meeting duly called and held on March 6, 2012 (the “*Resolution*”), at which meeting a quorum of the County Council was present, and voted in favor of the adoption thereof.

The original of the Resolution is duly entered in the permanent records of said Council in my custody as such Clerk of County Council.

The Resolution 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 the County, this ____ day of March, 2012.

(SEAL)

Clerk of County Council
Richland County, South Carolina

AN ORDINANCE

FINDING THAT THE RICHLAND-LEXINGTON RIVERBANKS PARKS DISTRICT MAY ISSUE NOT EXCEEDING \$32,000,000 GENERAL OBLIGATION BONDS; TO AUTHORIZE THE RICHLAND-LEXINGTON RIVERBANKS PARKS DISTRICT TO ISSUE SUCH BONDS AND TO PROVIDE FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION.

WHEREAS, by action previously taken, the County Council of Richland County (the "**County Council**"), the governing body of Richland County, South Carolina (the "**County**"), ordered that a public hearing on the question of the issuance of not exceeding \$32,000,000 general obligation bonds of the Richland-Lexington Riverbanks Parks District, South Carolina be held in the Richland County Council Chambers, Richland County Administration Building, at 6:00 p.m. on _____, 2012, and notice of such hearing has been duly published once a week for three successive weeks in *The State*, a newspaper of general circulation in the 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 approved July 9, 1974, now codified as Article 5 of Chapter 11 of Title 6 (Sections 6-11-810 through 6-11-1050, inclusive) (the "**Enabling Act**") to make a finding as to whether not exceeding \$32,000,000 general obligation bonds of the Richland-Lexington Riverbanks Parks District, South Carolina (the "**District**") should be issued.

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

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.

On the basis of the facts adduced at the public hearing held on _____, 2012, it is found and determined that the Riverbanks Parks Commission (the "**Commission**"), the governing body of the District, should be authorized to issue not exceeding \$32,000,000 general obligation bonds of the District.

The County Council finds that the Commission should issue general obligation bonds of the District in an amount not exceeding \$32,000,000 as a single issue or from time to time as several separate issues, as the Commission shall determine.

The County Council hereby authorizes the Commission to issue general obligation bonds of the District in an aggregate principal amount of not exceeding \$32,000,000 for the purpose of defraying the cost of the following improvements to the facilities of the District:

- a. HVAC and energy management system upgrades;
- b. Parking lots and road systems repairs, improvements and extensions;
- c. Roof repairs and replacement;
- d. Refurbishment of gunite structures;
- e. Upgrade IT network;
- f. Emergency communication and video surveillance systems;
- g. Replacement of restrooms, gift shop, and snack bar, and expansion of restaurant;
- h. Replacement of entryway and ticketing facilities;
- i. New children's garden;
- j. Interactive animal demonstration area;
- k. New sea lion exhibit, and repair and replacement of other animal exhibits as necessary;
- l. Acquisition of buildings on Rivermont Drive;
- m. Renovation of canal fountain in the botanical garden; and
- n. Relocate tram stop and acquire additional tram cars.

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.

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 attached hereto. Such notice shall be published once a week for three successive weeks in *The State*, a newspaper of general circulation in the County.

The Chairman of County Council 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.

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 in the aggregate principal amount of not exceeding \$32,000,000.

DONE AT COLUMBIA, SOUTH CAROLINA, this ____ day of _____, 2012.

RICHLAND COUNTY COUNCIL

(SEAL)

Kelvin E. Washington, Sr., Chair

Attest:

Clerk of Council

First Reading:
Second Reading:
Public Hearing:
Third Reading:

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

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

Notice is hereby given pursuant to the provisions of Section 6-11-870 of the Code of Laws of South Carolina, 1976, as amended, and following a public hearing held on _____, 2012, that the County Council of Richland County has found that:

The Richland-Lexington Riverbanks Parks District, South Carolina (the “District”) created by Act No. 1207 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1970, as amended, has been authorized to issue not exceeding \$32,000,000 general obligation bonds of the District either as a single issue or as several separate issues, for the purpose of defraying the cost of improvements to the facilities of the District, such facilities know popularly as Riverbanks Zoo and Garden, as follows:

- a. HVAC and energy management system upgrades;
- b. Parking lots and road systems repairs, improvements and extensions;
- c. Roof repairs and replacement;
- d. Refurbishment of gunite structures;
- e. Upgrade IT network;
- f. Emergency communication and video surveillance systems;
- g. Replacement of restrooms, gift shop, and snack bar, and expansion of restaurant;
- h. Replacement of entryway and ticketing facilities;
- i. New children’s garden;
- j. Interactive animal demonstration area;
- k. New sea lion exhibit, and repair and replacement of other animal exhibits as necessary;
- l. Acquisition of buildings on Rivermont Drive;
- m. Renovation of canal fountain in the botanical garden; and
- n. Relocate tram stop and acquire additional tram cars

(collectively, the “Improvements”). It is estimated that the total cost of designing, constructing, renovating and equipping of the Improvements will amount to approximately \$32,000,000. The Improvements consist of renovation and expansion of existing structures, construction of new facilities, and demolition of certain existing facilities to facilitate new construction.

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 and interest and to create such sinking fund.

No election has been ordered in the District upon the question of the issuance of the aforesaid bonds.

Any person affected by the action aforesaid of the County Council of Richland County may by action de novo instituted in the Court of Common Pleas for Richland County within twenty (20) days following the last publication of this Notice but not afterwards challenge the action of the County Council of Richland County.

COUNTY COUNCIL OF RICHLAND COUNTY

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

I, the undersigned, Clerk of the County Council of Richland County, South Carolina, DO HEREBY CERTIFY THAT:

The foregoing constitutes a true, correct and verbatim copy of an ordinance which was given three readings on three separate days, with an interval of not less than seven days between the second and third readings (the "*Ordinance*"). The original of the Ordinance is duly entered in the permanent records of minutes of meetings of the County Council, in my custody as such Clerk.

Each of said meetings was duly called, and all members of the County Council were notified of the same; that a majority of the membership were notified of each meeting and remained throughout the proceedings incident to the adoption of the Ordinance.

Each of the meetings 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 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 the County, this ____ day of _____, 2012.

(SEAL)

Clerk to County Council
Richland County, South Carolina

First Reading:
Second Reading:
Public Hearing:
Third Reading:

Richland County Council Request of Action

Subject

Lower Richland Master Plan Area Change [**PAGES 147-149**] {Forwarded from the A&F Committee}

Notes

February 28, 2012 - The committee recommended that Council approve the request to change the planning area for the Lower Richland Master Plan. The vote in favor was unanimous

Richland County Council Request of Action

Subject: Lower Richland Master Plan Area change

A. Purpose

County Council is requested to approve the name change and expanded boundaries in the planning area of the Lower Richland Master Plan area (currently Hopkins Master Plan).

B. Background / Discussion

The Lower Richland Master Plan was scheduled to begin in February 2012 with the firm Land Design. Per the request of Chairman Washington, the boundaries of the original area have been extended to the Sumter County line. At the request of staff, the name of the plan should reflect the new plan boundaries and be called the Lower Richland Master Plan as to not further confuse the public.

C. Financial Impact

Staff does anticipate a change order in the contract with Land Design; however, at this time a cost has not been given. Funding is available in the Neighborhood Improvement budget to address the change order.

D. Alternatives

At this time, there are no alternatives to the planning area outside of the requested change.

E. Recommendation

It is recommended that Council approve the request to change the planning area for the Lower Richland Master Plan.

Recommended by:	Department:	Date:
<i>Tiaa B. Rutherford</i>	<i>Neighborhood Improvement Program</i>	<i>February 14, 2012</i>

F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 2/15/12

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood

Date: 2/16/12

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 2/17/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Policy decision left to Council's discretion.

Administration

Reviewed by: Sparty Hammett

Date: 2/21/12

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend that Council approve the request to change the planning area for the Lower Richland Master Plan.

Richland County Council Request of Action

Subject

Monticello Road Streetscape Project-Parcel Acquisition [**PAGES 150-153**] {Forwarded from the A&F Committee}

Notes

February 28, 2012 - The committee recommended that Council approve the acquisition of the identified properties in the amount of \$20,860 for public use for the construction of a sidewalk and pocket park as part of the Monticello Road Streetscape Project found in the Ridgewood Master Plan. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Monticello Road Streetscape Project – Parcel Acquisition

A. Purpose

County Council is requested to approve property acquisition needed for the Monticello Road Streetscape project. The property will be used for the construction of a sidewalk and pocket park as part of the Monticello Road Streetscape Project. Acquisition would be of two different properties with non-related owners. One property is 5219 Ridgeway Street, Tax Map # 09309-10-01, a 0.058 acre site that has a 746 SF vacant single-family residence. The current fair market value (FMV) is \$20,000. The other acquisition needed is 160 square feet of right of way located at 5200 Monticello Road Tax Map # 09309-04-29. The current fair market value is \$860.00. The overall goal is to improve safety for pedestrian traffic as well as commercial corridor improvement.

B. Background / Discussion

County Council approved the Monticello Road Streetscape design March 2010. The streetscape project was designed by B.P. Barber Inc. per the request of the Community Development Department. The total cost for streetscape construction is approximately \$471,000 and will be phased over two years (FY's 12-13). The construction bids would take place after Council's approval of the acquisition. Community Development has reserved FY 11 -12 CDBG funds in the amount of \$360,000 for Phase I of construction. Phase I is expected to be completed within 120 days.

Initial talks with both property owners have begun and both have indicated they would accept FMV offers, contingent upon Council approval. The house at 5219 Ridgeway was built in 1940 and is in poor condition. The house would be demolished and replaced with a pocket park, a public green space. SC Department of Transportation has issued requested permits and the Environmental is completed. The budget includes parcel acquisitions along with other associated costs.

The Monticello Road Streetscape design is focused on repair of existing infrastructure, safety and beautification. The Monticello Road Streetscape includes multiple activities and is the final major project to be addressed from the existing Ridgewood master plan.

C. Financial Impact

The financial impact to the Community Development Department to purchase 5219 Ridgeway St and 160 SF located at 5200 Monticello is \$60,060. The department will use federal funds (CDBG) and will not request County funds for the acquisition and the associated project costs. Once acquired, the property will then be owned by Richland County Government and will be maintained by the County. The CD Department has communicated with the Special Services Department and they have shared their willingness to maintain the pocket park and other common areas along the new streetscape updates. A MOU will be completed in the near future if the acquisition is approved by Council.

Total Estimated Budget for Acquisition and Construction

Acquisition cost for both parcels	\$20,860.00
Structure Demolition/Clearance/Site Cleanup	\$ 8,400.00
Survey Services	\$1,650.00
Revisions to Permits/Construction Doc (if required)	\$1,000.00
Pocket Park - Landscape Design	\$2,000.00
Pocket Park – Construction	\$26,150.00
Total Acquisition and Construction Costs	\$60,060.00

D. Alternatives

- Approve the acquisition of identified properties above for public use for the construction of a side walk and pocket park as part of the Monticello Road Streetscape Project, found in the Ridgewood Master Plan.
- Do not approve the acquisition of properties and omit sidewalk and pocket park from the Monticello Road Streetscape Project.

E. Recommendation

- It is recommended that Council approve the request to approve the acquisition of identified properties above for public use for the construction of a side walk and pocket park as part of the Monticello Road Streetscape Project, found in the Ridgewood Master Plan.

Recommended by: **Valeria Jackson, Director** Department: **Community Development** Date: **February 13, 2012**

F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers Date: 2/14/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood

Date: 2/22/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Policy decision; left to council’s discretion. I am not sure what the MOU referenced above would control, or who the potential parties would be, but CD may contact Legal for any assistance with such a document.

Administration

Reviewed by: Sparty Hammett

Date: 2/22/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend Council approval of the request to approve the acquisition of identified properties above for public use for the construction of a side walk and pocket park as part of the Monticello Road Streetscape Project, found in the Ridgewood Master Plan.

Richland County Council Request of Action

Subject

Proposed Property Tax Reduction for Senior Citizens [TO TABLE] [PAGES 154-157] {Forwarded from the A&F Committee}

Notes

February 28, 2012 - The committee recommended that Council table this item. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Proposed Property Tax Reduction for Senior Citizens

A. Purpose

The purpose of this item is to request the County Council's consideration of a proposed property tax reduction for senior citizens.

B. Background / Discussion

At the February 7, 2012, Council Meeting, Council Member Seth Rose introduced the following motion:

When a Richland County resident reaches the age of 62 they will receive some form of a Richland County tax reduction, either through the property tax or some other type of credit. Note: Motion allows for Staff input and flexibility on how such credit or tax break would be implemented.

Currently, State law allows the following property tax exemptions / reductions:

1. The dwelling house and up to one acre of surrounding land is exempt for:
 - a. a veteran who is permanently and totally disabled from a service-connected disability and the surviving spouse;
 - b. the surviving spouse of military personnel killed in the line of duty;
 - c. a paraplegic or hemiplegic person and the surviving spouse.
2. A homestead exemption of \$50,000 is available to residents who are 65 years of age, or who are totally disabled or who are totally blind.
3. ~~Up to \$100,000 exemption for legal residences from ordinary school millage.~~

At this time, the above exemptions are the only ones that South Carolina counties are able to offer under existing state laws. Additional exemptions would require a change in existing legislation at the state level.

There are other areas, of course, over which counties do have authority, such as the establishment of county-wide fees for services. In Richland County, for example, the County charges a solid waste service fee of \$249 per year and a road maintenance fee of \$20 per vehicle per year. Reducing or eliminating these fees, however, should be carefully considered due to the fact they directly fund the services for which they are collected.

C. Financial Impact

The financial impact is not known at this time; it will depend on the level of reductions that may ultimately be adopted. Any reduction, of course, will decrease

the County's revenue stream and that revenue will have to be made up in other areas or certain items eliminated from the budget to address the reduction in revenue.

D. Alternatives

1. Pursue a change in state legislation that would allow further exemptions from property taxes than already exist.
2. Reduce or eliminate certain fees to those 62 years of age and older.
3. Do not pursue additional exemptions, reductions and/or credits at this time.

E. Recommendation

To pursue the reduction or elimination of existing taxes and/or fees is at the Council's discretion. Staff strongly recommends, however, that careful consideration be given to any plan that would reduce the County's revenue stream. A revenue reduction would require replacement of that revenue from some other source or elimination of certain items from the budget to equate to, in terms of dollars, the amount of revenue lost.

By: Tony McDonald, Administration

Date: February 13, 2012

F. Reviews

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing. Thank you!)

Auditor

Reviewed by: Paul Brawley

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

The implementation of such a credit would have to be communicated to the taxpaying public and they would have to apply for the credit much as is required for the Homestead Exemption (proof of age by identification etc.). Council will have to determine how much of a credit will be granted. The taxing program will need to be changed to accommodate such a credit at an expense to the County, and my office may need additional personnel to implement such a change due to the aging demographics of our county. The implementation of this credit if it coincided with the Homestead Exemption would be less painful and confusing. I think this is a worthy idea but agree that if we lessen the revenue you will have to lessen the services or increase the revenue from another source to make up the difference.

Treasurer

Reviewed by: David Adams

Date:

- Recommend Council approval
- Recommend Council denial
- Council Discretion (please explain if checked)

Comments regarding recommendation:

If such funds are available for a reduction in taxes, it should be made available to all taxpayers, not just a restricted group.

