

Report Of The Clerk Of Council

6. a. Tax Referendum Public Hearing, Thursday, October 18th at 6:00 p.m., Council Chambers
- b. **November Meeting Schedule**
- c. **McEntire Tour Reminder**

Report Of The Chairman

7. a. Personnel Matter
- b. Meeting with Elected Officials

Presentations

8. a. The Therapy Group, Dawn Darby

Open/Close Public Hearings

9. a. An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$730,000 of General Fund Restricted Fund Balance for Economic Development Projects
- b. An Ordinance Amending the Fiscal Year 2012-2013 Hospitality Tax Budget to appropriate \$1,217,201 of Hospitality Tax Restricted Fund Balance for the Recreation Sports Complex
- c. An Ordinance Authorizing the issuance and sale of not to exceed \$9,000,000 Fire Protection Service General Obligation Bonds, Series 2012B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; authorizing the Interim County Administrator to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; adopting written procedures related to tax-exempt debt; and other matters relating thereto

Approval Of Consent Items

10. An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$730,000 of General Fund Restricted Fund Balance for Economic Development Projects **[THIRD READING] [PAGES 24-26]**
11. An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to foster more environmentally-sensitive site development in Richland County **[THIRD READING] [PAGES 27-66]**
12. 12-25MA
Angela Lawrence
RU to RC (2 Acres)
7271 Bluff Rd.
27300-05-19 **[THIRD READING] [PAGES 67-68]**
13. 12-26MA

John Blackmon
3P, LLC, Christopher Robnett, DDS & Pine Spring Inc.
HI to GC (1.85 Acres)
North Springs Rd. & Brickyard Rd.
22804-04-01/02/12 & 22905-01-78 **[THIRD READING] [PAGES 69-70]**

14. 12-27MA
Barbara Bratcher
Clara Beasley
RU to GC (2.5 Acres)
8505 Garners Ferry Rd.
21800-05-07 **[THIRD READING] [PAGES 71-72]**
15. An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-58, Appeals of Administrative Decisions; Subsection (B), Appeal Submittal; Paragraph (1), Application; so as to correct the section reference for appeals **[THIRD READING] [PAGES 73-75]**
16. An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; by adding a new division entitled 3A, Tax Assessor; so that a new department will be created, and Amending Chapter 23, Taxation; Article II, Tax Assessor and Article III, Board of Assessment Control; by deleting the language therein **[SECOND READING] [PAGES 76-80]**
17. An Ordinance Amending the Fiscal Year 2012-2013 Solid Waste Enterprise Fund Annual Budgets to appropriate \$972,600 of Solid Waste Enterprise Unassigned Fund Balance for transfer to the Solid Waste Operating Budget for the sole purpose of purchasing roll carts **[SECOND READING] [PAGES 81-86]**
18. An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$184,496 of General Fund Unassigned Fund Balance for Grant Match to Departments for grants approved through the FY13 Budget Process **[SECOND READING] [PAGES 87-92]**
19. An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; by adding a new division entitled 6A, Conservation; so that a new department will be created **[SECOND READING] [PAGES 93-98]**
20. An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$75,177.89 of General Fund Unassigned Fund Balance for the Legal Department for salary adjustments **[SECOND READING] [PAGES 99-106]**

Third Reading Items

21. 12-22MA
Jonathan Giles
Robert Giles
RM-HD to NC (.33 Acres)
1157 & 1159 Olympia Ave.
11203-01-03& 04 **[PAGES 107-108]**
22. An Ordinance Amending the Fiscal Year 2012-2013 Hospitality Tax Budget to appropriate

\$1,217,201 of Hospitality Tax Restricted Fund Balance for the Recreation Sports Complex
[PAGES 109-121]

Second Reading Items

23. An Ordinance Authorizing the issuance and sale of not to exceed \$9,000,000 Fire Protection Service General Obligation Bonds, Series 2012B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; Authorizing the Interim County Administrator to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; adopting written procedures related to tax-exempt debt; and other matters relating thereto [PAGES 122-167]
24. An Ordinance Amending Ordinance 043-10HR, so as to increase the rate of copy charges for autopsy reports to \$500. [PAGES 168-172]

Report Of Economic Development Committee

25. a. Authorizing the execution and delivery of a fee agreement by and between Richland County, South Carolina and [Project Resolve], as sponsor, to provide for fee-in-lieu of ad valorem taxes and other incentives; authorizing the grant of special source revenue credits; and other related matters [FIRST READING BY TITLE ONLY] [PAGE 174]

Ordinance Authorizing the execution and delivery of an Intergovernmental Agreement by and between Richland County, South Carolina, the Town of Blythewood, South Carolina relating to [Project Resolve] and the business license fees on the investment by [Project Resolve], and other matters related thereto [FIRST READING BY TITLE ONLY] [PAGE 175]

Report Of Rules And Appointments Committee

1. Notification Of Vacancies

26. Board of Zoning Appeals-1

Sheldon L. Cooke, Sr. October 7, 2012 *

Eligible for reappointment

27. Central Midland Council of Governments-1

Steven B. Corboy, October 19, 2013

28. Community Relations Council-1

Kimberly Kennedy Gooden, November 3, 2012 *

Eligible for reappointment

29. Township Auditorium Board-1

Andrew (Drew) Nick Theodore, November 20, 2012*

Eligible for reappointment

2. **Notification Of Appointments**

30. Accommodations Tax Committee-3 (needed are 1 person from the Hospitality industry, 1 person from the Lodging industry, and 1 person from the cultural industry)

No applications were received.

31. Building Codes Board of Appeals-3 (needed 1 engineer, 1 person from the gas industry, and 1 person from the building industry) **[PAGES 181-187]**

Applications were received from the following:

Jesse S Burke, Engineer
Michael T. Lowman, Building*
Greg Mackie, Gas*

Eligible for reappointment

32. Community Relations Council-1

No applications have been received at this time.

33. Midlands Workforce Development Board-1 **[PAGES 189-191]**

One applicant was nominated, Annie Caggiano, Richland County Economic Development; she will be replacing Nelson Lindsay, Richland County Economic Director.

34. Planning Commission-1 **[PAGES 192-194]**

An application was received from the following:

William H. Theus

3. **Discussion From Rules And Appointments Committee**

35. Agendas-FOIA Compliance **[PAGES 195-203]**

36. Appearance Commission: **[MALINOWSKI] [PAGES 204-206]**

a. Determine what constitutes a quorum for the Appearance Commission and have the Ordinance reflect that.

b. Require all Council members appoint a representative to the Appearance Commission by the July 31, 2012 Council meeting.

37. Council Individual Discretionary Account

38. I move Council consider allowing Master Gardeners to fulfill the roles of Landscaper and Horticulturalist on the Appearance commission, in the event that no licensed Landscaper or Horticulturalist can be recruited for the Commission. I also encourage all Council members to

appoint their candidates to this Commission, and request staff inform Council vacancies
[HUTCHINSON] [PAGES 208-213]

39. Due to recent issues with the Chair making announcements and having meetings on behalf of Richland County and County Council without Council's approval. I move that we have a workshop on the rules of the Chair. The do's and don'ts of the Chair. This will help with the problem and the chaos we are having on County Council. [JACKSON]
40. Add to Section 4.1 of Council Rules: "No standing committees of Council shall be scheduled at the same time." [LIVINGSTON] [PAGES 215-216]
41. That all items currently listed at the end of the A&F and D&S Committee agendas as "Items Pending Analysis" be cleared up within 90 days. There is no reason some action should not be taken, even if it means to table it for now [MALINOWSKI] [PAGES 217-219]
42. Reviewing Committee Qualifications [PAGES 220-224]

Other Items

43. Appointment of Code Enforcement Officers:
 - a. A Resolution to appoint and commission Alonzo W. Smith, Sr., as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County [PAGE 226]
 - b. A Resolution to appoint and commission Michael A. King, as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County [PAGE 227]

Citizen's Input

44. Must Pertain to Items Not on the Agenda

Executive Session

Motion Period

45.
 - a. Wrecker service operators in Richland County have requested that County Council review for possible adjustment the 2009 Richland County Ordinance pertaining to allowable fees charged for wrecker (towing) and storage services based on increased costs especially in fuel. Fee adjustments have apparently been granted by the SC Highway Patrol and City of Columbia. [PEARCE]
 - b. For Businesses closed for more than one year, if the building is structurally sound then it should be allowed for continued use only without modification.

Reason: Buildings closed for more than one year are subject to new Building Codes. The costs for updates are too expensive causing new potential businesses to go elsewhere. The County has a lot of unoccupied buildings causing blighted communities. To resolve the problem if buildings are structurally sound and the use is the same or similar then it should be allowed as continued use without additional modifications. [JACKSON]

- c. Resolution honoring William "Bill" Robinson on his retirement [WASHINGTON]

Adjournment



Richland County Council Request of Action

Subject

- a. National Friends of the Library Week [**MANNING**]
- b. Adopting October as the "Month of the Parent" in Richland County [**WASHINGTON**]

Richland County Council Request of Action

Subject

Regular Session: October 2, 2012 [**PAGES 8-16**]

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, OCTOBER 2, 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	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Damon Jeter
Member	Gwendolyn Davis Kennedy
Member	Bill Malinowski
Member	Paul Livingston
Member	Seth Rose
Absent	Jim Manning

OTHERS PRESENT – Tony McDonald, Sparty Hammett, Roxanne Ancheta, Brad Farrar, Yanisse Adrian-Silva, Sara Salley, Daniel Driggers, John Hixon, David Hoops, James Hayes, Tiaa Rutherford, Stephany Snowden, Paul Brawley, Buddy Atkins, Tracy Hegler, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:06 p.m.

INVOCATION

The Invocation was given by the Honorable Joyce Dickerson

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Joyce Dickerson

APPROVAL OF MINUTES

Regular Session: September 18, 2012 – Mr. Malinowski stated that the substitute motion regarding “Partnership Type/Level with DOT” on page 8 of the minutes lacked a second. The Clerk’s Office is to review the recording and insert the required information.

Mr. Pearce moved, seconded by Ms. Hutchinson, to approve the minutes as amended. The vote in favor was unanimous.

Zoning Public Hearing: September 25, 2012 – Mr. Malinowski moved, seconded by Ms. Dickerson, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

Ms. Dickerson moved, seconded by Ms. Hutchinson, to adopt the agenda as distributed. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following were potential Executive Session Items:

- a. **Legal Department Budget Amendment**
- b. **Potential Purchase of Property**
- c. **Administrator’s Search Update**

CITIZENS’ INPUT

Mr. Lee Carroll spoke regarding staffing at the Public Defender’s Office.

REPORT OF THE COUNTY ADMINISTRATOR

Potential Purchase of Property – This item was taken up in Executive Session.

Appointment of Fire Advisory Committee – Mr. McDonald requested that the Chairman make the necessary appointments to this committee.

Curtiss-Wright Hangar – Mr. McDonald stated that he had met with Ed Garrison and that negotiations are ongoing. Updates will be brought back to Council.

Richland 101 – Ms. Adrian-Silva gave a brief update regarding Richland 101 and encouraged residents to participate.

Budget Books – Mr. McDonald stated that the budget books were distributed to Council and that it had been placed on the County website.

REPORT OF THE CLERK OF COUNCIL

McEntire Base Tour, November 1st at 10:00 a.m. – Ms. Onley stated that the McEntire Base tour has been scheduled for November 1st at 10:00 a.m.

REPORT OF THE CHAIRMAN

- a. **Telecommunications and Technology Steering Committee Appointments** – Ms. Dickerson appointed the following people to the Telecommunications and Technology Steering Committee: Janet Claggett, Dale Welch, Justin Martin, Brian Q Newman, Kendall Davis or designee, IT-Ology, Councilman Jeter and Councilwoman Dickerson.
- b. **Administrator's Search Update** – This item was taken up in Executive Session.

PRESENTATION

Dr. Ida Spruill, MUSC, "Ethno-Cultural Barriers to Health Literacy/Disease Management in African Americans living in the Upper Piedmont, Blue Ridge, Pee Dee/Sand Hill, Central Midlands/Lower Piedmont, and Coastal Plains of South Carolina" – Dr. Ida Spruill gave a brief presentation regarding an ongoing study that is being conducted by MUSC in Charleston.

APPROVAL OF CONSENT ITEMS

- **12-25MA, Angela Lawrence, RU to RC (2 Acres) 7271 Bluff Rd., 27300-05-19 [SECOND READING]**
- **12-26MA, John Blackmon, 3P, LLC, Christopher Robnett, DDS & Pine Spring Inc., HI to GC (1.85 Acres), North Springs Rd. & Brickyard Rd., 22804-04-01/02/12 & 22905-01-78 [SECOND READING]**
- **12-27 MA, Barbara Bratcher, Clara Beasley, RU to GC (2.5 Acres), 8505 Garners Ferry Rd., 21800-05-07 [SECOND READING]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-58, Appeals of Administrative Decisions; Subsection (B), Appeal Submittal; Paragraph (1), Application; so as to correct the section reference for appeals [SECOND READING]**
- **Amendment to Thomas and Hutton Contract for Floodplain Remapping**
- **Proclamation Designating October 2012 as Community Planning Month in Richland County**

- Olympia Mills Community Garden
- Option to Purchase—Decker Blvd. Acquisition Project (FEMA Grant)
- Closing a Portion of Fonta Vista Road
- An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; by adding a new division entitled 3A, Tax Assessor; so that a new department will be created, and Amending Chapter 23, Taxation; Article II, Tax Assessor and Article III, Board of Assessment Control; by deleting the language therein [FIRST READING]
- Matching Funds for SCDHEC Grant application in Twenty-Five Mile Creek Watershed
- An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; by adding a new division entitled 6A, Conservation; so that a new department will be created [FIRST READING]
- FY13 Local Government Fund

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

THIRD READING ITEM

An Ordinance authorizing the levying of Ad Valorem Property Taxes, which, together with the prior year's carryover and other State levies and any additional amount appropriated by the Richland County Council prior to July 1, 2012, will provide sufficient revenues for the operations of Richland County Government during the period from July 1, 2012 through June 30, 2013 – Mr. Livingston moved, seconded by Mr. Pearce, to approve this item. The vote in favor was unanimous.

Ms. Dickerson moved, seconded by Ms. Kennedy, to reconsider this item. The motion failed.

SECOND READING ITEMS

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to foster more environmentally-sensitive site development in Richland County – Ms. Hutchinson moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

An Ordinance Amending the Fiscal Year 2012-2013 Solid Waste Enterprise Fund Annual Budgets to appropriate \$972,600 of Solid Waste Enterprise Unassigned Fund Balance for transfer to the Solid Waste Operating Budget for the sole purpose of purchasing roll carts [FIRST READING] – Mr. Malinowski moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote in favor was unanimous.

And Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$184m496 of General Fund Unassigned Fund Balance for Grant Match to Departments for grants approved through the FY13 Budget Process [FIRST READING] – Mr. Pearce moved, seconded by Mr. Livingston, to approve this item. A discussion took place.

The vote in favor was unanimous.

Criminal Domestic Violence Court Grant Match Increase – Mr. Pearce moved, seconded by Mr. Livingston, to approve this item. A discussion took place.

The vote in favor was unanimous.

Hispanic Outreach Grant Match Increase – Mr. Pearce moved, seconded by Mr. Livingston, to approve this item. A discussion took place.

The vote in favor was unanimous.

Midlands Special Response Team Improvement Grant – Mr. Pearce moved, seconded by Mr. Livingston, to approve this item. A discussion took place.

The vote in favor was unanimous.

An Ordinance Authorizing the issuance and sale of not to exceed \$9,000,000 Fire Protection Service General Obligation Bonds, Series 2012B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; Authorizing the Interim County Administrator to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; adopting written procedures related to tax-exempt debt; and other matters relating thereto [FIRST READING] – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote was in favor.

An Ordinance Amending the Richland County Code of Ordinances No. 043-01HR Section 24 to increase the rate of copy charges for autopsy reports to \$500 – Mr. Jeter stated that the committee recommended approval of this item. A discussion took place.

The vote was in favor.

An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$75,177.89 of General Fund Unassigned Fund Balance for the Legal Department for salary adjustments [FIRST READING] – Mr. Jeter moved, seconded by Ms. Dickerson, to defer this item until after Executive Session. The vote in favor was unanimous.

REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE

A Resolution approving the 2012 Assessment Roll for the Village at Sandhill Improvement District, Richland County, South Carolina – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

CITIZEN'S INPUT

No one signed up to speak.

EXECUTIVE SESSION

=====
Council went into Executive Session at approximately 7:01 p.m. and came out at approximately 7:54 p.m.
=====

- a. **Legal Department Budget Amendment** – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve the Administrator's recommendation.

Mr. Jackson made a substitute motion, seconded by Ms. Kennedy, to approve the request.

<u>For</u>	<u>Against</u>
Rose	Malinowski
Jackson	Hutchinson
Washington	Pearce
Kennedy	Livingston
	Dickerson
	Jeter

The substitute motion failed.

The vote in favor of the motion to approve the Administrator's recommendation was unanimous.

- b. **Administrator's Search Update** – Mr. Pearce moved, seconded by Mr. Malinowski to direct the Administrator Search Committee to proceed as directed in Executive Session. The vote in favor was unanimous.

MOTION PERIOD

Resolution Adopting October as the “Month of the Parent” in Richland County

[WASHINGTON] – Mr. Washington moved, seconded by Mr. Jackson, to adopt the resolution designating October as the “Month of the Parent”. The vote in favor was unanimous.

Council members may not have been fully aware of planned changes to the future land use maps for their district at the time of creation. All Council members therefore should compare it with the current land use plan map and determine if it is correct. Any changes should be brought to the attention of staff for corrections and/or adjustments

[MALINOWSKI] – This item was referred to the D&S Committee.

Resolution honoring the life of Ernest Dessausure, Richland County Bailiff at the County Courthouse [ROSE]

– Council unanimously adopted the resolution honoring Mr. Ernest Dessausure.

Remove the \$10,000 allocation to SCDOT for the Santee Wateree Transit Authority as it has not improved the intended service and is merely supplementing the funding

[JACKSON] – This item was referred to the A&F Committee.

ADJOURNMENT

The meeting adjourned at approximately 7:58 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

- a. Landfill/Contractual Matter

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. Palmetto Utilities
- b. Brownfield Update
- c. Employee Grievance

Richland County Council Request of Action

Subject

- a. Tax Referendum Public Hearing, Thursday, October 18th at 6:00 p.m., Council Chambers
- b. November Meeting Schedule
- c. McEntire Tour Reminder

Richland County Council Request of Action

Subject

- a. Personnel Matter
- b. Meeting with Elected Officials

Richland County Council Request of Action

Subject

- a. The Therapy Group, Dawn Darby

Richland County Council Request of Action

Subject

- a. An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$730,000 of General Fund Restricted Fund Balance for Economic Development Projects
- b. An Ordinance Amending the Fiscal Year 2012-2013 Hospitality Tax Budget to appropriate \$1,217,201 of Hospitality Tax Restricted Fund Balance for the Recreation Sports Complex
- c. An Ordinance Authorizing the issuance and sale of not to exceed \$9,000,000 Fire Protection Service General Obligation Bonds, Series 2012B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; authorizing the Interim County Administrator to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; adopting written procedures related to tax-exempt debt; and other matters relating thereto

Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$730,000 of General Fund Restricted Fund Balance for Economic Development Projects **[THIRD READING] [PAGES 24-26]**

Notes

First Reading: September 11, 2012
Second Reading: September 18, 2012
Third Reading:
Public Hearing:

STATE OF SOUTH CAROLINA
COUNTYCOUNCILFORRICHLANDCOUNTY
ORDINANCE NO. __-

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$730,000 OF GENERAL FUND RESTRICTED FUND BALANCE FOR ECONOMIC DEVELOPMENT PROJECTS.

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 thirty thousand dollars (\$730,000) be appropriated for economic development projects. Therefore, the Fiscal Year 2012-2013 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2012 as amended:	\$ 146,913,504
Appropriation of General Fund restricted fund balance	<u>730,000</u>
Total General Fund Revenue as Amended:	\$ 147,643,504

EXPENDITURES

Expenditures appropriated July 1, 2012 as amended:	\$ 146,913,504
Increase to Industrial Park	<u>730,000</u>
Total General Fund Expenditures as Amended:	\$ 147,643,504

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

RICHLANDCOUNTYATTORNEY'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 26, Land Development; so as to foster more environmentally-sensitive site development in Richland County **[THIRD READING] [PAGES 27-66]**

Notes

First Reading: July 31, 2012

Second Reading: October 2, 2012

Third Reading:

Public Hearing: July 31, 2012

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; SO AS TO FOSTER MORE ENVIRONMENTALLY-SENSITIVE SITE DEVELOPMENT IN RICHLAND COUNTY.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-22, Definitions; “Grand Tree”; is hereby amended to read as follows:

Grand tree. Any ~~healthy~~ structurally sound tree, ~~other than a pine tree, twenty-nine (29) twenty-four (24) inches or greater in diameter at breast height. Trees documented as structurally unsound by an ISA Certified Arborist or a Registered Forester are not considered grand trees for the purpose of this definition.~~

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-22, Definitions; the definition of “Road, Park” is hereby amended to read as follows:

Road, park. ~~Internal roads, cul-de-sacs or loop roads, which connect to the subdivision Main Road.~~ A one-way road within a residential subdivision.

SECTION III. The Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-22, Definitions; the definition of “Rural Road” is hereby amended to read as follows:

Rural road Road, rural. A road serving development in low density, primarily rural areas, and which would not be classified as a collector or an arterial road.

SECTION IV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-22, Definitions; is hereby amended to include in the appropriate alphabetical order, the following definitions:

Critical root zone. An area on the ground and adjacent to a protected tree that encompasses a distance of one (1) foot of space for every one (1) inch of the tree DBH measured outward from the center of the tree in all directions.

Diameter at breast height. The standard measure of tree diameter for trees existing on a site by measuring a tree trunk at a height of four and one-half (4½) feet above the ground and by measuring a tree split into multiple trunks below four and one-half (4½) feet at its most narrow point beneath the split.

Forestry activity. Activity that involves timbering, including, but not limited to, harvesting, site preparation, controlled burning, tree planting, applications of fertilizers, herbicides, and pesticides, weed control, animal damage control, fire control, insect and disease control, forest road construction, and any other generally accepted forestry practices.

Loop lane. A roadway that arches away from a road and re-intersects the same road at some distance away from the “first” intersection.

Road, minor rural. A road serving twenty (20) or fewer lots in low density, primarily rural areas, and which does not provide connectivity to properties other than those served.

Road, T. A road that ends in a T shape; also known as a hammer head road.

Tree. A usually tall, woody plant, distinguished from a shrub by having comparatively greater size and longevity, and characteristically defined as:

Large maturing tree – Single trunk whose canopy dimensions have the potential to reach at least forty-five (45) feet tall and twenty-five (25) feet wide at maturity.

Medium maturing – Single trunk whose canopy dimensions have the potential to reach at least twenty-five (25) feet tall and twenty (20) feet wide at maturity.

Small maturing – Single trunk or multi-stem whose canopy dimensions have the potential to reach at least fifteen (15) feet tall and fifteen (15) feet wide at maturity.

Tree, mature. Any tree that has obtained the maximum capability of growth, flowering, and reproduction.

Tree Protection Plan. A plan that identifies the critical root zone where trees are to be protected and preserved, and replacement trees planted on a property to meet minimum requirements, as well as methods of tree protection to be undertaken on the site.

Tree, replacement. A new tree planted on a site after development.

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 a., Applicability; is hereby amended to read as follows:

- a. Applicability. The major subdivision review process is required for all those subdivisions of land in Richland County that do not meet the requirements for exemption from the subdivision review process (See definition of “subdivision” in Section 26-22 above) and that do not qualify for administrative or minor subdivision review (Section 26-54(b)(1) and Section 26-54(b)(2)). Any subdivision that involves the dedication of land to the county for open space or other public purposes shall be considered a major subdivision. Any major subdivision with fewer than fifty (50) lots shall not be required to install sidewalks along roads abutting the development.

SECTION V. The Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-64, Stormwater Pollution Prevention Plans; Subsection (f), Level I SWPPP Requirements; Paragraph (3); is hereby amended to read as follows:

- (3) General description of topographic and soil conditions of the tract, including showing the intent of the drainage pattern for each individual lot.

SECTION VI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-64, Stormwater Pollution Prevention Plans; Subsection (g), Level II SWPPP Requirements; Paragraph (1); Subparagraph d.; Clause 2.; is hereby amended to read as follows:

- 2. The existing and proposed topography, overlaid on a current plat showing existing and proposed contours as required by Richland County. This includes showing the intent of the drainage pattern for each individual lot.

SECTION VII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-173, Off-street Parking Standards; Subsection (c), Number of Spaces Required; Table VII-1, Off-street Parking Standards; is hereby amended to read as follows:

**TABLE VII-1
OFF-STREET PARKING STANDARDS**

TYPE OF LAND USE	PARKING SPACES REQUIRED		
	Minimum	* <u>(Mid-range to Maximum must enhance water quality treatment)</u>	
		Mid-range	Maximum**
Agricultural Uses			
Animal and/or Crop Production	No Requirement	N/A	No Requirement
Animal, <u>and/or</u> Crop Production <u>Support Services</u> , and Forestry Support Services	One (1) Space for Every Two (2) Employees on Shift of Greatest Employment Plus One (1) for Every 300 GFA in the Operation	<u>Two (2) Spaces for Every Three (3) Employees on Shift of Greatest Employment Plus One (1) for Every 250 GFA in the Operation</u>	One (1) Space for Every Employee on Shift of Greatest Employment Plus One (1) for Every 200 GFA in the Operation
Forest Nurseries	One (1) for Every Five (5) Acres	<u>One (1) for Every Three and One-Half (3½) Acres</u>	One (1) for Every Two (2) Acres
Veterinary Services (Livestock)	One (1) for Every 250 GFA	<u>One (1) for Every 225 GFA</u>	One (1) for Every 200 GFA
Residential Uses			
Accessory Dwellings	One (1) Per Dwelling	N/A	One (1) Per Dwelling

TYPE OF LAND USE	PARKING SPACES REQUIRED		
	Minimum	<u>* (Mid-range to Maximum must enhance water quality treatment)</u>	
		<u>Mid-range</u>	<u>Maximum**</u>
Boardinghouses	One (1) for Every Two (2) Rooms Plus One (1) for the Resident Manager	<u>Two (2) for Every Three (3) Rooms Plus One (1) for the Resident Manager</u>	One (1) Per Room Plus One (1) for the Resident Manager
Child and Adult Day Care Homes, Family	As for Single-Family Dwellings, Plus One (1) Additional Space	<u>N/A</u>	As for Single-Family Dwellings, Plus Two (2) Additional Spaces
Continued Care Retirement Communities	One (1) for Every Dwelling Unit Plus One (1) for Every Two (2) Employees on Shift of Greatest Employment	<u>One and One-Half (1½) for Every Dwelling Unit Plus One (1) for Every Two (2) Employees on Shift of Greatest Employment</u>	Two (2) for Every Dwelling Unit Plus One (1) for Every Employee on the Shift of Greatest Employment
Dwellings, Two-Family or Single-Family, or Manufactured Homes on Individual Lots	Two (2) Spaces for Every Dwelling Unit	<u>N/A</u>	Three (3) Spaces for Every Dwelling Unit
Dwellings, Multi-Family	One (1) <u>Two (2)</u> Spaces for Every Dwelling Unit	<u>Two and One-Half (2½) Spaces for Every Dwelling Unit</u>	Three (3) Spaces for Every Dwelling Unit
Manufactured Home Parks	Two (2) Per Manufactured Home	<u>Two and One-Half (2½) Per Manufactured Home</u>	Three (3) Per <u>Manufactured Home</u>
Special Congregate Facilities	One (1) Per Resident Staff Plus Two (2) for Every Three (3) Staff/Volunteers on Shift of Greatest Employment Plus One (1) for Each Vehicle Used in the Operation	<u>N/A</u>	One (1) Per Resident Staff Plus One (1) for Every Staff/Volunteer on Shift of Greatest Employment Plus One (1) for Each Vehicle Used in Operation
Institutional and Civic Uses			
Auditoriums, Public Assembly	One (1) Per Six (6) Seats or One (1) per Fifty (50) GFA (If No Seats)	<u>One (1) Per Four (4) Seats or One (1) per Forty (40) GFA (If No Seats)</u>	One (1) Per Three(3) Seats or One (1) Per Thirty (30) GFA (If No Seats)
Child and Adult Day Care Centers	One (1) Per Every Two (2) Employees on Shift of Greatest Employment Plus One (1) Space for Every Ten (10) Children	<u>N/A</u>	One (1) Per Every Employee on Shift of Greatest Employment Plus One (1) Space for Every Ten (10) Children
Civic, Social and Fraternal Organizations	One (1) Per 350 GFA	<u>One (1) Per 300 GFA</u>	One (1) Per 250 GFA

TYPE OF LAND USE	PARKING SPACES REQUIRED		
	Minimum	<u>* (Mid-range to Maximum must enhance water quality treatment)</u>	
		<u>Mid-range</u>	<u>Maximum**</u>
Correctional Institutions	Two (2) for Every Three (3) Employees on Shift of Greatest Employment Plus One (1) Per Six (6) Inmates Plus One (1) for Each Vehicle Used in the Operation	<u>N/A</u>	One (1) for Every Employee on Shift of Greatest Employment Plus One (1) Per Five (5) Inmates Plus One (1) for Each Vehicle Used in Operation
Country Clubs	One (1) Per 350 GFA Plus Two (2) for Every Three (3) Employees on Shift of Greatest Employment Plus Four (4) for Each Golf Course Hole	<u>N/A</u>	One (1) Per 250 GFA Plus One (1) for Every Employee on Shift of Greatest Employment Plus 6 (6) for Each Golf Course Hole
Emergency Service Facilities	One (1) Per Employee/Volunteer on Shift of Greatest Employment Plus One (1) Per Vehicle	<u>N/A</u>	No requirement
Government Buildings/Facilities	One (1) Per 300 GFA	<u>One (1) Per 225 GFA</u>	One (1) Per 150 GFA
Hospitals	One (1) Per Four (4) Beds Plus One (1) Per Employee/Volunteer on Shift of Greatest Employment	<u>One (1) Per Three (3) Beds Plus One (1) Per Employee/Volunteer on Shift of Greatest Employment</u>	One (1) Per Two (2) Beds Plus One (1) Per Employee/Volunteer on Shift of Greatest Employment
Museums, Galleries, Libraries	One (1) Per 500 Hundred GFA for Public Use Plus Two (2) Per Three (3) Employees/Volunteers on Shift of Greatest Employment	<u>N/A</u>	One (1) Per 300 GFA for Public Use Plus One (1) Per Employee/Volunteer on Shift of Greatest Employment
Religious Institutions	One (1) Per Four (4) Seats in Main Worship Space	<u>One (1) Per Three (3) Seats in Main Worship Space</u>	One (1) Per Two (2) Seats in Main Worship Space
Residential Care Facilities, Halfway Houses	One (1) Per Three (3) Rooms Plus One (1) Per Employee/Volunteer on Shift of Greatest Employment	<u>One (1) Per Two (2) Rooms Plus One (1) Per Employee/Volunteer on Shift of Greatest Employment</u>	One (1) Per Room Plus One (1) Per Employee/Volunteer on Shift of Greatest Employment
Schools - Business, Trade, Etc.	One (1) Per 200 GFA	<u>One (1) Per 175 GFA</u>	One (1) Per 150 GFA