Finance

Reviewed by: Daniel Driggers Date: 2/21/12

- Recommend Council approval
- Recommend Council denial
- Council Discretion (please explain if checked)

Comments regarding recommendation:

This is a policy decision for Council. As stated in the ROA, the impact can't be determined until a plan is developed however we'd recommend that final approval of a proposed reduction plan include a funding strategy for the recurring deterioration of the revenue stream as well as any departmental cost impact of implementation and maintenance of the program.

Legal

Reviewed by: Elizabeth McLean Date: 2/21/12

- Recommend Council approval
- Recommend Council denial
- Council Discretion (please explain if checked)

Comments regarding recommendation:

Policy decision left to Council's discretion; however, as Tony stated above, in general, taxation is dealt with under state law and the County cannot change state law with an ordinance. I would proceed with caution. Also, if fee changes are to be implemented, each proposed new fee or fee reduction would need to be reviewed by Legal for its sufficiency. I cannot give a further opinion without having the proposed changes to review.

Administration

Reviewed by: Tony McDonald Date: 2/21/12

- Recommend Council approval
- Recommend Council denial
- Council Discretion (please explain if checked)

Comments regarding recommendation: As stated above, this decision is a policy decision left to the discretion of the Council. Staff strongly recommends, however, that careful consideration be given to any plan that would reduce the County's revenue stream. A revenue reduction would require replacement of that revenue from some other source or elimination of certain items from the budget to equate to, in terms of dollars, the amount of revenue lost.

Richland County Council Request of Action

Subject

Former Farmers' Market Property-County Farmers' Market or SE Sports Complex **[TO TABLE] [PAGES 158-164]**
{Forwarded from the A&F Committee}

Notes

February 28, 2012 - The committee tabled this item. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Former Farmers' Market Property – County Farmers' Market or SE Sports Complex

A. Purpose

Council is requested to review the item regarding the former farmers' market property forwarded by Councilman Jackson for discussion at the 2012 Retreat, and provide staff with direction.

B. Background / Discussion

The following item was forwarded by Councilman Jackson for discussion at the 2012 Retreat.

“Farmers Market property: scaled down County Market or Southeast Sports Complex (Basketball) based on 2005 Ordinance on TX investment”

The item was not discussed as Mr. Jackson was not present during the budget / financial discussion at Retreat.

Therefore, the Council members present decided to forward the item to the A&F Committee for discussion and direction.

The original Hospitality Tax Ordinance is attached below for your convenience.

It is at this time that staff requests direction regarding this item.

C. Financial Impact

Not able to determine until further direction is provided.

D. Alternatives

1. Receive the item as information, and take no action.
2. Direct staff as appropriate.

E. Recommendation

“Farmers Market property: scaled down County Market or Southeast Sports Complex (Basketball) based on 2005 Ordinance on TX investment” [Jackson]

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 2/13/12

Recommend Council approval

Recommend Council denial

x Council discretion

Comments regarding recommendation:

This is a policy decision for Council on the direction for the property. The debt service payments for the property are currently paid from hospitality tax funds therefore we would recommend that council get a legal opinion on any recommendation to ensure appropriate use of funds prior to approval. Additionally, we would recommend that Council determine a funding strategy for any anticipated operating cost post-construction.

Legal

Reviewed by: Elizabeth McLean

Date: 2/17/12

Recommend Council approval

Recommend Council discretion

Recommend Council denial

Comments regarding recommendation:

As this item is just for information, Legal has no recommendation at this time.

Administration

Reviewed by: J. Milton Pope

Date: 2-17-12

Recommend Council approval

Recommend Council denial

- Comments regarding recommendation: I recommend denial of locating a recreational facility on this site due to the fact that the site (along with adjacent property) has significant economic development potential as an industrial site. This site could become an “income producer (increased tax base) and job hub for the County.
- Other benefits (obtained from the County’s Director of Economic Development) include:
 - **Site is currently zoned industrial and is surrounded by industrial uses.**
 - **Site is rail served which is attractive for industrial users and rail served sites are difficult to find.**
 - **Excellent interstate access.**
 - **South Carolina Research Authority (adjoining property owner) is working with county to develop as an industrial park.**

I’d further recommend that if the Committee and Council desire to pursue the idea of a recreational facility that staff be directed to find another suitable location.

ORIGINAL HTax Ordinance (2003)

STATE OF SOUTH CAROLINA BOOK 007 PAGE 83
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. 025-03HR

2003 MAY 21 4:45 PM
SAC

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 23, TAXATION, SO AS TO ADD A NEW ARTICLE FOR THE PURPOSE OF ESTABLISHING AND COLLECTING A LOCAL HOSPITALITY TAX IN RICHLAND COUNTY, SOUTH CAROLINA.

WHEREAS, Richland County, South Carolina (the "County") wishes to build and enhance the facilities that serve the tourists who visit the County; and

WHEREAS, Article 7 of Chapter 1 of Title 6 of the Code of Laws of South Carolina 1976, as amended (the "Code"), authorizes local governing bodies by ordinance to impose a Local Hospitality Tax (as defined herein) not to exceed two percent (2%) on the gross proceeds of sales of prepared meals and beverages; and

WHEREAS, the County finds that a Local Hospitality Tax upon the sales of prepared meals and beverages sold in establishments in the County will result in revenues that will be used for the dedicated purpose of improving services and facilities for tourists, which constitutes a public purpose of the County; and

WHEREAS, the County finds that the following facilities, among others, promote and attract tourists to the greater Columbia area of Richland County and are proper recipients of the revenue generated by the Local Hospitality Tax: Columbia Museum of Art, Historic Columbia, Edventure, Township Auditorium, the State Farmers' Market, and a new recreation complex.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances, Chapter 23, Taxation, is hereby amended by adding a new Article to read as follows:

ARTICLE VI. LOCAL HOSPITALITY TAX

Sec. 23-65. Definitions.

Richland County means the County and all of the unincorporated areas within the geographical boundaries of the County and all of the incorporated municipalities of the County.

Local Hospitality Tax means a tax on the sales of prepared meals and beverages sold in establishments or sales of prepared meals and beverages sold in establishments licensed for on-premises consumption of alcoholic beverages, beer, or wine, within the incorporated municipalities and the unincorporated areas of the County.

Prepared Meals and Beverages means the products sold ready for consumption either on or off premises in businesses classified as eating and drinking places under the Standard Industrial Code Classification Manual and including lunch counters and restaurant stands; restaurants, lunch counters, and drinking places operated as a subordinate facility by other establishments; and bars and restaurants owned by and operated for members of civic, social, and fraternal associations.

Sec. 23-66. Local Hospitality Tax.

A Local Hospitality Tax is hereby imposed on the sales of prepared meals and beverages sold in establishments within the incorporated municipalities and the unincorporated areas of the County. The Local Hospitality Tax shall be in an amount equal to two percent (2%) of the gross proceeds of sales of prepared meals and beverages sold in

DUPLICATE PAGE

establishments located within the unincorporated areas of the County and within the boundaries of the incorporated municipalities which have consented, by resolution adopted by their governing body, to the imposition of the Local Hospitality Tax in the amount of two percent (2%). The Local Hospitality Tax shall be in an amount equal to one percent (1%) of the gross proceeds of sales of prepared food and beverages sold in establishments located within the boundaries of the incorporated municipalities within the County which do not give their consent to the imposition of the Local Hospitality Tax. Provided, however, the County shall not impose a local hospitality tax on those municipalities that have adopted a two percent (2%) Local Hospitality Tax prior to July 1, 2003.

Sec. 23-67. Payment of Local Hospitality Tax.

(a) Payment of the Local Hospitality Tax established herein shall be the liability of the consumer of the services. The tax shall be paid at the time of delivery of the services to which the tax applies, and shall be collected by the provider of the services. The County shall promulgate a form of return that shall be utilized by the provider of services to calculate the amount of Local Hospitality Tax collected and due. This form shall contain a sworn declaration as to the correctness thereof by the provider of the services.

(b) The tax provided for in this Article must be remitted to the County on a monthly basis when the estimated amount of average tax is more than fifty dollars (\$50.00) a month, on a quarterly basis when the estimated amount of average tax is twenty-five dollars (\$25.00) to fifty dollars (\$50.00) a month, and on an annual basis when the estimated amount of average tax is less than twenty-five dollars (\$25.00) a month.

(c) The provider of services shall remit the Local Hospitality Tax, when due, to the County on the 20th of the month, or on the next business day if the 20th is not a business day.

Sec. 23-68. Local Hospitality Tax Special Revenue Fund.

An interest-bearing, segregated and restricted account to be known as the "Richland County Local Hospitality Tax Revenue Fund" is hereby established. All revenues received from the Local Hospitality Tax shall be deposited into this Fund. The principal and any accrued interest in this Fund shall be expended only as permitted by this ordinance.

Sec. 23-69. Distribution of Funds.

(a) (1) The County shall distribute the Local Hospitality Tax collected and placed in the "Richland County Local Hospitality Tax Revenue Fund" to each of the following agencies and purposes ("Agency") in the following amounts during fiscal year 2003-2004:

Columbia Museum of Art	\$650,000
Historic Columbia	250,000
EdVenture Museum	100,000
County Promotions	200,000

(2) The amounts specified above shall be paid quarterly beginning October 1, 2003.

(3) As a condition of receiving its allocation, each Agency must annually present to the County an affirmative marketing plan for the inclusion of all citizens of Richland County and must also annually offer some "free" or discounted services to Richland County citizens. If an Agency fails to comply with these requirements, its portion of the Local Hospitality Tax shall be retained in the Richland County Local Hospitality Tax Revenue Fund and distributed as provided in subsection (d) below.

(4) In the event Local Hospitality Tax revenues are not adequate to fund the Agencies listed above in the prescribed amounts, each Agency will receive a proportionate share of the actual revenues received, with each Agency's

share to be determined by the percentage of the total revenue it would have received had the revenues allowed for full funding as provided in subsection (a)(1) above.

(b) In each of fiscal years 2004-2005 and 2005-2006, the ^{BOOK 007 PAGE 50} Local Hospitality Tax shall be distributed to each Agency named above in the same amounts and on the same terms and conditions, together with a three percent (3%) increase in each of fiscal year 2004-2005 and 2005-2006.

(c) Beginning in fiscal year 2006-2007, the amount of Local Hospitality Tax to be distributed annually to each Agency named above shall be established as equal to the percentage of the total funds collected annually based on a trend analysis of the first three years considering any aberration due to implementation.

(d) All Local Hospitality Tax revenue not distributed pursuant to subsections (a) - (c) above shall be retained in the Richland County Local Hospitality Tax Revenue Fund and distributed as directed by County Council for projects related to tourism development, including, but not limited to, the planning, development, construction, promotion, marketing, operations, and financing (including debt service) of the State Farmer's Market (in lower Richland County), Township Auditorium, a new recreation complex (in northern Richland County), recreation capital improvements, Riverbanks Zoo, and other expenditures as provided in Article 7, Chapter 1, Title 6, Code of Laws of South Carolina 1976 as amended.

Sec. 23-70. Re-distribution of the County's General Fund.

A portion of the general fund revenue that was historically appropriated for the agencies and purposes identified in Section 23-69, subsections (a) and (d), shall in fiscal year 2004 be appropriated in an amount equivalent to one-quarter mill to each of the following entities, subject to approval of the general fund budget: 1) the Richland County Conservation Commission, and 2) the Neighborhood Redevelopment Commission. Thereafter, beginning in fiscal year 2005, an amount equivalent to one-half mill shall be appropriated to each of these two agencies, subject to approval of the general fund budget. Each such entity shall be established and accounted for as a Special Revenue Fund. There shall be no additions to the Statutory and Contractual Agencies funded through the County's General Fund Budget, except as required by state or federal law.

Sec. 23-71. Oversight and Accountability.

Any organization or agency receiving Hospitality Tax funds must submit a report of expenditures and the impact on tourism for the preceding calendar year and a plan for the upcoming year to the Richland County Administrator on or before March 1 of each year. Such report shall be on a form provided by the County.

Sec. 23-72. Inspections, Audits and Administration.

For the purpose of enforcing the provisions of this ordinance, the County Administrator or other authorized agent of the County is empowered to enter upon the premises of any person subject to this ordinance and to make inspections, examine, and audit books and records. It shall be unlawful for any person to fail or refuse to make available the necessary books and records during normal business hours upon twenty-four (24) hours' written notice. In the event that an audit reveals that the remitter has filed false information, the costs of the audit shall be added to the correct amount of tax determined to be due. All operational and administrative costs associated with the billing and collection of the Local Hospitality Tax will be charged to the "Richland County Local Hospitality Tax Special Revenue Fund". The County Administrator or other authorized agent of the County may make systematic inspections of all service providers that are governed by this ordinance within the County to ensure compliance with this ordinance. Records of inspections shall not be deemed public records.

(a) It shall be a violation of this Article to:

BOOK 007 PAGE 91

- (1) fail to collect the Local Hospitality Tax as provided in this Article,
- (2) fail to remit to the County the Local Hospitality Tax collected, pursuant to this Article,
- (3) knowingly provide false information on the form of return submitted to the County, or
- (4) fail to provide books and records to the County Administrator or other authorized agent of the County for the purpose of an audit upon twenty-four (24) hours' notice.

(b) The penalty for violation of this Article shall be five percent (5%) per month, charged on the original amount of the Local Hospitality Tax due.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after July 1, 2003.

RICHLAND COUNTY COUNCIL

By: Bernice G. Scott
Bernice G. Scott, Chair

Attest this 20th day of
MAY, 2003.

Michelle R. Cannon-Finch
Michelle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Amelia R. Linder
Approved As To LEGAL Form Only.
No Opinion Rendered As To Content

First Reading: March 18, 2003
Public Hearing: April 21, 2003
Second Reading: April 21, 2003
Third reading: May 6, 2003

Richland County Council Request of Action

Subject

An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-53, Land Development Permits; Subsection (B), Processes; so as to reduce the time to act on the application from sixty (60) days to thirty (30) days **[PAGES 165-171]**

Notes

First Reading: February 28, 2012
Second Reading:
Third Reading:
Public Hearing: February 28, 2012

AMENDED

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-12HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE IV, AMENDMENTS AND PROCEDURES; SECTION 26-53, LAND DEVELOPMENT PERMITS; SUBSECTION (B), PROCESSES; SO AS TO REDUCE THE TIME TO ACT ON THE APPLICATION FROM SIXTY (60) DAYS TO THIRTY (30) DAYS.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-53, Land Development Permits; Subsection (b), Processes; Paragraph (1), Land Development Compliance Review; Subparagraph d., Staff Review; is hereby amended to read as follows:

- d. *Staff review.* The planning department shall review the application and determine if it is complete. If the application is incomplete, the planning department shall notify the applicant of the deficiencies. Provided the application is complete, the planning department, for projects not involving some other form of review, shall approve, approve conditionally, or deny the approval of the application within ~~ten (10)~~ thirty (30) days of receipt. ~~Failure to act on those applications not involving some other form of review within ten (10) days shall result in the reimbursement of any application fee submitted to the county.~~ Failure to act within ~~sixty (60)~~ thirty (30) days, unless extended by mutual agreement, shall be considered to constitute approval. In most situations, land development compliance review and the issuance of a land development permit can be handled at the time of application submittal. A record of all actions will be maintained as a public record and the applicant must be notified in writing of any actions taken.