TYPE OF LAND USE	PARKING SPACES REQUIRED		
	Minimum	<u>* (Mid-range to Maximum must enhance water quality treatment)</u>	
		Mid-range	Maximum**
Schools - Colleges and Universities	One (1) Per Five (5) Students Plus One (1) Per Employee	<u>N/A</u>	One (1) Per Two (2) Students Plus One (1) Per Employee
Schools - Elementary, Middle	Ten (10) Spaces Plus One (1) Per Teacher/Staff	<u>Twenty (20) Spaces Plus One (1) Per Teacher/Staff</u>	Thirty (30) Spaces Plus One (1) Per Teacher/Staff
Schools - High Schools	One (1) Per Five (5) Students Plus One (1) Per Employee	<u>N/A</u>	One (1) Per Two (2) Students Plus One (1) Per Employee
Theaters	One (1) Per Four (4) Seats	<u>One (1) Per Three (3) Seats</u>	One (1) Per Two (2) Seats
Recreational Uses			
Amusement Park	One (1) Per 200 Sq. Ft. of Activity Area	<u>One (1) Per 150 Sq. Ft. of Activity Area</u>	One (1) Per 100 Sq. Ft. of Activity Area
Athletic Fields	Twenty-five (25) Per Field	<u>Thirty-two (32) Per Field</u>	Forty (40) Per Field
Botanical Gardens/Nature Preserves	No Requirement	<u>N/A</u>	One (1) Per 300 Sq. Ft.
Golf Courses	Four (4) Per Hole	<u>Five (5) Per Hole</u>	Six (6) Per Hole
Public Parks and Recreation Facilities	By Function or One (1) Per 200 Sq. Ft of Activity Area	<u>By Function or One (1) Per 150 Sq. Ft of Activity Area</u>	By Function or One (1) Per 100 Sq. Ft. of Activity Area
Recreation Uses, Indoor	One (1) Per 200 GFA	<u>One (1) Per 150 GFA</u>	One (1) Per 100 GFA
Riding Stables	One (1) Per Two (2) Stalls	<u>N/A</u>	One (1) Per One (1) Stall
Swimming Pools	One (1) Per 100 Sq. Ft. of Water and Deck Space	<u>One (1) Per 75 Sq. Ft. of Water and Deck Space</u>	One (1) Per 50 Sq. Ft. of Water and Deck Space
Business, Professional and Personal Services			
Banks and Financial Institutions	One (1) Per 250 GFA Plus Stacking for Four (4) Vehicles at Each Drive-Thru Bay	<u>One (1) Per 187 GFA Plus Stacking for Four (4) Vehicles at Each Drive-Thru Bay</u>	One (1) Per 125 GFA Plus Stacking for Four (4) Vehicles at Each Drive-Thru Bay
Bed and Breakfast Homes	One (1) Per Guest Room Plus One(1) for Owner/Manager	<u>N/A</u>	One (1) Per Guest Room Plus Two (2) for Owner/Manager
Car Washes	One (1) Vehicle Space Per 500 GFA Including all Service Areas, Plus One (1) Per Employee	<u>One (1) Vehicle Space Per 450 GFA Including all Service Areas, Plus One (1) Per Employee</u>	One (1) Vehicle Space Per 400 GFA Including all Service Areas, Plus One (1) Per Employee
Construction Services	One (1) Per 600 GFA	<u>One (1) Per 400 GFA</u>	One (1) Per 200 GFA

TYPE OF LAND USE	PARKING SPACES REQUIRED		
	Minimum	<u>* (Mid-range to Maximum must enhance water quality treatment)</u>	
		Mid-range	Maximum**
Delivery Services	One (1) for Every Two Employees on Shift of Greatest Employment Plus One (1) Per Vehicle Used in Operation	<u>Two (2) for Every Three Employees on Shift of Greatest Employment Plus One (1) Per Vehicle Used in Operation</u>	One (1) Per Employee on Shift of Greatest Employment Plus One (1) Per Vehicle Used in Operation
Dry Cleaning and Laundry Services	Three (3) Spaces Plus Two (2) for Every Three (3) Employees on Shift of Greatest Employment Plus One (1) Per Vehicle Used in Operation	<u>N/A</u>	Five (5) Spaces Plus One (1) Per Employee on Shift of Greatest Employment Plus One (1) Per Vehicle Used in Operation
Funeral Homes	One (1) Per Four (4) Seats	<u>One (1) Per Three (3) Seats</u>	One (1) Per Two (2) Seats
Hair, Skin and Nail Services	Two (2) Spaces Per Operator Station Plus One (1) Per Two Employees on Shift of Greatest Employment	<u>N/A</u>	Three (3) Spaces Per Operator Station Plus One (1) Per Employee on Shift of Greatest Employment
Hotels and Motels, Inns	One (1) Per Room Plus One (1) Per 800 Sq. Ft. of Public Meeting and Restaurant Space	<u>One (1) Per Room Plus One (1) Per 600 Sq. Ft. of Public Meeting and Restaurant Space</u>	One (1) Per Room Plus One (1) Per 400 Sq. Ft. of Public Meeting and Restaurant Space
Kennels or Pet Grooming	One (1) Per 300 GFA Plus Two (2) for Every Three (3) Employees on Shift of Greatest Employment	<u>N/A</u>	One (1) Per 200 GFA Plus One (1) Per Employee on Shift of Greatest Employment
Medical and Dental Offices	One (1) Per 250 <u>375</u> GFA	<u>One (1) Per 312.5GFA</u>	One (1) Per 200 <u>250</u> GFA
Medical Laboratories	Two (2) for Every Three (3) Employees on Shift of Greatest Employment	<u>N/A</u>	One (1) for Every Employee on Shift of Greatest Employment
Motion Picture Production	Three (3) Per 1000 GFA	<u>N/A</u>	One (1) Per 1000 GFA
Offices, Not Listed Elsewhere	One (1) Per 300 <u>450</u> GFA	<u>One (1) Per 375 GFA</u>	One (1) Per 425 <u>300</u> GFA
Automobile Repair	Three (3) Per Service Bay Plus One (1) Per Service Vehicle Plus Two (2) for Every Three (3) Employees on Shift of Greatest Employment	<u>N/A</u>	Four (4) Per Service Bay Plus One (1) Per Service Vehicle Plus One (1) Per Employee on Shift of Greatest Employment

TYPE OF LAND USE	PARKING SPACES REQUIRED		
	Minimum	<u>* (Mid-range to Maximum must enhance water quality treatment)</u>	
		Mid-range	Maximum**
Services and Repairs, Not Listed Elsewhere	One (1) Per 300 GFA	<u>One (1) Per 250 GFA</u>	One (1) Per 200 GFA
Theaters, Drive-In	No Requirement	<u>N/A</u>	No Requirement
Theaters, Indoor	One (1) Per Four (4) Seats	<u>One (1) Per Three (3) Seats</u>	One (1) Per Two (2) Seats
Truck Washes	Three (3) Stacking Spaces Per Stall	<u>N/A</u>	Two (2) Stacking Spaces Per Stall
Veterinary Services	Four (4) Spaces Per Doctor Plus One (1) Per Employee Including Doctors	<u>Five (5) Spaces Per Doctor Plus One (1) Per Employee Including Doctors</u>	Six (6) Spaces Per Doctor Plus One (1) Per Employee Including Doctors
Truck Washes	Three (3) Stacking Spaces Per Stall	<u>N/A</u>	Two (2) Stacking Spaces Per Stall
Retail Trade and Food Services			
Drive Thru Services Associated with Food Service Operations	Stacking for Four (4) Vehicles at Each Bay, Window or Lane	<u>Stacking for Six (6) Vehicles at Each Bay, Window or Lane</u>	Stacking for Eight (8) Vehicles at Each Bay, Window or Lane
Fuel Oil Sales	Two (2) Per Three (3) Employees on Shift of Greatest Employment Plus One (1) Per Vehicle Used in Operation	<u>N/A</u>	One (1) Per Employee on Shift of Greatest Employment Plus One (1) Per Vehicle Used in Operation
Motor Vehicle, Motorcycle, Recreational Vehicle and Similar Sales and Rentals	Five (5) Plus One (1) Per 10,000 GFA of Display Area Plus Two (2) Per Three (3) Employees on Shift of Greatest Employment	<u>N/A</u>	Ten (10) Plus One (1) Per 10,000 GFA of Display Area Plus One (1) Per Employee on Shift of Greatest Employment
Restaurants	One (1) Per Four (4) Seats Plus Two (2) Per Three (3) Employees on Shift of Greatest Employment	<u>One (1) Per Three (3) Seats Plus Four (4) Per Six (6) Employees on Shift of Greatest Employment</u>	One (1) Per Two (2) Seats Plus One (1) Per Employee on Shift of Greatest Employment
Retail Sales, Except Those Listed Below	One (1) Per 250 GFA	<u>One (1) Per 200 GFA</u>	One (1) Per 150 GFA
Retail Sales of Bulk Items Which Require Large Amounts of Floor Space for the Number of Items Offered for Sale (i.e., Appliances, Furniture, etc.)	One (1) Per 400 <u>600</u> GFA	<u>One (1) Per 500 GFA</u>	One (1) Per 300 <u>400</u> GFA

TYPE OF LAND USE	PARKING SPACES REQUIRED		
	Minimum	<u>* (Mid-range to Maximum must enhance water quality treatment)</u>	
		Mid-range	Maximum**
Service Stations, Gasoline	Three (3) Per Service Bay Plus One (1) Per Service Vehicle Plus Two (2) Per Three (3) Employees on Shift of Greatest Employment	<u>N/A</u>	Four (4) Per Service Bay Plus One (1) Per Service Vehicle Plus One (1) Per Employee on Shift of Greatest Employment
Shopping Centers - Mixed Use	One (1) Per 250 <u>375</u> GFA	<u>One (1) Per 312.5 GFA</u>	One (1) Per 450 <u>250</u> GFA
Wholesale Trade			
Market Showrooms	One (1) Per 2,000 GFA	One (1) Per 1,500 GFA	One (1) Per 1,000 GFA
Wholesale Uses	Two (2) Per Three (3) Employees on Shift of Greatest Employment Plus Additional Spaces Per GFA for Area Devoted to Retail Space According to Retail Trade Schedule Above	<u>N/A</u>	One (1) Per Employee on Shift of Greatest Employment Plus Additional Spaces Per GFA for Area Devoted to Retail Space According to Retail Trade Schedule Above
Transportation, Information, Warehousing, Waste Management and Utilities			
Broadcasting Facilities	Two (2) Per Three (3) Employees on Shift of Greatest Employment	<u>N/A</u>	One (1) Per Employee on Shift of Greatest Employment
Transmitting Towers, Utility Lines, Etc.	No Requirement	<u>N/A</u>	No Requirement
Transportation Terminals	One (1) Per Employee Plus Spaces Required to Satisfy Projected Peak Parking Demand	<u>N/A</u>	No Requirement
Utility Offices	Two (2) Per Three (3) Employees on Shift of Greatest Employment Plus One (1) Per Company Vehicle	<u>N/A</u>	One (1) Per Employee on Shift of Greatest Employment Plus One (1) Per Company Vehicle
Warehouses	Two (2) Per Three (3) Employees on Shift of Greatest Employment Plus One (1) Per 350 GFA Open to the Public	<u>N/A</u>	One (1) Per Employee on Shift of Greatest Employment Plus One (1) Per 300 GFA Open to the Public
Warehouses, Self-Storage	Five (5) Spaces	<u>Seven (7) Spaces</u>	Ten (10) Spaces

TYPE OF LAND USE	PARKING SPACES REQUIRED		
	Minimum	<u>* (Mid-range to Maximum must enhance water quality treatment)</u>	
		Mid-range	Maximum**
Manufacturing and Industrial Uses			
Manufacturing/Industrial Uses	Two (2) Per Three (3) Employees on Shift of Greatest Employment Plus One (1) Per Company Vehicle	<u>N/A</u>	One (1) Per Employee on Shift of Greatest Employment Plus One (1) Per Company Vehicle

Principle 6
Parking Ratios

* Mid-range to Maximum must incorporate water quality treatment. If the number of spaces exceeds the Mid-range, the parking spaces over Mid-range shall incorporate a water quality feature, such as bioretention or other low impact development practices (see “Richland County Best Management Practices Manual”); or alternatively, if the number of spaces exceeds the Mid-range, five percent (5%) of the entire parking lot area shall incorporate a water quality feature, such as bioretention or other low impact development practices (see “Richland County Best Management Practices Manual”). Retention/detention ponds shall not be considered as meeting this water quality feature requirement.

** Maximum ratios indicate the maximum amount of impervious parking allowed. Parking may exceed the maximum amount provided that such additional area must be constructed of pervious material capable of supporting traffic flow, as approved by the County Engineer. The applicant has to provide a pervious material maintenance plan, if using a convention other than reinforced turf.

SECTION VIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-173, Off-street Parking Standards; Subsection (d), Design of Parking Areas; Paragraph (3), Size of Spaces; is hereby amended to read as follows:

- (3) Size of spaces. The minimum size of one parking space shall be nine (9) feet in width and eighteen (18) feet in depth; provided, however, up to twenty-five percent (25%) of the total parking provided may consist of compact parking spaces, which shall be a minimum of eight (8) feet in width and sixteen (16) feet in depth. All parallel parking spaces shall be nine (9) feet in width by ~~twenty-six (26)~~ twenty-three (23) feet in depth. See subsection (4) below for standards for accessible parking spaces.

SECTION IX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-175, Access; Subsection (a), General; is hereby amended to read as follows:

- (a) General. The standards contained in this section are designed to ensure that access to development in the unincorporated parts of Richland County does not impair the public safety and are the minimum necessary to provide safe access to the adjacent property for both pedestrians and vehicles. All proposed vehicle access points connecting to a public road shall conform to the provisions of this

section. Pervious materials, and two-track and shared driveway designs, are allowed and encouraged for driveways.

SECTION X. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-175, Access; Subsection (c), Driveway Standards; is hereby amended to read as follows:

(c) *Driveway standards.*

~~(1) Installation Standards.~~ All driveways shall be constructed in conformance with the standards described below, and with the applicable portions of Section 181 (c), regarding visibility at intersections. The term “Land Use Example” is only illustrative of the relative size of proposed projects and is not intended to be an exclusive list.

**TABLE 26 - VII-4
DRIVEWAY INSTALLATION STANDARDS**

Land Use Example	Driveway Classification	Projected Trips	Min. Width (ft)	Min. Radius Return (ft)
1 or 2 Family Residence	Low Volume	1-20 AADTs or 1-5 peak hour trips	10-24	15 <u>2</u>
Subdivisions, Apartments, or small commercial	Medium Volume	6-100 peak hour trips	24-40*	30-40
Convenience stores, gas stations or shopping centers	High Volume	101+ peak hour trips	Determined by TIA	Determined by TIA

* A 40-ft driveway is usually marked with two 12-ft wide right & left exit lanes and one 16-ft wide entrance lane. If a median divider is used at the entrance, the driveway width must be increased by the width of the median.

SECTION XI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-176, Landscaping Standards; is hereby amended to read as follows:

Sec. 26-176. Landscaping standards.

(a) *Purpose and applicability.*

(1) *Purpose.* Recognizing that trees and landscaping contribute to the public health, safety, and welfare, Richland County has set standards for landscaping throughout the unincorporated areas of the county. Among the benefits of trees, shrubs, and other plants are: improved air quality;

beneficial climate modification; reduction of glare, noise, odors and dust; reduction of storm water runoff and flooding; screening of undesirable views; provision of buffers between incompatible land uses; shelter and food for birds and other wildlife; and the aesthetic enjoyment provided by the diversity and dynamism of the planted landscape. All of these benefits contribute to a higher quality of life, enhancing the appeal and economic value of both residential and business properties in the county. It is the intent of the requirements set forth in this section to provide for landscaping along public rights-of-way (road protective yards), between dissimilar uses (buffer transition yards); and in and around parking lots (vehicular surface area landscaping). Screening for loading, trash collection, display, and utility areas is required and tree protection standards must be met for all developments to which this section applies. To ensure that landscaping continues to thrive and enhance the quality of life in Richland County, requirements for maintenance are also included.

(2) *Applicability.*

- a. Any new development must fully comply with the pertinent requirements of this section unless specifically exempted elsewhere in this chapter.

Exemptions: These requirements shall not apply to:

1. *Single-family detached and two-family dwellings.* Individual single-family detached and two-family dwellings that are located on separate lots recorded with the Richland County Register of Deeds office, and any existing lots zoned for single-family or two-family dwellings shown by a recorded plat on or before July 1, 2005, shall not be subject to the requirements set forth in this section. However, the construction in a subdivision of single-family or two-family homes shall be subject to buffer transition yards (Section 26-176(f)); tree protection (Section 26-176(j)), excluding street protective yards; and completion and maintenance (Section 26-176(k)).
2. *Public and private utilities.* Public and private utilities are not subject to the requirements of this section, except when a land development permit or subdivision approval is required. Such utilities may include, but are not limited to, storm drainage installation, road construction, water and sewer construction, and electric, gas, communications, and other similar service installations.
3. *Existing structures and vehicular surface areas.* Existing buildings, structures, and vehicular surface areas are exempt from the requirements of this section, unless they

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are involved in new construction or expansion as explained
in Section 26-176(a)(2)b. below.

- b. *Extent of compliance required.* Any new development, other than those exempted above, must fully comply with the requirements set forth in this section ~~except for the following~~:
1. *Vehicular surface area expansions.* Any new, additional or expanded portions of vehicular parking areas must fully comply with the requirements for vehicular surface area landscaping (Section 26-176(g)).
 2. *Expansions.* Any structure for which there is an expansion that, singularly or collectively, equals twenty-five percent (25%) or more of the gross floor area of an existing building and/or twenty-five percent (25%) or more of the existing vehicular parking area, must comply with the regulations of this section as follows:
 - [a] *Vehicular surface area requirements (Section 26-176 (g)).* Full compliance with vehicular surface area requirements in the area of expansion of said vehicular surface area and fifty percent (50%) compliance with the interior vehicular surface area planting requirements for the existing portions of the vehicular surface area.
 - [b] *Buffer transition and street protective yards requirements (Section 26-176(f) and Section 26-176(e)).* Full compliance is required.
 - [c] *Screening (Section 26-176(h)).* Full compliance with the screening standards is required for all trash collection, loading, or display areas.
 3. *Parking reductions to facilitate compliance in existing developments.* In order to facilitate compliance in situations involving expansion, the planning department may allow up to a ten percent (10%) reduction in the number of off-street parking spaces (Section 26-173; TABLE VII-1).
 4. *Any existing vehicular surface* that is used to satisfy the parking requirements for a new building must fully comply with buffer transition and street protective yard requirements (Section 26-176(f) and Section 26-176(e)).

(b) *Alternative compliance.*

- (1) *Generally.* Alternative landscaping plans or plant materials may be used where unreasonable or impractical situations would result from application of the landscaping requirements. Such situations may result from streams, natural rock formations, topography, or other physical conditions; or from lot configuration, utility easements, or other unusual site conditions.
 - (2) *Approval of alternative compliance.* The planning department may approve an alternate plan that proposes different plant materials or plans provided that the quality, effectiveness, durability, and performance are equivalent to that required by this section. In assessing equivalent performance of landscaping, the planning department shall take into account the number of plantings, species, arrangement and coverage, location of plantings on the lot, and the level of screening, height, spread, and canopy of the plantings at maturity.
 - (3) *Appeal.* Decisions of the planning department regarding alternate methods of compliance may be appealed to the board of zoning appeals.
- (c) *Landscape plan required.* Prior to obtaining a land development permit or grading permit, an applicant must receive approval of a landscape plan. A landscape plan is to be submitted with the site plan and shall include all information specified in the Development Design Manual. The plan shall be prepared by a landscape architect or other qualified landscape designer.
- (d) *Planting specifications.*
- (1) *Species.* Trees, shrubs, and other vegetative material shall be selected from those listed in the “Development Design Manual” or shall be approved by the planning department. Plants shall be adapted to the site conditions where they will be planted and native plantings shall be planted where possible. Trees to be planted shall meet or exceed minimum industry standards as described in ANSI Z60.1 (current version) – American Standards for Nursery Stock. Planting shall be done according to specifications developed from the most recent edition of the “Best Management Practices for Tree Planting”, published by the International Society of Arboriculture (www.isa-arbor.com).
 - (2) *Trees.*
 - a. *Size.* All ~~shade large and medium-maturing~~ trees planted in accordance with the requirements of this section, unless otherwise listed, shall be a minimum of ten (10) feet in height, and small-maturing trees shall be a minimum of eight (8) feet in height, when planted. ~~Both shade trees and small-maturing trees~~ All trees must be at least two (2) inches in caliper (measured one-half foot above ground level) when planted. However, any new trees above four (4) inches in caliper shall be measured twelve (12) inches above the ground.

- b. *Multi-trunk trees.* All multi-trunk trees must be in “tree form” with a maximum of five (5) stems or trunks and a minimum height of eight (8) feet at planting.
 - c. *Spread relationship.* The height-to-trunk caliper ratio, root ball sizes, or spread relationship for any tree to be planted shall meet the current “American Standards for Nursery Stock” as set forth by the American Association of Nurserymen.
- (3) *Shrubs.* All shrubs planted to meet the requirements of this section, unless required to be larger as set forth elsewhere, shall be a minimum of three (3) gallon container size, eighteen (18) inches in height, or fifteen (15) inches in spread (depending on whether the growth habit is upright or spreading) measured from the top of the root zone. Shrubs with fifteen (15) to twenty-three (23) inches of spread shall be planted on three (3) foot centers. Shrubs with greater than twenty-three (23) inches of spread shall be planted on five (5) foot centers. In no event shall spacing exceed five (5) feet on center nor shall plants be closer than two (2) feet to the edge of any pavement.
- (4) *Mulch.* All planted materials ~~are to~~ shall be mulched with an approved material in the amount (depth and area) specified in the “Development Design Manual”.
- (5) *Design.* All required landscape areas shall conform to the design principles and standards set forth in the county’s “Development Design Manual”.
- (6) *Diversity.* To curtail the spread of disease or insect infestation in a tree species, required plantings shall comply with the following standards:
- a. When fewer than twenty (20) trees are required on a site, at least two (2) different species shall be utilized, in roughly equal proportions.
 - b. When more than twenty (20), but fewer than forty (40), trees are required to be planted on site, at least three (3) different species shall be utilized, in roughly equal proportions.
 - c. When forty (40) or more trees are required on a site, at least four (4) different species shall be utilized, in roughly equal proportions.
 - d. Nothing in this paragraph (6) shall be construed so as to prevent the utilization of a larger number of different species than specified above.
- (e) *Street protective yards.*

- (1) *Location.* Street protective yards shall be located ~~along~~ within twenty (20) feet of all existing or proposed road rights-of-way that are adjacent to the property to which this section is applicable. Such street protective yards must be located on private property and not within any road right-of-way. Portions of the property needed for driveways are exempt from street protective yard requirements. No vehicular surface, storage, utility surface, display, loading, or service area shall be permitted in a required street protective yard.
 - (2) *Width/square footage.* The width of a required street protective yard may vary on the property, but the minimum width cannot be less than seven (7) feet and the minimum square footage of the street protective yard shall equal the length in linear feet of the property adjacent to the right-of-way times ten (10) feet.
 - (3) *Plantings.*
 - a. *Required trees for residential subdivisions and commercial developments.* Each street protective yard shall contain at least one (1) large-maturing ~~shade~~ tree, unless overhead utility lines are present. Any tree planted within the right-of-way of an overhead utility line shall be a small-maturing tree. If a large maturing tree is planted, a spacing of ~~forty (40)~~ thirty-five (35) feet must be used. If a small or medium maturing shade tree is planted, a spacing of ~~thirty (30)~~ twenty-five (25) feet must be used. No street protective yard shall contain less than one (1) ~~shade~~ tree. Existing trees 2-inch caliper or greater within the street protective yard and right-of-way will be counted towards meeting this requirement. Existing pine trees will be reviewed on a case-by-case basis.
 - b. *Ground cover.* The entire street protective area must be covered with living material so that no soil is exposed, including ground cover and/or shrubs, except for mulched areas directly around the trees.
- (f) *Buffer transition yards.* The buffer transition yard is a landscaped area designed to provide separation and screening between land uses of different impacts.
- (1) *Determination of buffer transition yard requirements:* To determine the buffer transition yard required between two (2) adjacent land uses, the following procedure shall be followed:
 - a. Identify the proposed new or expanding land use and each existing adjacent land use. Identify the land use impact of each of these identified uses as set forth in Table VII-6 below. A proposed land use is considered existing on an adjacent property when a building permit is issued for the use. If adjacent property is vacant, and no building permit has been issued for its use, its use shall be

determined by assigning it the highest level of impact in its zoning classification.

- b. Determine the type of buffer transition yard required on each boundary (or segment thereof) of the subject parcel by referring to Table VII-7 below. The letter designations in the table refer to the type of buffer yard required.
- c. Identify the buffer transition yard width and planting requirements for the required yard type as set forth in Table VII-8 below.

This process must be applied to each property line, except where the requirements of Section 26-176(e) concerning street protective yards apply.

(2) *Location.*

- a. *General.* Buffer transition yards shall be located on the property of the proposed or changing land use that is to be screened. Such transition yards shall be located between the property line and any vehicular use areas, buildings, storage, service areas, or other areas of activity on the property to be screened and shall extend along the entire property line abutting the less intensive land use. Ornamental entry columns and gates, flagpoles, lamp or address posts, mailboxes, approved driveway openings, public utility wires and poles, fences, retaining walls, or similar structures are permitted in required buffer transition yards, provided that the general separation of land uses is achieved and that the total number of required plantings is still met. Plantings shall not obstruct the view of motorists using any road, driveway, or parking aisle.
- b. *Planting/screening in easements.* No vegetative screening or fencing that is required by this section shall be planted inside utility and/or drainage easements, excluding overhead easements, without the consent of the planning department and the easement holder. If plantings or fences inside utility and/or drainage easement areas are allowed, these plantings and fences shall be maintained in accordance with the terms of consent and any applicable maintenance provisions. Any tree planted within the right-of-way of overhead utility lines shall be a small-maturing tree.
- c. *Buffer transition yards and required yards (setbacks).* Where front, side, or rear yards (setbacks) are required by this chapter, buffer transition yards may be established within such setbacks. If the setback requirement is less than the buffer transition yard requirement, the buffer transition yard width requirement shall prevail.

(3) *Land use impact table.*

TABLE VII-6

a. *Residential uses.*

Single family detached and duplexes	Low Impact Use
Single family low density	Low Impact Use
Single family medium density	Low Impact Use
Single family high density	Medium Impact Use*
Manufactured home parks	Medium Impact Use*
Multifamily, single family attached – three (3) to ten (10) units	Medium Impact Use
Multifamily, more than ten (10) units or high-rise	High Impact Use

b. *Institutional uses (public and semi-public).*

25,000 square feet or less	Medium Impact Use
Over 25,000 square feet	High Impact Use

c. *Office/commercial uses.*

25,000 square feet or less	Medium Impact Use
Over 25,000 square feet	High Impact Use

d. *Industrial uses.*

All industrial uses	High Impact Use
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e. *Recreational uses.*

Passive recreational uses	Low Impact Use
Active recreational uses	High Impact Use

f. *Other uses.*

For land uses not listed, the zoning administrator shall determine the land use impact based on the classification of similar uses.

* Denotes required buffer for the outer perimeter of the entire contiguous site abutting any public right-of-way.

(4) *Buffer transition yard types.*

**TABLE VII-7
BUFFER TRANSITION YARD TYPES**

PROPOSED USE	EXISTING ADJACENT LAND USE				
	LOW IMPACT	MEDIUM IMPACT RESIDENTIAL	MEDIUM IMPACT NON-RESIDENTIAL	HIGH IMPACT RESIDENTIAL	HIGH IMPACT NON-RESIDENTIAL
LOW IMPACT	NONE	B	C	C	D
MEDIUM IMPACT RESIDENTIAL*	B	NONE	C	B	D
MEDIUM IMPACT NON-RESIDENTIAL	C	C	NONE	B	A
HIGH IMPACT RESIDENTIAL	C	B	B	A	C
HIGH-IMPACT NON-RESIDENTIAL	D	D	A	C	NONE

* Denotes required buffer for the outer perimeter of the entire contiguous site abutting any public right-of-way.

- (5) *Buffer transition yard description table.* All proposed material planted to meet the descriptions set forth in the table below ~~may~~ shall be equally spaced in a staggered formation along the length of the required landscape buffer or placed so as to create one hundred percent (100%) opacity at plant material maturity.

**TABLE VII-8
BUFFER TRANSITION YARD STANDARDS**

TYPE "A" BUFFER			
Buffer Width	1 Large-<u>maturing</u> Canopy Tree Per	1 <u>Medium or Small-maturing</u> Deciduous Understory Tree Per	1 Shrub Per
10 - 15 Feet	300 Square Feet	400 Square Feet	50 Square Feet
16 – 20 Feet	400 Square Feet	450 Square Feet	50 Square Feet
21 – 30 Feet	500 Square Feet	500 Square Feet	75 Square Feet
31 – 50 Feet	600 Square Feet	550 Square Feet	125 Square Feet
51 + Feet	800 Square Feet	600 Square Feet	200 Square Feet
TYPE "B" BUFFER			
Buffer Width	1 Large-<u>maturing</u> Canopy Tree Per	1 <u>Medium or Small-maturing</u> Deciduous Understory Tree Per	1 Shrub Per
10 - 15 Feet	300 Square Feet	250 Square Feet	50 Square Feet
16 – 20 Feet	400 Square Feet	325 Square Feet	75 Square Feet
21 – 30 Feet	500 Square Feet	400 Square Feet	75 Square Feet
31 – 50 Feet	600 Square Feet	450 Square Feet	125 Square Feet
51 + Feet	800 Square Feet	500 Square Feet	200 Square Feet

TYPE "C" BUFFER			
Buffer Width	1 Large-maturing Canopy Tree Per	1 Medium or Small-maturing Deciduous Understory Tree Per	1 Shrub Per
10 - 15 Feet	300 Square Feet	200 Square Feet	25 Square Feet
16 – 20 Feet	400 Square Feet	250 Square Feet	50 Square Feet
21 – 30 Feet	500 Square Feet	300 Square Feet	50 Square Feet
31 – 50 Feet	600 Square Feet	350 Square Feet	75 Square Feet
51 + Feet	800 Square Feet	400 Square Feet	125 Square Feet
TYPE "D" BUFFER			
Buffer Width	1 Large-maturing Canopy Tree Per	1 Medium or Small-maturing Deciduous Understory Tree Per	1 Shrub Per
*10 - 15 Feet	300 Square Feet	200 Square Feet	50 25 Square Feet
16 – 20 Feet	400 Square Feet	175 225 Square Feet	25 50 Square Feet
21 – 30 Feet	500 Square Feet	275 Square Feet	50 Square Feet
31 – 50 Feet	600 Square Feet	325 Square Feet	75 Square Feet
51 + Feet	800 Square Feet	375 Square Feet	125 Square Feet

- ◆ * Note – Eight (8) foot stockade fence required for ten (10) – fifteen (15) foot Type “D” buffer.
- ◆ All existing healthy trees retained in buffer areas, ~~can~~ may be credited toward meeting the bufferyard requirements.
- ◆ All buffer widths greater than fifteen (15) feet must be rounded up to the next whole number.

(6) *Buffer yard reductions.* Below are listed mechanisms by which the width of a required buffer transition yard may be reduced. Notwithstanding any of the provisions set forth in this section, no property on which a buffer transition yard is required shall have such a yard that is less than ten (10) feet in width.

a. *Fences.* The addition of a closed wooden fence in the required transition yard allows reduction of the required width of the applicable buffer transition yard by fifty percent (50%) if said fence meets the following standards:

1. *Height and arrangement.* The fence must be a minimum of eight (8) feet in height, measured on the side facing away from the property to be screened. Such fence must also have its finished side facing away from the property to be screened. The fence shall be solid and opaque, and shall include provision for access to all landscape materials.
2. *Materials.* Rot-resistant wood is the acceptable material. Chain link fencing does not meet buffer yard standards. Materials used should be consistent with materials, other than chain link fencing, commonly used in surrounding neighborhoods.