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-53, Land Development Permits; Subsection (b), Processes; Paragraph (2), Minor Land Development Review; Subparagraph d., Staff Review; is hereby amended to read as follows:

- d. *Staff review.* The planning department shall review the application and determine if it is complete. If the application is incomplete, the planning department shall notify the applicant of the deficiencies within thirty (30) ten (10) days of the most recent submission date. Provided the application is complete, the following shall occur.

AMENDED

1. *Planning staff review.* Plans for development requiring minor land development review shall be reviewed by the planning department for compliance with the requirements of this chapter.
2. *Development review team.* As needed, plans for development requiring minor land development review shall be reviewed by members of the county's development review team for compliance with the requirements of this chapter and other applicable county codes. No formal team review shall be required.

The planning department shall approve, approve conditionally, or deny the approval of the application within ~~sixty (60)~~ thirty (30) days of receipt. Failure to act on an application with ~~sixty (60)~~ thirty (30) days shall be considered to constitute approval. A record of all actions will be maintained as a public record and the applicant must be notified of any actions taken.

SECTION III. The Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-54, Subdivision Review and Approval; Subsection (c), Processes; Paragraph (1), Administrative Review; Subparagraph d., Staff Review; is hereby amended to read as follows:

- d. *Staff review.* The planning department shall review the application and subdivision plat and provide a written decision regarding the request as soon as possible, but no later than thirty (30) days after the submission date of a completed application. If the department does not provide the applicant with written notice of the application's status in this time period, ~~the application fee shall be refunded. If the department does not provide the applicant with written notice of the application's status (approval, approval with conditions, or disapproval) within sixty (60) days after the submission date of a completed application, then~~ the application shall be deemed approved.

SECTION IV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-54, Subdivision Review and Approval; Subsection (c), Processes; Paragraph (2), Minor Subdivision Review; Subparagraph d., Staff Review; is hereby amended to read as follows:

- d. *Staff review.* The planning department shall review the application and determine if it is complete. If the application is incomplete, the planning department shall notify the applicant of the deficiencies within ~~thirty (30)~~ ten (10) days after the most recent submission

AMENDED

date. Provided that the application is complete, the following shall occur.

1. *Planning staff review.* Sketch plans for development requiring minor subdivision review shall be reviewed by the planning department for compliance with the requirements of this chapter.
2. *Development review team.* As needed, plans for minor subdivisions shall be reviewed by members of the county's development review team for compliance with the requirements of this chapter and other applicable county codes. No formal team review shall be required.

The planning department shall approve, approve conditionally, or deny the approval of the sketch plan for a minor subdivision within ~~sixty (60)~~ thirty (30) days after the submission date of a completed application. If the department fails to act on the application within that time, the application shall be deemed approved. A record of all actions will be maintained as a public record and the applicant must be notified of any actions taken.

SECTION V. The Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-54, Subdivision Review and Approval; Subsection (c), Processes; Paragraph (3), Major Subdivision Review; Subparagraph e., Preliminary Subdivision Plan Review and Approval; Clause 2., Staff Review; is hereby amended to read as follows:

2. *Staff review.* The planning department shall review the preliminary plan submittal and determine if it is complete. The applicant shall be notified within ten (10) days of submittal as to whether or not if the application is not complete. Provided that the application is complete, the following shall occur: the planning department shall review the plan for compliance with the requirements of this chapter and conformity with the approved sketch plan, and then issue a letter to the applicant either approving, approving with conditions, or denying the preliminary subdivision plan. Failure on the part of the planning department to act on the preliminary plat within thirty (30) days shall constitute approval. Approval of the preliminary subdivision plan shall not constitute final or bonded subdivision plat approval (see Sections 26-54(b)f. and g. below).

AMENDED

~~[a] *Planning staff review.* Preliminary plans for development requiring major subdivision review shall be reviewed by the planning department for compliance with the requirements of this chapter and conformity with the approved sketch plan.~~

~~[b] *Development review team.* Within three (3) days of mailing written notice to the applicant that the preliminary subdivision plan is complete, the department shall transmit the plan package to the appropriate development review team members for review and comment. These members shall review and get comments back to the planning department within fifteen (15) days.~~

~~No later than fifteen (15) days after receipt of all review team comments and/or permit approvals, the planning department shall transmit a report and recommendations to the applicant. Said report shall approve, approve with conditions, or deny the preliminary subdivision plan application based on written findings of fact. Approval of the preliminary subdivision plan shall not constitute final or bonded subdivision plat approval (see Sections 26-54(b)f. and g. below). Failure on the part of the planning department to act on the preliminary plat within sixty (60) days shall constitute approval.~~

SECTION VI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-54, Subdivision Review and Approval; Subsection (c), Processes; Paragraph (3), Major Subdivision Review; Subparagraph f., Bonded Subdivision Plan Review and Approval; Clause 2., Staff Review; is hereby amended to read as follows:

2. *Staff review.* The planning department shall review the bonded plan submittal and determine if it is complete. If the application is incomplete, the planning department shall notify the applicant of the deficiencies within ~~thirty (30)~~ ten (10) days after the most recent submission date. Provided that the application is complete, the following shall occur.

[a] *Planning staff review.* Bonded plans for development requiring major subdivision review shall be reviewed by the planning department for compliance with the requirements of this chapter and conformity with the approved sketch plan and preliminary plan.

AMENDED

- [b] *Development team review.* As needed, bonded plans for major subdivisions shall be reviewed by members of the county's development review team for compliance with the requirements of this chapter and other applicable county codes. No formal team review shall be required.

The planning department shall approve, approve with conditions, or deny the bonded subdivision plan application based on written findings of fact. Approval of the bonded subdivision plan shall not constitute final subdivision plan approval (see subparagraph g. below on final subdivision plan approval). Failure on the part of the planning department to act on the bonded plat within ~~sixty (60)~~ thirty (30) days after receiving a complete application shall constitute approval.

SECTION VII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-54, Subdivision Review and Approval; Subsection (c), Processes; Paragraph (3), Major Subdivision Review; Subparagraph g., Final Subdivision Plan Review and Approval; Clause 2., Staff Review; is hereby amended to read as follows:

2. *Staff review.* The planning department shall review the final plan submittal and determine if it is complete. If the application is incomplete, the planning department shall notify the applicant of the deficiencies within ~~thirty (30)~~ ten (10) days after the most recent submission date. No later than ~~fifteen (15)~~ thirty (30) days after receipt of a complete final plat package, the department shall approve, approve with conditions, or deny the final plat application ~~based on written findings of fact~~. Failure on the part of the planning department to act on the final plat within ~~sixty (60)~~ thirty (30) days after receiving a complete application shall constitute approval.

SECTION VIII. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION IX. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION X. Effective Date. This ordinance shall be effective from and after _____, 2012.

AMENDED

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin E. Washington, Sr., Chair

ATTEST THIS THE _____ DAY
OF _____, 2012

Michelle M. Onley
Clerk of Council

RICHLAND COUNTY ATTORNEY’S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

Public Hearing: February 28, 2012
First Reading: February 28, 2012
Second Reading: March 6, 2012 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

- a. Authorizing an Amendment to the Master Agreement Governing the I-77 Corridor Regional Industrial Park by and between Richland County, South Carolina, and Fairfield County, South Carolina, to expand the boundaries of the park to include certain real property located in Richland County; and other related matters **[FIRST READING] [PAGES 173-175]**
- b. Project Roadrunner Inducement Resolution **[PAGES 176-177]**
- c. An Ordinance Authorizing Pursuant to Section 4-1-175, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a Special Source Revenue Credit Agreement between Richland County, South Carolina and Project Roadrunner; and matters relating thereto **[FIRST READING BY TITLE ONLY] [PAGE 178]**
- d. McEntire Produce, Inc., McEntire Limited Partnership, and R. C. McEntire Trucking, Inc. Inducement Resolution **[PAGES 179-189]**
- e. Mars PetCare Set-Aside Grant **[PAGE 190]**
- f. Project Roadrunner Closing Fund Grant **[PAGE 191]**

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. _____

AUTHORIZING AN AMENDMENT TO THE MASTER AGREEMENT GOVERNING THE I-77 CORRIDOR REGIONAL INDUSTRIAL PARK BY AND BETWEEN RICHLAND COUNTY, SOUTH CAROLINA, AND FAIRFIELD COUNTY, SOUTH CAROLINA, TO EXPAND THE BOUNDARIES OF THE PARK TO INCLUDE CERTAIN REAL PROPERTY LOCATED IN RICHLAND COUNTY; AND OTHER RELATED MATTERS.

WHEREAS, Richland County, South Carolina (“Richland”), and Fairfield County, South Carolina (“Fairfield”) (collectively, “Counties”), as authorized under Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended (“Act”), have jointly developed the I-77 Corridor Regional Industrial Park (“Park”);

WHEREAS, the Counties have entered into separate agreements to reflect each new phase of expansion of the Park (“Phase Agreements”);

WHEREAS, on April 15, 2003, the Counties entered into an agreement entitled “Master Agreement Governing the I-77 Corridor Regional Industrial Park” (“Master Agreement”), the provisions of which replaced all existing Phase Agreements and now govern the operation of the Park; and

WHEREAS, Richland now desires to expand the boundaries of the Park and amend the Master Agreement to include property located in Richland and described by tax map number on the attached Exhibit A (collectively, “Property”).

NOW, THEREFORE, BE IT ORDAINED BY THE RICHLAND COUNTY COUNCIL:

Section 1. Expansion of Park Boundaries. There is hereby authorized an expansion of the Park boundaries to include the Property. The County Council Chair, or the Vice Chair in the event the Chair is absent, the County Administrator and the Clerk to the County Council are hereby authorized to execute such documents and take such further actions as may be necessary to complete the expansion of the Park boundaries. Pursuant to the terms of the Master Agreement, the expansion shall be complete upon the adoption of this Ordinance by the Richland County Council and a companion ordinance by the Fairfield County Council.

Section 2. Savings Clause. If any portion of this Ordinance shall be deemed unlawful, unconstitutional or otherwise invalid, the validity and binding effect of the remaining portions shall not be affected thereby.

Section 3. General Repealer. Any prior ordinance, the terms of which are in conflict herewith, is, only to the extent of such conflict, hereby repealed.

Section 4. Effectiveness. This Ordinance shall be effective after third and final reading.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Kelvin Washington, Chair of County Council
Richland County, South Carolina

(SEAL)

Attest this 3rd day of April, 2012

Michelle Onley, Clerk to Council
Richland County, South Carolina

First Reading: March 6, 2012
Second Reading: March 20, 2012
Public Hearing: March 20, 2012
Third Reading: April 3, 2012

EXHIBIT A
DESCRIPTION OF PROPERTY

TMS #

16200-03-20
16209-01-01
16200-03-01
16100-02-20
16100-02-02
16100-02-04
16200-03-02
18900-01-01
14900-01-33
06013-01-25
11209-02-12
25800-01-01
25800-01-07
17600-01-33
14900-02-18
16200-06-03

INDUCEMENT RESOLUTION

WHEREAS, Richland County, South Carolina (the "County"), acting by and through its County Council (the "Council"), is authorized and empowered under and pursuant to the provisions of Section 4-1-175, Code of Laws of South Carolina, 1976, as amended (the "SSRC Statute"), to enter into agreements to provide a special source revenue credit ("SSRC") with respect to qualified projects;

WHEREAS, the County is recruiting an investment in the County by Project Roadrunner (the "Company"), in the form of new and/or additional manufacturing, distribution, testing, research, development, office, headquarters and/or operational facilities in the County (the "Project");

WHEREAS, the County, in order to induce the Company to locate the Project in the County, has committed to the Company that the County will enter into an agreement to provide a SSRC;

NOW, THEREFORE, BE IT RESOLVED by the Richland County Council that:

1. If the Company agrees to locate the Project in the County, the County, upon request by the Company, and only after the adoption of an authorizing ordinance by the Council, hereby agrees to enter into an agreement under the SSRC Statute (the "SSRC Agreement") that will provide the Company with a credit against its annual fee-in-lieu of ad valorem property tax ("FILOT") payments on all Project property owned by the Company in the County. The SSRC Agreement, subject to the timely fulfillment of the job creation requirements set forth in the SSRC Agreement, shall provide for an offset of such FILOT payments in the following percentages for the following property tax years: 10% in 2013, 20% in 2014, 30% in 2015, 40% in 2016, and 50% in 2017.
2. The Council agrees that, in order to facilitate the SSRC Agreement, the Project, if not already so placed, will be placed in a multi-county industrial park as provided in Article VIII, Section 13, of the Constitution of the State of South Carolina, as amended, and Section 4-1-170, Code of Laws of 1976, as amended, no later than December 31, 2012.
3. The County Administrator and the County Economic Developer are hereby directed to negotiate the remaining terms of the SSRC Agreement and such other documents as may be necessary or appropriate to implement the provisions of this Resolution.
4. This Resolution shall constitute action reflecting and identifying the Project for purposes of the SSRC Statute and otherwise with respect to the Company.

APPROVED AND ADOPTED IN A MEETING THIS ____ DAY OF _____, 2012.

By: _____
Chairman, Richland County Council

ATTEST:

Clerk to Council

~#4829-5443-7134 v.2~2/28/12~

AN ORDINANCE AUTHORIZING PURSUANT TO SECTION 4-1-175, SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A SPECIAL SOURCE REVENUE CREDIT AGREEMENT BETWEEN RICHLAND COUNTY, SOUTH CAROLINA AND PROJECT ROADRUNNER; AND MATTERS RELATING THERETO.

~#4826-7197-7742 v.1~2/22/12~

A RESOLUTION

AUTHORIZING AN INDUCEMENT AGREEMENT BY RICHLAND COUNTY RELATING TO ECONOMIC DEVELOPMENT INCENTIVES FOR MCENTIRE PRODUCE, INC., MCENTIRE LIMITED PARTNERSHIP AND R.C. MCENTIRE TRUCKING, INC.