3. *Required plantings.* The number of required trees and shrubs is reduced by fifty percent (50%) in a buffer yard in which a fence is installed. At least one-half (½) of the required plantings shall be installed and maintained on the side facing the less intensive use.
 4. *Construction.* The buffer fence installation shall be incorporated as early as possible in the sequence of construction.
- b. *Masonry walls.* The addition of a masonry wall along the length of the required buffer yard allows reduction of the required width of the yard by fifty percent (50%) and the amount of required plantings by fifty percent (50%), if said wall meets the following standards:
1. *Height.* The wall must be a minimum of six (6) feet in height measured on the side of the wall facing away from the property to be screened.
 2. *Materials.* Materials shall be brick, stone, stucco, or textured block. The exterior surface of the wall shall not be of cinder block.
 3. *Required plantings.* If a masonry wall that meets the above standards is installed, the planting of shrubs shall be optional and not mandatory, and small-maturing trees may replace one-half of the required shade trees. The requirement that one-half of the buffer yard's trees shall be evergreen still applies.
- c. *Grade elevation changes.* The existence of a natural or man-made grade separation in the required buffer transition yard allows reduction of such yard by twenty-five percent (25%) in width if said elevation change achieves a screening effect similar to a fence and meets the following standards:
1. *Elevation.* The grade change must be at least six (6) feet in elevation.
 2. *Slope.* The side slopes of such grade ~~may~~ shall not be greater than three to one (3:1).
 3. *Retaining wall.* A greater slope is allowable if it is retained by a structurally sound retaining wall that meets engineering standards for such a wall.
 4. *Relationship to properties from which developing property is to be screened.* The developing property must be located

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at an elevation lower than the properties from which it is to
be screened.

5. *Location of required plantings.* In order to maximize the effectiveness of the screen, the required plantings shall be located at the top of the slope in the reduced buffer transition yard.
- (7) *Buffer material specifications.* See Section 26-176(d) for general specifications for trees, shrubs, and other vegetation.
- a. *Trees.*
 1. *Size.* Except as provided above under subsection (6), trees planted in a buffer transition yard shall be large ~~shade~~ maturing trees unless within fifteen (15) feet of an overhead power line, in which case small maturing trees that will not exceed 15-20 feet in height at maturity shall be used.
 2. *Species.* One-half (½) of the required trees shall be locally adapted evergreen species.
 3. *Distribution.* Trees shall be distributed throughout the yard so as to minimize gaps between them. Trees counted to meet the required number shall be spaced at least ten (10) feet apart.
 - b. *Shrubs.* All shrubs are to be evergreen and shall be a minimum of three (3) feet in height and have a minimum crown width of twenty-four (24) inches when planted. All shrubs shall be expected to reach a height of eight (8) feet or greater (to maximize screening potential) within three (3) years of planting, and shall not be spaced greater than six (6) feet on center.
- (g) *Vehicular surface area landscaping.*
- (1) *General.* Vehicular surface areas shall comply with the following landscape standards. There are two (2) vehicular surface area planting requirements that may apply to a development. One requirement deals with screening and the other deals with interior parking lot plantings.
 - (2) *Vehicular surface area separation/screening.*
 - a. *Separation.* When any vehicular use area is located within twenty (20) feet of an abutting property and no buffer yard is required, a planting strip shall be provided to ensure that parking lots are separated from one another. The planting strip shall be a minimum of five (5) feet wide and shall be planted between the parking,

loading or other vehicular use area and the abutting property, except along approved driveway openings. Five (5) evergreen or deciduous shrubs, at least twenty-four (24) inches in height and maintained at thirty-six (36) inches in height, shall be planted for every twenty (20) linear feet of property line that parallels the vehicular surface area. The remaining ground area shall be mulched or planted in a variety of evergreen plants, hydro-seed or sod. Adjacent businesses on separate lots that share parking or driveways shall be exempt from this requirement.

- b. *Screening from roads, sidewalks, or alleys.* In addition to requirements for street protective yards (see Section 26-176(e)), vehicular use areas shall be screened from adjacent roads, sidewalks, or alleys. The space in which this screening is to be located (which shall be at least the width required for the street protective yard, or where no street protective yard is required, a minimum of five (5) feet) shall be planted with a screen that meets the following standards. The space shall be planted with a fifty percent (50%) opaque, continuous screen that must be at least three (3) feet high and ~~can~~ consist of plant material alone or berms, fences, walls, or grade changes combined with plant material. A vegetative buffer shall consist of at least one (1) evergreen or deciduous shrub planted for every five (5) feet of vehicular use area screen required. Such shrubs shall be at least twenty-four (24) inches in height and shall be maintained at a height of thirty-six (36) inches. If a fence or wall is used, at least one (1) shrub must be planted for every eight (8) linear feet of fence or wall. Berms and grade changes must be completely covered with vegetation.
- c. *Groundcover.* Grass or other ground cover shall be placed on all areas within all perimeter landscape areas not occupied by other landscape material or permitted access ways.
- d. *Use of perimeter landscape areas.* Vehicle stops or other design features shall be used in all parking facilities without curbing so that parked vehicles do not overhang more than two (2) feet into perimeter landscape areas. The vehicle side of the wheel stop shall be no more than eighteen (18) inches from the end of the parking space.

(3) *Vehicular surface area interior landscaping.*

- a. *Placement.* The required interior landscaped planting areas ~~are to~~ shall be placed in any of the following locations: within or adjacent to the parking lot area as tree islands; at the end(s) of parking bays; inside medians that are ~~five (5)~~ eight (8) feet or greater in width; as part of a continuous street protective yard; or as a vehicular surface area separation yard.

- b. *Plants quantity.* Vehicular parking areas ~~are to~~ shall be planted with one (1) large shade tree for every twenty (20) parking spaces. Each planting area shall contain at least one (1) large maturing shade tree. Within fifteen (15) feet of overhead power lines, small maturing trees shall be planted in place of large shade trees at a rate of two (2) small trees for each required large shade tree. When planted in groupings, trees must be planted a minimum of twenty-five (25) feet apart. Planted trees shall be a minimum of two (2) inch caliper to a maximum of three (3) inch caliper. The tree species used shall be limited to those that are listed in the current and approved "Tree Listings", which is on file in the Planning Department, and can tolerate wet and dry conditions. Trees and plants that are planted in parking lot islands that function as stormwater quality treatment BMPs must consist of native trees and plants.
- c. *Distance from parking spaces.* No vehicular parking space shall be located farther than ~~forty (40)~~ fifty (50) feet from the tree trunk of a shade tree in a planting area with one (1) tree. Distances between trees and parking spaces separated by intervening building(s) ~~may~~ shall not be considered in meeting this requirement.
- d. *Size of planting areas.* Unless otherwise provided, a minimum of two hundred (200) square feet of planting area is required for each tree. No portion of the planting area shall be less than five (5) feet in width or length.
- e. *Large vehicular surface areas greater than two (two) acres in size (parking lots and vehicular display areas).* In addition to the requirements set forth in subsection b, above, all new and expanded vehicular surface areas greater than two acres in size shall meet all of the following (unless exempt under Section 26-176(a)(2)b.2.):
1. *Planted Median Strips.* Large vehicular surface areas (parking lots and vehicular display areas) must be broken by continuous planted medians. Four (4) planted medians, each containing at least one thousand one hundred thirty four (1,134) square feet of planted area, are required for every two (2) acres, rounded off to the closest two (2) acre increment. The minimum median width shall be ~~seven (7)~~ eight (8) feet. The length of the planted median shall be uninterrupted except for access ways.
 2. *Industrial and Warehouse (storage, loading, and maneuvering areas).* All existing, new, and expanded storage, loading, and maneuvering areas are exempt from subsection (3)e. above. All other parking areas (excluding trailer parking) shall be subject to subsections (3) a., b., c., and d. above.

- (h) *Screening for loading areas, trash collection areas, outdoor storage display areas, and utility service areas.* All loading areas, trash collection areas (including dumpsters), outdoor storage display areas, and utility service areas visible from a public road or adjacent property line shall be screened from such adjacent road or property unless already screened by an intervening building or buffer transition yard Landscaping shall not interfere with the access and operation of any such structure or facility. Screen types include:
- (1) *Hedge.* A continuous hedge of evergreen and/or densely twigged deciduous shrubs planted in a five (5) foot strip spaced a maximum of five (5) feet apart or a row of evergreen trees planted no more than eight (8) feet apart. The shrubs shall be planted at a minimum height of forty-eight (48) inches and the hedge shall exceed the height of the receptacle by at least six (6) inches at the plants' maturity.
 - (2) *Fence or wall.* A fence or wall that matches the height of the receptacle and with the finished side of the fence facing the abutting road or property. Fences longer than twenty-five (25) linear feet shall be landscaped with trees and/or shrubs planted in a minimum five (5) foot planting area, except around access areas, spaced no further than eight (8) feet apart in order to screen at least fifty percent (50%) of the fence or wall.
- (i) Screening for stormwater management area. Unless designated as an integral part of a landscape plan or features as an amenity (i.e., water features in a wet bottom basin or recreation/open space in a dry bottom basin), all detention ponds, retention ponds, or other similar holding area shall be screened from view from any existing or future private or public street and from adjoining developable property.
- (j) *Visual screening for thoroughfares and arterial roadways.* Thoroughfares or arterial roadways, when constructed within areas zoned for residential use, shall provide a continuous visual screen consisting of vegetation, berms, embankments, or a combination of such materials, as appropriate. The use of existing vegetation is encouraged. When the existing vegetation is inadequate to function as a visual screen, it shall be augmented by two (2) staggered rows of shrub material, which will provide such a screen at maturity.
- (k) *Protection of existing trees during development.* No grand tree ~~may~~ shall be removed unless it is determined that there is no alternative due to unavoidable grading or because of required configuration of essential utilities or buildings. In addition, where tree protection is required, no grading or other land-disturbing activity can occur on a site ~~with existing trees (that are designated to be preserved in order to meet the landscaping requirements)~~ until protective barriers are installed by the developer. Protective barriers must protect the entire critical root zone. No grading, trenching or equipment shall occur within the protective barrier unless an alternative plan has been submitted to and approved by the Planning Department. All work performed inside the protective barrier, including tunneling underneath the critical root zone, must be approved by the Planning

Department and under the supervision of a certified arborist. The diameter of the preserved trees and the location of protective barriers must be shown on the landscape and grading plans, with the dimension between the tree trunk and barrier indicated. A description of acceptable protective barriers is set forth in the “Design Manual”, which is on file in the Planning Department.

- (1) *Trees to be protected:* On sites where compliance with this section is required, the owner/developer shall protect the following trees:
 - a. Grand trees.
 - b. All ~~hardwood~~ trees in fair or better condition that are ~~nine (9)~~ ten (10) inches in diameter or larger that are located in a protected zone (a portion of the property required by permit to remain in natural open space or areas required by permit to be landscaped, or to be used as buffer transition yards and/or street protective yards).
 - ~~c. All pine trees in fair or better condition that are ten (10) inches to twenty (20) inches in diameter that are located in a protected zone (a portion of the property required by permit to remain in natural open space or areas required by permit to be landscaped, or to be used as buffer transition yards and/or street protective yards).~~
- (2) *Tree replacement plan.* In accordance with subsection (j)(1) above, a tree replacement plan shall be submitted and approved before any protected trees are removed. Grand trees that have been approved for removal shall be replaced at a ratio of 6:1, with trees at a minimum of 2-inch caliper to a maximum of three (3) inch caliper.” All other pProtected trees that have been approved for removal shall be replaced at a ratio of 3:1, with trees at a minimum of 2-inch caliper to a maximum of three (3) inch caliper.”
- (3) *Exemptions – tree protection.* Commercial timber, tree farms, agricultural operations, or timber clearing on private property are exempt from tree protection requirements, but must comply with the buffer requirements and other voluntary protective measures known as “Best Management Practices (BMPs)”, as published by the South Carolina Forestry Commission. In addition to the BMPs, this shall include an undisturbed buffer along the entire perimeter of the property, including road frontages, except for approved access crossings. Such buffer shall be fifty (50) feet wide or equal to the required setback for the zoning district in which the property is located, whichever is greater.
- (4) *Tree protection plan.* A tree protection plan shall be submitted prior to any proposed grading or clearing on site. The following information shall be identified and submitted:
 - a. An infra-red and/or aerial photograph (no more than 5 years old) may be utilized to assist in the location of the protected trees. A tree protection plan shall be submitted identifying the footprint or

proposed footprint of any building or structure, areas of clearing, grading, trenching, and other earth moving activities, protected trees and/or groupings of trees designated to be saved (including estimated number and average diameter or circumference), tree protection zones, ponds, creeks, wetlands, and other important natural features.

- b. If the information provided in subsection ~~paragraph~~ a. above is inadequate to develop an approved tree protection plan, a site visit or a tree survey or inventory of the affected area may be required.

(5) *Tree survey or inventory.* ~~If a tree survey is required, it shall be prepared by a certified arborist, licensed engineer, forester, landscape architect, or surveyor that will determine the size, species, health, condition, and structural integrity of forest trees and whether or not said trees are in good enough condition and safe enough to live beyond construction activity. A tree survey or inventory is required for all areas that are intended for development, as well as all undisturbed areas that contain trees that are being retained to meet the requirements of this subsection (k). The tree survey shall be prepared by a licensed and/or certified arborist, engineer, forester, landscape architect, or surveyor that will determine the size, species, health, condition, and structural integrity of forest trees and whether or not said trees are in good enough condition and safe enough to live beyond construction activity.~~

~~(k)~~ *Completion and maintenance.* The owner or lessee of the property where landscaping is required shall be responsible for the maintenance and protection of all plant and screening material and fencing. Landscaped areas shall be maintained in good condition. No required landscape area shall be used for accessory structures, trash collection, parking, or other functional use unless otherwise specified in this chapter. Deed restrictions may be placed on lots that require each owner to maintain that portion of screening or landscaping that is on his/her property. Where a homeowners' association and annual funding is required by appropriate, enforceable deed restrictions, the screening and landscaping may be either on a separately described private parcel of land or on private property in a landscape easement, in common ownership of the homeowners' association of said subdivision, and shall be maintained by the homeowners' association. Failure to maintain plant material, or to replace dead, damaged, or diseased material, or to repair a damaged buffer structure shall constitute a violation of this chapter. All landscaping shall be installed in accordance with the approved landscape plan unless revisions are approved by the planning department and noted in writing on the plan. Neither a certificate of occupancy nor a business license for any business or use on a site with such an approved plan shall be issued until the installation of the required landscaping is approved or a performance guarantee is posted with the planning department in the minimum amount of one hundred twenty five percent (125%) of the total cost of the required uncompleted landscaping, including the labor. A site not requiring a certificate of occupancy ~~may~~ shall not be used until the required landscaping is installed or a guarantee posted. The guarantee shall be released and returned to the

party posting the guarantee upon installation of all required landscaping and acceptance by the planning department of such installation. If the landscaping is not complete and in accordance with approved plans, the guarantee shall be forfeited to and used by Richland County to complete the required landscaping with any remaining funds being returned to the party who posted the guarantee.

(m) Irrigation. All required planting areas, except stormwater management areas in residential subdivisions, shall be mechanically irrigated, provided that plant material in detention ponds, retention ponds, or other similar holding areas may be manually watered with water bags for at least one (1) year to ensure that the landscape is established. Bubbler or drip irrigation systems are required in order to reduce water consumption and overspray onto pedestrian and vehicle use areas. This shall include all required planting areas except areas within developments containing less than ten (10) parking spaces. However, these exempted areas shall have an exterior water source (such as a hose bib) located within one hundred (100) feet of all required planting areas. Irrigation systems should first make use of all available surface runoff or other retained or detained stormwater as the water supply source. If the project area is required to be irrigated, an irrigation plan must be provided, or the following statement must be provided on the site and landscaping plan: "All planting areas shall be mechanically irrigated".

(n) Mitigation policy. When protected trees have been removed or damaged without authorization, a restoration plan, depicting the type, size, and proposed location of each replacement tree, shall be submitted to the planning department for approval. The zoning administrator may require tree replacement at a ratio not to exceed 4:1, with trees at a minimum of 4-inch caliper. No certificate of occupancy shall be issued for any development until all applicable restoration conditions have been met.

SECTION XII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-179, Pedestrian, Bicycle, and Transit Amenities; Subsection (a), Sidewalks and Other Pedestrian Amenities; is hereby amended to add two new paragraphs, to read as follows:

(5) Alternative to sidewalk. If a trail network is designed to be functionally superior or equivalent to a standard sidewalk plan, then it may be used as a viable alternative. Functionality should be assessed based on connectivity, rather than linear feet.

(6) Waiver of sidewalk requirement. Strict sidewalk requirements may be waived on a case by case basis, particularly if connectivity is improved by alternative systems.

SECTION XIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-181, Road Standards; Subsection (b), Design Standards for Public or Private Roads; is hereby amended to read as follows:

(b) Design standards for public or private roads.

(1) Paving and curb requirement. All new roads must be paved and include curbs and enclosed drainage systems unless otherwise provided in this Section (or unless exempted pursuant to Section 26-224).

(1)(2) Right-of-way and pavement widths.

- a. *Minimum standards.* Minimum rights-of-way and pavement widths shall be as follows, unless reduced by the development review team during land development or subdivision review and approval:

<i>Road Classification</i>	<i>Minimum ROW (ft)</i>	<i>Minimum Pavement Width (ft)</i>
Park Road (One-way)	41	17
Minor Rural	66	20
Rural	66	22
Minor Residential	50	21 <u>22</u>
Local Residential	50	25 <u>24</u>
Local Commercial	66	36
Collector	66	36
Industrial	80	36
Arterial	100	53
Loop Lane	40	16

Pavement width for rural roads shall be measured from pavement edge to pavement edge. Residential, commercial, collector, and industrial roads shall measure pavement width from back-of-curb to back-of-curb or from low-point-of-valley to low-point-of-valley. The mixing of rural and any other road classification is prohibited. Curb and gutters shall be installed on all paved roads unless the county engineer determines that another system is acceptable. Roads without curb and gutter shall have a minimum right-of-way of sixty-six (66) feet, provided, however, when although curb and gutters shall be installed on all paved roads unless the county engineer determines that another system is acceptable. stormwater swales or other stormwater features are located along the roadside and specifically outside of the right-of-way, then the right-of-way may be reduced to fifty (50) feet. The stormwater swales or other stormwater feature must be within a minimum eight (8) foot drainage easement or conservation easement, with clearly defined maintenance by a private owner or homeowners' association.

- b. *Additional right-of-way.* In the event the development of property includes or abuts an existing platted county road that does not conform to the minimum requirements set forth in this chapter, or in the event that the development will result in an increase in the average daily traffic using the road to the extent that the classification of the road will change under these regulations, or

the road is shown on the county's thoroughfare plan, the preliminary land development (land development or subdivision) plan must provide for sufficient right-of-way to increase the size of the right-of-way to the width needed under the new classification. In the event that the development abuts only one (1) side of such a road, the additional right-of-way reserved shall not exceed one-half ($\frac{1}{2}$) of the additional right-of-way required under the new classification, measured from the centerline of the existing right-of-way. The plat shall clearly denote that any subject right-of-way described above is reserved for future road widening. Lot area requirements and setback requirements shall not use the reserved right-of-way area in their measurements.

~~(2)~~(3) *Connectivity.*

- a. *Extension of existing roads.* The arrangement of roads in a subdivision shall provide for the alignment and continuation or extension of existing roads in adjoining areas in compliance with the standards set forth in this section. Greater widths may be required if the existing road is identified for widening in the county's thoroughfare plan.
- b. *Access to undeveloped property.* Where it is deemed necessary to the development of a logical road pattern and transportation network, roads and rights-of-way shall be extended to the boundary of adjoining property. Incompatible characteristics of adjoining property shall be given due consideration in making a determination of what shall constitute a logical road pattern. Reserve strips adjoining road rights-of-way for the purpose of preventing access to adjacent property shall not be permitted.
 1. *Construction of road connections.* Where required for a logical road pattern, road extensions or connections may be built. In the event that the adjoining property is later developed in such a manner that it is determined that the connection will not be necessary for a logical road pattern, the connection may be abandoned and divided proportionally among adjoining landowners. Temporary dead end roads shall be provided with a temporary turnaround having a roadway surface diameter of eighty (80) feet, or other approved type of turnaround.
 2. *Reservation of road connections.* In certain situations, the ~~planning commission~~ development review team may permit a platted lot to be "reserved for future connection" in lieu of construction of the road connection, in which case an escrow account will be established in favor of the county for a ten (10) year period in an amount determined by the county engineer to cover the cost of construction. In the

event the connection is constructed, any remaining property shall be conveyed to adjoining property owners and the balance of the escrow account refunded to the developer. In the event that the adjoining property is later developed in such a manner that it is determined that the connection is not required or desirable, the reservation will be terminated, ownership of the lot will remain with the developer and the escrow account refunded to the developer. If the extension has not been constructed within the ten (10) year period, the ~~planning commission~~ development review team will determine the continued necessity of the extension and either extend the time of the escrow account or recommend that the reservation be terminated, with ownership of the lot remaining with the developer and the escrow account being refunded to the developer.

e. ~~*Gated communities.* Gated communities are discouraged but are permitted. Roads within gated communities will not be taken over by the county for road maintenance.~~

c. *Conservation areas.* One private access easement shall be allowed across a conservation area, provided that such access is at least twenty (20) feet in width and provides access to no more than one (1) parcel.

~~(3)~~(4) *Cul-de-sacs.*

a. *General.* Cul-de-sacs shall not be used to avoid connection with an existing road or to avoid connection to adjoining property. ~~In general,~~ ~~e~~Cul-de-sacs shall not be used to provide access to development on the boundary of the development except where, ~~in the opinion of the planning commission,~~ a cul-de-sac is necessitated by topography or property accessibility, or is appropriate for land use separation.

b. *Cul-de-sac length.* Cul-de-sacs shall not exceed ~~eight hundred (800)~~ one thousand two hundred (1,200) feet in length unless necessitated by topography or property accessibility, and are approved by the ~~planning commission~~ development review team. Measurement shall be from the point where the centerline of the dead end road intersects with the centerline of a general circulation road to the center of the turnaround of the cul-de-sac. Where one cul-de-sac extends from another cul-de-sac, the end of each cul-de-sac shall be no more than ~~eight hundred~~ one thousand two hundred (1,200) feet from a general circulation road as measured by the centerline of the roads.

c. *Cul-de-sac design.* Cul-de-sacs shall terminate in a circular turnaround having a minimum right-of-way of at least one hundred

(100) feet in diameter and a paved turnaround with a minimum outside diameter of eighty (80) feet, or other approved type of turn around, including T's, Y's or landscaped islands with a minimum right-of-way sufficient for county maintenance. In addition, all cul-de-sacs must have a landscaped interior island, at least forty (40) feet in diameter. The minimum pavement width around a cul-de-sac island shall be sixteen (16) feet, and this portion of the pavement shall be designated as a one-way for traffic purposes. A provision for adequate drainage must be designed for the island; and a provision for maintenance of landscaping on the island must be included in the recorded restrictive covenants for the subdivision.

~~(4)~~(5) *Temporary dead-end road and half roads.*

- a. *Temporary dead-end roads.* Temporary dead-end roads shall be provided with a temporary turnaround having a roadway surface diameter of eighty (80) feet, or other type of approved turnaround.
- b. *Half roads.* Half roads of less than two (2) lanes are prohibited. Whenever a road is planned adjacent to the proposed development tract boundary, the entire road right-of-way shall be platted within the proposed development, or a portion of the road may be platted and reserved with adequate provision for the concurrent dedication of the remaining portion of the right-of-way by the adjacent landowner, evidence of which shall be furnished by the developer through an acquired and recorded easement.

~~(5)~~(6) *Intersections.* All road intersections shall be designed in substantial compliance with the applicable requirements of SCDOT's "Access & Roadside Management Standards", published in August 2008.

(7) *Loop lanes.* Loop lanes shall be a minimum of sixteen (16) feet in width for one-way traffic, and the exterior radius shall be no less than forty (40) feet.

(8) *T-roads.* See the "Road Design Standards" manual kept in the Department of Public Works.

(9) *Main Roads – twenty-four (24) feet pavement width.*

(10) *Park Roads – seventeen (17) feet pavement width. On cul-de-sac bulbs, the inside radius shall be a mountable curb. The "Park Road" paving detail (see the "Road Design Standards" manual kept in the Department of Public Works) may only be used when there is sufficient off street parking to provide three (3) parking spaces per dwelling unit, and the total future parcels served by the road do not exceed twenty-five (25). For common areas, a shared parking space shall be considered as the equivalent of one and one-half (1½) dwelling parking spaces.*

~~(6)~~(11) *Other design standards.*

- a. *Reverse curves.* On state maintained roads, tangent distances shall be determined by the use of South Carolina Department of Transportation standards. On other roads, the Richland County design standards shall apply.
- b. *Road grades.* Grades on roads not classified shall be established by the South Carolina Department of Transportation or by the county engineer. Grades on collector roads shall not exceed eight percent (8%) unless topographic conditions make this impractical. Grades on residential roads shall not exceed fifteen percent (15%), unless topographic conditions make this impractical. All roads shall have a minimum grade of not less than one-half ($\frac{1}{2}$) of one percent (1%).
- c. *Horizontal curves.* Where a deflection angle of more than ten (10) degrees occurs in the alignment of a road, a curve of reasonable radius shall be introduced. On roads not classified, the center line radius of curvature shall be determined by the South Carolina Department of Transportation or by the county engineer. On collector, industrial, or commercial roads, the center line radius of curvature shall not be less than three hundred and fifty (350) feet. On local residential roads, the center line radius of curvature shall not be less than one hundred and fifty (150) feet unless the topography of the land to be subdivided makes this impractical.
- d. *Vertical curves.* Minimum stopping sight distance on roads not classified shall be determined by the South Carolina Department of Transportation or by the county engineer. On collector, industrial, or commercial service roads, the minimum stopping sight distance shall be two hundred and seventy-five (275) feet (forty miles per hour) and on minor residential roads, one hundred sixty (160) feet (twenty-five miles per hour). Stopping sight distances shall be measured from a height of eye of three (3) feet, nine (9) inches to an object with a height of six (6) inches, both distances measured above the centerline of the road or road. Stopping sight distance shall be determined in accordance with the standards of the American Association of State Highway Officials.
- e. *Split-level roads.* Roads that are constructed so as to have two (2) traffic ways, each at a different level within the same right-of-way, shall provide a paved traffic surface of at least twenty (20) feet on each level and a slope between the two (2) traffic ways of 6:1 or flatter.
- f. *Alleys.* Alleys shall only be permitted as approved by the county engineer.

- g. *Access to parks, schools, etc.* Convenient access to places of public assembly must be ensured in all development. See also Section 26-179 of this chapter for pedestrian amenity requirements.
- h. *Railroad rights-of-way.* Developments adjacent to railroad rights-of-way shall be required to provide for future railroad crossings.
- i. *Marginal access roads.* In order to reduce traffic congestion, marginal access roads shall be required between arterial roads and the adjacent development. Additionally, the ~~planning commission~~ development review team may require marginal access roads between collector roads and adjacent development, if the conditions warrant.
- j. *Grading and paving.* All grading and paving work done on new roads or road improvements must be approved by the county engineer.
- k. *Road signs/traffic control devices.*

[1] Road signs, in conformance with the requirements of the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2009 Edition with Revisions 1 and 2 incorporated*; provided, however, if a later edition is published, this latest edition shall be used; and with the addressing coordinating specialist, shall be located at all intersections in a manner approved by the county engineer. Any sign within a new development shall be installed by the developer at his/her own expense. Signs will be aluminum blanks on metal posts fabricated and mounted in a standard design established by the director of public works. Such signs shall have white reflective lettering a minimum of six (6) inches in height on a reflective background. Signs located on multi-lane roads with a speed limit of 40 mph or greater shall have lettering a minimum of eight (8) inches in height. A green background shall denote a public road and a blue background shall denote a private road.

[2] All traffic control devices required by the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2009 Edition with Revisions 1 and 2 incorporated* shall be installed by the developer at his/her own expense. All devices shall conform to the required size and reflectivity found in the *Manual on Uniform Traffic Control Devices 2009 Edition with Revisions 1 and 2 incorporated*. Provided, however, if a later edition of the

“Manual on Uniform Traffic Control Devices” is published, this latest edition shall be used.

1. Alternative to curbed drainage. Minor rural roads and rural roads may be exempt from the requirement to have curbs, subject to the following conditions:

[1] A minor rural road shall provide access to less than twenty (20) lots that are each greater than five (5) acres in size, and a rural road shall provide access to less than fifty (50) lots that are each greater than five (5) acres in size.

[2] For design criteria, see the “Road Design Standards” manual kept in the Department of Public Works.

SECTION XIV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VIII, Resource Protection Standards; Section 26-201, Stormwater Management and SWPPPs; Subsection (c), Requirements and Standards; Paragraph (3), Secondary Drainage Channel and Surface Requirements; Sub-paragraph g., Additional Development Requirements; Clause 1.; is hereby amended to read as follows:

1. *Single-family residential, duplex or manufactured home development.* Site grading for single-family, duplex, or manufactured home development shall be carried out in such a manner that surface water from each dwelling lot will flow directly to a storm sewer, improved channel, sodded swale, or paved road without running more than two hundred (200) feet. Rooftop runoff may be directed to pervious areas, infiltration practices, rainwater harvesting systems, or other stormwater treatment facilities on the dwelling lot.

SECTION XV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article X, Subdivision Regulations; Section 26-221; is hereby amended to read as follows:

Sec. 26-221. Purpose.

The purpose of these subdivision regulations is to provide criteria for the development of subdivisions, reduce infrastructure maintenance costs as a result of efficient community design, provide pedestrian linkages and wildlife corridors among residential communities, and to encourage recreational opportunities within Richland County. These regulations shall be applied, in addition to other relevant sections of this chapter (see in particular Article VII.), when a subdivision is proposed in the county, and are based on and implement the requirements of Section 6-29-1110, et. seq., of the South Carolina Code of Laws. These regulations also implement the objectives and policies of the comprehensive plan; and preserve and protect environmental resources, natural and cultivated landscapes for the county.

SECTION XVI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article X, Subdivision Regulations; Section 26-222; is hereby amended to read as follows:

Sec. 26-222. General requirements.

- (a) *Improvements.* All proposed improvements in the development of a subdivision shall comply with the relevant standards set forth in this chapter.
- (b) *Septic tank and well systems.* Persons using septic tanks and/or wells shall obtain, prior to sketch plan review by the ~~planning commission~~ development review team, at least preliminary or conceptual approval from DHEC, as required by Section 61-57 of the South Carolina Code of Regulations.
- (c) *Subdivision and road names.* Subdivision names, approved by the county addressing coordinating specialist, and road names, approved by the planning commission, will be issued at the preliminary plan review stage.
- (d) *Access requirements.*
 - (1) *Access requirements for residential subdivisions.* All residential subdivisions, and/or subdivision lots, shall have direct access to a public or private road right-of-way, with a minimum fifty (50) foot right-of-way and a minimum twenty (20) foot wide passable surface which conforms to the requirements of Section 26-181 (b) (2) and which has been approved by the county engineer's office. Except for minor subdivisions, all subdivision lots shall have access only to interior subdivision roads.
 - (2) *Access requirements for commercial subdivisions.* All commercial subdivision lots shall have direct access to a public or private road, with a minimum fifty (50) foot right-of-way and a minimum twenty (20) foot wide passable surface approved by the county engineer's office, or a recorded cross-access easement, at least thirty (30) feet in width from the public or private road to the commercial site and approved by the county fire marshal.
- (e) *Lots.*
 - (1) *DHEC requirements.* If the South Carolina Department of Health and Environmental Control requires a lot size for a subdivision different from what is required in this chapter, then the project shall conform to the DHEC standards.
 - (2) *Restriction on jurisdictional lines.* Lots hereinafter developed shall not be divided by city or county lines.
 - (3) *Lot lines.* In so far as is practical, side lot lines shall be at right angles to straight road lines and radial to curved road lines.
 - (4) *Zoning district standards.* All subdivision lots must comply with the applicable standards for the zoning district(s) in which the subdivision is located.

(f) *Blocks.*

(1) *Block size.*

- a. *Nonresidential block size.* Nonresidential blocks shall be of such length and width as may be suitable for their prospective use, including adequate provision for off-street parking and service areas.
- b. *Residential block size.* Residential blocks shall not be greater than one thousand eight hundred (1,800) feet in length nor less than six hundred (600) feet in length. Where practical, the width of any residential block shall be sufficient to permit at least two (2) tiers of lots.

(2) *Dead-end roads.* Dead-end roads, within a subdivision, including cul-de-sacs, shall not be greater than exceed eight hundred (800) one thousand two hundred (1,200) feet in length.

(g) *Natural Resource Inventory.* All subdivisions require a natural resource inventory, which must be conducted by a qualified professional. The Natural Resource Inventory shall consist of the following:

(1) A separate engineering design sheet listing the location of the natural resources. This would be determined as follows:

- a. The County shall conduct a desktop analysis using existing county GIS data: locate wetlands (use National Wetlands Inventory maps), floodplains, steep slopes, water bodies, etc. This will provide a preliminary analysis of what is on the site and include a jurisdictional determination and tree protection plan. The Developer shall hire consultants to conduct a full field site inventory based on what was identified during the desktop analysis; or
- b. The County and the Developer shall conduct a natural resources field visit.
- c. The County may field review the inventory, as needed.

(2) The following list of features, if relevant, shall be included in the Natural Resources Inventory:

- a. 100 year floodplain;
- b. Riparian buffers;
- c. Cemeteries and burial grounds;

- d. Open space corridors of twenty-five (25) foot width or greater and all easements;
- e. Protected trees, as identified in Section 26-176(k)(1);
- f. Steep slopes of greater than twenty-five percent (25%);
- g. Wetlands, including isolated wetlands.
- h. Archeological sites, historical sites and features eligible for or listed in the National Register of Historic Places;
- i. Rare, threatened, or endangered species/habitats, as identified by federal and state listings;
- j. Scenic view sheds;
- k. Unique natural features; and
- l. Forestlands; and prime agricultural lands.

(3) Once the submittal package is complete, including a Natural Resource Inventory, it shall be scheduled for review by the development review team. The development review team shall have the authority to require more or less protections based on the requirements of this Chapter and the results of the Natural Resource Inventory.

(h) Pervious material may be used for sidewalks and driveways.

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

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

Public Hearing: July 31, 2012
First Reading: July 31, 2012
Second Reading: October 2, 2012 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

12-25MA
Angela Lawrence
RU to RC (2 Acres)
7271 Bluff Rd.
27300-05-19 [**THIRD READING**] [**PAGES 67-68**]

Notes

First Reading: September 25, 2012
Second Reading: October 2, 2012
Third Reading:
Public Hearing: September 25, 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 # 27300-05-19 FROM RU (RURAL DISTRICT) TO RC (RURAL 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 # 27300-05-19 from RU (Rural District) zoning to RC (Rural 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: September 25, 2012
First Reading: September 25, 2012
Second Reading: October 2, 2012 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

12-26MA

John Blackmon

3P, LLC, Christopher Robnett, DDS & Pine Spring Inc.

HI to GC (1.85 Acres)

North Springs Rd. & Brickyard Rd.

22804-04-01/02/12 & 22905-01-78 **[THIRD READING] [PAGES 69-70]**

Notes

First Reading: September 25, 2012

Second Reading: October 2, 2012

Third Reading:

Public Hearing: September 25, 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 # 22804-04-01/02/12 AND TMS # 22905-01-78 FROM HI (HEAVY INDUSTRIAL DISTRICTS) TO GC (GENERAL COMMERCIAL DISTRICTS); 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 # 22804-04-01/02/12 and TMS # 22905-01-78 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: September 25, 2012
First Reading: September 25, 2012
Second Reading: October 2, 2012 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

12-27MA
Barbara Bratcher
Clara Beasley
RU to GC (2.5 Acres)
8505 Garners Ferry Rd.
21800-05-07 **[THIRD READING] [PAGES 71-72]**

Notes

First Reading: September 25, 2012
Second Reading: October 2, 2012
Third Reading:
Public Hearing: September 25, 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 # 21800-05-07 FROM RU (RURAL 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 # 21800-05-07 from RU (Rural 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: September 25, 2012
First Reading: September 25, 2012
Second Reading: October 2, 2012 (tentative)
Third Reading:

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 26-58, Appeals of Administrative Decisions; Subsection (B), Appeal Submittal; Paragraph (1), Application; so as to correct the section reference for appeals **[THIRD READING] [PAGES 73-75]**

Notes

First Reading: September 25, 2012

Second Reading: October 2, 2012

Third Reading:

Public Hearing: September 25, 2012

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 26-58, APPEALS OF ADMINISTRATIVE DECISIONS; SUBSECTION (B), APPEAL SUBMITTAL; PARAGRAPH (1), APPLICATION; SO AS TO CORRECT THE SECTION REFERENCE FOR APPEALS.

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 26-58, Appeals of Administrative Decisions; Subsection (b), Appeal Submittal; Paragraph (1), Application; is hereby amended to read as follows:

- (1) *Application.* An appeal of an administrative decision may be taken by any person who may have a substantial interest in the decision; provided, however, appeals pursuant to Section 26-54(~~bc~~)(3)d.1. or Section 26-54(~~bc~~)(3)e.6. above may only be taken by the applicant, a contiguous landowner, or an adjacent landowner. All appeals must be filed with the planning department on a form provided by the department, and must contain all information and plans as required on the application form. Such appeal must include the specific section of this chapter (or the specific design detail) from which the appeal is taken and the basis or reason for the appeal. All appeals must be filed no later than thirty (30) days after the order, requirement, decision, or determination that is alleged to be in error is made.

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 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: September 25, 2012
First Reading: September 25, 2012
Second Reading: October 2, 2012 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; by adding a new division entitled 3A, Tax Assessor; so that a new department will be created, and Amending Chapter 23, Taxation; Article II, Tax Assessor and Article III, Board of Assessment Control; by deleting the language therein **[SECOND READING] [PAGES 76-80]**

Notes

September 25, 2012 - The committee recommended that Council approve the draft ordinance that places the County Assessor and County Assessor's office under the County Administrator. The vote in favor was unanimous.

First Reading: October 2, 2012

Second Reading:

Third Reading:

Public Hearing:

Richland County Council Request for Action

Subject: Organizationally place the County Assessor and County Assessor's Office under the County Administrator

A. Purpose

This request is to organizationally place the County Assessor (Tax Assessor) and the County Assessor's office (Tax Assessor Department) under the County Administrator.

B. Background / Discussion

During the Motion Period of the February 2, 2010, County Council meeting, Mr. Manning made a request to, by ordinance, organizationally place the County Assessor and the County Assessor's Office under the County Administrator. At that time, the Richland County Assessor was appointed by the Board of Assessment Control, a body created by local legislation (state law). It was decided by Council to approach the Legislative Delegation about repealing that local legislation. The repeal legislation was signed by the Governor on June 26, 2012.

Council is now asked to revisit the issue. The attached draft ordinance removes the Tax Assessor and Board of Assessment Control language from Chapter 23 (Taxation) of the Richland County Code of Ordinances. It also creates the Tax Assessor and Tax Assessor Department, which fall under the County Administrator's purview like all County Departments.

Please see the draft ordinance and attachments for further guidance.

C. Legislative/Chronological History

See first paragraph in section B.

D. Financial Impact

No known financial impact.

E. Alternatives

1. Approve the draft ordinance.
2. Amend the draft ordinance and approve.
3. Do not approve the ordinance.

F. Recommendation

It is recommended that Council approve the draft ordinance or some amended version thereof.

Recommended by: Elizabeth A. McLean Department: Legal Date: 9/11/12

F. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 9/12/12
 Recommend Council approval Recommend Council denial
✓ Council Discretion (please explain if checked)
Comments regarding recommendation:

This is a policy decision for Council

Assessor

Reviewed by: John Cloyd Date: 9-13-12
x Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean Date: 9/14/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald Date: 9/17/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation: The legislation mentioned above actually placed the Assessor under the supervision of the County Council. At a Council work session on July 9, 2012, it was the consensus of those Council Members attending the work session that the Council would, in turn, place the Assessor under the County Administrator's supervision. Approval of the ordinance, therefore, is recommended.

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; ARTICLE V, COUNTY DEPARTMENTS; BY ADDING A NEW DIVISION ENTITLED 3A, TAX ASSESSOR; SO THAT A NEW DEPARTMENT WILL BE CREATED; AND AMENDING CHAPTER 23, TAXATION; ARTICLE II, TAX ASSESSOR AND ARTICLE III, BOARD OF ASSESSMENT CONTROL; BY DELETING THE LANGUAGE THEREIN.

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; Article II, Tax Assessor; is hereby amended by the deletion of the language therein and is reserved for future use.

SECTION II. The Richland County Code of Ordinances, Chapter 23, Taxation; Article III, Board of Assessment Control; is hereby amended by the deletion of the language therein and is reserved for future use.

SECTION III. The Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; Division 3, Animal Care, Sections “2-208 – 2-215. Reserved” is hereby amended to read as follows:

Secs. 2-208 – 2-215~~1~~. Reserved.

SECTION IV. The Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; is hereby amended by the creation of a new Division, to read as follows:

DIVISION 3A. TAX ASSESSOR

Sec. 2-212. Creation; tax assessor.

There is hereby created the Tax Assessor Department, and the position of Tax Assessor, who shall be responsible to the county administrator to direct and coordinate the operations and activities of the department. The county administrator shall appoint the director and his/her term of office shall be at the pleasure of the county administrator.

Sec. 2-213. Qualifications of tax assessor; selection; compensation.

The Tax Assessor shall be a person with education, training, skills, and/or experience that is satisfactory to the county administrator.

Sec. 2-214. Responsibilities; powers; duties.

The powers, duties, and responsibilities of the Tax Assessor shall be those set forth by state law.

Sec. 2-215. Staff; personnel.

The staff and personnel assigned to the Tax Assessor shall be subject to the county personnel system and their compensation determined accordingly.

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

SECTION VII. 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.

First Reading:
Second Reading:
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2012-2013 Solid Waste Enterprise Fund Annual Budgets to appropriate \$972,600 of Solid Waste Enterprise Unassigned Fund Balance for transfer to the Solid Waste Operating Budget for the sole purpose of purchasing roll carts **[SECOND READING] [PAGES 81-86]**

Notes

September 25, 2012 - The committee recommended that Council approve the request to transfer \$972,600 from the Solid Waste enterprise fund balance to the Solid Waste operating budget for the sole purpose of purchasing 20,000 95 gallon roll carts to enhance the County's recycling efforts. The vote in favor was unanimous.

First Reading: October 2, 2012

Second Reading:

Third Reading:

Public Hearing:

Richland County Council Request of Action

Subject: Solid Waste Recycling Program Area #2 and Area #6

A. Purpose

"County Council is requested to approve a budget amendment to the Solid Waste Department budget in the amount of \$972,600.00 for the purpose of purchasing 95 gallon roll carts related to the every other week recycling pick up which is scheduled to take effective January 2, 2013"

B. Background / Discussion

- Solid Waste Area 2 & Area 6 curbside collection contracts are up for renewal at the end of this year and the revised recycling pick up is part of the new contract negotiations.
- The request for a revised recycling pick up was sent to Council in early 2012
- During the summer of 2012 County Council voted to extend the Solid Waste contracts for Area #2 and Area #6 and modify the recycling pick up to every other week.
- Richland County Administration has been in negotiations with the haulers since Councils decision

C. Legislative/Chronological History

- The request for a revised recycling pick up was sent to Council in early 2012
- During the summer of 2012 County Council voted to extend the Solid Waste contracts for Area #2 and Area #6 and modify the recycling pick up to every other week.

D. Financial Impact

The Solid Waste Division is an enterprise fund. The funds will be from the Solid Waste Division's fund balance.

20,000 - 95 gallon roll carts	\$896,600.00
Assembly and distribution	\$76,000.00
Tax	\$0.00
<hr/>	
Total for purchase of carts, assembly and distribution	\$972,600.00
<hr/>	

"There is no adverse financial impact associated with this request."

E. Alternatives

1. Approve the request to allow the transfer of funds for the purchase, assembly and distribution of 20,000 roll carts. The distribution should occur prior to December 31, 2012.

2. Do not approve the transfer of funds for the purchase, assembly and distribution of 20,000 roll carts and continue to recycle once a week with 18 gallon recycling bins

Contract negotiations must be adjusted accordingly.

County Council was provided considerable background earlier and subsequently approved the every other week recycling using the 95 gallon roll carts.

F. Recommendation

"It is recommended that Council approve the request to transfer \$972,600.00 from the Solid Waste enterprise fund balance to the Solid Waste operating budget for the sole purpose of purchasing 20,000 – 95 gallon roll carts with the expressed intent to enhance the County's recycling efforts."

Recommended by: Marlin Henderson Department: Solid Waste Date: 9/11/2012

G. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 9/14/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood

Date: 9/14/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 9/14/12

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: Tony McDonald

Date: 9/18/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Purchase of the rollcarts as outlined above is consistent with the newly renegotiated collection contracts for Solid Waste Service Areas 2 and 6. Approval, therefore, is recommended.

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 SOLIDWASTE ENTERPRISE FUND ANNUAL BUDGETS TO APPROPRIATE \$972,600 OF SOLIDWASTE ENTERPRISE UNASSIGNED FUND BALANCE FOR TRANSFER TO THE SOLIDWASTE OPERATING BUDGET FOR THE SOLE PURPOSE OF PURCHASING ROLL CARTS.

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 nine hundred seventy two thousand and six hundred dollars (\$972,600) be appropriated in the Solidwaste Enterprise Fund and transferred to Solidwaste Operating Budget. Therefore, the Fiscal Year 2012-2013 Solidwaste Operating Annual Budgets are hereby amended as follows:

SOLIDWASTE ENTERPRISE FUND - REVENUE

Revenue appropriated July 1, 2012 as amended:	\$28,842,986
Appropriation of Solidwaste Enterprise unassigned fund balance:	<u>972,600</u>
Total Solidwaste Enterprise Fund Revenue as Amended:	\$29,815,586

SOLIDWASTE ENTERPRISE - EXPENDITURES

Expenditures appropriated July 1, 2012 as amended:	\$28,842,986
Transfer Out to Solidwaste Operating Fund:	<u>972,600</u>
Total Neighborhood Improvement Expenditures as Amended:	\$29,815,586

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 _____, 2010.

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 2012-2013 General Fund Annual Budget to appropriate \$184,496 of General Fund Unassigned Fund Balance for Grant Match to Departments for grants approved through the FY13 Budget Process **[SECOND READING] [PAGES 87-92]**

Notes

September 25, 2012 - The committee recommended that Council approve the request for a budget amendment in the amount of \$184,496 for additional grant match funds for confirmed and pending FY 13 grant awards. The vote in favor was unanimous.

First Reading: October 2, 2012

Second Reading:

Third Reading:

Public Hearing:

Richland County Council Request of Action

Subject: Budget Amendment – Grant Match

A. Purpose

County Council is requested to approve a budget amendment in the amount of \$184,496, increasing the amount of grant match available to departments for grants approved through the FY13 budget process.

B. Background / Discussion

A “grant match” is money or in-kind services (if applicable) required for the entity receiving the grant to come up with in order to receive the grant. For example, a grant might cover 50% of the project cost, which means Richland County would have to come up with a funding source or in-kind services (if applicable) to cover the remaining 50%. Historically, Richland County has used the “grant match” account to cover the match required.

Each year during the budget process, departments request grant match funds for grants they think they will receive during the year. For FY13, department grant match requests totaled \$663,954. During the FY13 budget process, \$283,017 was approved as the match pool for County departments’ grants that required cash match. As grants are awarded, any required cash match is drawn down from this pool of funds on a first requested-first awarded approach.

As of September 12, 2012, match amounts for confirmed awards and pending awards total \$467,513. A budget amendment is needed for \$184,496 to cover the shortfall. The attached spreadsheet shows the FY13 grant activity to date. Any un-used match remaining due to reduced awards or not receiving an award will be returned to the General Fund fund balance. If new / additional grants outside of this request are awarded during the fiscal year, staff will bring the grants to Council for approval of the grant itself and any grant match that may be required for these grants.

Staff asks that the full \$184,496 be approved, as grant awards are time sensitive. There is often a 15 to 30 day window when accepting awards, and the County’s budget amendment approval process can take up to three months with Committee meetings, three readings and a public hearing. Dealing with each grant award individually is not advised.

C. Legislative/Chronological History

- This is a staff-initiated request.
- The grant match amount of \$283,017 was approved in FY13 budget on May 31, 2012.

D. Financial Impact

A budget amendment from the General Fund fund balance is needed for \$184,496.

E. Alternatives

1. Approve the request for a budget amendment for grant match in the amount of \$184,496.
2. Do not approve the request for a budget amendment for grant match in the amount of \$184,496, causing the County to return grant funds or reduce scope and size of grant funded projects.

F. Recommendation

It is recommended that Council approve the request for a budget amendment of \$184,496 for grant match funds.

Recommended by: Sara Salley

Department: Admin

Date: 9/12/12

G. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 9/14/12

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Recommendation based on available funds not on merits of programs. Council should consider if the additional match will create any financial obligations in future years.

Grants

Reviewed by: Sara Salley

Date: 9/14/12

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Grant match funds included in this ROA are for grants already approved by County Council during the FY13 budget process.

Legal

Reviewed by: Elizabeth McLean

Date: 9/14/12

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: Roxanne Ancheta

Date: September 14, 2012

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: It is recommended that Council approve the request for a budget amendment in the amount of \$184,496 for additional grant match funds for confirmed and pending FY 13 grant awards. Any unspent funds would be returned to the General Fund fund balance.

Dept	Grant	Project Total	Grant Request	Requested Cash Match	FY13 Award	Required Cash Match	Un-used Match Requests	Total Match Needed
Com Dev	HOME	\$663,866	\$559,045	\$104,821	\$453,466	\$102,030		\$102,030
EMS	Grant-In-Aid - DHEC	\$63,300	\$60,000	\$3,300	Pending	\$3,300		\$3,300
ESD	LEMPG	\$118,300	\$110,000	\$8,300	\$71,276	\$6,558		\$6,558
Sheriff	COPS Universal Hiring Program	\$684,147	\$513,147	\$171,000	Not Funded			
Sheriff	JAG - Crime Scene Unit Enhancement	\$240,871	\$216,784	\$24,087	\$106,362	\$11,818		\$11,818
Sheriff	Hispanic Outreach - VAWA	\$65,000	\$48,750	\$16,250	\$28,510	\$16,250	\$19,312	\$35,562
Sheriff	Victim Advocacy - VOCA	\$67,060	\$53,649	\$13,411	\$47,515	\$11,879		\$11,879
Sheriff	JAG - School Resource Officer	\$96,959	\$87,277	\$9,692	\$86,687	\$9,632		\$9,632
Sheriff	JAG - Financial Crimes Investigation	\$74,208	\$66,788	\$7,420	\$66,355	\$7,373		\$7,373
Sheriff	JABG - Status Offender Project	\$68,215	\$61,394	\$6,821	Pending	\$6,821		\$6,821
Sheriff	JAG - Violent Fugitive Apprehension	\$66,884	\$60,196	\$6,688	\$60,195	\$6,688		\$6,688
Solicitor	Veterans Treatment Court	\$367,934	\$275,950	\$91,984	Pending	\$91,984		\$91,984
Solicitor	VAWA Prosecution Team	\$175,998	\$131,998	\$44,000	Pending	\$44,000		\$44,000
Solicitor	CDV Court - VAWA	\$129,451	\$97,088	\$32,363	\$55,046	\$32,363	\$33,096	\$65,459
Solicitor	5th Circuit Solicitor's Office Investigators - JAG	\$310,553	\$279,498	\$31,055	Not Funded			
Solicitor	Violent Crime Prosecution Team - JAG	\$229,296	\$206,366	\$22,930	\$205,574	\$22,842		\$22,842
Solicitor	Victim Advocate - VOCA	\$121,337	\$97,069	\$24,268	\$81,947	\$20,487		\$20,487
Solicitor	Technology Improvements - JAG	\$20,405	\$18,364	\$2,041	\$18,364	\$2,041		\$2,041
Airport	Airport Projects FAA #18	\$621,727	\$559,554	\$43,523	\$342,690	\$19,039		\$19,039
			\$663,954	\$1,623,987	\$415,105	\$52,408		\$467,513

Match Amount of Awarded Grants \$ 269,000
Un-Used Match Request (Solicitor/Sheriff) \$ 52,408
Match Amount of Pending Grants \$ 146,105
\$ 467,513
Match Amount Approved in FY 13 Budget \$ (283,017)
Match Amount Requested in Budget Amendment \$ 184,496

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$184,496 OF GENERAL FUND UNASSIGNED FUND BALANCE FOR GRANT MATCH TO DEPARTMENTS FOR GRANTS APPROVED THROUGH THE FY13 BUDGET PROCESS.

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 one hundred eighty four thousand four hundred ninety six dollars (\$184,496) be appropriated for increase to Nondepartmental. Therefore, the Fiscal Year 2012-2013 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2012 as amended:	\$ 147,352,730
Appropriation of General Fund unassigned fund balance	<u>184,496</u>
Total General Fund Revenue as Amended:	\$ 147,537,226

EXPENDITURES

Expenditures appropriated July 1, 2012 as amended:	\$ 147,352,730
Increase to Nondepartmental	<u>184,496</u>
Total General Fund Expenditures as Amended:	\$ 147,537,226

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

RICHLANDCOUNTYATTORNEY'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 2, Administration; Article V, County Departments; by adding a new division entitled 6A, Conservation; so that a new department will be created
[SECOND READING] [PAGES 93-98]

Notes

September 25, 2012 - The committee recommended that Council approve and ordinance to create the Conservation Department. The vote in favor was unanimous.

First Reading: October 2, 2012
Second Reading:
Third Reading:
Public Hearing:

Richland County Council Request of Action

Subject: Creation of the Richland County Conservation Department

A. Purpose

County Council is requested to approve an ordinance to create the Conservation Department.

B. Background / Discussion

As a part of the FY13 Budget approved by Council, the Environmental Planning Division (Planning and Developmental Services Department) became an independent budget department with separate oversight.

The Conservation Department will be responsible for working directly with the Richland Soil and Water Conservation District Commissioners and the Richland County Conservation Commissioners. The Conservation Director will direct and supervise all functions of the department and implement the responsibilities of the District and Commission. The director shall consult with and advise the county council and the county administrator regarding the conservation and protection the county's natural, cultural and historical resources. The department shall establish working relationships with other county departments including, but not limited to, Administration, Public Works, and Planning and Development Services. The department shall also interact with federal and State agencies, other counties and municipalities, institutions of higher education, and not-for-profit conservation and environmental organizations to support the responsibilities of the department, District and Commission.

The Conservation Department is also responsible for staffing the Richland County Appearance Commission.

C. Legislative/Chronological History

FY 13 Budget approved by County Council.

D. Financial Impact

There is no financial impact associated with this request. Prior to FY12, the Richland Soil and Water Conservation District and the Richland County Conservation Commission were separate cost centers. During FY13, the activities of the District and Commission will be blended into a unified Conservation Department budget.

E. Alternatives

1. Approve the ordinance to create the Conservation Department as submitted.
2. Approve the ordinance, with amendments, to create the Conservation Department as submitted.
3. Do not approve the ordinance to create the Conservation Department.

F. Recommendation

It is recommended Council approve the ordinance to create the Conservation Department as submitted.

Recommended by: James B. Atkins Department: Conservation Date: July 16, 2012

G. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 9/12/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood Date: 9/12/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Human Resources

Reviewed by: Dwight Hanna Date:
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Action should be taken to amend any other ordinances that may reference the Conservation Department in a different manner. For example, if the Planning Department ordinance currently makes reference to the Conservation as a Division of the Planning Department.

Legal

Reviewed by: Elizabeth McLean Date: 9/12/12
 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: 09/12/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Recommend Council approval of the ordinance. Council approved the creation of the Conservation Department during the budget process.

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; ARTICLE V, COUNTY DEPARTMENTS; BY ADDING A NEW DIVISION ENTITLED 6A, CONSERVATION; SO THAT A NEW DEPARTMENT WILL BE CREATED.

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 2, Administration; Article V, County Departments; Division 6, Detention, Elections, Voter Registration, and Register of Mesne Conveyances, Sections “2-239 – 2-246. Reserved” is hereby amended to read as follows:

Secs. 2-239 – 2-2462. Reserved.

SECTION II. The Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; is hereby amended by the creation of a new Division, to read as follows:

DIVISION 6A. CONSERVATION

Sec. 2-243. Creation; director.

There is hereby created the Conservation Department, and the position of Conservation Director, who shall be responsible to the county administrator to direct and coordinate the operations and activities of the department. The county administrator shall appoint the director and his/her term of office shall be at the pleasure of the county administrator.

Sec. 2-244. Qualifications of director; selection; compensation.

The Conservation Director shall be a graduate of an accredited college or university, with a master’s degree in environmental or agricultural science or engineering, hydrology, water resources management or closely related field; and shall have had at least five (5) years of responsible, practical experience in the above fields. The director shall possess education, training and experience related to conservation and environmental issues that is satisfactory to the county administrator.

Sec. 2-245. Responsibilities; powers; duties.

The Conservation Department shall be responsible for working directly with the Richland Soil and Water Conservation District Commissioners and the Richland County Conservation Commissioners. The Conservation Director shall direct and supervise all functions of the department and implement the responsibilities of the District and Commission. The director shall consult with and advise the county council and the county administrator regarding the conservation and protection of the county’s natural, cultural and historical resources. The department shall establish working relationships with other county departments including, but not limited to, Administration, Public Works, and Planning and Development Services. The department shall also interact with federal and State agencies, other counties and municipalities, institutions of higher education, and not-for-profit conservation and environmental organizations to support the responsibilities of the department, District and Commission.

Sec. 2-246. Staff; personnel.

The staff and personnel assigned to the Conservation Director shall be subject to the county personnel system and their compensation determined accordingly.

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

SECTION V. 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.

First Reading: October 2, 2012 (tentative)
Second Reading:
Third Reading:
Public Hearing:

Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$75,177.89 of General Fund Unassigned Fund Balance for the Legal Department for salary adjustments [**SECOND READING**]
[**PAGES 99-106**]

Notes

September 25, 2012 - The committee forwarded this item to Council without a recommendation and directed the Clerk of Council to add this to the October 2, 2012 Council agenda as an executive session item. The vote in favor was unanimous.

First Reading: October 2, 2012

Second Reading:

Third Reading:

Public Hearing:

Richland County Council Request for Action

Subject: Motion to Increase the Legal Department General Fund Annual Budget

A. Purpose

This request is, per Mr. Washington's July 24, 2012 motion, to increase the Legal Department's general fund annual budget.

B. Background / Discussion

During the Motion Period of the July 24, 2012, County Council meeting, Mr. Washington made the following motion:

I move that we give first reading by title only to the following ordinance:

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013
GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$77,256.20
OF GENERAL FUND UNDESIGNATED FUND BALANCE TO THE
LEGAL DEPARTMENT FOR SALARY ADJUSTMENTS

The item was forwarded to the A&F Committee. Council is requested to consider the budget request; however, the new adjusted total requested has been reduced to \$75,177.89. The Legal Department believes that the requested funds would make their salaries comparable to Counties of similar size and responsibilities. Additionally, the funds would promote salary equity within the Department.

The requested amount includes the salary money plus 18.25% for FICA and retirement costs (fringe costs), as well as the money needed to fully fund the vacant attorney position at \$65,000. Council attempted to fully fund that position at third reading of the budget, but because of the 18.25% fringe costs, the position was not funded at the full amount. While we did receive the full \$65,000, only \$55,061 was allocated to the salary for the position, with the remainder going to pay the requisite fringe costs.

Please see the attached ordinance by title only.

C. Financial Impact

Approval of this ordinance would appropriate \$75,177.89 of general fund dollars for this fiscal year and would require a funding source for subsequent years.

D. Alternatives

1. Approve the ordinance.
2. Amend the ordinance and approve.
3. Do not approve the ordinance.

E. Recommendation

It is recommended that Council approve the ordinance.

Recommended by: Elizabeth A. McLean Department: Legal Date: 9/11/12

F. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 9/17/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

This is a funding request for Council. Approval of the request would require the identification of budget funds.

The County has recently engaged a consulting firm to conduct some position comparisons and market rate analysis for most County positions inclusive of the Legal Department. Therefore, Council may want to consider the request within the comparisons and recommendations provided in the study. Alternatively, rather than considering request on a department-by-department basis, Council may consider having the consultant complete the comparison above for all county positions to determine a total impact for aligning county salaries with other Counties of similar size and responsibilities

Human Resources

Reviewed by: Dwight Hanna Date:
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation: This request was initiated by Council and within the authority of County Council to approve. Therefore, Human Resources designated “Council Discretion”.

Human Resources did not review the confidential memo and did not conduct or participate in the survey research. Consequently, Human Resources can’t speak to the detail specifics presented but will make a few general points on the bigger picture topics of employees’ perception of equity, external equity, internal equity, and the Classification & Compensation Study. Regardless, Human Resources fully supports external equity and internal equity for the employees of the Legal Department and all County departments.

The comments below are made more from a global or corporate perspective and should not be taken to relate solely or specifically to the Legal Department:

There are many factors, other than compensation, that can strongly influence an employee's perception of equity. Research shows that workers often rank job security, working conditions, advancement opportunities, management appreciation, relations with co-workers, and flexibility of work hours or job assignments ahead of pay.

Generally the focus on external equity enables an organization to develop compensation structures and programs that are competitive with other companies in appropriate labor markets. External equity exists when an employer pays a wage rate commensurate with the wages prevailing in appropriate (i.e. organization size, industry, geographical, etc.) external labor markets.

For example, large organizations tend to pay more, sometimes significantly more than small organizations. It is not uncommon for private sector organizations to pay more than the public sector for comparable jobs. Assessing external equity requires measuring these labor markets. It is important to define the appropriate labor market(s) to assure accurate external wage comparisons. The power of a wage or salary to attract employees is often based solely on external equity considerations. The retention power of a wage or salary can be heavily influenced by external equity considerations, as well.

Internal equity exists when an employer pay wages commensurate with the relative internal value of each job. Focusing only on external equity may detract from important internal equity considerations because individuals tend to compare their pay with that of other people within the organization.

Because external and internal equity operate independently, the wage suggested by the external labor market can differ dramatically from the wage dictated by internal equity considerations. Therefore, it is important to consider both internal equity and external equity because they both can have serious consequences for the organization.

The scope of the Classification & Compensation Study focused more on making sure jobs were competitive with the appropriate labor markets. And the scope did not include addressing specific market competitive employee wages. Therefore, the Classification & Compensation Study does not address matters of internal equity or external equity specifically as it relates to employee compensation. Buck Consultants reported that Richland County employee average salary was 83% of the survey median (a.k.a midpoint or competitive target) for the SCAC Survey Group. This means that Richland County's average pay is about 17% below the average market (competitive) pay rate reflected in the SCAC Survey Group. It is likely that the Legal Department wages would follow the average of the County. However, keep in mind this percentage (17%) is an average for Richland County, inclusive of the Legal Department, but not only the Legal Department. If private sector labor market sources are considered the wage variance for the Legal Department could be even greater than the average reported by Buck Consultants and/or funding requested by Legal.

In summary, it is a common best practice for organizations to consider a two-pronged approach to setting wage levels considering both external equity data and internal equity.