WHEREAS, **MCENTIRE PRODUCE, INC.**, a South Carolina corporation; **MCENTIRE LIMITED PARTNERSHIP**, a South Carolina limited partnership; and **R.C. MCENTIRE TRUCKING, INC.**, a South Carolina corporation (collectively and individually, the “Company”) is considering the expansion, construction and equipping of a manufacturing facility for the production of finished produce products and the distribution of such products (the “Project”) in Richland County, South Carolina (the “County”); and

WHEREAS, Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended (the “Simplified FILOT Act”), permits the County to offer certain economic development incentives in connection with undertakings such as the Project, including, among others, an arrangement for payments in lieu of ad valorem property taxes (a “FILOT Arrangement”); and

WHEREAS, the Council has determined that, pursuant to the Simplified FILOT Act, (a) the Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise provided locally, (b) the Project will give rise to no pecuniary liability of the County or any incorporated municipality, or charge against their general credit or taxing power, (c) the purposes to be accomplished by the Project are proper governmental and public purposes, and (d) the benefits of the Project are greater than the costs because of the substantial direct and indirect economic benefits to the County and its residents that are expected, such as new employment, payroll income, purchases of goods and services in the County, property taxes on real and personal property of Project employees located in the County; and

WHEREAS, the Company currently estimates that the cost of planning, designing, acquiring, constructing and completing the proposed Project will require expenditures over the investment period of approximately Five Million Dollars (\$5,000,000); and result in the hiring of approximately forty-seven (47) employees; and

WHEREAS, the FILOT Arrangement may provide for annual payments of payments in lieu of ad valorem property taxes in an amount not less than the ad valorem property taxes that would be due on the Project if it were taxable, but using (a) an assessment ratio as low as six (6%) percent, (b) a fair market value to be determined by the South Carolina Department of Revenue in accordance with the Simplified FILOT Act, and (c) a millage rate determined in accordance with various statutory options; and

WHEREAS, the Simplified FILOT Act permits the County to authorize credits against payments in lieu of ad valorem property taxes that would otherwise be payable by the Company in order to offset some certain improvement costs for the Project; and

WHEREAS, County Council has ascertained that the availability of a FILOT Arrangement pursuant to the Simplified FILOT Act is an essential factor being considered by the Company in determining the desirability of the expansion of the Project in the County; and

WHEREAS, the Company and the County desire to enter into an inducement agreement between the County and the Company to evidence the general terms of a proposed FILOT Arrangement relating to the Project; and the County desires to define and approve the terms of such an inducement agreement.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Council in meeting duly assembled:

1. The inducement agreement attached hereto as Exhibit A (the “Inducement Agreement”) is approved. The Chairman of the County Council (the “Chairman”) is authorized and directed to execute the Inducement Agreement on behalf of the County. The Clerk of the County Council is authorized to and directed to attest to the Inducement Agreement, and the Chairman is authorized and directed to deliver the Inducement Agreement to the Company for its review, and, if acceptable by the Company, execution by the Company. After consultation with the County Attorney, the Chairman of the County Council may approve and execute modifications and amendments to the Inducement Agreement which do not substantially modify the terms of the attached Inducement Agreement and which are mutually acceptable to the Company.

2. The County Council and the duly elected or appointed officials of the County shall take any and all further action as may be reasonably necessary to implement the FILOT Arrangement authorized by this resolution and the Inducement Agreement.

3. It is the intent of the County Council that this Resolution shall constitute an “inducement resolution” as defined in the Simplified FILOT Act and an official action on the part of the County. This Resolution shall take effect immediately, it being understood that, prior to the execution of a “fee agreement” pursuant to the Inducement Agreement, the County shall adopt an ordinance upon three readings, and that the third reading of the Ordinance shall follow a public hearing to be held not earlier than fifteen (15) days following the publication of notice of such hearing.

DONE AND PASSED this ____ day of _____, 2012.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Kelvin Washington
Chairman, Richland County Council

ATTEST:

Michelle Onley
Clerk, Richland County Council

EXHIBIT A

INDUCEMENT AGREEMENT

THIS INDUCEMENT AGREEMENT (the “Inducement Agreement”) is made and entered into between **RICHLAND COUNTY, SOUTH CAROLINA** (the “County”), a body politic and corporate and a political subdivision of the State of South Carolina (the “State”), **MCENTIRE PRODUCE, INC.**, a South Carolina corporation; **MCENTIRE LIMITED PARTNERSHIP**, a South Carolina limited partnership; and **R.C. MCENTIRE TRUCKING, INC.**, a South Carolina corporation, their successors and assigns (collectively and individually, the “Company”). The County and the Company are sometimes jointly referred to herein as the “parties” or separately referred to as a “party.” The “Effective Date” of this Inducement Agreement shall be the last date on which a party executes this Inducement Agreement, as shown on the signature page of this Inducement Agreement.

In consideration of the mutual benefits to the parties, the parties agree as follows:

ARTICLE 1

RECITATION OF FACTS

Section 1.1. As a means of setting forth the matters of mutual inducement that have resulted in the making and execution of this Inducement Agreement, the following statements of fact are confirmed:

- (a) The Company is considering the expansion, construction and equipping of a manufacturing facility for the production of finished produce products and the distribution of such products and other lawful purposes (the “Project”), which Project is to be located in Richland County, South Carolina (the “County”).
- (b) The County is a body politic and corporate and a political subdivision of the State. The County is authorized and empowered by the provisions of Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended (the “Code”), hereinafter referred to as the “Simplified FILOT Act”, to offer certain economic development incentives in connection with undertakings such as the Project, including, among others, an arrangement for payments in lieu of ad valorem property taxes (the “FILOT Arrangement”).
- (c) Through the FILOT Arrangement, the industrial development of the State will be promoted and trade will be developed by inducing new industries to locate in the State and by encouraging industries now located in the State to expand their investments and thus utilize and employ manpower and other resources of the State.
- (d) The County Council has determined that, pursuant to the Simplified FILOT Act, (i) the Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise

provided locally, (ii) the Project will give rise to no pecuniary liability of the County or any incorporated municipality or any charge against their general credit or taxing power, (iii) the purposes to be accomplished by the Project are proper governmental and public purposes, and (iv) the benefits of the Project are greater than the costs because of the substantial direct and indirect economic benefits to the County and its residents that are expected, such as new employment, payroll income, purchases of goods and services in the County, property taxes on real and personal property of Project employees located in the County.

- (e) The County has ascertained that the Project would be aided by the availability of the assistance that the County might render through the inducements authorized by the Simplified FILOT Act for a FILOT Arrangement and certain other incentives. The County has given due consideration to the economic development impact of the proposed expansion and has agreed to enter into a “fee agreement” under the Simplified FILOT Act, if so determined by the Company, providing for payments-in-lieu-of-taxes pursuant to the Simplified FILOT Act at the time and on the terms and conditions hereafter set forth.

ARTICLE 2

UNDERTAKINGS ON THE PART OF THE COUNTY

Section 2.1. If the Company elects to proceed under the Simplified FILOT Act, the County shall enter an agreement (the “Fee Agreement”) for a term permitted by the Simplified FILOT Act. The provisions of the Fee Agreement shall be in a form generally utilized in connection with the Simplified FILOT Act, as agreed upon by the County and the Company. From the date that the Resolution authorizing the County’s execution of this Inducement Agreement is adopted by the County, the Company shall have five (5) years in which to enter into the initial Fee Agreement. The Fee Agreement shall contain, in substance, the following provisions:

- (a) Term of Fee Agreement. The term of the Fee Agreement will commence on the last day of the property tax year during which the first Project assets are “placed in service” (the “Commencement Date”). If Project assets are placed in service in different years, the Commencement Date for each portion of the Project assets shall commence on the last day of the property tax year in which the applicable Project assets are “placed in service.” The termination dates for the Fee Agreement shall be the nineteenth (19th) year following the last day of the property tax year in which the applicable Project assets are placed in service.
- (b) Investment Period. From the end of the property tax year in which the Fee Agreement is executed, the Company shall have five (5) years in which to complete its investment in the Project (the “Investment Period”).
- (c) Fee Payments. The Company shall make payments in lieu of taxes during the term of the Fee Agreement (the “Fee Payments”). If portions of the Project are “placed in service” during more than one property tax year, the Company shall make the Fee

Payments for such portion of the Project during the applicable term of the Fee Agreement for that portion of the Project.

- (d) Amount of Fee Payments. The Fee Payments shall be in an amount not less than the ad valorem property taxes that would be due on the Project if it were taxable, but using (a) an assessment ratio of seven (7%) percent, which shall be reduced to six (6%) percent if an investment of Ten Million Dollars (\$10,000,000) is made (such rate to be effective for the property tax years and later years in which the aggregate amount of assets “placed in service” equals or exceeds Ten Million Dollars (\$10,000,000)), (b) for real property, a fair market value that is the original income tax basis for South Carolina income tax purposes, without regard to depreciation (which fair market value estimate shall remain the fair market value for the life of the Fee Arrangement), and (c) for personal property, the original income tax basis for South Carolina income tax purposes, less depreciation allowable for property tax purposes, but without allowance for extraordinary obsolescence.
- (e) Millage. The applicable millage shall be that set forth in the initial Fee Agreement and shall be 413.6 mills, the current millage rate in effect in the County.
- (f) Inclusion in Multi-County Industrial Park. The County shall cause the Project to be included in the multi-county industrial development park of the County.
- (g) No County or Municipality Liability. Any obligations that the County may incur shall not create a pecuniary liability of the County or any incorporated municipality or create a general obligation on its part or by the State of South Carolina.
- (h) Indemnification. The County and its individual officers, agents and employees shall be indemnified by the Company for all expenses incurred by them and for any claim of loss suffered, damage to property, or any injury to, or death of, any person occurring in connection with the planning, design, acquisition, construction, and operation of the Project by the Company.
- (i) Disposal and Replacement of Property. Any property that is part of the Project and is “disposed of,” as defined by the Simplified FILOT Act, shall not be subject to Fee Payments. Any property that is placed in service as a replacement for property that is part of the Project shall, at the option of the Company, qualify for the most beneficial Fee Payments treatment permitted by the Simplified FILOT Act.
- (j) Fulfillment of Investment and Job Commitments. In order to maintain the benefits of the FILOT Arrangement, the Company must fulfill the Investment and Job Commitments set forth in Section 2.2 hereof. Failure to do so will result in loss of future benefits derived under the FILOT Arrangement and the obligation to repay any benefits previously obtained by the Company under the FILOT Arrangement.

Section 2.2. Investment and Job Commitments. During the Investment Period, the Project will involve an investment of at least Five Million Dollars (\$5,000,000) and result in the hiring of at least forty-seven (47) new employees.

Section 2.3. Implementation. The County Council and other officials of the County will perform such other acts and adopt such further proceedings as may reasonably be required to faithfully implement the undertakings of the County and to consummate the proposed financing of the Project by the Company. After consultation with the County Attorney, the Chairman of the County Council may enter into non-substantive modifications to this Inducement Agreement as may be mutually acceptable to the Chairman of the County Council and the Company.

ARTICLE 3

UNDERTAKINGS ON THE PART OF THE COMPANY

Section 3.1. Confirmation of Conditions. The Company concurs with the conditions set forth under Section 2.1 above.

Section 3.2. Payments by Company. The Company shall pay all obligations hereunder incurred by the County at the request of the Company, including the reasonable fees of legal counsel for the County in reviewing the Resolution and this Inducement Agreement and subsequent related documents. The Company shall pay all costs of planning, design, acquisition, construction and operation of the Project.

Section 3.3. Project Supervision. The Company will be solely responsible for the planning, design, acquisition, construction and execution of the proposed Project. The Company shall let contracts for such purposes deemed necessary or desirable by the Company. Such activities may commence before execution of this Inducement Agreement or the Fee Agreement.

Section 3.4. Fee Agreement. If the Company elects to proceed under the Simplified FILOT Act, the Company shall enter a Fee Agreement pursuant to the provisions of Section 2.1, above.

Section 3.5. Other Obligations. If the Company elects to proceed as set forth in Section 3.4, it shall:

- (a) perform such further acts and adopt such further proceedings as may reasonably be required to faithfully implement its undertakings and complete the Project.
- (b) apply for, and use its commercially reasonable best efforts to obtain, all permits, licenses, authorizations and approvals required by all governmental authorities in connection with the acquisition, construction, operation and use of the proposed Project.

- (c) reimburse or otherwise pay, on behalf of the County, all expenses not mentioned herein that are reasonably incurred by the County in connection with the proposed Project.
- (d) carry such insurance as it shall determine is appropriate, insuring against loss or damage or perils generally insured against by businesses similar to the Company, including public liability insurance covering personal injury or property damage with respect to the proposed Project, but the Company may be self-insured.

ARTICLE 4

GENERAL PROVISIONS

Section 4.1. Conditions. All commitments of the County and the Company hereunder are subject to:

- (a) the provisions of the Simplified FILOT Act; and
- (b) for any additional document contemplated in connection with the FILOT Arrangement and the Project, agreement by the County and the Company on reasonable and mutually acceptable terms consistent with this Inducement Agreement.

Section 4.2. Waiver of Recapitulation. To the fullest extent permitted by the Simplified FILOT Act, the parties waive any requirement for a “recapitulation” of the terms in any Fee Agreement executed pursuant to this Inducement Agreement in accordance with 12-44-55 of the Simplified FILOT Act.

Section 4.3. Timing. If for any reason this Inducement Agreement is not executed and delivered to the County by the Company within five (5) years after the date that the County adopts the Resolution approving this Inducement Agreement, the provisions of this Inducement Agreement shall be canceled, and neither party shall have any rights against the other; provided, however, the Company shall pay the County for all expenses that have been authorized by the Company or reasonably incurred by the County in connection with the review, planning, design, acquisition, construction and carrying out of the proposed Project.

Section 4.4. Notices. All notices and requests to be given or made hereunder to or by the County or the Company shall be in writing and shall be deemed to be properly given or made if (a) personally delivered, delivery charges prepaid, by any entity that provides written confirmation of such delivery, or (b) sent by United States first class mail, postage prepaid (in which event notice shall be deemed to occur three (3) calendar days after the date postmarked), (c) sent by United States certified mail, return receipt requested, postage prepaid (in which event notice shall be deemed to occur on the date on which delivery was accepted or rejected by the recipient), or (d) sent by facsimile or internet to the other party (in which event notice shall be deemed to occur on the date on which delivery is acknowledged in writing by the recipient or such earlier date as is acknowledged by the recipient in writing). Notices and requests shall be

addressed as follows or to such other places as may subsequently be designated in writing by such party by proper notice to the other party.

(a) As to the County:

Richland County
Attention: Director of Economic Development
P.O. Box 192
Columbia, SC 29202
Facsimile: (803) 576-2236

(b) As to the Company:

McEntire Produce, Inc.
Attention: Carter McEntire
P.O. Box 5817
Columbia, SC 29250
Facsimile: (803) 254-3540

THE BALANCE OF THIS PAGE IS INTENTIONALLY BLANK.

IN WITNESS WHEREOF, the parties hereto, each after due authorization, have executed this Inducement Agreement on the respective dates indicated below.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Kelvin Washington
Chairman, Richland County Council

Date: _____, 2012

ATTEST:

Michelle Onley
Clerk, Richland County Council

[County signature - May be executed in counterparts]

THE COMPANY

MCENTIRE PRODUCE, INC.

for itself and its affiliates and/or sponsors

By: _____

Carter H. McEntire

Its: _____

Date: _____, 2012

MCENTIRE LIMITED PARTNERSHIP

for itself and its affiliates and/or sponsors

By: MCENTIRE GP #2, LLC, General Partner

Carter H. McEntire

Its: Sole Member

Date: _____, 2012

R.C. MCENTIRE TRUCKING, INC.

for itself and its affiliates and/or sponsors

By: _____

Carter H. McEntire

Its: _____

Date: _____, 2012

[Company signature - May be executed in counterparts]



MEMORANDUM

To: Economic Development Committee
From: Nelson Lindsay, Director of Economic Development
Date: January 30, 2012
Re: Mars Petcare Set Aside Grant

Richland County will apply for the following SC Department of Commerce grant as part of an economic development incentive package. This grant needs to be voted on by the Economic Development Committee and sent to County Council for approval.

- **Mars Petcare (SC Coordinating Council for Economic Development, Department of Commerce)** Application is for \$200,000 for infrastructure and site improvements related to the company's expansion. There are 250 jobs associated with this project. The grant will be voted on at the Coordinating Council meeting in March.

County staff will work with the company and the funding agency to administer the grant and ensure compliance with all appropriate rules and regulations. There are no matching requirements for the project, but the County is responsible for any funds to complete the project. The County has already received an \$180,000 grant from SCANA for this project. These combined funds are estimated to be sufficient to cover the entire project cost of approximately \$305,000.