Selecting the appropriate labor market(s) is essential to getting proper comparisons. Also, it is beneficial to note that relating to equity perception employees usually consider many other factors in addition to compensation. Finally, the findings reported by Buck Consultants show Richland County employees' actual average wages are significantly below (17%) the SCAC Survey Group median or target market rate.

Legal

Reviewed by: Brad Farrar

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald

Date: 9/21/12

Recommend Council approval as outlined in the comments below.

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: I concur with the HR Director's position that it is desirable to have the Legal Department's salaries established at a level that is both internally and externally equitable. The following factors, however, should be considered before rendering a decision on this request:

- This request was made previously during the FY 13 budget adoption process, and while the Council approved the addition of a new Staff Attorney position for the Legal Department, at a salary of \$65,000, and additional training funds in the amount of \$15,970, the Council elected to refer the salary increases for the Legal Department staff to the Classification & Compensation Study rather than funding the requested increases independent of that Study.
- As a result of the Classification & Compensation Study, County employees, including the Legal Department staff, received a 4 percent increase as part of the Phase I implementation.
- Phase II of the Classification & Compensation Study will be incorporated into the FY 14 budget.

Considering the above factors, it is recommended that the Legal Department salaries be adjusted as part of Phase II of the Classification & Compensation Study as opposed to addressing the salary issue independent of the Study. There are two primary reasons for this recommendation:

- If addressed as part of the Classification & Compensation Study, the Legal Department's salaries would be addressed consistent with the salaries of all other County departments.

- To address the Legal Department salaries independent of the Study may render results that are not consistent with the Study results.

To conclude, I would recommend that the fringe benefits request of 18.25 percent, or \$11,830, be approved, but that the individual salary increases be addressed in Phase II of the Classification & Compensation Study.

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$75,178 OF GENERAL FUND UNASSIGNED FUND BALANCE FOR THE LEGAL DEPARTMENT FOR SALARY ADJUSTMENTS.

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 seventy five thousand one hundred seventy eight dollars (\$75,178) be appropriated for Legal Department Salary Adjustments. Therefore, the Fiscal Year 2012-2013 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2012 as amended:	\$147,352,730
Appropriation of General Fund unassigned fund balance	<u>75,178</u>
Total General Fund Revenue as Amended:	\$147,279,908

EXPENDITURES

Expenditures appropriated July 1, 2012 as amended:	\$147,352,730
Increase to Legal Department	<u>75,178</u>
Total General Fund Expenditures as Amended:	\$147,279,908

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

RICHLANDCOUNTYATTORNEY'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

12-22MA
Jonathan Giles
Robert Giles
RM-HD to NC (.33 Acres)
1157 & 1159 Olympia Ave.
11203-01-03& 04 [**PAGES 107-108**]

Notes

First Reading: June 26, 2012
Second Reading: July 18, 2012
Third Reading:
Public Hearing: June 26, 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 # 11203-01-03/04 FROM RM-HD (RESIDENTIAL, MULTI-FAMILY – HIGH DENSITY DISTRICT) TO NC (NEIGHBORHOOD 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 properties described as TMS # 11203-01-03/04 from RM-HD (Residential, Multi-Family – High Density District) zoning to NC (Neighborhood 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: June 26, 2012
First Reading: June 26, 2012
Second Reading: July 18, 2012 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2012-2013 Hospitality Tax Budget to appropriate \$1,217,201 of Hospitality Tax Restricted Fund Balance for the Recreation Sports Complex **[PAGES 109-121]**

Notes

First Reading: September 11, 2012
Second Reading: September 18, 2012
Third Reading:
Public Hearing:

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 HOSPITALITY TAX BUDGET TO APPROPRIATE \$1,217,201 OF HOSPITALITY TAX RESTRICTED FUND BALANCE FOR THE RECREATION SPORTS 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. That the amount of one million two hundred seventeen thousand two hundred and one dollars (\$1,217,201) be appropriated in the Hospitality Tax Fund. Therefore, the Fiscal Year 2012-2013 Hospitality Tax Annual Budget is hereby amended as follows:

HOSPITALITY TAX - REVENUE

Revenue appropriated July 1, 2012 as amended:	\$6,707,284
Appropriation of restricted fund balance:	<u>\$1,217,201</u>
Total Hospitality Tax Revenue as Amended:	\$7,924,485

HOSPITALITY TAX - EXPENDITURES

Expenditures appropriated July 1, 2012 as amended:	\$6,707,284
For Recreation Sports Complex:	<u>\$1,217,201</u>
Total Hospitality Tax Expenditures as Amended:	\$7,924,485

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: _____

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:



M.B. Kahn Construction Co., Inc.

P.O. BOX 1179 / COLUMBIA, SC 29202 / PHONE (803) 736-2950 / FAX (803) 736-9501

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CONSTRUCTION
MANAGEMENT
DIVISION

June 7, 2012

Ms. Roxanne Ancheta
Assistant to the County Administrator
Richland County
P. O. Box 192
Columbia, South Carolina 29202

**RE: Richland County Recreation / Entertainment Complex
Work Authorization Number 3 (\$22M Optional Plan)**

Ms. Ancheta;

M. B. Kahn is pleased to submit the enclosed scope, fee and contract revisions for the Work Authorization previously approved by Council. This revised proposal is based on the reduced project, and includes project design services for Richland County's proposed sports complex including wetlands impact services, civil engineering design and construction documents, architectural/engineering design and construction documents, and associated program management services. The complex design will include soccer fields, support facilities, access roads, associated parking, and turn lanes on Farrow Road. Support Facilities will include a main/registration building, restroom/concession buildings, a maintenance building, and picnic shelter(s). We have also included Additional Services for environmental remediation planning, road design surveying, and tree survey/inventory.

This work authorization brings the project through the design & regulatory submittal phase. The next step will be for the County to decide the procurement approach, and issue work authorization(s) for the bid and construction phases. We are available to meet with you after you have had a chance to review the enclosed information so that we may respond to any questions you may have relative to this work authorization scope and cost. Please let us know if you wish to meet.

Sincerely,

M. B. KAHN CONSTRUCTION CO., INC.

Construction Management Division

William W. Cram
Executive Vice President

Enc: Scope of Work; Fee Proposal; Work Authorization
CC: R. Brax



RICHLAND COUNTY RECREATION / ENTERTAINMENT COMPLEX

SCOPE OF WORK

PROJECT DESIGN SERVICES

Project Design Services will include civil engineering design services and architectural/engineering design services required to produce final construction plans and specifications for a Soccer Tournament Complex.

Work necessary to conduct this portion of services will be based on the revised project scope and includes:

- Site development to include soccer fields, athletic lighting, irrigation/drainage systems, spectator seating, paths/walkways, fencing, utility systems, storm drainage system, parking, interior road/drive, and landscape design.
- Preparing civil engineering design and plans including Schematic Design (SD), Design Development (DD) and Construction Drawings (CD) for site development.
- Engineering design services related to modifications of Farrow Road for entry drive(s).
- Professional services related to wetlands impacts on-site and identification / coordination / approval for off-site mitigation bank.
- Coordination of propane gas line relocation owned by Dixie Pipeline. (does not include design)
- Coordination of on-site power line easement changes with SCE&G.
- Landscaping design to include basic design to meet Richland county development requirements.
- Preparing one set of plans and one set of technical specifications.
- Submitting for site-related permits from local, regional and state agencies.

- Support Facilities include Main/Registration Building, Restroom/Concession Buildings, Maintenance Building, and Picnic Shelter(s).
- Preparing architectural/engineering design and plans including Schematic Design (SD), Design Development (DD) and Construction Drawings (CD) for Support Buildings.
- All work in the Mixed Use/Commercial area is excluded.
- Preparing one set of plans and one set of technical specifications.
- Submitting for building-related permits from local, regional and state agencies.

RICHLAND COUNTY RECREATION / ENTERTAINMENT COMPLEX

SCOPE OF WORK

REGULATORY AGENCY STUDIES & REPORTS

Regulatory Agency Studies & Reports include services typically provided outside of project design. The proposed separate services include:

Phase 3 Environmental Site Assessment (remediation coordination)

Based on the Phase 1 and Phase 2 environmental reports result, additional services are required and include:

- Test borings and monitoring wells at the potential contamination areas identified
- Design and coordination of the remediation
- All necessary reports and permits to achieve cleanup of the site to agreed upon site specific standards.
- Does not include Construction Costs required to remediate any of the contaminated areas.

Farrow Road Modifications Survey

Land surveying services as required to support the planning and design of modifications to Farrow Road for the proposed project. Land surveying services are required for:

- Identifying public road right-of-ways
- Coordinating easement modifications for existing and relocated utilities
- Providing parameters for Turning Lane(s) design

Tree Survey / Inventory

Surveying services required by Richland County to determine the size, species, health, condition, and structural integrity of existing forest trees for the purposes of:

- Protection of specific existing trees
- Development of a tree replacement plan
- Development of a tree protection plan



RICHLAND COUNTY RECREATION COMPLEX
Richland County, SC

FEE PROPOSAL BREAKDOWN (W.A. #3)
((\$22M Optional Plan))

PROJECT DESIGN SERVICES	\$1,012,400
Wetlands Identification/Coordination/Approvals	
Civil Engineering Design and Construction Documents	
Utility Service Provider Coordination	
Athletic Fields Component Design	
Building Design and Construction Documents	
Associated Program Management Services	
REGULATORY AGENCY STUDIES & REPORTS	\$88,000
Phase 3 Environmental Site Assessment (remediation coordination)	
Farrow Road Modifications Survey	
Tree Survey / Inventory	
Associated Program Management Services	
TOTAL	\$1,100,400



RICHLAND COUNTY RECREATION / ENTERTAINMENT COMPLEX

WORK AUTHORIZATION FOR PROFESSIONAL SERVICES

Richland County Recreation / Entertainment Complex

Work Authorization No. 3

It is agreed to undertake the following work in accordance with the provisions of our Prime Agreement for Professional Services dated April 1, 2010.

Description of Work Authorization: Civil Engineering Design and Construction Documents; Building Design and Construction Documents; Environmental Remediation planning; surveying; and associated Program Management Services as described in M.B. Kahn's proposal dated June 7, 2012 (*copy attached*).

Basis of Compensation / Period of Services: A fixed fee of One Million One Hundred Thousand Four Hundred Dollars (\$1,100,400.00). Services described herein shall be completed in 300 days of the executed work authorization, subject to updates and modifications as the project progresses. Compensation is to be paid in monthly installments commensurate with the progress of the work.

Agreed as to scope of services, time schedule, and budget:

Tony McDonald
For Richland County, South Carolina

7/26/12
Date

William J. Crahan
For M. B. Kahn Construction Co., Inc.

07/31/2012
Date

Attachment: MBK Proposal Dated 6/7/2012 (4 pages)



KAHN

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CONSTRUCTION
MANAGEMENT
DIVISION

June 7, 2012

M.B. Kahn Construction Co., Inc.

PO BOX 1179 / COLUMBIA, SC 29202 / PHONE (803) 736-2950 / FAX (803) 736-9501

Ms. Roxanne Ancheta
Assistant to the County Administrator
Richland County
P. O. Box 192
Columbia, South Carolina 29202

**RE: Richland County Recreation / Entertainment Complex
Work Authorization Number 4**

Ms. Ancheta;

M. B. Kahn is pleased to submit the enclosed scope, fee and contract revisions for the Work Authorization previously approved by Council. This revised proposal is based on the reduced project, and includes services for the development of Commercial Site Layout, services for Promotion of Public/Private Partnerships, and services for Schematic Design of Indoor Sports Facility.

We are available to meet with you after you have had a chance to review the enclosed information so that we may respond to any questions you may have relative to the scope and cost. Please let us know if you wish to meet.

Sincerely,
M. B. KAHN CONSTRUCTION CO., INC.
Construction Management Division

William W. Cram
Executive Vice President

Enc: Scope of Work; Fee Proposal; Work Authorization

CC: R. Brax



RICHLAND COUNTY RECREATION / ENTERTAINMENT COMPLEX

SCOPE OF WORK

COMMERCIAL SITE LAYOUT

Provide a defined feasible conceptual layout for the commercial development. Design will address all significant areas of design including relationships to the recreation complex, pedestrian traffic coordination, traffic/parking coordination, Indoor Sports Facility location, and safety/security. The design will be shown in the form of 2D drawings, and a study 3D model.

PROMOTION OF PUBLIC/PRIVATE PARTNERSHIP

The objective is to promote private sector participation in the provision of public services through public-private partnership projects in terms of investment capital, and managerial skills. Private/Public Partnerships may consist of two components, first is the Indoor Sports Facility, for basketball, volleyball and other indoor competitions, and secondly, is the area that will be allocated for hotel, retail and food establishments. Work necessary to conduct this portion of services includes:

- Developing an enabling legal and institutional framework to guide investments in public/private partnership;
- Develop institutional capacities for technical analysis and negotiation of public/ private partnership and associated contracts (possible tax exempt from property taxes the “public use” portion of property)
- To implement effective strategies indicating specific obligations and rights for various stakeholders by providing options for the type of public/private partnerships such as:
 - Buy-Build-Operate – County sells +/- 10 acres to the private sector entity
 - Land Lease – is a lease in which the tenant rents and uses the land, but owns the temporary or permanent buildings and other objects placed on it.
 - Or a combination of Buy-Build-Operate and Land Lease
- Prepare operational guidelines and criteria for the Indoor Sports Facility public/private partnership;
- Identify potential private partners for the design and construction of the Indoor Sports Facility
- Identify potential private partners for the design and construction of a Hotel, Food, and Retail shops
- Introduce fair, equitable, transparent, competitive and cost effective procurement processes for public/private partnership;
- Establish efficient and quality socio-economic public private partnership within Richland County.

RICHLAND COUNTY RECREATION / ENTERTAINMENT COMPLEX

SCOPE OF WORK

SCHEMATIC DESIGN OF INDOOR SPORTS FACILITY

The objective is to provide a document fully outlining the facility's design criteria. Documents will cover major building functions, number teams, patrons to be accommodated and possible activity usage. All documents are based on feasibility studies, site selection and market conditions, with the final document used to attract Private Partners.

Services include:

- Confirmation of facility objectives
- Identification of priorities, values and goals
- Develop performance and design criteria
- Establish building size, shape and height requirements
- Establish interior configuration requirements
- Identify other required components
- Produce 2D drawings and 3D study model



RICHLAND COUNTY RECREATION COMPLEX
Richland County, SC

FEE PROPOSAL BREAKDOWN (W.A. #4)

COMMERCIAL SITE LAYOUT	\$58,800
Conceptual development layout	
Pedestrian Traffic Coordination	
Traffic/Parking Coordination	
Locate Indoor Sports Facility	
2D Drawing and 3D Models	
PROMOTION OF PUBLIC / PRIVATE PARTNERSHIPS	\$93,200
Legal and Institutional Framework	
Indoor Sports Facility Guidelines	
Public/Private Partnership Options	
Establish Procurement Process	
Identify Potential Private Partners	
SCHEMATIC DESIGN FOR INDOOR SPORTS FACILITY	\$161,700
Confirmation of facility objectives	
Identification of priorities, values and goals	
Develop performance and design criteria	
Establish building size, shape and height requirements	
Establish interior configuration requirements	
Identify other required components	
Produce 2D drawings and 3D study model	
TOTAL	\$313,700



RICHLAND COUNTY RECREATION / ENTERTAINMENT COMPLEX

WORK AUTHORIZATION FOR PROFESSIONAL SERVICES

Richland County Recreation / Entertainment Complex

Work Authorization No. 4

It is agreed to undertake the following work in accordance with the provisions of our Prime Agreement for Professional Services dated April 1, 2010.

Description of Work Authorization: services for the development of a Commercial Site Layout, services for Promotion of Public/Private Partnerships, and services for Schematic Design of Indoor Sports Facility as described in M.B. Kahn's proposal dated June 7, 2012 (*copy attached*).

Basis of Compensation / Period of Services: A fixed fee of Three Hundred Thirteen Thousand Seven Hundred Dollars (\$313,700.00). Services described herein shall be completed in 270 days of the executed work authorization, subject to updates and modifications as the project progresses. Compensation is to be paid in monthly installments commensurate with the progress of the work.

Agreed as to scope of services, time schedule, and budget:

Tony McDonald
For Richland County, South Carolina

7/26/12
Date

William Kra
For M. B. Kahn Construction Co., Inc.

07/31/2012
Date

Attachment: MBK Proposal Dated 6/7/2012 (4 pages)

Richland County Council Request of Action

Subject

An Ordinance Authorizing the issuance and sale of not to exceed \$9,000,000 Fire Protection Service General Obligation Bonds, Series 2012B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; Authorizing the Interim County Administrator to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; adopting written procedures related to tax-exempt debt; and other matters relating thereto **[PAGES 122-167]**

Notes

September 25, 2012 - The committee recommended that Council approve a bond ordinance of up to \$9,000,000 in accordance with the capital needs assessment for County Fire operations as presented by the Administrator during the Council's annual planning retreat. The recommendation for approval is contingent upon Administration obtaining information on how the City of Columbia spends the monies it receives from its fire hydrant fee. The vote in favor was unanimous.

First Reading: October 2, 2012

Second Reading:

Third Reading:

Public Hearing:

Richland County Council Request of Action

Subject: Bond Issuance - Fire Service

A. Purpose

County Council is requested to approve a bond ordinance for up to \$9,000,000 in accordance with the capital project plan provided at the planning retreat to Council members by the County Administrator.

B. Background / Discussion

During the Council retreat in January 2012, the County Administrator provided Council with information about his capital needs assessment for County Fire Operations. The recommendation included a planned bond issue for approximately \$9m at the end of 2012.

During a discussion at the 2012 Council retreat it was mentioned that the current bond market has shown very favorable rates but can be volatile. Recent bond sales have closed with an effective interest rate of less than 2 percent and as low as 1.5 percent. Estimates are that if the County issues the same \$9m now to take advantage of these low rates the County could save the taxpayer more than \$1m on the total cost over the life of this loan.

County Administration has worked with the Emergency Service Director to ensure that the bond issue supports the immediate needs of the Fire Operation for vehicles and equipment. Funds will be used to purchase emergency vehicles, fire apparatus, portable and fixed equipment. Finance has worked with the County Financial Advisor to ensure that the issue can be managed within the current 1.8 mill tax rate for debt service.

The result of this is that the bond can be issue with no impact on the tax rate for Fire Service.

C. Legislative/Chronological History

Capital Needs assessments for Fire Operations that the County Administrator provided to Council during its annual retreat in January of 2012.

D. Financial Impact

The actual financial impact can not be determined until the bonds are issued. However consistent with the County's long-term plan, the proposal is advantageous to the County because:

- Request is consistent with the County Emergency Service Director priorities.
- Approval would address the replacement of aging equipment and vehicles related to public safety
- Approval would not increase the debt service millage associated with the Fire operation

- By issuing now and taking advantage of interest rates, the County will reduce it's borrowing cost by approximately \$1m over the life of the loan

E. Alternatives

1. Approve the requested bond ordinance and associated purchases.
2. Approve the requested bond ordinance but amend the purchase list.
3. Delay the approval of the bond ordinance and project list until a later time.
4. Do not approve the bond ordinance at this time and not move forward with the project list.

F. Recommendation

It is recommended that Council approve alternative 1 with a bond ordinance.

Recommended by: Daniel Driggers Department: Finance Date: 9/7/12

G. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 9/18/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation:

Request is consistent with the County capital plan

Procurement

Reviewed by: Rodolfo Callwood Date: 9/18/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation:

Emergency Services

Reviewed by: Michael Byrd Date:
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation: The bond will allow for the replacement of older fire vehicles and equipment. Large truck replacement purchases have not been made in several years. This will improve the readiness of the fleet.

Legal

Reviewed by: Elizabeth McLean Date: 9/18/12
 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: Tony McDonald

Date: 9/18/12

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

Comments regarding recommendation: Recommend approval of the proposed bond issue for the following reasons: (1) items to be purchased through the bond are consistent with the Fire Service capital improvement program and with the recently renegotiated City / County Fire Service Contract; (2) timing of the bond issue is ideal due to the low interest rates that are currently available; and (3) issuance of the bond at this time will not increase the debt service millage currently reflected on the tax bills.

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

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$9,000,000 FIRE PROTECTION SERVICE GENERAL OBLIGATION BONDS, SERIES 2012B, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF RICHLAND COUNTY, SOUTH CAROLINA,; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; ADOPTING WRITTEN PROCEDURES RELATED TO TAX-EXEMPT DEBT; AND OTHER MATTERS RELATING THERETO.

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 1. Findings and Determinations. The County Council (the “County Council”) of Richland County, South Carolina (the “County”), hereby finds and determines:

(a) Pursuant to Section 4-9-10, Code of Laws of South Carolina 1976, as amended, the County operates under the Council-Administrator form of government and the County Council constitutes the governing body of the County.

(b) The County Council has previously determined to establish, operate and maintain a system of fire protection in the unincorporated area of the County and in the incorporated limits of the Town of Forest Acres, the Town of Blythewood, and the Town of Eastover and within the Capital View Fire District and, pursuant to the provisions of Chapter 19 of Title 4 of the Code of Laws of South Carolina 1976, as amended (the “Enabling Act”), designated the areas of the County where fire protection service may be furnished by the County under the provisions of the Enabling Act (the “District”); and

(c) By virtue of the Enabling Act, County Council is authorized to issue general obligation bonds of the County for the purpose of raising moneys to establish, maintain, and operate a fire protection system as provided by the Enabling Act and to purchase the necessary fire-fighting equipment and to construct, acquire, and build the necessary fire stations and to acquire sites for the station; and

(d) Section 12 of Article X of the South Carolina Constitution prohibits the issuance of general obligation bonds of any county to finance fire protection facilities benefiting only a particular geographic section of a county unless a special assessment, tax or service charge in an amount designed to provide debt service shall be imposed upon the areas or persons receiving the benefit therefrom;

(e) After due investigation, County Council has determined and hereby finds that the levy and collection of an annual ad valorem tax within the District pursuant to this Ordinance will be sufficient to provide for the payment of the principal and interest on the bonds to be issued hereunder, and the respective requirements of Article X, Section 12 of the South Carolina Constitution and Section 4-19-30 of the Enabling Act with respect to the issuance of the bonds provided for herein have been met.

(f) The County Council has been advised by Co-Bond Counsel that a best practice related to the issuance of tax-exempt debt is for each issuer to have Written Procedures related to Tax-Exempt Debt.

(g) It is now in the best interest of Richland County for the County Council to provide for the issuance and sale of not exceeding \$9,000,000 fire protection service general obligation bonds of the County pursuant to the aforesaid provisions of the Constitution and laws of the State of South Carolina, the proceeds of which will be used to provide funds for the acquisition of firefighting equipment including but not limited to purchase emergency vehicles, fire apparatus, portable and fixed equipment (the "Project"), costs of issuance of the bonds; and such other lawful corporate and public purposes as the County Council shall determine and to adopt Written Procedures Related to Tax-Exempt Debt.

SECTION 2. Authorization and Details of Bonds. Pursuant to the aforesaid provisions of the Constitution and laws of the State, there is hereby authorized to be issued not exceeding \$9,000,000 aggregate principal amount of fire protection service general obligation bonds of the County to be designated "\$9,000,000 (or such lesser amount issued) Fire Protection Service General Obligation Bonds, Series 2012B, of Richland County, South Carolina" (the "Bonds") for the purpose stated in Section 1(f) of this Ordinance.

The Bonds shall be issued as fully registered Bonds registerable as to principal and interest; shall be dated as of the first day of the month in which they are delivered to the initial purchaser(s) thereof; shall be in denominations of \$5,000 or any integral multiple thereof not exceeding principal amount of Bonds maturing each year; shall be numbered from R-1 upward; shall bear interest from their date payable at such times as hereafter designated by the Interim County Administrator (the "Interim Administrator") at such rate or rates as may be determined by the County Council at the time of sale thereof; and shall mature serially in successive annual installments as determined by the Interim Administrator.

Without further authorization, the County Council hereby delegates to the Interim Administrator the authority to: (a) determine the par amount of the Bonds; (b) determine the maturity dates of the Bonds and the respective principal amounts maturing on such dates; (c) determine the interest payment dates of the Bonds; (d) determine redemption provisions, if any, for the Bonds; (e) the time and date of sale of the Bonds; (f) to receive bids on behalf of the County Council; and (g) award the Bonds to the bidder whose bid is in the best interest of the County, upon advice from the County's Bond Counsel and Financial Advisor. After the sale of the Bonds, the Interim Administrator shall submit a written report to County Council setting forth the details of the Bonds as set forth in this paragraph.

Wells Fargo Bank, N.A., Atlanta, Georgia, will serve as paying agent for the Bonds.

SECTION 3. Registration, Transfer and Exchange of Bonds. The County shall cause books (herein referred to as the "registry books") to be kept at the offices of the Registrar/Paying Agent, for the registration and transfer of the Bonds. Upon presentation at its office for such purpose the Registrar/Paying Agent shall register or transfer, or cause to be registered or transferred, on such registry books, the Bonds under such reasonable regulations as the Registrar/Paying Agent may prescribe.

Each Bond shall be transferable only upon the registry books of the County, which shall be kept for such purpose at the principal office of the Registrar/Paying Agent, by the registered owner thereof in person or by his duly authorized attorney upon surrender thereof together with a written instrument of transfer satisfactory to the Registrar/Paying Agent duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any such Bond the Registrar/Paying Agent on behalf of the County shall issue in the name of the transferee a new fully-registered Bond or Bonds, of the same aggregate principal amount, interest rate and maturity as the surrendered Bond. Any Bond surrendered in exchange for a new registered Bond pursuant to this Section shall be canceled by the Registrar/Paying Agent.

The County and the Registrar/Paying Agent may deem or treat the person in whose name any fully-registered Bond shall be registered upon the registry books as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Bond and for all other purposes and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the County nor the Registrar/Paying Agent shall be affected by any notice to the contrary. For every such transfer of Bonds, the County or the Registrar/Paying Agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such transfer, and, except as otherwise provided herein, may charge a sum sufficient to pay the cost of preparing each Bond issued upon such transfer, which sum or sums shall be paid by the person requesting such transfer or by the County as a condition precedent to the exercise of the privilege of making such transfer. Neither the County nor the Registrar/Paying Agent shall be obliged to make any such transfer of Bonds during the fifteen (15) days preceding an interest payment date on such Bonds.

SECTION 4. Record Date. The County hereby establishes a record date for the payment of interest or for the giving of notice of any proposed redemption of Bonds, and such record date shall be the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date on such Bond or in the case of any proposed redemption of Bonds, such record date shall be the fifteenth (15th) day prior to the giving of notice of redemption of bonds.

SECTION 5. Mutilation, Loss, Theft or Destruction of Bonds. In case any Bond shall at any time become mutilated in whole or in part, or be lost, stolen or destroyed, or be so defaced as to impair the value thereof to the owner, the County shall execute and the Registrar shall authenticate and deliver at the principal office of the Registrar, or send by registered mail to the owner thereof at his request, risk and expense a new Bond of the same series, interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender for cancellation of such defaced, mutilated or partly destroyed Bond, or in lieu of or in substitution for such lost, stolen or destroyed Bond. In any such event the applicant for the issuance of a substitute Bond shall furnish the County and the Registrar evidence or proof satisfactory to the County and the Registrar of the loss, destruction, mutilation, defacement or theft of the original Bond, and of the ownership thereof, and also such security and indemnity in an amount as may be required by the laws of the State of South Carolina or such greater amount as may be required by the County and the Registrar. Any duplicate Bond issued under the provisions of this Section in exchange and substitution for any defaced, mutilated or partly destroyed Bond or in substitution for any allegedly lost, stolen or wholly destroyed Bond shall be entitled to the identical benefits under this Ordinance as was the original Bond in lieu of which such duplicate Bond is issued, and shall be entitled to equal and proportionate benefits with all the other Bonds of the same series issued hereunder.

All expenses necessary for the providing of any duplicate Bond shall be borne by the applicant therefor.

SECTION 6. Execution of Bonds. The Bonds shall be executed in the name of the County with the manual or facsimile signature of the Chairman of the County Council attested by the manual or facsimile signature of the Interim Clerk of the County Council under a facsimile of the seal of the County impressed, imprinted or reproduced thereon; provided, however, the facsimile signatures appearing on the Bonds may be those of the officers who are in office on the date of adoption of this Ordinance. The execution of the Bonds in such fashion shall be valid and effectual, notwithstanding any subsequent change in such offices. The Bonds shall not be valid or become obligatory for any purpose unless there shall have been endorsed thereon a certificate of authentication. Each Bond shall bear a certificate of authentication manually executed by the Registrar in substantially the form set forth herein.

SECTION 7. Form of Bonds. The Bonds and the certificate of authentication shall be in substantially the form attached hereto as Exhibit A and incorporated herein by reference.

SECTION 8. Investment Contracts. The County Council hereby authorizes the Interim County Administrator to execute such investment contracts and related documents as he determines to be in the best interest of the County; provided that all such investments shall be permitted investments of public funds as provided in Section 6-5-10 and 11-1-60, Code of Laws of South Carolina 1976 as amended.

SECTION 9. Security for Bonds. For the payment of the principal of and interest on the Bonds, as they respectively mature, the full faith, credit and taxing power of Richland County, South Carolina, are hereby irrevocably pledged, and pursuant to Section 4-19-140 of the Code and Section 12 of Article X of the Constitution, there shall be levied annually by the Auditor of the County and collected by the Treasurer of the County, in the same manner as other county taxes are levied and collected, an ad valorem tax, without limit, on all taxable property in the Richland County Fire Protection District, sufficient to pay the principal of and interest on such Bonds as they respectively mature and to create such sinking fund as may be necessary therefor. Bonds issued by the County for the Richland County Fire Protection District are the primary obligation of the Richland County Fire Protection District and only in the event ad valorem taxes levied and collected in the Richland County Fire Protection District are insufficient to pay the debt service on the Bonds shall the County be required to levy and collect a tax on all taxable property within the County sufficient to pay the principal and interest on the Bonds as they mature and to create such sinking fund as may be necessary.

The County Council, acting through its Chairman, shall give the Auditor and Treasurer of the County written notice of the delivery of and payment for the Bonds and they are hereby directed to levy and collect annually, on all taxable property in the Richland County Fire Protection District, a tax, without limit, sufficient to pay the principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 10. Notice of Initiative and Referendum. The County Council hereby delegates to its Chairman and the Interim Administrator the authority to determine whether the Notice prescribed under the provisions of Title 11, Chapter 27, relating to the Initiative and Referendum provisions contained in Title 4, Chapter 9 of the Code of Laws of South Carolina 1976, as amended, shall be given with respect to this Ordinance, such notice being in the form attached hereto as Exhibit B. The Chairman and the Interim Administrator are authorized to cause such notice to be published in a newspaper of general circulation in the County.

SECTION 11. Defeasance. The obligations of the County under this Ordinance and the pledges, covenants and agreements of the County herein made or provided for, shall be fully discharged and satisfied as to any portion of the Bonds, and such Bond or Bonds shall no longer be deemed to be outstanding hereunder when:

(a) such Bond or Bonds shall have been purchased by the County and surrendered to the County for cancellation or otherwise surrendered to the County or the Paying Agent and is canceled or subject to cancellation by the County or the Paying Agent; or

(b) payment of the principal of and interest on such Bonds either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for by irrevocably depositing with a corporate trustee to be named in trust and irrevocably set aside exclusively for such payment, (1) moneys sufficient to make such payment, or (2) Government Obligations (hereinafter defined) maturing as to principal and interest in such amounts and at such times as will ensure the availability of sufficient moneys to make such payment and all necessary and proper fees, compensation and expenses of the corporate trustee. At such time as the Bonds shall no longer be deemed to be outstanding hereunder, such Bonds shall cease to draw

interest from the due date thereof and, except for the purposes of any such payment from such moneys or Government Obligations, shall no longer be secured by or entitled to the benefits of this Ordinance.

“Government Obligations” shall mean any of the following:

- (i) direct obligations of the United States of America or agencies thereof or obligations, the payment of principal or interest on which, in the opinion of the Attorney General of the United States, is fully and unconditionally guaranteed by the United States of America;
- (ii) non-callable, U. S. Treasury Securities - State and Local Government Series (“SLGS”);
- (iii) general obligation bonds of the State, its institutions, agencies, school districts and political subdivisions; and
- (iv) a defeasance obligation as defined in Section 6-5-10 of the S.C. Code as such as may be amended from time to time.

(c) Such Bond or Bonds shall be defeased as provided in Section 11-14-110 of the S.C. Code as such may be amended from time to time.

SECTION 12. Exemption from State Taxes. Both the principal of and interest on the Bonds shall be exempt, in accordance with the provisions of Section 12-2-50 of the Code, from all State, county, municipal, school district and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

SECTION 13. Eligible Securities. The Bonds initially issued (the “Initial Bonds”) will be eligible securities for the purposes of the book-entry system of transfer maintained by The Depository Trust Company, New York, New York (“DTC”), and transfers of beneficial ownership of the Initial Bonds shall be made only through DTC and its participants in accordance with rules specified by DTC. Such beneficial ownership must be of \$5,000 principal amount of Bonds of the same maturity or any integral multiple of \$5,000.

The Initial Bonds shall be issued in fully-registered form, one Bond for each of the maturities of the Bonds, in the name of Cede & Co., as the nominee of DTC. When any principal of or interest on the Initial Bonds becomes due, the Paying Agent, on behalf of the County, shall transmit to DTC an amount equal to such installment of principal and interest. DTC shall remit such payments to the beneficial owners of the Bonds or their nominees in accordance with its rules and regulations.

Notices of redemption of the Initial Bonds or any portion thereof shall be sent to DTC in accordance with the provisions of the Ordinance.

If (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the County has advised DTC of its determination that DTC is incapable of discharging its duties, the County shall attempt to retain another qualified securities depository to replace DTC. Upon receipt by the County the Initial Bonds together with an assignment duly executed by DTC, the County shall execute and deliver to the successor securities depository Bonds of the same principal amount, interest rate and maturity registered in the name of such successor.

If the County is unable to retain a qualified successor to DTC or the County has determined that it is in its best interest not to continue the book-entry system of transfer or that interests of the beneficial owners of the

Bonds might be adversely affected if the book-entry system of transfer is continued (the County undertakes no obligation to make any investigation to determine the occurrence of any events that would permit it to make any such determination), and has made provision to so notify beneficial owners of the Bonds by mailing an appropriate notice to DTC, upon receipt by the County the Initial Bonds together with an assignment duly executed by DTC, the County shall execute, authenticate and deliver to the DTC participants Bonds in fully-registered form, in substantially the form set forth in Section 2 of this Ordinance in the denomination of \$5,000 or any integral multiple thereof.

Notwithstanding the foregoing, at the request of the purchaser, the Bonds will be issued as one single fully-registered bond and not issued through the book-entry system.

SECTION 14. Sale of Bonds, Form of Notice of Sale. The Bonds shall be offered for public sale on the date and at the time designated by the Interim Administrator. A Notice of Sale in substantially the form set forth in Exhibit C attached hereto and incorporated herein by reference shall be distributed to prospective bidders and a summary of such Notice of Sale shall be published in a newspaper of general circulation in the State of South Carolina and/or in a financial publication published in the City of New York not less than seven (7) days prior to the date set for such sale.

SECTION 15. Preliminary and Final Official Statement. The County Council hereby authorizes and directs the Interim Administrator to prepare, or cause to be prepared, a Preliminary Official Statement to be distributed to prospective purchasers of the Bonds together with the Notice of Sale. The County Council authorizes the Interim Administrator to designate the Preliminary Official Statement as “near final” for purposes of Rule 15c2-12 of the Securities Exchange Commission. The Interim Administrator is further authorized to see to the completion of the final form of the Official Statement upon the sale of the Bonds so that it may be provided to the purchaser of the Bonds.

SECTION 16. Filings with Central Repository. In compliance with Section 11-1-85, South Carolina Code of Laws 1976, as amended, the County covenants that it will file or cause to be filed with a central repository for availability in the secondary bond market when requested: (a) a copy of an annual independent audit of the County within thirty (30) days of the County's receipt thereof; and (b) within thirty (30) days of the occurrence thereof, event specific information of an event which adversely affects more than five (5%) percent of the tax revenues of the County or the County's tax base.

SECTION 17. Continuing Disclosure. In compliance with the Securities and Exchange Commission Rule 15c2-12 (the “Rule”) the County covenants and agrees for the benefit of the holders from time to time of the Bonds to execute and deliver prior to closing, and to thereafter comply with the terms of a Disclosure Dissemination Agent Agreement in substantially the form appearing as Exhibit D to this Ordinance. In the event of a failure of the County to comply with any of the provisions of the Disclosure Dissemination Agent Agreement, an event of default under this Ordinance shall not be deemed to have occurred. In such event, the sole remedy of any bondholder or beneficial owner shall be an action to compel performance by the Ordinance.

SECTION 18. Deposit and Use of Proceeds. The proceeds derived from the sale of the Bonds shall be deposited with the Treasurer of the County in a special fund to the credit of the County, separate and distinct from all other funds, and shall be expended from time to time and made use of by the County Council as follows:

(a) Any premium shall be placed in the sinking fund established pursuant to Section 4-15-150 of the Code; and

(b) The balance of the proceeds shall be applied for the purposes set forth in this Ordinance including defraying the costs and expenses of issuing the Bonds.

SECTION 19. Reimbursement of Certain Expenditures. The County Council hereby declares its official intent pursuant to Regulation § 1.150-2 to reimburse the County from the proceeds of tax-exempt debt in the form of general obligation bonds of the County to be issued pursuant to the Constitution, Title 4, Chapter 19, Code of Laws of South Carolina 1976, as amended, Title 11, Chapter 27, Code of Laws of South Carolina 1976, as amended, and this Ordinance for expenditures with respect to the Project (the “Expenditures”). The County anticipates incurring Expenditures with respect to the Project prior to the issuance by the County of general obligation bonds for such purposes. To be eligible for reimbursement of the Expenditures, the reimbursement allocation must be made not later than 18 months after the later of (a) the date on which the Expenditures were paid, or (b) the date the Project was placed in service, but in no event more than three (3) years after the original Expenditures. The Expenditures are incurred solely to acquire, construct or rehabilitate property (both real and personal) having a reasonably expected economic life of at least one (1) year. The source of funds for the Expenditures with respect to the Project will be the County's general reserve funds.

SECTION 20. Notice of Public Hearing. The County Council hereby ratifies and approves the publication of a notice of public hearing regarding the Bonds and this Ordinance, such notice in the form attached hereto as Exhibit E, having been published in The State, a newspaper of general circulation in the County, not less than 15 days prior to the date of such public hearing.

SECTION 21. Tax Covenants. The County hereby covenants and agrees with the Holders of the Bonds that it will not take any action which will, or fail to take any action which failure will, cause interest on the Bonds to become includable in the gross income of the Bondholders for federal income tax purposes pursuant to the provisions of the IRC and regulations promulgated thereunder in effect on the date of original issuance of the Bonds. The County further covenants and agrees with the holders of the Bonds that no use of the proceeds of the Bonds shall be made which, if such use had been reasonably expected on the date of issue of the Bonds would have caused the Bonds to be “arbitrage bonds,” as defined in Section 148 of the IRC, and to that end the County hereby shall:

- (a) comply with the applicable provisions of Sections 103 and 141 through 150 of the IRC and any regulations promulgated thereunder so long as the Bonds are outstanding;
- (b) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in order to comply with the requirements of the IRC relating to required rebates of certain amounts to the United States; and
- (c) make such reports of such information at the time and places required by the IRC.

SECTION 22. Written Procedures Related to Tax-Exempt Debt. The Board hereby approves the Written Procedures Related to Tax-Exempt Debt attached hereto as Exhibit F.

SECTION 23. Miscellaneous. The County Council hereby authorizes any one or more of the following officials to execute such documents and instruments as necessary to effect the issuance of the Bonds: Chair of the County Council, Interim County Administrator, Interim Clerk to the County Council and County Attorney. The County Council hereby retains McNair Law Firm, P.A. and The Law Office of Ernest W. Cromartie III, LLC, as co-bond counsel, [to be determined], co-disclosure counsel, and Southwest Securities Inc., as financial advisor in connection with the issuance of the Bonds. The Interim County Administrator is authorized to execute such contracts, documents or engagement letters as may be necessary and appropriate to effectuate these engagements.

All rules, regulations, resolutions and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Bonds are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its adoption.

Enacted this ____ day of _____, 2012.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Kelvin Washington, Chair
Richland County Council

(SEAL)

ATTEST THIS ____ DAY OF
_____, 2012:

Interim Clerk to Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Date of First Reading:
Date of Second Reading:
Date of Public Hearing:
Date of Third Reading:

(FORM OF BOND)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
FIRE PROTECTION SERVICE GENERAL OBLIGATION BOND
SERIES 2012B

No. R-

<u>INTEREST</u> <u>RATE</u>	<u>MATURITY</u> <u>DATE</u>	<u>ORIGINAL</u> <u>ISSUE DATE</u>	<u>CUSIP</u>
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REGISTERED HOLDER: CEDE & CO.

PRINCIPAL AMOUNT: _____ DOLLARS

KNOW ALL MEN BY THESE PRESENTS, that Richland County, South Carolina (the "County"), is justly indebted and, for value received, hereby promises to pay to the registered holder specified above, or registered assigns, the principal amount specified above on the maturity date specified above, upon presentation and surrender of this Bond at the principal office of Wells Fargo Bank, N.A., in the City of Atlanta, State of South Carolina (the "Paying Agent"), and to pay interest on such principal amount from the date hereof at the rate per annum specified above until this Bond matures. Interest on this Bond is payable semiannually on _____ and _____ of each year, commencing _____, until this Bond matures, and shall be payable by check or draft mailed to the person in whose name this Bond is registered on the registration books of the County maintained by the registrar, presently Wells Fargo Bank, N.A., in Atlanta, Georgia (the "Registrar"), at the close of business on the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date. The principal of and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts; provided, however, that interest on this fully-registered Bond shall be paid by check or draft as set forth above.

This Bond shall not be entitled to any benefit under the Ordinance (hereafter defined), nor become valid or obligatory for any purpose, until the certificate of authentication hereon shall have been duly executed by the Registrar.

For the payment hereof, both principal and interest, 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 County are irrevocably pledged and there shall be levied annually by the Auditor of the County and collected by the Treasurer of the County, in the same manner as other county taxes are levied and collected, an ad valorem tax, without limit, on all taxable property in the Richland County Fire Protection District (the "Fire Protection District") sufficient to pay the principal and interest of this Bond as they respectively mature and to create such sinking fund as may be necessary therefor. Bonds issued by the County for the Fire Protection District are the primary obligation of the Fire Protection District and only in the event ad valorem taxes levied and collected in the Fire Protection District are insufficient to pay the debt service on the Bonds shall the County be required to

levy and collect a tax on all taxable property within the County sufficient to pay the principal and interest on the Bonds as they mature and to create such sinking fund as may be necessary.

This Bond is one of a series of Bonds of like date of original issue, tenor and effect, except as to number, denomination, date of maturity, redemption provisions, and rate of interest, aggregating _____ Dollars (\$ _____), issued pursuant to and in accordance with the Constitution and laws of the State of South Carolina, including Article X of the Constitution of the State of South Carolina, 1895, as amended; Title 4, Chapter 15, Code of Laws of South Carolina 1976, as amended; Title 11, Chapters 15, 21 and 27, Code of Laws of South Carolina 1976, as amended; and Ordinance No. _____ duly enacted by the County Council on _____, 2012.

[Redemption Provisions]

This Bond is transferable as provided in the Ordinance, only upon the books of the County kept for that purpose at the principal office of the Registrar by the registered holder in person or by his duly authorized attorney upon surrender of this Bond together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered holder or his duly authorized attorney. Thereupon a new fully-registered Bond or Bonds of the same aggregate principal amount, interest rate redemption provisions, if any, and maturity shall be issued to the transferee in exchange therefor as provided in the Ordinance. The County, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal hereof and interest due hereon and for all other purposes.

Under the laws of the State of South Carolina, this Bond and the interest hereon are exempt from all State, county, municipal, school district and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of the State of South Carolina to exist, to happen and to be performed precedent to or in the issuance of this Bond exist, have happened and have been performed in regular and due time, form and manner as required by law; that the amount of this Bond, together with all other indebtedness of the County, does not exceed the applicable limitation of indebtedness under the laws of the State of South Carolina; and that provision has been made for the levy and collection of a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on this Bond as the same shall respectively mature and to create such sinking fund as may be necessary therefor.

IN WITNESS WHEREOF, RICHLAND COUNTY, SOUTH CAROLINA, has caused this Bond to be signed with the facsimile signature of the Chairman of the County Council, attested by the facsimile signature of the Interim Clerk to the County Council and the seal of the County impressed, imprinted or reproduced hereon.

RICHLAND COUNTY, SOUTH CAROLINA

Chairman, County Council

(SEAL)

ATTEST:

Interim Clerk, County Council

[FORM OF REGISTRAR'S CERTIFICATE OF AUTHENTICATION]

Date of Authentication:

This bond is one of the Bonds described in the within mentioned Ordinance of Richland County, South Carolina.

as Registrar

By: _____
Authorized Officer

The following abbreviations, when used in the inscription on the face of this Bond shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM - As tenants in common

UNIF GIFT MIN. ACT

TEN ENT - As tenants by the
entireties

Custodian
(Cust.) (Minor)

JT TEN - As joint tenants
with right of
survivorship and
not as tenants in
common

under Uniform Gifts to Minors

(State)

Additional abbreviations may also be used though not in list above.

[FORM OF ASSIGNMENT]

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and address of Transferee)

the within Bond and does hereby irrevocably constitute and appoint _____ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated:

Signature Guaranteed:

(Authorizing Officer)

Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agents Medallion Program ("STAMP") or similar program.

NOTICE: The signature to this agreement must correspond with the name of the registered holder as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Copies of the final approving opinions to be rendered shall be printed on the back of each Bond and preceding the same a certificate shall appear, which shall be signed on behalf of the County with a facsimile signature of the Interim Clerk to the County Council. The certificate shall be in substantially the following form:

[FORM OF CERTIFICATE]

IT IS HEREBY CERTIFIED that the following is a true and correct copy of the complete final approving opinions (except for date and letterhead) of McNair Law Firm, P.A., Columbia, South Carolina, approving the issue of bonds of which the within bond is one, the original of which opinions were manually executed, dated and issued as of the date of delivery of and payment for the bonds and a copy of which is on file with the County Council of Richland County, South Carolina.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Interim Clerk, County Council

FORM OF NOTICE

NOTICE IS HEREBY GIVEN that the County Council (the "County Council") of Richland County, South Carolina (the "County"), on _____, 2012, enacted Ordinance No. _____ entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$9,000,000 FIRE PROTECTION SERVICE GENERAL OBLIGATION BONDS, SERIES 2012B, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF RICHLAND COUNTY, SOUTH CAROLINA,; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO" (the "Bonds") of the County.

The proceeds of the Bonds will be used to provide funds for the acquisition of firefighting equipment including but not limited to purchase emergency vehicles, fire apparatus, portable and fixed equipment and to pay costs of issuance of the Bonds.

Pursuant to Section 11-27-40(8) of the Code of Laws of South Carolina, 1976, as amended, unless a notice, signed by not less than five (5) qualified electors of the County, of the intention to seek a referendum is filed both in the office of the Clerk of Court of the County and with the Interim Clerk of the County Council, the initiative and referendum provisions of South Carolina law, Sections 4-9-1210 to 4-9-1230 of the Code of Laws of South Carolina, 1976, as amended, shall not be applicable to the Ordinance. The notice of intention to seek a referendum must be filed within twenty (20) days following the publication of this notice of the adoption of the aforesaid Ordinance in a newspaper of general circulation in Richland County.

/s/Chairman, County Council, Richland County,
South Carolina

FORM OF NOTICE OF SALE

§ _____ FIRE PROTECTION SERVICE GENERAL OBLIGATION BONDS,
 SERIES 2012B
 OF RICHLAND COUNTY, SOUTH CAROLINA

Time and Place of Sale: NOTICE IS HEREBY GIVEN that sealed bids, facsimile bids and electronic bids will be received on behalf of Richland County, South Carolina (the "County") in the Administrative Conference Room, 4th Floor, 2020 Hampton Street, Columbia, South Carolina, until 11:00 a.m., South Carolina time, on _____, _____, 2012, at which time said proposals will be publicly opened for the purchase of \$ _____ Fire Protection Service General Obligation Bonds, Series 2012B, of the County (the "Bonds").

Sealed Bids: Each hand delivered proposal shall be enclosed in a sealed envelope marked "Proposal for \$ _____ Fire Protection Service General Obligation Bonds, Series 2012B, Richland County, South Carolina" and should be directed to the Interim County Administrator at the address in the first paragraph hereof.

Facsimile Bids: The County will accept the facsimile transmission of a manually signed Official Bid Form at the risk of the Bidder. The County shall not be responsible for the confidentiality of bids submitted by facsimile transmission. Any delay in receipt of a facsimile bid, and any incompleteness or illegible portions of such bid are the responsibility of the bidder. Bids by facsimile should be transmitted to the attention of Tony McDonald, Interim County Administrator, fax number (803) 576-2138.

Electronic Bids: Electronic proposals must be submitted through i-Deal's Ipreo Electronic Bid Submission System ("Ipreo"). No electronic bids from any other providers of electronic bidding services will be accepted. Information about the electronic bidding services of Ipreo may be obtained from i-Deal, 40 W. 23rd Street, 5th floor, New York, New York 10010, Customer Support, telephone (212) 404-8102.

PROPOSALS MAY BE DELIVERED BY HAND, BY MAIL, BY FACSIMILE TRANSMISSION OR BY ELECTRONIC BID, BUT NO PROPOSAL SHALL BE CONSIDERED WHICH IS NOT ACTUALLY RECEIVED BY THE COUNTY AT THE PLACE, DATE AND TIME APPOINTED, AND THE COUNTY SHALL NOT BE RESPONSIBLE FOR ANY FAILURE, MISDIRECTION, DELAY OR ERROR RESULTING FROM THE SELECTION BY ANY BIDDER OF ANY PARTICULAR MEANS OF DELIVERY OF BIDS.

Book-Entry-Only Bonds: The Bonds will be issued in fully-registered form. One Bond representing each maturity will be issued to and registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), as registered owner of the Bonds and each such Bond will be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing each year; Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased. The winning bidder, as a condition to delivery of the Bonds, will be required to deposit the Bond certificates representing each maturity with DTC.

The Bonds will be issued in fully-registered form registered as to principal and interest; will be dated _____, 2012; will be in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing in each year; and will mature serially in successive annual installments on _____ in each of the years and in the principal amounts as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
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The Bonds will bear interest from the date thereof payable semiannually on _____ and _____ of each year, commencing _____, until they mature.

[Redemption Provisions]

Registrar/Paying Agent: Wells Fargo Bank, N.A., Atlanta, Georgia, shall serve as Registrar/Paying Agent for the Bonds.

Bid Requirements: Bidders shall specify the rate or rates of interest per annum which the Bonds are to bear, to be expressed in multiples of 1/20 or 1/8 of 1% and the interest rate specified for any maturity shall not be lower than the interest rate specified for any previous maturity. Bidders are not limited as to the number of rates of interest named, but the rate of interest on each separate maturity must be the same single rate for all Bonds of that maturity from their date to such maturity date. A bid for less than all the Bonds, a bid at a price less than par or a bid which includes a premium in excess of 10% of the par amount of the Bonds will not be considered. In addition to the bid price, the successful bidder must pay accrued interest from the date of the Bonds to the date of full payment of the purchase price.

Award of Bid. The Bonds will be awarded to the bidder or bidders offering to purchase the Bonds at the lowest true interest cost (TIC) to the County. The TIC will be the nominal interest rate which, when compounded semiannually and used to discount all debt service payments on the Bonds (computed at the interest rates specified in the bid and on the basis of a 360-day year of twelve 30-day months) to the dated date of the Bonds, results in an amount equal to the price bid for the Bonds. In the case of a tie bid, the winning bid will be awarded by lot. The County reserves the right to reject any and all bids or to waive irregularities in any bid. Bids will be accepted or rejected no later than 3:00 p.m., South Carolina time, on the date of the sale.

Security: For the payment of the principal of and interest on the Bonds, as they respectively mature, the full faith, credit and taxing power of Richland County, South Carolina, are hereby irrevocably pledged, and pursuant to Section 4-19-140 of the Code and Section 12 of Article X of the Constitution, there shall be levied annually by the Auditor of the County and collected by the Treasurer of the County, in the same manner as other county taxes are levied and collected, an ad valorem tax, without limit, on all taxable property in the Richland County Fire Protection District, sufficient to pay the principal of and interest on such Bonds as they respectively mature and to create such sinking fund as may be necessary therefor. Bonds issued by the County for the Richland County Fire Protection District are the primary obligation of the Richland County Fire Protection District and only in the event ad valorem taxes levied and collected in the Richland County Fire Protection District are insufficient to pay the debt service on the Bonds shall the County be required to levy and collect a tax on all taxable property within the County sufficient to pay the principal and interest on the Bonds as they mature and to create such sinking fund as may be necessary.

Good Faith Deposit: No good faith deposit is required.

Bid Form: Proposals should be enclosed in a separate sealed envelope marked “Proposal for \$ _____ Fire Protection Service General Obligation Bonds, Series 2012B, of Richland County, South Carolina” and should be directed to the Interim County Administrator at the address in the first paragraph hereof. It is requested but not required that you submit your bid on the Proposal for Purchase of Bonds supplied with the Official Statement.

Official Statement: Upon the award of the Bonds, the County will prepare an official statement (the “Official Statement”) in substantially the same form as the preliminary official statement subject to minor additions, deletions and revisions as required to complete the Official Statement. Within seven (7) business days after the award of the Bonds, the County will deliver the Official Statement to the successful bidder in sufficient quantity to comply with Rule G-32 of the Municipal Securities Rulemaking Board. The successful bidder agrees to supply to the County all necessary pricing information and any Underwriter identification necessary to complete the Official Statement within 24 hours after the award of the Bonds.

Continuing Disclosure: In order to assist the bidders in complying with S.E.C. Rule 15c2-12(b)(5), the County will undertake, pursuant to an ordinance and a Disclosure Dissemination Agent Agreement, to provide certain annual financial information and notices of the occurrence of certain events, if material. A description of this undertaking is set forth in the Preliminary Official Statement and will also be set forth in the final Official Statement.

Legal Opinion: The County Council shall furnish upon delivery of the Bonds the final approving opinions of McNair Law Firm, P.A., Columbia, South Carolina, which opinions shall accompany each Bond, together with the usual closing documents, including a certificate of the County that no litigation is pending affecting the Bonds.

Certificate as to Issue Price: The successful bidder must provide a certificate to the County by the date of delivery of the Bonds, stating the initial reoffering price of the Bonds to the public (excluding bond houses and brokers) and the price at which a substantial amount of the Bonds were sold to the public, in form satisfactory to Bond Counsel. A sample copy of such a certificate may be obtained from Bond Counsel.

Delivery: The Bonds will be delivered on or about _____, 2012, in New York, New York, at the expense of the County. The balance of the purchase price then due, including the amount of accrued interest, must be paid in federal funds or other immediately available funds.

Additional Information: The Preliminary Official Statement of the County with respect to the Bonds is available via the internet at <https://officialstatements.swst.com> and will be furnished to any person interested in bidding for the Bonds upon request to McNair Law Firm, P. A., Post Office Box 11390, Columbia, South Carolina 29211, attention: Francenia B. Heizer, Esquire, telephone (803) 799-9800, e-mail: fheizer@mcnair.net. The Preliminary Official Statement shall be reviewed by bidders prior to submitting a bid. Bidders may not rely on this Notice of Sale as to the complete information concerning the Bonds. Persons seeking information should communicate with the County’s Bond Counsel, Francenia B. Heizer, Esquire, McNair Law Firm, P.A., 1221 Main Street, 18th Floor, Columbia, South Carolina, 29201, telephone (803) 799-9800, e-mail: fheizer@mcnair.net or with the Financial Advisor, Brian G. Nurick, SVP/Managing Director of Public Finance, Southwest Securities Inc., 1219 Assembly Street, Suite 202, Columbia, South Carolina 29201; telephone (859) 410-2602, e-mail: brian.nurick@swst.com.

RICHLAND COUNTY, SOUTH CAROLINA
s/ Chair, County Council

FORM OF DISCLOSURE DISSEMINATION AGENT AGREEMENT

This Disclosure Dissemination Agent Agreement (“Disclosure Agreement”), dated _____, 2012, is executed and delivered by Richland County, South Carolina (“Issuer”) and Digital Assurance Certification, L.L.C., as exclusive Disclosure Dissemination Agent (“Disclosure Dissemination Agent” or “DAC”) for the benefit of the Holders (defined below) of the Bonds (defined below) and in order to provide certain continuing disclosure with respect to the Bonds in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission (“SEC”) under the Securities Exchange Act of 1934, as the same may be amended from time to time (“Rule”).

The services provided under this Disclosure Agreement solely relate to the execution of instructions received from the Issuer through use of the DAC system and do not constitute “advice” within the meaning of the Dodd-Frank Wall Street Reform and Consumer Protection Act (“Act”). DAC will not provide any advice or recommendation to the Issuer or anyone on the Issuer’s behalf regarding the “issuance of municipal securities” or any “municipal financial product” as defined in the Act and nothing in this Disclosure Agreement shall be interpreted to the contrary.

SECTION 1. Definitions. Capitalized terms not otherwise defined in this Disclosure Agreement shall have the meaning assigned in the Rule or, to the extent not in conflict with the Rule, in the Official Statement (defined below). The capitalized terms shall have the following meanings:

“Annual Report” means an Annual Report described in and consistent with Section 3 of this Disclosure Agreement.

“Annual Filing Date” means the date, set in Sections 2(a) and 2(f), by which the Annual Report is to be filed with the MSRB.

“Annual Financial Information” means annual financial information as such term is used in paragraph (b)(5)(i) of the Rule and specified in Section 3(a) of this Disclosure Agreement.

“Audited Financial Statements” means the financial statements (if any) of the Issuer for the prior fiscal year, certified by an independent auditor as prepared in accordance with generally accepted accounting principles or otherwise, as such term is used in paragraph (b)(5)(i) of the Rule and specified in Section 3(b) of this Disclosure Agreement.

“Bonds” means the bonds as listed on the attached Exhibit A, with the 9-digit CUSIP numbers relating thereto.

“Certification” means a written certification of compliance signed by the Disclosure Representative stating that the Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure delivered to the Disclosure Dissemination Agent is the Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure required to be submitted to the MSRB under this Disclosure Agreement. A Certification shall accompany each such document submitted to the Disclosure Dissemination Agent by the Issuer and include the full name of the Bonds and the 9-digit CUSIP numbers for all Bonds to which the document applies.

“Disclosure Representative” means the Finance Director, or his or her designee, or such other person as the Issuer shall designate in writing to the Disclosure Dissemination Agent from time to time as the person responsible for providing Information to the Disclosure Dissemination Agent.

“Disclosure Dissemination Agent” means Digital Assurance Certification, L.L.C, acting in its capacity as Disclosure Dissemination Agent hereunder, or any successor Disclosure Dissemination Agent designated in writing by the Issuer pursuant to Section 9 hereof.

“Failure to File Event” means the Issuer’s failure to file an Annual Report on or before the Annual Filing Date.

“Force Majeure Event” means: (i) acts of God, war, or terrorist action; (ii) failure or shut-down of the Electronic Municipal Market Access system maintained by the MSRB; or (iii) to the extent beyond the Disclosure Dissemination Agent’s reasonable control, interruptions in telecommunications or utilities services, failure, malfunction or error of any telecommunications, computer or other electrical, mechanical or technological application, service or system, computer virus, interruptions in Internet service or telephone service (including due to a virus, electrical delivery problem or similar occurrence) that affect Internet users generally, or in the local area in which the Disclosure Dissemination Agent or the MSRB is located, or acts of any government, regulatory or any other competent authority the effect of which is to prohibit the Disclosure Dissemination Agent from performance of its obligations under this Disclosure Agreement.

“Holder” means any person (a) having the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries) or (b) treated as the owner of any Bonds for federal income tax purposes.

“Information” means, collectively, the Annual Reports, the Audited Financial Statements (if any), the Notice Event notices, the Failure to File Event notices, the Voluntary Event Disclosures and the Voluntary Financial Disclosures.

“MSRB” means the Municipal Securities Rulemaking Board established pursuant to Section 15B(b)(1) of the Securities Exchange Act of 1934.

“Notice Event” means any of the events enumerated in paragraph (b)(5)(i)(C) of the Rule and listed in Section 4(a) of this Disclosure Agreement.

“Obligated Person” means any person, including the Issuer, who is either generally or through an enterprise, fund, or account of such person committed by contract or other arrangement to support payment of all, or part of the obligations on the Bonds (other than providers of municipal bond insurance, letters of credit, or other liquidity facilities), as shown on Exhibit A.

“Official Statement” means that Official Statement prepared by the Issuer in connection with the Bonds, as listed on Appendix A.

“Trustee” means the institution, if any, identified as such in the document under which the Bonds were issued.

“Voluntary Event Disclosure” means information of the category specified in any of subsections (e)(vi)(1) through (e)(vi)(11) of Section 2 of this Disclosure Agreement that is accompanied by a Certification of the Disclosure Representative containing the information prescribed by Section 7(a) of this Disclosure Agreement.

“Voluntary Financial Disclosure” means information of the category specified in any of subsections (e)(vii)(1) through (e)(vii)(9) of Section 2 of this Disclosure Agreement that is accompanied by a Certification of the Disclosure Representative containing the information prescribed by Section 7(b) of this Disclosure Agreement.

SECTION 2. Provision of Annual Reports.

(a) The Issuer shall provide, annually, an electronic copy of the Annual Report and Certification to the Disclosure Dissemination Agent, together with a copy for the Trustee, not later than the Annual Filing Date. Promptly upon receipt of an electronic copy of the Annual Report and the Certification, the Disclosure Dissemination Agent shall provide an Annual Report to the MSRB not later than February 1 after the end of each fiscal year of the Issuer, commencing with the February 1 following the fiscal year ending June 30, 2012. Such date and each anniversary thereof is the Annual Filing Date. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 3 of this Disclosure Agreement.

(b) If on the fifteenth (15th) day prior to the Annual Filing Date, the Disclosure Dissemination Agent has not received a copy of the Annual Report and Certification, the Disclosure Dissemination Agent shall contact the Disclosure Representative by telephone and in writing (which may be by e-mail) to remind the Issuer of its undertaking to provide the Annual Report pursuant to Section 2(a). Upon such reminder, the Disclosure Representative shall either (i) provide the Disclosure Dissemination Agent with an electronic copy of the Annual Report and the Certification no later than two (2) business days prior to the Annual Filing Date, or (ii) instruct the Disclosure Dissemination Agent in writing that the Issuer will not be able to file the Annual Report within the time required under this Disclosure Agreement, state the date by which the Annual Report for such year will be provided and instruct the Disclosure Dissemination Agent that a Failure to File Event has occurred and to immediately send a notice to the MSRB in substantially the form attached as Exhibit B, accompanied by a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

(c) If the Disclosure Dissemination Agent has not received an Annual Report and Certification by 12:00 noon on the first business day following 6:00 p.m. Eastern time on the Annual Filing Date (or, if such Annual Filing Date falls on a Saturday, Sunday or holiday, then the first business day thereafter) for the Annual Report, a Failure to File Event shall have occurred and the Issuer irrevocably directs the Disclosure Dissemination Agent to immediately send a notice to the MSRB in substantially the form attached as Exhibit B without reference to the anticipated filing date for the Annual Report, accompanied by a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

(d) If Audited Financial Statements of the Issuer are prepared but not available prior to the Annual Filing Date, the Issuer shall, when the Audited Financial Statements are available, provide in a timely manner an electronic copy to the Disclosure Dissemination Agent, accompanied by a Certification, together with a copy for the Trustee, for filing with the MSRB.