The EDC's recommendation for approval of these grants is requested. The item will be forwarded to the March 6, 2012 Council Agenda for Council action.

Cc: Sara Salley, Grants Manager



MEMORANDUM

To: Economic Development Committee
From: Nelson Lindsay, Director of Economic Development
Date: January 30, 2012
Re: Project Roadrunner Closing Fund Grant

Richland County will apply for the following SC Department of Commerce grant as part of an economic development incentive package. This grant needs to be voted on by the Economic Development Committee and sent to County Council for approval.

Richland County, as the local form of government, must apply on the companies' behalf in order to receive funds. This is a pass-through grant. There are no match requirements for this grant.

- **Project Roadrunner (SC Coordinating Council for Economic Development, Department of Commerce)** Application is for up to \$500,000 for building improvements related to the company's location in Richland County. The company hopes to begin the project in 2nd Quarter 2012. The grant will be voted on at the Coordinating Council meeting in March.

County staff will work with the company and the funding agency to administer the grant and ensure compliance with all appropriate rules and regulations.

The EDC's recommendation for approval of these grants is requested. The item will be forwarded to the March 6, 2012 Council Agenda for Council action.

Cc: Sara Salley, Grants Manager

Richland County Council Request of Action

Subject

Accommodations Tax Committee-4 (2 Hospitality positions and 2 Lodging positions); one application was received from: Adam Miller, General Manager, Hilton **[PAGES 192-194]**



APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Adam Miller

Home Address: 8720 Windsor Lake Blvd-417. Columbia SC 29223

Telephone: (home) 803-351-9768 (work) 803-865-8000

Office Address: 1551 BARBARA DR- Columbia SC 29223

Email Address: adam.miller2@hilton.com

Educational Background: Bachelors - USC

Professional Background: Lodging - General Manager

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Accommodations Tax Advisory Committee

Reason for interest: Represent hotel/hospitality community and
Northeast Columbia Community

Your characteristics/qualifications, which would be an asset to Committee, Board or
Commission:
General Manager for 3 years. 8 years hospitality experience.
Worked and lived in S.C. my entire life

Presently serve on any County Committee, Board or Commission? N

Any other information you wish to give? _____

Recommended by Council Member(s): _____

Hours willing to commit each month: 10 - 20

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No X _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No X _____

If so, describe: _____

[Signature]
Applicant's Signature

2/10/12
Date

**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file

2

Richland County Council Request of Action

Subject

Business Service Center Appeals Board-2 (1 position for a CPA, one for a business person); two applications were received from the following: Vincent K. Bartley, V.K. Bartley Bookkeeping and Tax Service*; and Judy Carter, Director of the Ombudsman Office and Small Business Owner **[PAGES 195-202]**



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: VINCENT KARL BARTLEY
Home Address: 8216 HUNT CLUB RD, COLUMBIA, SC 29223
Telephone: (home) 803 807-7004 (work) 803 776-1422
Office Address: 7356 GARDNER FERRY RD, SUITE 228, COLUMBIA SC 29209
Email Address: VBARTLEY@BARTLEYTAX.COM
Educational Background: BS DEGREE IN ACCOUNTING
Professional Background (Must be one): CPA [] Attorney [X] Business person [X]
Male [X] Female [] Age: 18-25 [] 26-50 [] Over 50 []
Name of Committee in which interested: Business Service Center Appeals Board
Reason for interest: MY EDUCATION, SKILLS, AND TAX EXPERIENCE WILL BE USEFUL TO THE BSC APPEALS BOARD
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission: (A resume is also requested.) SEE ATTACHE RESUME
Presently serve on any County Board/Commission/Committee? BSC APPEALS BOARD
Any other information you wish to give?
Recommended by Council Member(s), if any:
Hours willing to commit each month: 8:00 AM - 6:00 PM MONDAY - FRIDAY

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the board for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all boards shall be required to abstain from voting or influencing through discussion or debate or any other way, decisions of the board affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Board or Commission, as the County Council, by majority vote of the council, shall elect.

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board? Yes No

If so, describe: _____

Vincent K. Bentley
Applicant's Signature

2-22-2012
Date

For more information about the Business Service Center Appeals Board, please e-mail bsc@rcgov.us or call 576-2287.

Applications are current for one year.

Please return applications to:
Richland County
Clerk of Council's Office
Post Office Box 192
Columbia, SC 29202

Staff Use Only		
Date Received: _____	Received by: _____	
Date Sent to Council: _____		
Status of Application:	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file

VINCENT KARL BARTLEY

7356 Garners Ferry Road, Suite 228

Columbia, South Carolina 29209

Work: (803)776-1422

E-mail Address – vbartley@bartleytax.com

OBJECTIVE:

To continue my career in Accounting with emphasis on tax administration, auditing and/or budgeting.

EDUCATION:

Bachelor of Science degree in Accounting, Clemson University

EXPERIENCE:

July 2009 – Present **V. K. Bartley Bookkeeping and Tax Services** **Columbia, SC**

Self-employed business owner who provides bookkeeping and tax services to individual and business owners in the areas of corporate, partnership, withholding, income, sales and use taxes. Attention is given to providing services for new business formations, account receivable and payables control; tax relief assistance to distressed business owners, tax planning, charitable and non-profit organizations.

July 1999 –June 2009 **South Carolina Department of Revenue** **Columbia, SC**

Revenue Manager B -

- Provides direction and leadership to establish a culture that allows for the improvement of systems, processes and the use of personal initiatives to resolve problems.
- Monitors Division/Agency processes and initiates changes to improve the efficiency and effectiveness of the agency's operations.
- Reviews technical issues and conducts conferences to resolve controversial issues relating tax laws, regulations, and processing procedures.
- Makes recommendations concerning the Division to the Division Administrator on matters of selection, placement, and transferring of division personnel.
- Assists in budgetary matters and provide input on system technology improvements and upgrades.
- Manages three Supervisors and three Research Tax Analysts in the areas of Tax Research and Review, Corporate Tax, Records, Problem Resolution, Tax Compliance, Internal Revenue Service reports and Return Deposit Recovery.
- Manages a staff of 25 people - Research and Review (4), Corporate (6), Problem Resolution Office (6) and Records Section (13), Supervisors (3).
- Develops budget, procedures, policies, performance measurements, and strategic plans for the following areas: Records Management and Retention; Disclosure; Corporate Tax Error Correction, Tax Research and Legislation Impact.
- Provide procurement services for tax operations with contracts, pricing, and vendor relations.

May 1997 – Jan 2001 **South Carolina Student Loan Corporation** **Columbia, SC**

Collector -

- Provide repayment services to customers with federal student loans.
- Provide payment arrangements for borrowers in pre-default status.
- Make determination of borrower's qualifications for forbearance and deferments.

Oct 1990 – July 1999

South Carolina Department of Revenue

Columbia, SC

Problem Resolution Officer -

- Supervised a staff of five employees.
- Provided expedite service to taxpayers whose problems had not been resolved through normal agency channels.
- Identified and assisted in resolution of procedural and systemic problems.
- Reviewed and monitored Problem Resolution cases and legislative correspondence to identify problem trends.
- Briefed the Agency Director on the most sensitive problem cases and the status of major studies.
- Assisted the Taxpayer Advocate with administering the Taxpayer's Bill of Rights.
- Conducted meeting with taxpayers and their representative to explain the Agency's policies and procedures.

Oct 1995 – Oct 1990

South Carolina Department of Revenue

Columbia, SC

Tax Supervisor II –

- Supervised a staff of five Tax Auditors in the Special Projects Section
- Submitted proposed legislation
- Prepared annual budget for the section
- Submitted written recommendations for Division's Audit programs
- Wrote descriptive narratives for computer tape match programs
- Maintained statistical data for management
- Planned, administered and directed revenue enhancing programs in all taxes administered by the agency.

March 1982 – Oct 1985

South Carolina Department of Revenue

Columbia, SC

Tax Auditor II (Conferee)

- Assisted Tax Auditor I with tax problems and technical questions
- Authorized the issuance of additional refunds and abatement of penalties.
- Adjusted notice of assessments and warrant for distraints.
- Responded to taxpayer's questions and telephone calls.
- Prepared written correspondences to taxpayer's technical questions.
- Assisted Supervisor with special assignments.

Oct 1995 – Oct 1990

South Carolina Department of Revenue

Columbia, SC

Tax Auditor II –

- Contacted employees about their delinquent withholding reports and payments.
- Submitted written reports.
- Examined individual, partnership and corporate payroll records.
- Determined compliance with South Carolina Withholding Tax Laws.
- Audited individual income tax returns.
- Assisted the public with preparing returns and answering tax questions.

EDUCATION:

B.S., Accounting, Clemson University

Specialized Training Programs and Classes

- Certified Public Manager Program
 - Governor's EXCEL Program
 - Professional Minority Development Program (Columbia Urban League)
 - Instructor for Employee Performance Management System (EPMS) training
- | | |
|---|---|
| Manner of Speaking | Drug Free Workshop |
| Training the Trainers | Affirmative Action/EEO |
| Quality Customer Service | Employee Privacy Rights |
| Coping with the Hostile Client | Why do Managers Mismanage |
| Dealing with Difficult People | Leadership Skills for Tomorrow |
| Supervisor Development Training | Fraud and Criminal Investigations |
| Interviewing Skills for Managers/Supervisors | The Organizational Side of Prof. Development |
| The Cultural Side of Professional Development | The Power and Politics of Career Development |
| Quality and Productivity Improvement Process | The Professional Side of Professional Development |

SPECIAL SKILLS AND ABILITIES:

- Proficient in Microsoft Office, Excel, Access, PowerPoint, WordPerfect, QuickBooks and Project Management.
- Proficient in organizing presentations, strategies, meetings and activities to meet the specific goals of the organization.

AFFILIATIONS:

- National Association of Tax Preparers
- South Carolina Public Records Administrators (SCPRA)
- Association of Records Management Administrators (ARMA)
- Certified Public Manager's Association
- Agency Emergency Disaster Recovery Plan Team
- Volunteer Services for South Carolina Department of Juvenile Justice
- Mentor for Project GOAL at Keenan High School



**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant must reside in Richland County.

Name: Judy Carter

Home Address: 128 Kempshire Blvd., Hopkins, SC 29061

Telephone: (home) 240-2419 (work) 929-6008

Office Address: 128 Kempshire Blvd, Hopkins, SC 29061

Email Address: judy@cheetahsgourmet.com

Educational Background: BA, Organizational Management, certified paralegal

Professional Background: County Ombudsman

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Business Service Center Appeals Board

Reason for interest: To become more involved and take an active approach in Richland County Business procedures.

Your characteristics/qualifications, which would be an asset to Committee, Board or

Commission:

I am a small business owner and my job duties as an Ombudsman require I be fair and impartial.

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give? _____

Recommended by Council Member(s): Norman Jackson + Kelvin Washington

Hours willing to commit each month: As needed

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

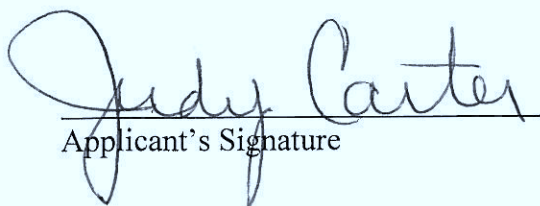
Yes _____ No _____

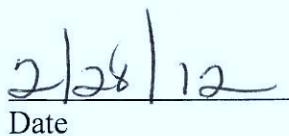
STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No _____

If so, describe: _____


Applicant's Signature


Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	

Richland County Council Request of Action

Subject

Employee Grievance Committee-1; an application was received from: Ashlay S. Goodwine, Ombudsman Office
[PAGES 203-205]



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Ashley S. Goodwine

Home Address: 204 Abraham St Columbia, SC 29203

Telephone: (home) 803-238-9013 (work) 803-929-6000

Office Address: 2000 Hampton St Suite 3061

Email Address: goodwinea@rcga.us

Educational Background: Bachelors in Psychology from SC State University, currently seeking M.Ed from University of Phoenix since 2006

Professional Background: Employee of Richland County Ombudsman Office

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Employee Grievance Committee

Reason for interest: I am interested in serving others and hearing the voice of other County employees.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

My experience working in the Ombudsman's office has enabled me to be an impartial party on behalf of others. This would be valuable to this committee

Presently serve on any County Committee, Board or Commission? no

Any other information you wish to give? n/a

Recommended by Council Member(s): _____

Hours willing to commit each month: 20 or more hours

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

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All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No _____

If so, describe: _____

Ashley D. Goodwin
Applicant's Signature

01/28/12
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	

Richland County Council Request of Action

Subject

Advertising with other publications [**PAGES 206-207**]

MONIQUE WALTERS

From: Howard <HowardB@sc.rr.com>
Sent: Wednesday, January 18, 2012 9:02 AM
To: MONIQUE WALTERS
Subject: RE: Advertising with other papers...

Good morning Monique!!
Getting back to you with information on advertising for board members...

Both Free Times and NE News will run this information at no charge, as editorial content...

The Columbia Star will run at a discounted rate of right at \$13 per column inch, which is about half as expensive as The State...

I guess the only thing that I feel a little funny about would be taking the Free Times an NE News up on the no/charge offer and then paying other papers to run it...

Let me know what you think and give me a call if you'd like to discuss...

Thanks!!

Howard Buonasera
Buonasera Media Services
4124 East Buchanan Dr.
Columbia, SC 29206

www.buonaseramedia.com
803.463.3160 phone
803.790.7225 fax

From: MONIQUE WALTERS [<mailto:WALTERSM@rcgov.us>]
Sent: Wednesday, January 11, 2012 3:20 PM
To: HowardB@sc.rr.com
Subject: RE: Advertising with other papers...

Yes, I remember you looking into advertising in another section of the State...but since we don't want to pay much more we left it in the Legal Section.

If you can check with the Columbia Star and the Free Times, and other community papers I would really appreciate that. Circulation may be less at these papers, but perhaps citizens may look at the ads regarding community service in these.

And yes, we are looking for distribution in just Richland County.

Thank you!!

Monique Walters
Assistant to the Clerk of Council
2020 Hampton Street
Columbia, SC 29204
(803) 576-2068, fax (803) 576-2136
[*waltersm@rcgov.us*](mailto:waltersm@rcgov.us)

Richland County Council Request of Action

Subject

Whenever a motion is forwarded to full Council from Committee, the only way it goes back to Committee is if Council directs it back to Committee **[JACKSON][PAGES 208-209]**

4.7 Reports

All committee recommendations requiring formal action by Council shall be included in the agenda and distributed to all members of Council prior to consideration and adoption by Council, provided that if any matter is considered by the majority of any committee to be an emergency, copies of such reports may be furnished to each member of Council at the time of said Council meeting.

All items presented to Council by a committee must carry the committee's disposition of the item, whether that disposition is a recommendation for approval, a recommendation for denial, no recommendation or to make any other disposition with respect to the item.

Any not reported out to the full council by a committee within 90 days of that item having first appeared on the committee's agenda may be placed on the Council agenda when the Clerk's Office has received a written request signed by three members of Council, not less than 24 hours prior to the scheduled meeting.

A minority report may be made if requested. Presentation of the committee's motion at the regular Council meeting does not require a second.

4.7 a. Recommitting

Any item, which may come before the Council, may be committed or recommitted before a final decision thereon. Provided, however once a motion or matter is forwarded to full Council from committee, that motion or matter may not be returned to committee other than as directed by Council.

Richland County Council Request of Action

Subject

Motion that Council rules be amended such that when 5 or fewer people are signed up to speak on a non-agenda item they be allowed to speak after those speaking to an agenda item have finished (towards the beginning of the meeting). If 6 or more people are signed up to speak on a non-agenda item then Council's current rule will take affect **[HUTCHINSON, JACKSON, ROSE][PAGES 210-211]**

Special Rule Regarding Citizen Input (Three-Month Trial)

In an effort to receive as much citizen input as is practical at the beginning of Council meetings, Council for a three-month trial period (to commence and end or be extended at Council's discretion) will commence Citizen Input during its meetings as is now ordered in Rule 1.7c)6), for a period of no more than thirty (30) minutes. At the end of the thirty (30) minute period, or sooner if no speakers remain, citizen input will be recessed and the agenda order prescribed in Rule 1.7c) will proceed until citizen input is resumed at item 1.7c)15) in the agenda.

Each citizen who has "signed up" to speak before Council may do so for up to two (2) minutes. Provided, however, total time for citizen input offered as provided for in the agenda during the period established in Rule 1.7c)6) shall not exceed thirty (30) minutes. Total time for citizen input offered as provided for in the agenda during the period established in Rule 1.7c)15) shall not exceed thirty (30) minutes.

All of those speakers who have signed up to provide input pertaining to items on the agenda for which no public hearing is required or has been scheduled shall speak first. After the last citizen addressing an item on the agenda has spoken, any citizen "signed up" to speak who wishes to introduce an item not on the agenda for consideration or bring a concern to Council's attention may speak for no more than two (2) minutes.

Any material that a citizen intends to present to Council, including audio and visual presentations, must be approved by the Clerk of Council prior to the meeting. Exceptions may be made with the consent of a simple majority of those Council members present.

This special rule concerning citizen input shall take effect upon adoption by Council, and if adopted by Council shall be read in conjunction with present Rules 1.7c)6) and 1.7c)15), unless inconsistent therewith, in which case this special rule shall prevail during the trial period described herein and any extension(s) thereof by Council.

This trial period will automatically sunset at the end of the three months described herein, unless extended or otherwise modified by Council.

Richland County Council Request of Action

Subject

Request for an opinion from the Ethics Commission [**PAGES 212-215**]

MONIQUE WALTERS

From: BRAD FARRAR
Sent: Wednesday, February 29, 2012 1:21 PM
To: Bill Malinowski; Gwendolyn Kennedy; Jim Manning
Cc: MONIQUE WALTERS; MILTON POPE; LARRY SMITH
Subject: FW: Informal Opinion (Richland County, January 25, 2012)

To All,

Here's a follow-up response from Ms. Cathy Hazelwood, Esq., general counsel for the State Ethics Commission, to the points of clarification identified at the last Rules and Appointments Committee meeting relative to this issue. Please advise if you need anything further. Thanks.

V/r

Bradley T. Farrar
Deputy Richland County Attorney
Richland County Attorney's Office
2020 Hampton Street, Room 4018
Post Office Box 192
Columbia, South Carolina 29202
(803) 576-2076 (fax) (803) 576-2139
bradfarrar@richlandonline.com or FARRARB@rcgov.us

ATTORNEY-CLIENT OR OTHER PRIVILEGED COMMUNICATION NOT FOR DISSEMINATION BEYOND ORIGINAL ADDRESSEE(S) AND ORIGINAL COPIED RECIPIENT(S).

From: Hazelwood, Cathy [<mailto:Cathy@ethics.sc.gov>]
Sent: Wednesday, February 29, 2012 12:47 PM
To: BRAD FARRAR
Subject: RE: Informal Opinion (Richland County, January 25, 2012)

I'm going to answer this by e-mail only as I am going on vacation and want to get you an answer before I leave. If you need a letter I can get one to you late next week.

As to question one the issue is whether county council members directly manage or supervise members of the IAC, not whether they manage or supervise the duties of the IAC, which I don't think they do that either. Based on my reading of the ordinance, the county council members do not manage or supervise the members of the IAC.

As to question two, I can't think of any other portions of the Act since the members of the IAC are not compensated. I'm assuming they are uncompensated and receive no other employee benefits, such as health care, retirement, etc. If they do receive compensation or benefits, then the council member would need to be mindful of Section 8-13-700(B).

Cathy L. Hazelwood, General Counsel
State Ethics Commission
5000 Thurmond Mall, Suite 250
Columbia, SC 29201
803-253-4192
803-253-7539 (fax)
Cathy@ethics.sc.gov

From: BRAD FARRAR [mailto:FARRARB@rcgov.us]
Sent: Monday, February 27, 2012 3:45 PM
To: Hazelwood, Cathy
Subject: Informal Opinion (Richland County, January 25, 2012)

Cathy,

Good afternoon. Thanks very much for your letter, attached, of January 25, 2012, to the Chair of the Richland County Rules and Appointments Committee. It was very helpful in terms of whether a spouse of a member of County Council may serve on the County's Internal Audit Committee (IAC) consistent with the Ethics Reform Act, and also addressed the issue of a Council member's participation in the appointment of a family member pursuant to S.C.Code Ann. Section 8-13-750(A).

Out of an abundance of caution, it is likely that the Council Member at issue may recuse himself in connection with any vote on the appointment of his spouse to the IAC. Similarly, in the unlikely event of a situation implicating 8-13-750(B), recusal also could be possible.

Out of further interest in clarifying other possible scenarios incident to this potential appointment and service by the Council Member spouse on the IAC, the committee has asked me to follow up with you on two issues:

1. Whether the "direct management or supervision" language in the opinion "Conclusion" applies only to the issue of the Council Member voting on the appointment of (or discipline of) his spouse, or if "direct management or supervision" applies to other aspects of County Council's interaction with the IAC as well?; and
2. Related, and possibly a restatement of the first concern, are there any other portions of the Ethics Reform Act besides 8-13-750 that apply to this situation?

I have pasted in the body of this message the full ordinance text relative to the IAC. Specifically, the Richland County Internal Audit Committee is prescribed in Richland County Code of Ordinances, Chapter 2 (Administration), subsection 2-332(q), which provides:

(q) *Internal Audit Committee.*

(1) *Creation.* There is hereby established an Internal Audit Committee which shall have the structure, organization, composition, purposes, powers, duties, and functions established below.

(2) *Membership; terms.* The Internal Audit Committee shall be comprised of three members of Council (the Council Chair, the A&F Committee Chair, and the D&S Committee Chair), two citizens appointed by a majority vote of the Council at large, and an employee appointed by the County Administrator. The citizens' and the employee's terms shall be one year in length, with up to three term renewals permitted. The Council members' terms shall be for as long as they serve in the capacity of Council Chair or Committee Chair.

(3) *Duties and responsibilities.*

a. The Internal Audit Committee shall develop with the Internal Auditor, for recommendation to the full Council for approval by majority vote, an audit schedule (which shall include areas to be reviewed, their priority and the timelines for completion), audit progress, audit follow-up, and special needs; and shall work to assure maximum coordination between the work of the Internal Auditor and the needs of the chief executive officer, the legislative body, and any other contractually hired auditors, as necessary or appropriate.

b. The Internal Audit Committee shall review, for recommendation to Council for approval by majority vote, all areas of County operations for which County funds are levied, collected, expended, or otherwise used. This includes departments or offices reporting to the County Administrator, departments or offices headed by elected or appointed officials, millage agencies, legislatively appointed Commissions receiving County funding, nonprofit organizations receiving grant monies from County funds, and any other organization receiving any type of funding for any purpose from the County.

c. The Internal Audit Committee shall oversee the responsibilities of the Internal Auditor, as stated in the negotiated contract with the Internal Auditor.

d. The Internal Audit Committee shall present to the full Council a written report regarding each audit conducted by the Internal Auditor following the Internal Auditor's report to the Internal Audit Committee for each audit. Additionally, in conjunction with the budget process, the Internal Audit Committee shall annually present to the full Council a written summary report regarding the audits, progress, findings, and any other appropriate information relating to the internal audits conducted during the past fiscal year following the Internal Auditor's summary report to the Internal Audit Committee.

e. The Internal Audit Committee shall annually review the Internal Auditor and anyone else working in such a capacity for adherence to government auditing standards in conducting its work to ensure quality service and independence as defined by those standards. (These are the federal Government Accounting Office's "Yellow Book" standards). A subsequent report of the Committee's findings shall be presented to Council for their information.

It appears that the IAC has recommendation to Council and coordination duties in subsection (3)a., review and recommendation duties in (3)b., oversight responsibilities for the Internal Auditor in (3)c., reporting duties in (3)d., and review duties in (3)e. When I refer to "reporting" duties, I do not mean that the IAC reports to Council and then gets direction, management or supervision back from Council. Rather, I'm using "report" in the literal sense, as in, "here's our report," much the same way the President gives his State of the Union address to Congress. In that sense, it appears that the "report" is given, and then Council can do whatever it wants to do with that report.

As such, there appears to be no "direct management or supervision" component to the Council-IAC relationship, but I'm not in the management or supervision field, so the Committee, Council and Administration may want to determine whether or not the above duties and responsibilities entail any County Council "direct management or supervision" of the IAC. Clearly, Council appoints IAC members, but the Ethics Advisory Opinion speaks in terms of direct management or supervision with respect to the portion of the Ethics Reform Act, S.C.Code Ann. Section 8-13-750, cited therein.

If there is anything else relative to the above two follow-up issues the Committee has asked me to inquire about that implicates the Ethics Reform Act, that is what the Committee seeks further clarification of, and in that regard a very informal response (including via e-mail) would be most appreciated. Thanks very much for your efforts in helping the Committee work through this matter.

R/s

Bradley T. Farrar
Deputy Richland County Attorney
Richland County Attorney's Office
2020 Hampton Street, Room 4018
Post Office Box 192
Columbia, South Carolina 29202
(803) 576-2076 (fax) (803) 576-2139
bradfarrar@richlandonline.com or FARRARB@rcgov.us

ATTORNEY-CLIENT OR OTHER PRIVILEGED COMMUNICATION NOT FOR DISSEMINATION BEYOND ORIGINAL ADDRESSEE(S) AND ORIGINAL COPIED RECIPIENT(S).

Richland County Council Request of Action

Subject

Reviewing Committee Qualifications [**PAGES 216-218**]

Boards and Committees with Special Requirements

Accommodations Tax Committee

State Law requires:

- Majority of the seven member committee come from the hospitality industry
- At least two member must be from the Lodging industry
- One member must represent cultural organizations

Airport Commission

- Two of the nine members must reside within one mile of the airport

Appearance Commission

- One member must be a landscape architect or landscaper
- One member must be a horticulturalist

Building Codes Board of Adjustments

- There must be a licensed electrician, architect, contractor, engineer, builder, plumber, and someone that handles gas
- The other four members must come from the fire protection industry

Business Service Center Appeals Board

- Three of the five members must be CPAs
- One member must be from the SC Bar Association
- One person must be from the business community
- Only one Richland County Employee can serve at a time

East Richland Public Service Commission

- All five members must reside or be electors of the district

Internal Audit Committee

o First Appointee

- Appointment must be a citizen of Richland County.
- Must have, at a minimum, Bachelor of Science (BS) degree in an accounting, a financial and/or a managerial discipline.
- Preference will be given to individuals with Certified Public Accountant (CPA) credentials (currently licensed in South Carolina)
- Preference will be given to individuals with at least ten or more years of experience in the accounting, finance and /or management professions of which must be in an upper management role.
- Appointment to be made by a majority vote of the County Council (per ordinance).
- Appointee will be required to sign a conflict of interest statement.
- Appointee will be required to sign a confidentiality agreement.

○ Second Appointee

- Must also be a citizen of Richland County.
- While no other qualifications are required for Appointment #2, preference may be given to individuals with some or all of the qualifications required for Appointment #1.
- Appointment to be made by a majority vote of the County Council (per ordinance).
- Appointment shall be for a one-year term, with up to three term renewals (per ordinance).
- Appointee will be required to sign a conflict of interest statement.
- Appointee will be required to sign a confidentiality agreement.

All board and committee member must be residents of Richland County

Richland County Council Request of Action

Subject

Allen University Amendment to Lease Purchase Payment Schedule [**PAGES 219-227**]



Sidney J. Evering, II
Special Counsel and Director of Diversity
Telephone: 803.253.8666
Direct Fax: 803.255.8017
sidneyevering@parkerpoe.com

Charleston, SC
Charlotte, NC
Columbia, SC
Myrtle Beach, SC
Raleigh, NC
Spartanburg, SC

February 27, 2012

Via E-mail (miltonpope@richlandonline.com)

J. Milton Pope
Richland County Administrator
Richland County
PO Box 192
Columbia, South Carolina 29202

Re: Allen University Amendment to Honeywell Lease Purchase Payment Schedule

Dear Milton:

Per our conversation and my prior e-mail, I am requesting, on behalf of Allen University ("Allen"), that the enclosed Resolution, Amendment and Closing Certificate be placed on the agenda for Council's consideration at its March 6th meeting.

As you may recall on or about September 28, 2007, the County, Allen and Honeywell Global Finance, LLC ("HGF") entered into a tax-exempt lease purchase transaction to refinance HVAC equipment ("Equipment") Allen originally purchased from HGF in September 2005. The County agreed to lease the Equipment from HGF and then sublease it to Allen, thereby allowing Allen to save approximately \$700,000 over the term of the Equipment refinancing. Pursuant to the Master Lease and Sublease agreements the County did not incur any financial liability by entering into the transaction.

Allen and HGF have agreed to amend the lease purchase payment schedule ("Payment Schedule"), permitting Allen to make semi-annual payments instead of monthly payments. However, as the "Lessee" in the lease purchase transaction, the County needs to approve the change to the Payment Schedule. HGF is requesting that the County please agree to permit Allen to amend the Payment Schedule by approving and executing the enclosed Resolution, Amendment and Closing Certificate at its next scheduled meeting. The County will not incur any liability by agreeing to amend the Payment Schedule.

If you have questions or need additional information, please do not hesitate to contact me.

J. Milton Pope
February 27, 2012
Page 2

Sincerely,

Sidney

Sidney J. Evering, II

SJE
Enclosures

Amendment
Dated as of August 1, 2011
to
Schedule No. 1
Dated as of September 28, 2007,
To Master Lease and Sublease Agreement
Dated as of September 28, 2007
By and Among
Honeywell Global Finance LLC, as Lessor
And
Richland County, South Carolina, as Lessee
And
Allen University, as Sublessee

THIS AMENDMENT (“Amendment”) is to Schedule No. 1 dated as of September 28, 2007 (“Schedule No. 1”) to that certain Master Lease and Sublease Agreement (“Agreement”) dated as of September 28, 2007, among Honeywell Global Finance LLC (“Lessor”), Richland County, South Carolina (“Lessee” and Allen University (“Sublessee”).

Lessor, Lessee and Sublessee hereby agree that capitalized terms used herein, and not otherwise defined herein, shall have the meanings assigned to such terms in the Agreement.

Attachment 2 to Schedule No. 1 is hereby amended and restated as set forth in **Attachment 2** hereto. Lessor, Lessee and Sublessee agree that from and after the date of this Amendment, the Lease Payments and Sublease Payments payable pursuant to Schedule No. 1, shall be as set forth in **Attachment 2** hereto, and such payments shall otherwise be made upon the terms and subject to the provisions of the Agreement

Schedule No. 1, as amended by this Amendment, remains in full force and effect.