(e) The Disclosure Dissemination Agent shall:

- (i) verify the filing specifications of the MSRB each year prior to the Annual Filing Date;
- (ii) upon receipt, promptly file each Annual Report received under Sections 2(a) and 2(b) with the MSRB;

(iii) upon receipt, promptly file each Audited Financial Statement received under Section 2(d) with the MSRB;

(iv) upon receipt, promptly file the text of each Notice Event received under Sections 4(a) and 4(b)(ii) with the MSRB, identifying the Notice Event as instructed by the Issuer pursuant to Section 4(a) or 4(b)(ii) (being any of the categories set forth below) when filing pursuant to Section 4(c) of this Disclosure Agreement:

1. “Principal and interest payment delinquencies”;
2. “Non-Payment related defaults, if material”;
3. “Unscheduled draws on debt service reserves reflecting financial difficulties”;
4. “Unscheduled draws on credit enhancements reflecting financial difficulties”;
5. “Substitution of credit or liquidity providers, or their failure to perform”;
6. “Adverse tax opinions, IRS notices or events affecting the tax status of the security”;
7. “Modifications to rights of securities holders, if material”;
8. “Bond calls, if material”;
9. “Defeasances”;
10. “Release, substitution, or sale of property securing repayment of the securities, if material”;
11. “Rating changes”;
12. “Tender offers”;
13. “Bankruptcy, insolvency, receivership or similar event of the obligated person”;
14. “Merger, consolidation, or acquisition of the obligated person, if material”; and
15. “Appointment of a successor or additional trustee, or the change of name of a trustee, if material.”

(v) upon receipt (or irrevocable direction pursuant to Section 2(c) of this Disclosure Agreement, as applicable), promptly file a completed copy of Exhibit B to this Disclosure Agreement with the MSRB, identifying the filing as “Failure to provide annual financial information as required” when filing pursuant to Section 2(b)(ii) or Section 2(c) of this Disclosure Agreement;

(vi) upon receipt, promptly file the text of each Voluntary Event Disclosure received under Section 7(a) with the MSRB, identifying the Voluntary Event Disclosure as

instructed by the Issuer pursuant to Section 7(a) (being any of the categories set forth below) when filing pursuant to Section 7(a) of this Disclosure Agreement:

1. “amendment to continuing disclosure undertaking”;
2. “change in obligated person”;
3. “notice to investors pursuant to bond documents”;
4. “certain communications from the Internal Revenue Service”;
5. “secondary market purchases”;
6. “bid for auction rate or other securities”;
7. “capital or other financing plan”;
8. “litigation/enforcement action”;
9. “change of tender agent, remarketing agent, or other on-going third party”;
10. “derivative or other similar transaction”; and
11. “other event-based disclosures.”

12. State-Mandated Continuing Disclosure. In addition to the requirements set forth in this Section 2(e)(vi) of this Disclosure Agreement, the Issuer further agrees, pursuant to the requirements of S.C. Code Section 1-11-85, to file with the Dissemination Agent (a) its annual independent audit within 30 days of its receipt, and (b) event-specific information within 30 days of an event adversely affecting more than five percent of its revenue or tax base. The Issuer expects that, in meeting the requirements of Section 3 and 4 of this Disclosure Agreement, it also will meet the requirements of this Section 2(e)(vi)(12); however, to the extent that certain information is required to be filed pursuant to State law which is not required to be filed under the Rule or the other provisions of this Disclosure Agreement, the Issuer will provide notice of such information to the Dissemination Agent.

(vii) upon receipt, promptly file the text of each Voluntary Financial Disclosure received under Section 7(b) with the MSRB, identifying the Voluntary Financial Disclosure as instructed by the Issuer pursuant to Section 7(b) (being any of the categories set forth below) when filing pursuant to Section 7(b) of this Disclosure Agreement:

1. “quarterly/monthly financial information”;
2. “change in fiscal year/timing of annual disclosure”;
3. “change in accounting standard”;
4. “interim/additional financial information/operating data”;

5. “budget”;
6. “investment/debt/financial policy”;
7. “information provided to rating agency, credit/liquidity provider or other third party”;
8. “consultant reports”; and
9. “other financial/operating data.”

(viii) provide the Issuer evidence of the filings of each of the above when made, which shall be by means of the DAC system, for so long as DAC is the Disclosure Dissemination Agent under this Disclosure Agreement.

(f) The Issuer may adjust the Annual Filing Date upon change of its fiscal year by providing written notice of such change and the new Annual Filing Date to the Disclosure Dissemination Agent, Trustee (if any) and the MSRB, provided that the period between the existing Annual Filing Date and new Annual Filing Date shall not exceed one year.

(g) Any Information received by the Disclosure Dissemination Agent before 6:00 p.m. Eastern time on any business day that it is required to file with the MSRB pursuant to the terms of this Disclosure Agreement and that is accompanied by a Certification and all other information required by the terms of this Disclosure Agreement will be filed by the Disclosure Dissemination Agent with the MSRB no later than 11:59 p.m. Eastern time on the same business day; provided, however, the Disclosure Dissemination Agent shall have no liability for any delay in filing with the MSRB if such delay is caused by a Force Majeure Event provided that the Disclosure Dissemination Agent uses reasonable efforts to make any such filing as soon as possible.

SECTION 3. Content of Annual Reports. Each Annual Report shall contain Annual Financial Information with respect to the Issuer, including

(a) Audited Financial Statements prepared in accordance with generally accepted accounting principles (“GAAP”) or alternate accounting principles, as described in the Official Statement. If audited financial statements are not available, then, unaudited financial statements, prepared in accordance with GAAP or alternate accounting principles, as described in the Official Statement, will be included in the Annual Report. Audited Financial Statements (if any) will be provided pursuant to Section 2(d).

(b) The information provided in the Official Statement under the headings:

(i) Financial information relating to the Issuer’s General Fund revenues and expenditures for the previous five fiscal years, prepared substantially in the form of and updating the table appearing in the Official Statement under the heading, “FINANCIAL AND TAX INFORMATION – Five Year Summary of General Fund Operations.”

(ii) Information concerning the Issuer’s budget for the fiscal year in which the Annual Report is issued, prepared substantially in the form of the summary shown in the Official Statement under the heading, “FINANCIAL AND TAX INFORMATION – Budget Procedure.”

(iii) Information concerning the Issuer’s sources of revenues for the previous five fiscal years and for the fiscal year in which the Annual Report is issued, prepared

substantially in the form of and updating the tables appearing in the Official Statement under the heading, “FINANCIAL AND TAX INFORMATION – Revenues.” This information shall include a summary of expected revenues to be received from ad valorem property taxes, from the State of South Carolina and from the United States government.

(iv) Information concerning the assessed value and estimated true value of taxable real and personal property in the Issuer for each of the five previous fiscal years and, if available, an estimate for the fiscal year in which the Annual Report is issued, prepared substantially in the form of and updating the table shown in the Official Statement under the heading, “FINANCIAL AND TAX INFORMATION – Assessed Value” and under the heading, “FINANCIAL AND TAX INFORMATION – Estimated True Value of All Taxable Property.”

(v) (a) Information concerning the ad valorem property taxes collected for the Issuer’s operational and debt service purposes for each of the five previous fiscal years prepared substantially in the form of and updating the table shown in the Official Statement under the heading, “FINANCIAL AND TAX INFORMATION – Tax Collections for Last Five Years”; (b) information concerning the ten largest taxpayers to the Issuer and Issuer taxes paid during the previous fiscal year, prepared substantially in the form of the table shown in the Official Statement under the heading, “FINANCIAL AND TAX INFORMATION – Ten Largest Taxpayers”; and (c) the millage levied for the Issuer’s purposes during the previous five fiscal years and the fiscal year in which the Annual Report is provided, substantially in the form of and updating the table shown in the Official Statement under the heading, “FINANCIAL AND TAX INFORMATION – Millage History.”

(vi) (a) Information showing the legal debt limit of the Issuer as of June 30 of the previous fiscal year or some later date, substantially in the form shown in the Official Statement under the heading, “DEBT STRUCTURE – Legal Debt Limit of the County”; and (b) information showing the outstanding indebtedness of the Issuer, including long term lease obligations and other long term liabilities, as of June 30 of the previous fiscal year or some later date, substantially in the form of and updating the table and information appearing in the Official Statement under the heading, “DEBT STRUCTURE – Outstanding Indebtedness.”

Any or all of the items listed above may be included by specific reference from other documents, including official statements of debt issues with respect to which the Issuer is an “obligated person” (as defined by the Rule), which have been previously filed with the SEC or available on the MSRB Internet Website. If the document incorporated by reference is a final official statement, it must be available from the MSRB. The Issuer will clearly identify each such document so incorporated by reference.

Any Annual Financial Information containing modified operating data or financial information is required to explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

SECTION 4. Reporting of Notice Events.

(a) The occurrence of any of the following events with respect to the Bonds constitutes a Notice Event:

(i) Principal and interest payment delinquencies;

- (ii) Non-payment related defaults, if material;
- (iii) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (iv) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (v) Substitution of credit or liquidity providers, or their failure to perform;
- (vi) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (vii) Modifications to rights of Bond holders, if material;
- (viii) Bond calls, if material, and tender offers;
- (ix) Defeasances;
- (x) Release, substitution, or sale of property securing repayment of the Bonds, if material;
- (xi) Rating changes;
- (xii) Bankruptcy, insolvency, receivership or similar event of the Obligated Person;

Note to subsection (a)(xii) of this Section 4: For the purposes of the event described in subsection (a)(xii) of this Section 4, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an Obligated Person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Obligated Person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Obligated Person.

(xiii) The consummation of a merger, consolidation, or acquisition involving an Obligated Person or the sale of all or substantially all of the assets of the Obligated Person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and

(xiv) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

The Issuer shall, in a timely manner not in excess of ten business days after its occurrence, notify the Disclosure Dissemination Agent in writing of the occurrence of a Notice Event. Such notice shall instruct the Disclosure Dissemination Agent to report the occurrence pursuant to subsection (c) and shall be accompanied by a Certification. Such notice or Certification shall identify the Notice Event that has occurred (which shall be any of the categories set forth in Section 2(e)(iv) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the

Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information (provided that such date is not later than the tenth business day after the occurrence of the Notice Event).

(b) The Disclosure Dissemination Agent is under no obligation to notify the Issuer or the Disclosure Representative of an event that may constitute a Notice Event. In the event the Disclosure Dissemination Agent so notifies the Disclosure Representative, the Disclosure Representative will within two business days of receipt of such notice (but in any event not later than the tenth business day after the occurrence of the Notice Event, if the Issuer determines that a Notice Event has occurred), instruct the Disclosure Dissemination Agent that (i) a Notice Event has not occurred and no filing is to be made or (ii) a Notice Event has occurred and the Disclosure Dissemination Agent is to report the occurrence pursuant to subsection (c) of this Section 4, together with a Certification. Such Certification shall identify the Notice Event that has occurred (which shall be any of the categories set forth in Section 2(e)(iv) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information (provided that such date is not later than the tenth business day after the occurrence of the Notice Event).

(c) If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in subsection (a) or (b)(ii) of this Section 4 to report the occurrence of a Notice Event, the Disclosure Dissemination Agent shall promptly file a notice of such occurrence with MSRB in accordance with Section 2 (e)(iv) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

SECTION 5. CUSIP Numbers. Whenever providing information to the Disclosure Dissemination Agent, including but not limited to Annual Reports, documents incorporated by reference to the Annual Reports, Audited Financial Statements, Notice Event notices, Failure to File Event notices, Voluntary Event Disclosures and Voluntary Financial Disclosures, the Issuer shall indicate the full name of the Bonds and the 9-digit CUSIP numbers for the Bonds as to which the provided information relates.

SECTION 6. Additional Disclosure Obligations. The Issuer acknowledges and understands that other state and federal laws, including but not limited to the Securities Act of 1933 and Rule 10b-5 promulgated under the Securities Exchange Act of 1934, may apply to the Issuer, and that the duties and responsibilities of the Disclosure Dissemination Agent under this Disclosure Agreement do not extend to providing legal advice regarding such laws. The Issuer acknowledges and understands that the duties of the Disclosure Dissemination Agent relate exclusively to execution of the mechanical tasks of disseminating information as described in this Disclosure Agreement.

SECTION 7. Voluntary Filing.

(a) The Issuer may instruct the Disclosure Dissemination Agent to file a Voluntary Event Disclosure with the MSRB from time to time pursuant to a Certification of the Disclosure Representative. Such Certification shall identify the Voluntary Event Disclosure (which shall be any of the categories set forth in Section 2(e)(vi) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information. If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in this Section 7(a) to file a Voluntary Event Disclosure, the Disclosure Dissemination Agent shall promptly file such Voluntary Event Disclosure with the MSRB in accordance with Section 2(e)(vi) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-2.

(b) The Issuer may instruct the Disclosure Dissemination Agent to file a Voluntary Financial Disclosure with the MSRB from time to time pursuant to a Certification of the Disclosure Representative. Such Certification shall identify the Voluntary Financial Disclosure (which shall be any of the categories set forth in Section 2(e)(vii) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information. If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in this Section 7(b) to file a Voluntary Financial Disclosure, the Disclosure Dissemination Agent shall promptly file such Voluntary Financial Disclosure with the MSRB in accordance with Section 2(e)(vii) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-2.

(c) The parties hereto acknowledge that the Issuer is not obligated pursuant to the terms of this Disclosure Agreement to file any Voluntary Event Disclosure pursuant to Section 7(a) hereof or any Voluntary Financial Disclosure pursuant to Section 7(b) hereof.

(d) Nothing in this Disclosure Agreement shall be deemed to prevent the Issuer from disseminating any other information through the Disclosure Dissemination Agent using the means of dissemination set forth in this Disclosure Agreement or including any other information in any Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure, in addition to that required by this Disclosure Agreement. If the Issuer chooses to include any information in any Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure in addition to that which is specifically required by this Disclosure Agreement, the Issuer shall have no obligation under this Disclosure Agreement to update such information or include it in any future Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure.

SECTION 8. Termination of Reporting Obligation. The obligations of the Issuer and the Disclosure Dissemination Agent under this Disclosure Agreement shall terminate with respect to a series of the Bonds upon the legal defeasance, prior redemption or payment in full of all of the Bonds of such series, when the Issuer is no longer an obligated person with respect to the Bonds, or upon delivery by the Disclosure Representative to the Disclosure Dissemination Agent of an opinion of counsel expert in federal securities laws to the effect that continuing disclosure is no longer required.

SECTION 9. Disclosure Dissemination Agent. The Issuer has appointed Digital Assurance Certification, L.L.C. as exclusive Disclosure Dissemination Agent under this Disclosure Agreement. The Issuer may, upon thirty days written notice to the Disclosure Dissemination Agent and the Trustee, replace or appoint a successor Disclosure Dissemination Agent. Upon termination of DAC's services as Disclosure Dissemination Agent, whether by notice of the Issuer or DAC, the Issuer agrees to appoint a successor Disclosure Dissemination Agent or, alternately, agrees to assume all responsibilities of Disclosure Dissemination Agent under this Disclosure Agreement for the benefit of the Holders of the Bonds. Notwithstanding any replacement or appointment of a successor, the Issuer shall remain liable until payment in full for any and all sums owed and payable to the Disclosure Dissemination Agent. The Disclosure Dissemination Agent may resign at any time by providing thirty days' prior written notice to the Issuer.

SECTION 10. Remedies in Event of Default. In the event of a failure of the Issuer or the Disclosure Dissemination Agent to comply with any provision of this Disclosure Agreement, the Holders' rights to enforce the provisions of this Agreement shall be limited solely to a right, by action in mandamus or for specific performance, to compel performance of the parties' 'obligation under this

Disclosure Agreement. Any failure by a party to perform in accordance with this Disclosure Agreement shall not constitute a default on the Bonds or under any other document relating to the Bonds, and all rights and remedies shall be limited to those expressly stated herein.

SECTION 11. Duties, Immunities and Liabilities of Disclosure Dissemination Agent.

(a) The Disclosure Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Agreement. The Disclosure Dissemination Agent's obligation to deliver the information at the times and with the contents described herein shall be limited to the extent the Issuer has provided such information to the Disclosure Dissemination Agent as required by this Disclosure Agreement. The Disclosure Dissemination Agent shall have no duty with respect to the content of any disclosures or notice made pursuant to the terms hereof. The Disclosure Dissemination Agent shall have no duty or obligation to review or verify any Information or any other information, disclosures or notices provided to it by the Issuer and shall not be deemed to be acting in any fiduciary capacity for the Issuer, the Holders of the Bonds or any other party. The Disclosure Dissemination Agent shall have no responsibility for the Issuer's failure to report to the Disclosure Dissemination Agent a Notice Event or a duty to determine the materiality thereof. The Disclosure Dissemination Agent shall have no duty to determine, or liability for failing to determine, whether the Issuer has complied with this Disclosure Agreement. The Disclosure Dissemination Agent may conclusively rely upon Certifications of the Issuer at all times.

The obligations of the Issuer under this Section shall survive resignation or removal of the Disclosure Dissemination Agent and defeasance, redemption or payment of the Bonds.

(b) The Disclosure Dissemination Agent may, from time to time, consult with legal counsel (either in-house or external) of its own choosing in the event of any disagreement or controversy, or question or doubt as to the construction of any of the provisions hereof or its respective duties hereunder, and shall not incur any liability and shall be fully protected in acting in good faith upon the advice of such legal counsel. The reasonable fees and expenses of such counsel shall be payable by the Issuer.

(c) All documents, reports, notices, statements, information and other materials provided to the MSRB under this Agreement shall be provided in an electronic format and accompanied by identifying information as prescribed by the MSRB.

SECTION 12. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Agreement, the Issuer and the Disclosure Dissemination Agent may amend this Disclosure Agreement and any provision of this Disclosure Agreement may be waived, if such amendment or waiver is supported by an opinion of counsel expert in federal securities laws acceptable to both the Issuer and the Disclosure Dissemination Agent to the effect that such amendment or waiver does not materially impair the interests of Holders of the Bonds and would not, in and of itself, cause the undertakings herein to violate the Rule if such amendment or waiver had been effective on the date hereof but taking into account any subsequent change in or official interpretation of the Rule; provided neither the Issuer or the Disclosure Dissemination Agent shall be obligated to agree to any amendment modifying their respective duties or obligations without their consent thereto.

Notwithstanding the preceding paragraph, the Disclosure Dissemination Agent shall have the right to adopt amendments to this Disclosure Agreement necessary to comply with modifications to and interpretations of the provisions of the Rule as announced by the SEC from time to time by giving not less than 20 days written notice of the intent to do so together with a copy of the proposed amendment to the Issuer. No such amendment shall become effective if the Issuer shall, within 10 days following the giving of such notice, send a notice to the Disclosure Dissemination Agent in writing that it objects to such amendment.

SECTION 13. Beneficiaries. This Disclosure Agreement shall inure solely to the benefit of the Issuer, the Trustee of the Bonds, the Disclosure Dissemination Agent, the underwriter, and the Holders from time to time of the Bonds, and shall create no rights in any other person or entity.

SECTION 14. Governing Law. This Disclosure Agreement shall be governed by the laws of the State of South Carolina (other than with respect to conflicts of laws).

SECTION 15. Counterparts. This Disclosure Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

The Disclosure Dissemination Agent and the Issuer have caused this Disclosure Dissemination Agent Agreement to be executed, on the date first written above, by their respective officers duly authorized.

DIGITAL ASSURANCE CERTIFICATION, L.L.C.,
as Disclosure Dissemination Agent

By: _____
Name: _____
Title: _____

RICHLAND COUNTY, SOUTH CAROLINA,
as Issuer

By: _____
Name: _____
Title: _____

EXHIBIT A

NAME AND CUSIP NUMBERS OF BONDS

Name of Issuer: Richland County, South Carolina
Obligated Person(s):
Name of Bond Issue:
Date of Official Statement:

EXHIBIT B
NOTICE TO MSRB OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer: Richland County, South Carolina
Obligated Person(s):
Name of Bond Issue:
Date of Issuance:
Date of Official Statement:
CUSIP Number:

NOTICE IS HEREBY GIVEN that the Issuer has not provided an Annual Report with respect to the named Bonds as required by the Disclosure Agreement between the Issuer and Digital Assurance Certification, L.L.C., as Disclosure Dissemination Agent. The Issuer has notified the Disclosure Dissemination Agent that it anticipates that the Annual Report will be filed by:

Dated: _____

Digital Assurance Certification, L.L.C.,
as Disclosure Dissemination Agent,
on behalf of the Issuer

cc: [Disclosure Representative]

**EXHIBIT C-1
EVENT NOTICE COVER SHEET**

This cover sheet and accompanying "event notice" will be sent to the MSRB, pursuant to Securities and Exchange Commission Rule 15c2-12(b)(5)(i)(C) and (D).

Issuer's and/or Other Obligated Person's Name:

Issuer's Six-Digit CUSIP Number:

[or Nine-Digit CUSIP Number(s) of the bonds to which this event notice relates:]

Number of pages attached: _____

_____ Description of Notice Events (Check One):

1. _____ "Principal and interest payment delinquencies";
2. _____ "Non-Payment related defaults, if material";
3. _____ "Unscheduled draws on debt service reserves reflecting financial difficulties";
4. _____ "Unscheduled draws on credit enhancements reflecting financial difficulties";
5. _____ "Substitution of credit or liquidity providers, or their failure to perform";
6. _____ "Adverse tax opinions, IRS notices or events affecting the tax status of the security";
7. _____ "Modifications to rights of securities holders, if material";
8. _____ "Bond calls, if material";
9. _____ "Defeasances";
10. _____ "Release, substitution, or sale of property securing repayment of the securities, if material";
11. _____ "Rating changes";
12. _____ "Tender offers";
13. _____ "Bankruptcy, insolvency, receivership or similar event of the obligated person";
14. _____ "Merger, consolidation, or acquisition of the obligated person, if material"; and
15. _____ "Appointment of a successor or additional trustee, or the change of name of a trustee, if material."

_____ Failure to provide annual financial information as required.

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature:

Name: _____ Title: _____

Digital Assurance Certification, L.L.C.
390 N. Orange Avenue
Suite 1750
Orlando, FL 32801
407-515-1100

Date: _____

EXHIBIT C-2
VOLUNTARY EVENT DISCLOSURE COVER SHEET

This cover sheet and accompanying "voluntary event disclosure" will be sent to the MSRB, pursuant to the Disclosure Dissemination Agent Agreement dated, _____, 2012, between the Issuer and DAC.

Issuer's and/or Other Obligated Person's Name:

Issuer's Six-Digit CUSIP Number:

[or Nine-Digit CUSIP Number(s) of the bonds to which this notice relates:]

Number of pages attached: _____

_____ Description of Voluntary Event Disclosure (Check One):

1. _____ "amendment to continuing disclosure undertaking";
2. _____ "change in obligated person";
3. _____ "notice to investors pursuant to bond documents";
4. _____ "certain communications from the Internal Revenue Service";
5. _____ "secondary market purchases";
6. _____ "bid for auction rate or other securities";
7. _____ "capital or other financing plan";
8. _____ "litigation/enforcement action";
9. _____ "change of tender agent, remarketing agent, or other on-going party";
10. _____ "derivative or other similar transaction"; and
11. _____ "other event-based disclosures."

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature:

Name: _____ Title: _____

Digital Assurance Certification, L.L.C.
390 N. Orange Avenue
Suite 1750
Orlando, FL 32801
407-515-1100

EXHIBIT C-3

VOLUNTARY FINANCIAL DISCLOSURE COVER SHEET

This cover sheet and accompanying “voluntary financial disclosure” will be sent to the MSRB, pursuant to the Disclosure Dissemination Agent Agreement dated _____, 2012, between the Issuer and DAC.

Issuer’s and/or Other Obligated Person’s Name:

Issuer’s Six-Digit CUSIP Number:

[or Nine-Digit CUSIP Number(s) of the bonds to which this notice relates:]

Number of pages attached: _____

_____ Description of Voluntary Financial Disclosure (Check One):

- 1. _____ “quarterly/monthly financial information”;
- 2. _____ “change in fiscal year/timing of annual disclosure”;
- 3. _____ “change in accounting standard”;
- 4. _____ “interim/additional financial information/operating data”;
- 5. _____ “budget”;
- 6. _____ “investment/debt/financial policy”;
- 7. _____ “information provided to rating agency, credit/liquidity provider or other third party”;
- 8. _____ “consultant reports”; and
- 9. _____ “other financial/operating data.”

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature:

Name: _____ Title: _____

Digital Assurance Certification, L.L.C.
390 N. Orange Avenue
Suite 1750
Orlando, FL 32801
407-515-1100

Date: _____

FORM OF NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the County Council of Richland County, South Carolina (the "County"), in County Council chambers located at 2020 Hampton Street, Columbia, South Carolina, at 6:00 p.m. on _____, 2012, or at such other location as proper notice on the main entrance to the said building might specify.

The purpose of the public hearing is to consider an Ordinance providing for the issuance and sale of Fire Protection General Obligation Bonds of Richland County, South Carolina (the "Bonds") in the aggregate principal amount of not to exceed \$_____, the proceeds of which will be used to provide funds for the acquisition of firefighting equipment including but not limited to purchase emergency vehicles, fire apparatus, portable and fixed equipment and to pay costs of issuance of the Bonds.

At the public hearing all taxpayers and residents of the County and any other interested persons who appear will be given an opportunity to express their views for or against the Ordinance and the issuance of the Bonds.

COUNTY COUNCIL OF RICHLAND COUNTY,
SOUTH CAROLINA

s/_____
Chair, County Council

RICHLAND COUNTY, SOUTH CAROLINA

WRITTEN PROCEDURES Related to Tax-Exempt Debt

The Internal Revenue Code of 1986, as amended (the “Code”) and the regulations promulgated thereunder (the “Regulations”) impose certain requirements on tax-exempt bonds, including but not limited to, restrictions on the use of bond proceeds and bond-financed property, arbitrage yield restrictions, and the arbitrage rebate requirement. These requirements are generally applicable throughout the period that the bonds remain outstanding.

The September 2011 revision to the Form 8038-G, Information Return for Tax Exempt Governmental Obligations (“Form 8038-G”) requires the issuer to represent whether it has established written procedures to (a) monitor the requirements of Section 148 of the Code, including, but not limited to, the arbitrage rebate and arbitrage yield restriction requirements; and (b) ensure that any nonqualified bonds (within the meaning of Section 1.148-12(j) of the Regulations) are remediated in accordance with the Code and the Regulations.

In addition to the above-described Form 8038-G representations, Richland County, South Carolina (the “County”) has been advised that additional procedures are recommended in order for the County to document compliance with the applicable federal tax requirements. Actions pursuant to these procedures (collectively referred to as post-issuance tax compliance) are intended to assist the County in documenting compliance with the applicable federal tax requirements. Post-issuance tax compliance begins with the debt issuance process itself and includes a continuing focus on investments of bond proceeds and use of bond-financed property. Post issuance tax compliance requires identifying the responsible people and the applicable procedures.

References herein to a “bond” or to “bonds” shall apply to all forms of tax-exempt obligations including, but not limited to, lease/purchase agreements, bond anticipation notes, and tax anticipation notes.

Procedures

The County’s Finance Director (“CFO”) is designated as being responsible for post-issuance tax compliance. The CFO may delegate to his staff or contract with independent contractors (such as an arbitrage/rebate consultant or a consulting engineer) responsibility for different aspects of post-issuance tax compliance. For example, coordinating and documenting the expenditure of bond proceeds on projects may be delegated to the consulting engineer. However, the CFO will be ultimately responsible for implementing the procedures described herein.

The County recognizes that that the County has issued tax-exempt debt prior to the adoption of these procedures. With respect to this prior issued debt, the CFO will take reasonable steps to collect and maintain appropriate documentation of compliance with these procedures. However, the County recognizes that such documentation may not exist with respect to some of the items enumerated in these procedures.

Issuance – The CFO will:

- (a) Confirm the filing of the Form 8038 or Form 8038-G (or applicable successor form) with Internal Revenue Service (“IRS”). Filing of the applicable Form 8038 is usually overseen by bond counsel at or soon after the closing of a bond issue.
- (b) Obtain and store the Transcript of Proceedings prepared by bond counsel (which typically includes the applicable Form 8038 and the Federal Tax Certificate containing the County’s expectations as of the date of issuance of the bond issue).

Recordkeeping – The CFO will:

- (a) Establish a plan for keeping relevant books and records as to the investment and the expenditure of bond proceeds.
- (b) Keep accurate records including:
 - Basic records relating to the bond transactions (including the trust indenture, loan agreements, and bond counsel opinion; see Transcript of Proceeding, above);
 - Documentation evidencing the expenditure of bond proceeds;
 - Documentation evidencing use of bond-financed property by public and private users (i.e., copies of management contracts, material power purchase contracts);
 - Documentation evidencing all sources of payment or security for the bonds; and
 - Documentation pertaining to any investment of bond proceeds (including the purchase and sale of securities, SLGS subscriptions, yield calculations for each class of investments, actual investment income received from the investment of proceeds, guaranteed investment contracts, and rebate calculations).
- (c) Keep all records in a manner that ensures their complete access to the IRS so long as they are material. While this is typically accomplished through the maintenance of hard copies, records may be kept in an electronic format if certain requirements are satisfied, in accordance with the guidelines in Revenue Procedure 97-22, 1997-1 C.B. 652.
- (d) Keep the relevant records for each issue of bonds for as long as such issue of bonds is outstanding (including any bonds issued to refund such issue of bonds) plus three years after the final redemption date of the bonds.

Arbitrage Rebate and Arbitrage Yield Restriction – The CFO will:

- (a) Engage the services of an arbitrage/rebate consultant for assistance in compliance with arbitrage related issues. As of the date of the adoption of these procedures, the County has retained AMTEC Compliance as its arbitrage/rebate consultant.
- (b) Work with the County’s bond counsel, financial advisor and/or arbitrage/rebate consultant to monitor compliance with “temporary period exceptions” for expenditure of bond proceeds, typically three years for new money bonds, and provide for yield restriction of investments or “yield reduction payments” if exceptions are not satisfied.
- (c) Work with the County’s bond counsel and financial advisor to ensure investments acquired with bond proceeds are purchased at fair market value. This may include use of bidding procedures under the regulatory safe harbor (Section 1.148-5(d) of the Regulations).
- (d) Consult with the County’s bond counsel prior to the creation of funds which would reasonably be expected to be used to pay debt service on tax-exempt bonds to determine in advance whether such funds must be invested at a restricted yield (i.e., yield restricted).
- (e) Consult with the County’s bond counsel and financial advisor before engaging in post-issuance credit enhancement transactions (e.g., bond insurance, letter of credit) or hedging transactions (e.g., interest rate swap, cap).
- (f) Consult with the County’s bond counsel, financial advisor, and/or arbitrage/rebate consultant to identify situations in which compliance with applicable yield restrictions depends upon subsequent investments (e.g., purchase of 0% SLGS from U.S. Treasury) and monitor implementation.

- (g) Work with the County's arbitrage/rebate consultant to arrange for timely computation of rebate/yield reduction payment liability and, if an amount is payable, for timely filing of Form 8038-T, Arbitrage Rebate, Yield Reduction and Penalty in Lieu of Arbitrage Rebate (or applicable successor form), and payment of such liability. Rebate/Yield Reduction payments are ordinarily due at 5-year intervals.