This Amendment may be executed in counterparts, each of which shall be an original and all of which shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in their respective names by their duly authorized representatives, all as of the date first written above.

Lessor:
HONEYWELL GLOBAL FINANCE LLC

By: _____
Title: _____

Lessee:
**RICHLAND COUNTY,
SOUTH CAROLINA**

By: _____
Title: _____

Sublessee:
ALLEN UNIVERSITY

By: _____
Title: _____

Amendment Dated as of August1, 2011
To Schedule No. 1 Dated as of September 28, 2007,
To Master Lease and Sublease Agreement Dated as of September 28, 2007
By and Among Honeywell Global Finance LLC, as Lessor
And Richland County, South Carolina, as Lessee
And Allen University, as Sublessee

**ATTACHMENT 2 TO
AMENDMENT
DATED AS OF AUGUST 1, 2011**

to

Schedule No. 1

Dated as of September 28, 2007,

To Master Lease and Sublease Agreement

Dated as of September 28, 2007

By and Among

Honeywell Global Finance LLC, as Lessor

And

Richland County, South Carolina, as Lessee

And

Allen University, as Sublessee

LEASE PAYMENT/SUBLEASE PAYMENT SCHEDULE

This ATTACHMENT 2 IS TO SCHEDULE NO. 1 to Master Lease and Sublease Agreement dated as of September 28, 2007 among Honeywell Global Finance LLC, as Lessor, Richland County, South Carolina, as Lessee, and Allen University, as Sublessee.

Payment Date	Lease Payment/ Sublease Payment	Principal	Interest	Prepayment Price*
9/28/2007				3,234,385.00
10/28/2007	28,849.95	14,376.08	14,473.87	3,220,008.92
11/28/2007	28,849.95	14,440.41	14,409.54	3,205,568.51
12/28/2007	28,849.95	14,505.03	14,344.92	3,191,063.48
1/28/2008	28,849.95	14,569.94	14,280.01	3,176,493.54
2/28/2008	28,849.95	14,635.14	14,214.81	3,161,858.40
3/28/2008	28,849.95	14,700.63	14,149.32	3,147,157.77
4/28/2008	28,849.95	14,766.42	14,083.53	3,132,391.35
5/28/2008	28,849.95	14,832.50	14,017.45	3,117,558.85
6/28/2008	28,849.95	14,898.87	13,951.08	3,102,659.97
7/28/2008	28,849.95	14,965.55	13,884.40	3,087,694.43
8/28/2008	28,849.95	15,032.52	13,817.43	3,072,661.91
9/28/2008	28,849.95	15,099.79	13,750.16	3,057,562.12
10/28/2008	28,849.95	15,167.36	13,682.59	3,042,394.76
11/28/2008	28,849.95	15,235.23	13,614.72	3,027,159.53
12/28/2008	28,849.95	15,303.41	13,546.54	3,011,856.12
1/28/2009	28,849.95	15,371.89	13,478.06	2,996,484.22
2/28/2009	28,849.95	15,440.68	13,409.27	2,981,043.54
3/28/2009	28,849.95	15,509.78	13,340.17	2,965,533.76
4/28/2009	28,849.95	15,579.19	13,270.76	2,949,954.57
5/28/2009	28,849.95	15,648.90	13,201.05	2,934,305.67
6/28/2009	28,849.95	15,718.93	13,131.02	2,918,586.74
7/28/2009	28,849.95	15,789.27	13,060.68	2,902,797.46

Payment Date	Lease Payment/ Sublease Payment	Principal	Interest	Prepayment Price*
8/28/2009	28,849.95	15,859.93	12,990.02	2,886,937.53
9/28/2009	28,849.95	15,930.90	12,919.05	2,871,006.63
10/28/2009	28,849.95	16,002.20	12,847.75	2,855,004.43
11/28/2009	28,849.95	16,073.81	12,776.14	2,838,930.63
12/28/2009	28,849.95	16,145.74	12,704.21	2,822,784.89
1/28/2010	28,849.95	16,217.99	12,631.96	2,806,566.91
2/28/2010	28,849.95	16,290.56	12,559.39	2,790,276.34
3/28/2010	28,849.95	16,363.46	12,486.49	2,773,912.88
4/28/2010	28,849.95	16,436.69	12,413.26	2,757,476.19
5/28/2010	28,849.95	16,510.24	12,339.71	2,740,965.94
6/28/2010	28,849.95	16,584.13	12,265.82	2,724,381.82
7/28/2010	28,849.95	16,658.34	12,191.61	2,707,723.48
8/28/2010	28,849.95	16,732.89	12,117.06	2,690,990.59
9/28/2010	28,849.95	16,807.77	12,042.18	2,674,182.82
10/28/2010	28,849.95	16,882.98	11,966.97	2,657,299.84
11/28/2010	28,849.95	16,958.53	11,891.42	2,640,341.31
12/28/2010	28,849.95	17,034.42	11,815.53	2,623,306.88
1/28/2011	28,849.95	17,110.65	11,739.30	2,606,196.23
2/28/2011	28,849.95	17,187.22	11,662.73	2,589,009.01
8/28/2011	175,746.37	106,231.48	69,514.89	2,482,777.53
2/28/2012	175,746.37	109,083.79	66,662.58	2,373,693.74
8/28/2012	175,746.37	112,012.69	63,733.68	2,261,681.05
2/28/2013	175,746.37	115,020.23	60,726.14	2,146,660.81
8/28/2013	175,746.37	118,108.53	57,637.84	2,028,552.28
2/28/2014	175,746.37	121,279.74	54,466.63	1,907,272.54
8/28/2014	175,746.37	124,536.10	51,210.27	1,782,736.44
2/28/2015	175,746.37	127,879.90	47,866.47	1,654,856.54
8/28/2015	175,746.37	131,313.47	44,432.90	1,523,543.07
2/28/2016	175,746.37	134,839.24	40,907.13	1,388,703.83
8/28/2016	175,746.37	138,459.67	37,286.70	1,250,244.16
2/28/2017	175,746.37	142,177.31	33,569.06	1,108,066.85
8/28/2017	175,746.37	145,994.78	29,751.59	962,072.07
2/28/2018	175,746.37	149,914.73	25,831.64	812,157.34
8/28/2018	175,746.37	153,939.95	21,806.42	658,217.39
2/28/2019	175,746.37	158,073.23	17,673.14	500,144.16
8/28/2019	175,746.37	162,317.50	13,428.87	337,826.66
2/28/2020	175,746.37	166,675.72	9,070.65	171,150.94
8/28/2020	175,746.34	171,150.94	4,595.40	0.00
	4,522,028.95	3,234,385.00	1,287,643.95	

* After payment of the Lease Payment and the Sublease Payment due on the same date and all other amounts then due and payable by Sublessee.

**CLOSING CERTIFICATE OF LESSEE
Relating to
Amendment**

**Dated as of August 1, 2011
to**

Schedule No. 1

**Dated as of September 28, 2007,
To Master Lease and Sublease Agreement
Dated as of September 28, 2007**

By and Among

Honeywell Global Finance LLC, as Lessor

And

Richland County, South Carolina, as Lessee

And

Allen University, as Sublessee

Lessor: Honeywell Global Finance LLC

Lessee: Richland County, South Carolina

Sublessee: Allen University

Lessee

- Documents:**
- (a) Master Lease and Sublease Agreement dated as of September 28, 2007, by and among Lessor, Lessee and Sublessee (the "Master Lease and Sublease Agreement")
 - (b) Schedule No. 1 by and among Lessor, Lessee and Sublessee (the "Agreement") which incorporates the Master Lease and Sublease Agreement
 - (c) Tax Compliance Agreement dated as of September 28, 2007 among Lessee, Sublessee and Escrow Agent (the "Tax Compliance Agreement")

The undersigned, being an officer of the Lessee charged with the responsibility for maintaining records of the governing body of Lessee, do hereby certify on behalf of the Lessee as follows:

1. Lessee did, at a duly called and held meeting of the governing body of the Lessee held _____, 2011, by motion duly made, seconded and carried, in accordance with all requirements of law, approve and authorize the execution and delivery of the above-referenced Amendment to the Agreement (the "Amendment") on its behalf by the following named representative of Lessee:

Printed Name

Title

Signature

2. The above-named representative of Lessee held at the time of such authorization, and holds at the present time the office designated above and the signature set forth opposite his or her name is the true and correct specimen of his or her genuine signature. The Amendment has been duly executed and delivered on behalf of the Lessee by such duly authorized representative.

3. The meeting of the governing body of the Lessee at which the Amendment was approved and authorized to be executed was duly called, regularly convened and attended throughout by the requisite majority of the members thereof or by other appropriate official approval and that the action approving the Amendment and authorizing the execution thereof has not been altered or rescinded.

Dated: August 1, 2011.

RICHLAND COUNTY, SOUTH CAROLINA

By _____
Printed Name: _____
Title: _____

[To be signed by official responsible for maintaining records of actions taken by Lessee's governing body]

Richland County Council Request of Action

Subject

IGA re: Firefighters Driving Ambulances [**PAGES 228-233**]

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

INTERGOVERNMENTAL AGREEMENT
BETWEEN RICHLAND COUNTY AND
THE CITY OF COLUMBIA
(Firefighter Operation of EMS Ambulance)

This Intergovernmental Agreement (“Agreement”) is entered into this ___ day of _____, 2012, by and between Richland County, South Carolina (the “County”) and the City of Columbia, South Carolina (the “City”).

WHEREAS, the County and the City, in order to better serve the emergency medical services needs of the citizens of the City and the County, desire to allow City Firefighters, in certain circumstances, to drive County EMS ambulances; and,

WHEREAS, S.C. Const. Art. VIII, Section 13 provides that “Any county, incorporated municipality, or other political subdivision may agree with the State or with any other political subdivision for the joint administration of any function and exercise of powers and the sharing of the costs thereof”; and,

WHEREAS, South Carolina Code Ann. Section 4-9-41(A) provides that “Any county, incorporated municipality, special purpose district, or other political subdivision may provide for the joint administration of any function and exercise of powers as authorized by Section 13 of Article VIII of the South Carolina Constitution”;

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. Firefighter Operation of County Ambulance.

City Senior Firefighters and Engineers are hereby allowed to drive County EMS ambulances for the transport of emergent patients to appropriate medical facilities under the following circumstances:

- (a) when the City Fire Department and County EMS units are on the same dispatched emergency medical services call; and,
- (b) a City Senior Firefighter or Engineer, as is defined by the City minimum job qualifications for such positions in effect at the time of the execution of this Agreement, is at the scene at the time the need arises for a driver, and is available to drive the ambulance to the designated medical facility; and,
- (c) the County Paramedic at the scene determines, in his sole discretion, that it would be in the interest of the patient for the available City Senior Firefighter or Engineer to drive the ambulance in order for the County EMS personnel to provide emergency medical treatment to the patient during transport.

The County reserves the right to deny, for any reason, participation in the services anticipated under this Agreement to any City Senior Firefighter or Engineer.

2. City Participation Requirements.

- (a) The City shall become a legally licensed First Responder Agency.
- (b) All City Senior Firefighters and Engineers shall successfully complete the Coaching Emergency Vehicle Operator (CEVO) driving course in order to participate in the services contemplated by this Agreement. A certificate of satisfactory completion shall be required.
- (c) All participating City Senior Firefighters and Engineers shall be trained by the City in the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and all other applicable Federal privacy laws. A certificate of satisfactory completion of such training program shall be required.
- (d) All participating City Senior Firefighters and Engineers shall be trained and equipped by the City to meet the requirements for blood borne and airborne pathogen protection standards. A certificate of satisfactory completion of such training program shall be required.
- (e) All participating City Senior Firefighters and Engineers shall successfully complete practical skills ambulance training conducted by the County in order to participate in the services contemplated by this Agreement.
- (f) The City will keep the certification of the City Senior Firefighters and Engineers who participate under the terms of this agreement current during the term(s) of this Agreement. Upon request by the City, the County will continue to provide the training provided for in 2(b) and 2 (e) hereinabove to qualify additional City Senior Firefighters and Engineers to drive County EMS ambulances for the transport of emergent patients under this Agreement.
- (g) The City will provide to the County a list of Senior Firefighters and Engineers who have received a certificate of satisfactory completion of all of the training required under the terms of this agreement on or before July 1st of each year.
- (h) Should any of the City Senior Firefighters or Engineers who had been previously identified as meeting all of the requirements to participate under the terms of this agreement become ineligible to participate under the terms of this agreement the City will provide notification of such action to the County.
- (i) All qualified City Senior Firefighters and Engineers shall be readily identified on the scene of emergency calls by displaying a pin, uniform patch, identification card displaying photograph, card and/or other designation showing that the City Senior Firefighter or Engineer has meet all qualifications.

3. Employment Status.

The City understands and agrees that at all times during the term of this Agreement, the City Senior Firefighters and Engineers who drive County EMS ambulances under the terms of this Agreement are City employees and that nothing in the Agreement creates an employment relationship between the County and the City Senior Firefighters and Engineers. The City further agrees that it shall be responsible for all compensation and discipline related to the provision of the services outlined in this agreement and that the City Senior Firefighters and Engineers will be covered by the City's self-insured worker's compensation policy.

4. Insurance and Liability.

The City and County agree that each shall during the term of this Agreement maintain a self-funded liability program for personal injury and property damage that at a minimum meets the requirements of the South Carolina Tort Claims Act. Should either party choose to purchase insurance to replace its self-funded program it shall provide the other party as much notice as is feasible.

To the extent either party's respective officials or employees shall cause or contribute to a third party loss arising out of the conduct of its respective officials and employees in providing services under this Agreement, that party shall be responsible for payment thereof if determined to be liable and subject to the provisions, limitations and defenses provided for in the South Carolina Tort Claims Act. Each party shall be responsible for its respective attorneys' fees and other defense costs.

The County agrees to insure the ambulances for physical damage. To the extent City employees cause or contribute to ambulance damage the City agrees to pay for the physical damage. In case of a total loss of an ambulance, the City agrees to replace the ambulance to the County's specification as promptly as is practical established by South Carolina law for government entities. The City agrees to pay for any property. (NOTE: This last sentence is forwarded to County Council as is from the version of the IGA the City provided to the County. Obviously, there appears to be some qualification, limitation or other language missing from this sentence. The City Attorney has been asked to clarify what may be missing. We will relay any response received in that regard—Legal Dept. 3/2/12).

5. Term of the Agreement.

The term of this Agreement shall be for a period of five (5) years commencing on the date of execution of this Agreement, and for such extension of time and upon such terms as may be mutually agreed upon.

6. Termination.

The County or the City may terminate this agreement with thirty (30) days written notice to the other party. Neither party will reimburse the other party for any costs associated with the execution of this Agreement.

7. Breach.

In the event either party shall fail to comply with its obligations set forth in the Agreement, and such default shall continue for a period of thirty (30) days after written notice of default has been provided by the other party, then the complaining party shall be entitled to pursue any and all remedies provided under South Carolina law and/or terminate this Agreement.

8. Waiver.

The failure of either party to insist upon the strict performance of any provision of this Agreement shall not be deemed to be a waiver of the right to insist upon strict performance of such provision or of any other provision of this Agreement at any time. Waiver of any breach of this Agreement by either party shall not constitute waiver of subsequent breach.

9. Notice.

Written notice to the City shall be made by placing such notice in the United States Mail, Certified, Return Receipt Requested, postage prepaid and addressed to:

City of Columbia
City Manager
Post Office Box 147
Columbia, SC 29217

Written notice to the County shall be made by placing such notice in the United States Mail, Certified, Return Receipt Requested, postage prepaid and addressed to:

Richland County
County Administrator
Post Office Box 192
Columbia, SC 29202

10. Incorporation of Merger.

This document contains the entire Agreement between the parties and no other representations, either written or oral, shall have effect. Any modification of this Agreement shall be written and signed between the parties.

11. Severability.

If any provision of this Agreement or any obligation or agreement contained herein is determined by a court of competent jurisdiction to be invalid or unenforceable, that determination shall not affect any other provision, obligation or agreement, each of which shall be construed and enforced as if the invalid or unenforceable portion shall not affect any valid and enforceable application thereof, and each such provision, obligation, or agreement shall be deemed to be effective, operative, made, entered into, or taken in the manner and to the full extent permitted by law.

12. Captions and Headings.

The caption and headings throughout this Agreement are for convenience and reference only, and the words contained therein shall in no way be held or deemed to define, limit, describe, modify, or add to the interpretation, construction, or meaning of any provision of or scope or intent of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in duplicate original, the day and year first above written.

WITNESS:

J. Milton Pope, Administrator on behalf of
Richland County

WITNESS:

Steven A. Gantt, City Manager on behalf
of City of Columbia

Richland County Council Request of Action

Subject

Report of the Regional Recreation Complex Ad Hoc Committee [**PAGES 234-238**]

- a. Report from the February 28, 2012 Meeting
- b. Direction re: \$20M Option [**ACTION**]

RICHLAND COUNTY COUNCIL



REGIONAL RECREATION COMPLEX AD HOC COMMITTEE

Joyce Dickerson
District 2

Valerie Hutchinson
District 9

Gwendolyn Davis Kennedy
District 7

Kelvin Washington
District 10

Administrator's Conference Room
2020 Hampton Street
February 28, 2012
4:30 PM

- 1. Call to Order – Honorable Gwendolyn Davis Kennedy**
- 2. Adoption of Agenda**
- 3. 2012 Retreat Items Approved by Council at the February 7, 2012 Council Meeting (Page 2)**
- 4. Discussion re: \$20M Option**
- 5. Direction to Staff and/or Consultants**
- 6. Adjourn**

2012 Retreat Items re: Regional Recreation Complex

Approved by Council at the February 7, 2012 Council Meeting

Regional Recreation Complex

- Dedicate up to \$1M from the SCE&G settlement for the gas line relocation.
- Hold full council Workshop with Kahn Development team.
- Kahn Development team is to provide a \$20M project option.

The following information was provided at Retreat.

Regional Recreation Complex Update **Executive Summary**

COMPLETED TASKS

- **Work Authorization #1** - Scope was to review, confirm & modify (if necessary) the concept of a tournament park in Richland County.
- **Work Authorization #2** - Scope was to provide schematic civil engineering design (25% design) and associated documents.

NEXT TASKS

- **Work Authorization #3 (proposed)** - Scope is to complete all design (including regulatory approvals) and provide bid documents for the fields, infrastructure and associated support buildings.
- **Work Authorization #4 (proposed)** - Scope includes conceptual layout of the commercial tract, schematic design of indoor sports facility, and an outline of Public/Private Partnership opportunities.
- Council approved these Work Authorizations on November 1, 2011. Procurement staff is currently renegotiating the contract, per Council's directive. [Update: Further direction is needed from Council regarding the \$20M option.]

SUMMARY INFORMATION (current)

The following is an overview of key elements currently submitted to Richland County:

- **Project Budget**
 - \$36,600,000
 - includes construction, design & contingency
- **Project Schedule**
 - design phase - 8 months (after Work Authorization Notice to Proceed - NTP)
 - bid phase - 2 months
 - construction phase - 14 months
 - project close out - 2 months
 - Approximately 26 months total after Work Authorization NTP
- **MWE Participation**
 - Pre-Design & Design Phase = 26.7% (note = working on increase)
 - Future Phases = TBD

BUDGET INFO

Amount reserved	\$5,000,000
Amount paid prior to 6/30/11	(225,804)
Amount paid since 6/30/11	<u>(204,167)</u>
Remaining reserves	\$4,570,029

Third Reading of the FY 12 Budget – June 2, 2011

- Reserve \$1,072,954 for debt service for Regional Recreation Complex (Approximately \$15M Bond)
- HTax Account – includes use of designated fund balance of \$250,000 for Recreational Complex
- [Update: Council approved up to \$1M from the SCE&G Settlement for the gas line relocation.]

Kahn Team (Kahn, Stevens & Wilkinson, Enviro AgScience, BP Barber, Global AD&M, C Hill Development Company, LLC):

Work Authorization 1 = \$184,970 [PAID]

Work Authorization 2 = \$245,000 [PAID]

Work Authorization 3 = \$1,636,100 [Council approved 11-1-11; Procurement working on contract]

Work Authorization 4 = \$613,300 [Council approved 11-1-11; Procurement working on contract]

Total = \$2,679,370

Richland County Council Request of Action

Subject

Application for locating a Community Residential Care Home in an unincorporated area of Richland County: **[PAGES 240-247]**

- a. 1928 Heyward Brockington Road, Columbia, SC 29203
- b. 1930 Heyward Brockington Road, Columbia, SC 29203

**APPLICATION FOR LOCATING A COMMUNITY RESIDENTIAL
CARE HOME IN AN UNINCORPORATED AREA OF RICHLAND
COUNTY**

To the Chairperson of Richland County Council:

The undersigned hereby respectfully requests that the Richland County Council approve the location of a community care home in Richland County, South Carolina, pursuant to Chapter 7 of Title 44 of the 1976 State Code of Laws, as described below. (Be advised that final approval of all community care homes rests with licensing by the South Carolina Department of Health and Environmental Control.)

Applicant must be the director of the proposed home.

1. Applicant Name: Tameka V. Dunlap
2. Applicant Address: 1928 Heyward Brockington Rd.
Columbia S.C. 29203
3. Applicant Telephone: Home 803-735-0285 Office _____
4. Location of proposed community care home:
Street Address: 1928 Heyward Brockington City, Zip: Cola. 29203
Tax Map Number: 052708 R09600-02-01 RL
5. Do you own the building that will house the proposed community care home?
YES NO
If "No," do you have an option to buy the property or, if renting, do you have a lease agreement with the owner? Please state which arrangement you currently have and the name, address and phone number of the current owner and/or lessor.

6. If you are leasing the property, has the lessor granted authority to establish a community care home on the property? YES NO
7. Will the proposed community care home be established in your current permanent residence? YES NO
8. How many bedrooms and bathrooms does the proposed community care home have?
Bedrooms 4 Bathrooms 3

9. How many resident clients will be housed in this proposed community care home?

Nine or less Ten or more

10. Will the proposed community care home serve mentally or physically handicapped persons and provide care on a 24 hour basis?

yes

11. Community Residential Care homes must be licensed by the South Carolina Department of Health and Environmental Control (SCDHEC) Division of Health Licensing* (Telephone: 803-545-4370). Please provide us with the name and title of the individual from SCDHEC's Division of Health Licensing who you have contacted regarding licensure of your proposed home.

William Everette Assistant Section Manager 803-545-4371

SCDHEC Contact person name Title Phone #

*(SC Code of Laws Chapter 29, Title 6, Section 6-29-770) (E)

12. How many full-time and part-time staff will care for the resident clients of the proposed community care home?

Full-Time 3 Part-Time 3

13. How many total persons will occupy the proposed community care home during the night? (include resident clients, staff, staff family, applicant, applicant's family, etc, as applicable)

Total Persons 7

14. Do you currently operate any other community care homes in Richland County?

YES NO

If you do, list the location, year licensed, and number of resident clients for each home:

Street Address Year Licensed # of Residents

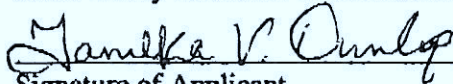
Street Address Year Licensed # of Residents

15. Have you ever had a license revoked for any type of residential health care facility located in South Carolina?

Yes NO

I hereby certify that if granted approval from Richland County Council to locate a community care home as described above, I will fully comply with all regulations of the appropriate state licensing and regulatory agency or agencies, the State Fire Marshal's Office and Health Department Officials which apply to community care facilities in establishing and obtaining licensing for my community care home.

I also certify that all of the above information is correct to the best of my knowledge.


Signature of Applicant

2/7/12
Date

Definition of a Community Residential Care Facility (Home): Per SC Regulation 61-84 Section 101.N, A CRCF is, "A facility which offers room and board and which, unlike a boarding house, provides/coordinates a degree of personal care for a period of time in excess of 24 consecutive hours for two or more persons, 18 years old or older, not related to the licensee within the third degree of consanguinity. It is designed to accommodate residents' changing needs and preferences, maximize residents' dignity, autonomy, privacy, independence, and safety, and encourage family and community involvement. Included in this definition is any facility (other than a hospital), which offers or represents to the public that it offers a beneficial or protected environment specifically for individuals who have mental illness or disabilities. These facilities may be referred to as 'assisted living' provided they meet the above definition of community residential care facility."

Revised 2/2012

**APPLICATION FOR LOCATING A COMMUNITY RESIDENTIAL
CARE HOME IN AN UNINCORPORATED AREA OF RICHLAND
COUNTY**

To the Chairperson of Richland County Council:

The undersigned hereby respectfully requests that the Richland County Council approve the location of a community care home in Richland County, South Carolina, pursuant to Chapter 7 of Title 44 of the 1976 State Code of Laws, as described below. (Be advised that final approval of all community care homes rests with licensing by the South Carolina Department of Health and Environmental Control.)

Applicant must be the director of the proposed home.

1. Applicant Name: Tameka V. Dunlap
2. Applicant Address: 1930 Heyward Brockington Rd
Columbia, S.C. 29203
3. Applicant Telephone: Home 803-735-0285 Office _____
4. Location of proposed community care home:
Street Address: 1930 Heyward Brockington City, Zip: Cola, 29203
Tax Map Number: ~~052768~~ RD 9600-02-01
5. Do you own the building that will house the proposed community care home?
YES NO
If "No," do you have an option to buy the property or, if renting, do you have a lease agreement with the owner? Please state which arrangement you currently have and the name, address and phone number of the current owner and/or lessor.

6. If you are leasing the property, has the lessor granted authority to establish a community care home on the property? YES NO
7. Will the proposed community care home be established in your current permanent residence? YES NO
8. How many bedrooms and bathrooms does the proposed community care home have? Bedrooms 3 Bathrooms 2

9. How many resident clients will be housed in this proposed community care home?

Nine or less Ten or more

10. Will the proposed community care home serve mentally or physically handicapped persons and provide care on a 24 hour basis?

yes

11. Community Residential Care homes must be licensed by the South Carolina Department of Health and Environmental Control (SCDHEC) Division of Health Licensing* (Telephone: 803-545-4370). Please provide us with the name and title of the individual from SCDHEC's Division of Health Licensing who you have contacted regarding licensure of your proposed home.

William Everette Assistant Section Manager 803-545-4371

SCDHEC Contact person name Title Phone #

*(SC Code of Laws Chapter 29, Title 6, Section 6-29-770 (E))

12. How many full-time and part-time staff will care for the resident clients of the proposed community care home?

Full-Time 3 Part-Time 3

13. How many total persons will occupy the proposed community care home during the night? (include resident clients, staff, staff family, applicant, applicant's family, etc, as applicable) Total Persons 5

14. Do you currently operate any other community care homes in Richland County?

YES NO

If you do, list the location, year licensed, and number of resident clients for each home:

Street Address Year Licensed # of Residents

Street Address Year Licensed # of Residents

15. Have you ever had a license revoked for any type of residential health care facility located in South Carolina? Yes NO

Instructions:

Please disable all pop-up blockers while using this site. The recommended browser resolution is 1024 x 768 and above.

By entering an address below, the system will provide you with district information for this address. In addition, a map showing the address will be generated. The mapping tools allow the user to zoom in, zoom out, pan, zoom to the entire county, and identify. The identify tool will provide the user with property ownership information by clicking on a specific parcel within the map.

Please enter your street address below without the city and zip code.
 - Ex. '123 Main Street', '23 Washington', 'Monroe'.

Address: 1930 Heward Brockington

Query

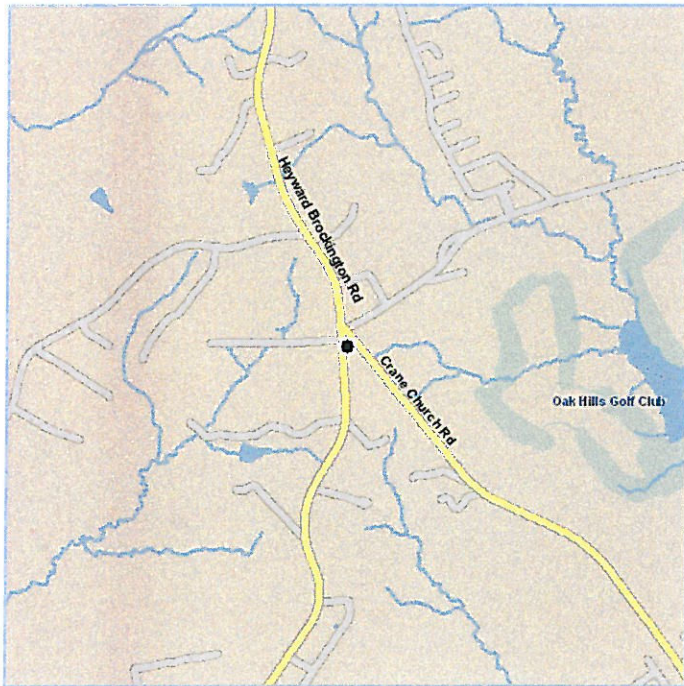
Address: 1930 Heward Brockington

District	Information
Council District	7 - Gwendolyn Davis Kennedy
House District	77 - Joseph A McEachern
Senate District	19 - John L. Scott, Jr.
School District	Richland School District 1
Municipality	Richland County
Polling Precinct	Lincolnshire
Polling Location	Forest Heights Elementary - 2500 Blue Ridge Terrace
Congressional District	SC - 6 - US Congressman James Clyburn
Magistrate Districts	Upper Township
Magistrate Jury Selection Area	Upper Township Magistrate
Tax Districts	1UR

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Disclaimer: This application is a product of the Richland County GIS Department. The data depicted here have been developed with extensive cooperation from other county departments, as well as other federal, state and local government agencies. Reasonable efforts have been made to ensure the accuracy of this map. However, the information presented should be used for general reference only. Richland County expressly disclaims responsibility for damages or liability that may arise from the use of the information presented herein.

Richland County Council Request of Action

Subject

a. In order to address the bus situation in the Transportation workshop I move that the Administrator request from the city of Columbia the revenue generated from the 2% or 3% franchise fee imposed on the utility bill. [JACKSON, MALINOWSKI]

b. Resolution for Mr. Willie Anderson [WASHINGTON]

Richland County Council Request of Action

Subject

Must Pertain to Items Not on the Agenda