Private Use of Bond-Financed Facilities - The CFO will:

- (a) Create and maintain records of which proceeds of bond issues were used to finance which facilities. These records shall incorporate the refunding or partial refunding of any bond issues.
- (b) Record the allocation of bond proceeds to expenditures, including reimbursements. These records will be consistent with the expenditures used for arbitrage purposes.
- (c) Record the allocation of bond proceeds and funds from other sources in connection with any bond funded project. Review expenditure of bond proceeds with bond counsel and/or consulting engineer to ensure bond proceeds are used for qualifying costs.
- (d) Review with bond counsel prior to the sale or lease of a bond-financed facility, or the granting of a license or management contract, or any other arrangement allowing private use of a bond financed facility, the terms of such arrangement.
- (e) Keep records of private use, if any, of bond-financed facilities to monitor the amount of private use of bond-financed facilities. Relevant to the County, private use generally includes: use of the proceeds of bonds or bond-financed facilities in any activity by a person or organization that is not (a) a state or local government; or (b) a natural person. Notwithstanding the preceding sentence, private business use generally does not include: (a) use as a member of the general public pursuant to arrangements with a term of less than 200 days; and (b) use by a nongovernmental person pursuant to an arrangement with a term of less than 50 days that is a result of arms-length negotiations and compensation payable under the arrangement is not less than fair market value.
- (f) Private use of bond-financed facilities shall be reviewed once a year (in connection with the preparation of the annual financial statements). If private use occurs, bond counsel will be consulted to determine if remedial action is necessary (including but not included to, the remediation of all non-qualified bonds in accordance with Section 1.14-12 of the Regulations).

Reissuance – The CFO will:

- (a) Consult with bond counsel to identify any post-issuance modification to the terms of bonds which could be treated as a current refunding of “old” bonds by “new” bonds, often referred to as a “reissuance.”
- (b) Consult with bond counsel to determine whether any “remedial action” (see item (f) under “Private Use of Bond-Financed Facilities” above) in connection with private use must be treated as a “reissuance.”

Attached is a list of Richland County's fire trucks and a listing of trucks by station.

Out of 84 trucks, 47 are over 15 years old and 36 of those are over 20 years old. Our only ladder truck will soon be 15 years old.

We are conducting a review to determine which trucks should be replaced. This information will be coordinated with Chief Jenkins to determine a final replacement schedule by station. After a preliminary review, available funds will allow us to replace somewhere between 21 and 35 total vehicles depending on how many of each type of truck we replace.

The fire truck purchase ranges are:

- 1 - 1 Ladder Truck
- 7 - 10 Pumpers
- 7 - 10 Tankers
- 3 - 4 Rescue Trucks
- 3 - 10 Brush Trucks

Chief Jenkins is reviewing options for staffing the Spring Hill station that currently has volunteers assigned to it and will make a recommendation at a later date.

<u>Veh #</u>	<u>State</u>	<u>Year</u>	<u>Make/Model</u>	<u>VIN</u>
001	SC	92	INTERNATIONAL/TANKER	1HTSDPBR6NH398876
002	SC	92	INTERNATIONAL/PUMPER	1HTSDPBRXNH393003
003	SC	95	CHEV/BRUSH TRUCK	1GBGK24K6SE113414
004	SC	96	FORD F250/PICKUP	1FTHF25H4TEB05448
005	SC	92	INTERNATIONAL/PUMPER	1HTSDPBR3NH393005
006	SC	92	INTL/PUMPER	1HTSDPCR8NH440365
007	SC	92	INTL/TANKER	1HTSDPCR1NH440367
008	SC	92	INTERNATIONAL/TANKER	1HTSDPBR1NH398879
009	SC	92	INTERNATIONAL/TANKER	1HTSDPBR4NH398875
010	SC	91	CHEV/BRUSH TRUCK	1GCGK24K1ME175950
011	SC	91	CHEV/BRUSH TRUCK	1GCGK24K6ME175930
012	SC	92	INTL/PUMPER	1HTSDPBR8NH393002
013	SC	91	CHEV/BRUSH TRUCK	1GCGK24K1ME176693
014	SC	92	INTERNATIONAL/PUMPER	1HTSDPBR5NH393006
015	SC	83	FORD/PUMPER	1FDXDB4N7DVA16384
016	SC	95	INTL/TANKER	1HTSDADR9TH239003
017	SC	92	INTERNATIONAL/TANKER	1HTSDPBRXNH398878
018	SC	91	GM/BRUSH TRUCK	1GCGK24K2ME176685
019	SC	85	FMC/PUMPER	1GBP7D1G2GV102575
020	SC	85	FMC/TANKER	1GBP7D1GXGV101688
021	SC	91	CHEV/BRUSH TRUCK	1GCGK24K6ME175538
022	SC	92	INTL/PUMPER	1HTSDPBR4NH393000
023	SC	91	CHEV/BRUSH TRUCK	1GCGK24K6ME176723
024	SC	92	INTERNATIONAL/PUMPER	1HTSDPBR6NH393001
025	SC	92	INTERNATIONAL/TANKER	1HTSDPCR3NH440368
026	SC	92	INTL/TANKER	1HTSDPBR2NH398874
027	SC	91	CHEV/BRUSH TRUCK	1GCGK24K9ME175968
028	SC	92	INTERNATIONAL/PUMPER	1HTSDPBR1NH393004
029	SC	91	CHEV/BRUSH TRUCK	1GCGK24K1ME175236
030	SC	85	SEAGRAVE/PUMPER	1F9ED28H5FCST2054
031	SC	92	INTERNATIONAL/TANKER	1HTSDPBR8NH398877
032	SC	85	AMERICAN LAFRANCE/TANK	1AFAL1R2F1A18194
033	SC	90	CHEV/BRUSH TRUCK	1GCGK24K1L176255
034	SC	85	SEAGRAVE/PUMPER	1F9ED28H5FCST2053
035	SC	85	AMERICAN LAFRANCE/TANK	1AFAF1183F1A18195
036	SC	90	CHEV/BRUSH TRUCK	1GCGK24K8LE176897
037	SC	92	INTL/PUMPER	1HTSDPBR3NH392999
038	SC	92	INTL/TANKER	1HTSDPBR0NH398873
039	SC	95	INTL/TANKER	1HTSDADR0TH239004
040	SC	92	INTERNATIONAL/TANKER	1HTSDPCRXNH440366
041	SC	95	CHEV/BRUSH TRUCK	1GBGK24K3SE115167
042	SC	95	INTERNATIONAL/PUMPER	1HTSDADN9TH239001
043	SC	96	FORD/CROWN VIC POLICE	2FALP71W4TX138740
044	SC	96	FORD 3/4 TON TRUCK	1FDKF37F7TEB05415
045	SC	97	INTERNATIONAL/PUMPER	1HTSDADR1VH448660
046	SC	97	INTERNATIONAL/PUMPER	1HTSDADROVH448665
047	SC	97	FORD/TANKER	1FDYF80EXWVA07119
048	SC	98	LAFRANCE/LADDER TRUCK	4Z3ZESEB8WR966510
049	SC	99	DODGE/BRUSH TRUCK	3B7KF2663XM575652
050	SC	00	CHEV/RESCUE	1GBKC34F5YF439207
051	SC	00	FORD/CROWN VIC POLICE	2FAPP71W9YX152198

052	SC	00	DODGE/4X4 BRUSH TRUCK	3B7KF26651M278048
053	SC	00	DODGE/4X4 BRUSH TRUCK	3B7KF26671M278049
054	SC	00	DODGE/4X4 BRUSH TRUCK	3B7KF26631M278047
055	SC	00	DODGE/4X4 BRUSH TRUCK	3B7KF26651M278051
056	SC	00	DODGE/4X4 BRUSH TRUCK	3B7KF26631M278050
057	SC	00	DODGE/4X4 BRUSH TRUCK	3B7KF26601M270665
058	SC	00	CHEV/RESCUE VAN	1GBJG31F31128022
059	SC	00	INTERNATIONAL/PUMPER	1HTSDADRXYH291778
060	SC	00	INTERNATIONAL/TANKER	1HTSDAARKYH282843
061	SC	00	CHEV/RESCUE	1GBKC34F9YF439307
062	SC	00	CHEV/RESCUE	1GBKC34F3YF441229
063	SC	01	PIERCE/PUMPER	4PICT02U51A001197
064	SC	01	PIERCE/PUMPER	4P1CT02U12A001943
065	SC	01	LAFRANCE/TANKER	1FVABXBS7LHJ29494
066	SC	01	CHEV/PICKUP	1GCEC14V11Z234167
067	SC	02	FORD/CROWN VICTORIA	2FAPP71W62X148990
068	SC	03	PIERCE/CONTENDER PUMPE	4P1CT02UX3AA00336
069	SC	03	PIERCE/CONTENDER PUMPE	4P1CT02U13A003337
070	SC	03	PIERCE/CONTENDER PUMPE	4P1CT02U93A003358
071	SC	95	INTL/PUMPER	1HTSDADR95SH23900
072	SC	05	FORD/PICKUP	1FDWX36P05EC36598
073	SC	06	CHEVROLET/IMPALA POLIC	2G1WS551469329438
074	SC	06	FORD/F-450 1 TON PU	1FDXW46P76EC23717
075	SC	07	PIERCE/PUMPER	4PICC01M97A0070000
076	SC	07	PIERCE/CONTENDER	4PICC01M87A007528
077	SC	07	PIERCE/CONTENDER	4PICC01MX7A007524
078	SC	08	FORD/172 CREW CAB	1FTXW42R58ED50710
079	SC	07	PIERCE/CONTENDER	4PICC01M87A006999
080	SC	07	GMC/5500 CREW CAB	1GDE5E1297F402154
081	SC	07	GMC/5500 CREW CAB	1GDE5E1217F402648
082	SC	09	PIERCE/CUSTOM CONTENDE	4P1CC01A99A009418
083	SC	09	PIERCE/CONTENDER	4P1CC01A79A009840
084	SC	09	PIERCE/CONTENDER	4P1CC01A09A009811

Unit #	Alt. #	Dept. #	Department	Year	Make	Model	Tag #	FAID	Serial #
ing Dept: 2082306 - County Fire Administration									
1762	KT272	2082306	County Fire Administration	1985	AMER	1800			1AFAF1182F1A18195
1763	KT073	2082306	County Fire Administration	1985	AMER	1800			1AFAF1183F1A18195
1770	FI001	2082306	County Fire Administration	1990	CHEV	CK20903	CG59457		1GCGK24K8LE176897
1771	BT081	2082306	County Fire Administration	1990	CHEV	GM4GK2	CG59458		1GCGK24K1LE176255
1109	BT019	2082306	County Fire Administration	1991	CHEV	CK20903	CG59459		1GCGK24K1ME175236
1209	HER63	2082306	County Fire Administration	1992	INTL	4900			1HTSDPBR4NH393000
1237	HER64	2082306	County Fire Administration	1992	INTL	4900			1HTSDPBR6NH393001
1245	HER70	2082306	County Fire Administration	1992	INTL	4900			1HTSDPBRXNH393003
1258	HER68	2082306	County Fire Administration	1992	INTL	4900			1HTSDPBR1NH393004
1348	AO098	2082306	County Fire Administration	2000	N/A	N/A			13348
1844	FF007	2082306	County Fire Administration	1996	FORD	F350	CG59468		1FDKF37F7TEB05415
1395	HER66	2082306	County Fire Administration	1997	INTL	DT4900			1HTSDADR1VH448660
1573	FF009	2082306	County Fire Administration	2000	CHEV	CC31403	CG59472		1GBKC34F9YF439307
1574	FF010	2082306	County Fire Administration	2000	CHEV	CC31403	CG59473		1GBKC34F3YF441229
1549	FF011	2082306	County Fire Administration	2005	FORD	F-350	CG59454		1FDWX36P05EC36598
1858	FF001	2082306	County Fire Administration	2006	FORD	W465	CG59455	F004606	1FDXW46P76EC23717
271	FF002	2082306	County Fire Administration	2008	FORD	F450	CG63895	F005431	1FTXW42R58ED50710
439	GR003	2082306	County Fire Administration	2007	GMC	5500		F006160	1GD5E1297F402154
442	GR004	2082306	County Fire Administration	2007	GMC	5500		F006161	1GDE5E1217F402648
791	HE030	2082306	County Fire Administration	2009	PIER	CONTENDE		F006339	4P1CC01A79A009840
ing Dept: 2082314 - Dentsville Station 14									
784	AO003	2082314	Dentsville Station 14	1971	GILB	N/A			EZ605
812	ZL014	2082314	Dentsville Station 14	1998	AMER	LA15050A			4Z3ZESEB8WR966510
951	HE014	2082314	Dentsville Station 14	2003	PIER	CONTENDE			4P1CT02UX3A003336
ing Dept: 2082315 - Cedar Creek Station 15									
363	KT015	2082315	Cedar Creek Station 15	1992	INTL	4900			1HTSDPCRNXNH440366
242	FI017	2082315	Cedar Creek Station 15	1995	CHEV	CK20903	CG40421		1GBGK24K3SE115167
ing Dept: 2082317 - Upper Richland Station 17									
195	HE015	2082317	Upper Richland Station 17	1992	INTL	4900			1HTSDPBR3NH392999
203	KT017	2082317	Upper Richland Station 17	1992	INTL	4900			1HTSDPBR0NH398873
690	FF014	2082317	Upper Richland Station 17	2000	DODG	2500	CG47891		3B7KF26651M278051
943	HE017	2082317	Upper Richland Station 17	2007	PIER	CONTENDE			4P1CC01M87A007528
ing Dept: 2082318 - Crane Creek Station 18									
103	BT018	2082318	Crane Creek Station 18	1991	CHEV	CK20903	CG59465		1GCGK24K2ME176685
275	KT018	2082318	Crane Creek Station 18	1992	INTL	31-MAY			1HTSDPBRXNH398878
396	HE018	2082318	Crane Creek Station 18	1997	INTL	DT4900			1HTSDADROVH448665
ing Dept: 2082319 - Gadsden Station 19									
208	KT019	2082319	Gadsden Station 19	1992	INTL	4600			1HTSDPBR2NH398874
944	HE019	2082319	Gadsden Station 19	2007	PIER	CONTENDE			4P1CC01MX7A007524
ing Dept: 2082320 - Ballentine Station 20									
239	KT020	2082320	Ballentine Station 20	1992	INTL	4900			1HTSDPBR6NH398876
609	KT234	2082320	Ballentine Station 20	1995	INTL	4900			1HTSDADR9SH239002
850	FI001	2082320	Ballentine Station 20	1996	FORD	F250	CG59467		1FTHF25H4TEB05448
639	FV021	2082320	Ballentine Station 20	2000	CHEV	CG31803	CG59471		1GBJG31F3Y1128022
691	FF020	2082320	Ballentine Station 20	2000	DODG	2500	CG43430		3B7KF26631M278050
596	HE020	2082320	Ballentine Station 20	2007	PIER	CONTENDE			4P1CC01M87A006999

Unit #	Alt. #	Dept. #	Department	Year	Make	Model	Tag #	FAID	Serial #
376	KT021	2082321	White Rock Station 21	1992	INTL	4900			1HTSDPCR1NH440367
464	HE021	2082321	White Rock Station 21	1992	INTL	4900			1HTSDPCR8NH440365
589	BT001	2082321	White Rock Station 21	2000	DODG	BR7L62	CG59476		3B7KF26601M270665
ing Dept: 2082322 - Lower Richland Station 22									
689	BT022	2082322	Lower Richland Station 22	2000	DODG	2500	CG43429		3B7KF26671M278049
264	KT022	2082322	Lower Richland Station 22	2001	AMER	FL80			1FVABXBS71HJ29494
952	HE022	2082322	Lower Richland Station 22	2003	PIER	CONTENDE			4P1CT02U13A003337
ing Dept: 2082323 - Hopkins Station 23									
106	BT023	2082323	Hopkins Station 23	1991	CHEV	CK20903	CG59464		1GCGK24K9ME175968
384	KT023	2082323	Hopkins Station 23	1992	INTL	4900			1HTSDPCR3NH440368
ing Dept: 2082324 - Sandhill Station 24									
111	FI019	2082324	Sandhill Station 24	1991	CHEV	CK20903	CG59463		1GCGK24K6ME176723
794	HE024	2082324	Sandhill Station 24	2009	PIER	CONTENDE		F006338	4P1CC01A09A009811
ing Dept: 2082325 - Bear Creek Crossing Station 25									
108	BT025	2082325	Bear Creek Crossing Station 25	1991	CHEV	CK20903	CG59466		1GCGK24K6ME175930
286	KT025	2082325	Bear Creek Crossing Station 25	1992	INTL	4900			1HTSDPBR1NH398879
287	HE025	2082325	Bear Creek Crossing Station 25	1992	INTL	4900			1HTSDPBR3NH393005
ing Dept: 2082326 - Blythewood Station 26									
107	FI026	2082326	Blythewood Station 26	1991	CHEV	CK20903	CG59461		1GCGK24K1ME175950
238	HE026	2082326	Blythewood Station 26	1992	INTL	4900			1HTSDPBR8NH393002
246	KT026	2082326	Blythewood Station 26	1992	INTL	4900			1HTSDPBR4NH398875
ing Dept: 2082327 - Killian Station 27									
247	KT027	2082327	Killian Station 27	1992	INTL	4900			1HTSDPBR8NH398877
680	FI027	2082327	Killian Station 27	2000	DODG	2500	CG43431		3B7KF26631M278047
597	HE027	2082327	Killian Station 27	2007	PIER	CONTENDE			4P1CC01M97A007000
ing Dept: 2082328 - Eastover Station 28									
102	BT028	2082328	Eastover Station 28	1991	CHEV	CK20903	CG59460		1GCGK24K6ME175538
397	KT028	2082328	Eastover Station 28	1997	FORD	E-ONE			1FDYF8OEXWVA07119
526	HE028	2082328	Eastover Station 28	2000	INTL	CSYCX125			1HTSDADRXHYH291778
ing Dept: 2082329 - Millwood/Congaree Run 29									
315	HE029	2082329	Millwood/Congaree Run 29	1992	INTL	4900			1HTSDPBR5NH393006
340	KT029	2082329	Millwood/Congaree Run 29	1995	INTL	4900			1HTSDADR9TH239003
388	FF012	2082329	Millwood/Congaree Run 29	2000	DODG	2500	CG47892		3B7KF26651M278048
ing Dept: 2082330 - Capital View Station Sta 30									
207	BT030	2082330	Capital View Station Sta 30	1999	DODG	2500	CG43388		3B7KF2663XM575652
578	KT030	2082330	Capital View Station Sta 30	2000	INTL	4900 4X2			1HTSDAARXYH282843
ing Dept: 2082331 - Leesburg Station 31									
112	BT031	2082331	Leesburg Station 31	1991	CHEV	CK20903	CG59462		1GCGK24K1ME176693
508	HE023	2082331	Leesburg Station 31	1995	INTL	4900			1HTSDADN9TH239001
341	KT031	2082331	Leesburg Station 31	1995	INTL	4900			1HTSDADR0TH239004
384	HE031	2082331	Leesburg Station 31	2001	PIER	CONTENDE			4P1CT02U51A001197
ing Dept: 2082332 - Spring Valley Station 32									
18954	HE032	2082332	Spring Valley Station 32	2003	PIER	CONTENDE			4P1CT02U93A003358
ing Dept: 2082333 - Gills Creek Station 33									
265	HE033	2082333	Gills Creek Station 33	2001	PIER	CONTENDE			4P1CT02U12A001943
795	AO001	2082333	Gills Creek Station 33	2012	CRAF	316.794000			1D262DF1140
ing Dept: 2082334 - Elders Pond Station 34									
399	HE034	2082334	Elders Pond Station 34	2009	PIER	CONTENDE		F006303	4P1CC01A99A009418
304	AO001	2082334	Elders Pond Station 34	2012	CRAF	316.711190			1G102GH1488

Richland County Council Request of Action

Subject

An Ordinance Amending Ordinance 043-10HR, so as to increase the rate of copy charges for autopsy reports to \$500. [**PAGES 168-172**]

Notes

September 25, 2012 - The committee recommended that Council approve the request to increase the copy charges for autopsy reports from \$100 to \$500. The vote was in favor.

First Reading: October 2, 2012

Second Reading:

Third Reading:

Public Hearing:

Richland County Council Request of Action

Subject: Coroner-Increase the Rate of Copy Charges for Autopsy Reports

A. Purpose

County Council is requested to approve an amendment to County Ordinance No. 043-01HR specifically Section 24 to increase the rate of copy charges for autopsy reports.

B. Background / Discussion

Effective July 1, 2001 this particular ordinance was implemented to allow the Coroner to charge for copies of autopsy reports. The current amount charged is \$100.00 per autopsy report. These charges were recommended to help recover a part of the expense of an autopsy. Any monies collected for these copies go back into the County general fund. Due to the increase over the years of the costs of autopsies the Coroner is requesting an increase in the amount charged for copies of the reports. He would like this copy charge to be increased to \$500.00 per autopsy report. These charges do not apply to family members or law enforcement.

C. Legislative/Chronological History

- On May 15, 2001 Council had its first reading on this matter
- On June 19, 2001 a Public Hearing was held and Council had the second reading
- On June 26, 2001 Council had the third reading on this matter
- This Ordinance became effective July 1, 2001

D. Financial Impact

Increasing the copy charges for autopsy reports from \$100.00 to \$500.00 will help to recover a portion of the costs expended for autopsies.

E. Alternatives

1. Approve the request to increase the copy charges for autopsy reports from \$100.00 to \$500.00.
2. Do not approve the request.

F. Recommendation

It is recommended that Council approve the request to increase the copy charges for autopsy reports from \$100.00 to \$500.00.

Recommended by: Gary Watts

Department: Coroner

Date: 09/12/2012

G. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 9/14/12

Recommend Council approval

Recommend Council denial

✓ Council Discretion (please explain if checked)

Comments regarding recommendation:

This is a fee increase and would be the discretion of Council. Below are the dollars generated for Richland County from the existing fee for FY11 and FY12:

FY11: \$1,100

FY12: \$3,300

Below are the similar fees for other Counties for comparative purposes:

County	Copy Costs for Autopsies
Charleston	\$100 for Autopsy Report; no per page costs
Lexington	No charge
	No charge for family members; Attorneys, Insurance Companies etc pay a \$15 fee and \$.35 cents per copy up to 50 copies, then \$.50 a page after that. Note:
Greenville	this service is provided by the Medical Examiner's Office.

Procurement

Reviewed by: Rodolfo Callwood

Date: 9/14/12

Recommend Council approval

Recommend Council denial

✓ Council Discretion (please explain if checked)

Comments regarding recommendation: Council discretion; action has no immediate impact on Procurement.

Legal

Reviewed by: Elizabeth McLean

Date: 9/14/12

Recommend Council approval

Recommend Council denial

✓ Council Discretion (please explain if checked)

Comments regarding recommendation: This request is a policy decision left to Council's discretion; however, the request is to amend ord 043-01HR, which is actually the yearly budget ordinance for fy2001-2002. The proper procedure would be to pass an independent ordinance creating the new fee. Such ordinance could reference ord 043-01HR for clarity. Legal will provide a draft ordinance upon request.

Administration

Reviewed by: Sparty Hammett

Date: 9/19/12

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend Council approval of the increase in fees for autopsy reports. Although the fee would be higher than comparable counties, the revenue could help offset the rising costs of autopsies. The Coroner's Office does not charge families or law enforcement for reports. The revenue from the fee has historically been small, however the Coroner is anticipating an increase in the number of requests for autopsy reports.

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

AN ORDINANCE AMENDING ORDINANCE 043-01HR, SO AS TO INCREASE
THE RATE OF COPY CHARGES FOR AUTOPSY REPORTS TO \$500.

WHEREAS, in ordinance 043-01HR, Section 24, Council established the rate of copy charges
for autopsy reports from the Richland County Coroner at \$100; and

WHEREAS, Council now desires to increase such autopsy report copy charges;

NOW THEREFORE, 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. A copy charge of five hundred dollars (\$500) shall be collected for each copy of an
autopsy report. These copy charges shall not apply to family or law enforcement.

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

RICHLANDCOUNTYATTORNEY'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

a. Authorizing the execution and delivery of a fee agreement by and between Richland County, South Carolina and [Project Resolve], as sponsor, to provide for fee-in-lieu of ad valorem taxes and other incentives; authorizing the grant of special source revenue credits; and other related matters **[FIRST READING BY TITLE ONLY] [PAGE 174]**

Ordinance Authorizing the execution and delivery of an Intergovernmental Agreement by and between Richland County, South Carolina, the Town of Blythewood, South Carolina relating to [Project Resolve] and the business license fees on the investment by [Project Resolve], and other matters related thereto **[FIRST READING BY TITLE ONLY] [PAGE 175]**

AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN RICHLAND COUNTY, SOUTH CAROLINA AND [PROJECT RESOLVE], AS SPONSOR, TO PROVIDE FOR FEE-IN-LIEU OF *AD VALOREM* TAXES AND OTHER INCENTIVES; AUTHORIZING THE GRANT OF SPECIAL SOURCE REVENUE CREDITS; AND OTHER RELATED MATTERS.

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN RICHLAND COUNTY, SOUTH CAROLINA, THE TOWN OF BLYTHEWOOD, SOUTH CAROLINA RELATING TO [PROJECT RESOLVE] AND THE BUSINESS LICENSE FEES ON THE INVESTMENT BY [PROJECT RESOLVE], AND OTHER MATTERS RELATED THERETO

Richland County Council Request of Action

Subject

Board of Zoning Appeals-1

Sheldon L. Cooke, Sr. October 7, 2012 *

Eligible for reappointment

Richland County Council Request of Action

Subject

Central Midland Council of Governments-1

Steven B. Corboy, October 19, 2013

Richland County Council Request of Action

Subject

Community Relations Council-1

Kimberly Kennedy Gooden, November 3, 2012 *

Eligible for reappointment

Richland County Council Request of Action

Subject

Township Auditorium Board-1

Andrew (Drew) Nick Theodore, November 20, 2012*

Eligible for reappointment

Richland County Council Request of Action

Subject

Accommodations Tax Committee-3 (needed are 1 person from the Hospitality industry, 1 person from the Lodging industry, and 1 person from the cultural industry)

No applications were received.

Richland County Council Request of Action

Subject

Building Codes Board of Appeals-3 (needed 1 engineer, 1 person from the gas industry, and 1 person from the building industry) **[PAGES 181-187]**

Applications were received from the following:

Jesse S Burke, Engineer
Michael T. Lowman, Building*
Greg Mackie, Gas*

Eligible for reappointment



**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant must reside in Richland County.

Name: Jesse S. Burke, PE

Home Address: 216 South Maple Street, Columbia, SC 29205

Telephone: (home) 803-779-5544 (work) 803-733-9595

Office Address: 3112 Devine Street, Columbia, SC 29205

Email Address: jesse@BurkeEngr.com

Educational Background: 1988 - BS in Civil Engr; 1989 - Masters of Engineering

Professional Background: Over 20 years experience in design of buildings & other structures

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Building Board of Adjustment and Appeal

Reason for interest: My knowledge of the Building Codes and building construction.

Your characteristics/qualifications, which would be an asset to Committee, Board or
Commission:

Roughly 30 years experience in construction and design. Extensive knowledge of the
building codes (commercial & residential). Licensed Professional Engineer in 3 states.

Presently serve on any County Committee, Board or Commission? South Carolina Building Code Council's
Code Study Committee - currently serving
my second 3-year term.

Any other information you wish to give? State Chapter President of the Structural Engineer's Association of SC

Recommended by Council Member(s): _____

Hours willing to commit each month: Whatever is necessary. I realize it will vary month to month.

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: _____



Applicant's Signature

17 September 2012
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



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: MICHAEL T. LOWMAN

Home Address: 5 OVERCUP CT, IRMO SC 29063

Telephone: (home) 803-781-1332 (work) 803-227-8414

Office Address: 441 WESTERN LN, IRMO SC 29063

Email Address: mikelowman760@gmail.com

Educational Background: AIZ DEGREE UNIVERSITY OF SC

Professional Background: LICENSOR POUNDER & REAL ESTATE

Male [checked] Female [] Age: 18-25 [] 26-50 [] Over 50 []

Name of Committee in which interested: BUILDING BOARD OF ADJUSTMENTS & APPEALS

Reason for interest: WISH TO CONTINUE SERVING.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

CURRENTLY SERVES AS CHAIR OF THE BUILDING BOARD OF APPEALS

Presently serve on any County Committee, Board or Commission? YES, BUILDING BOARD OF ADJUSTMENTS & APPEALS

Any other information you wish to give?

Recommended by Council Member(s):

Hours willing to commit each month: WHATEVER 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.

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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: MANAGER OF MUNGU HOMES

[Signature] 8/9/12
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	



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Greg Mackie

Home Address: 61 Olde Springs Rd

Telephone: (home) 419-1007 (work) 736-9300

Office Address: 8551 Old Percival Rd

Email Address: GMackie@SC.RR.COM

Educational Background: High School grad

Professional Background: Master Plumber / Master Gas Fitter

Male [] Female [] Age: 18-25 [] 26-50 [] Over 50 [x]

Name of Committee in which interested: Building codes Board of Adjustment

Reason for interest: Currently Serving / Term expiring

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

Presently serve on any County Committee, Board or Commission? yes

Any other information you wish to give?

Recommended by Council Member(s):

Hours willing to commit each month: whatever necessary

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: _____

Meg Mackie
Applicant's Signature

8-2-12
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

Community Relations Council-1

No applications have been received at this time.

Richland County Council Request of Action

Subject

Midlands Workforce Development Board-1 **[PAGES 189-191]**

One applicant was nominated, Annie Caggiano, Richland County Economic Development; she will be replacing Nelson Lindsay, Richland County Economic Director.



**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Name: Annie Caggiano

Home Address: 1306 Woodrow Street Columbia SC 29205

Telephone: (home) 803-960-1682 (work) 803-576-1344

Office Address: 2020 Hampton St, Suite 4069, PO Box 192, Columbia, SC 29202

Educational Background: B.S. in Marketing from Clemson University. Attended and completed SC Economic Developers School.

Professional Background: Eight years' experience in economic development as Director of Research at the Central SC Alliance and one and a half years' experience in project management as Project Manager for the Darla Moore School of Business. Resume attached for your reference.

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Midlands Workforce Development Board

Reason for interest: Request to be appointed by Nelson Lindsay, Director of Economic Development for Richland County, as his replacement on the board.

Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission: I am the Assistant Director of Economic Development and liaison for existing industry here in Richland County.

Presently serve on any County Board/Commission/Committee? No

Any other information you wish to give?

Recommended by Council Member(s):

Hours willing to commit each month: 15


Applicant's Signature

10/8/2012
Date

ANNIE CAGGIANO

1306 Woodrow Street, Columbia, SC 29205 ~ 803.960.1682 ~ anniecaggiano@sc.rr.com

EDUCATION

Clemson University Clemson, SC
Bachelor of Science in Marketing August 2003

PROFESSIONAL EXPERIENCE

University of South Carolina Columbia, SC
Darla Moore School of Business April 11' to October 2012
Project Manager/Business Analyst

- Planned and led major construction projects for new Professional MBA facilities in Greenville and Charleston SC, new Polycom Telepresence classrooms in Aiken, Bluffton, Spartanburg, Columbia SC and Charlotte NC and the new Darla Moore School of Business.
- Proactively conducted interviews with project stakeholders to gather functional requirements, then managed and communicated those requirements throughout assigned projects.
- Organized and lead weekly team meetings to ensure all project deliverables (interior up-fit construction, equipment procurement, marketing, classroom usage MOUs, training of faculty and staff) were on time and within budget.
- Delivered informative and well-organized written and oral presentations to update university stakeholders on assigned projects.
- Researched, analyzed and reported information pertaining to business school facilities, advanced computer technologies, audio visual technologies, open floor plan practices, and collaborative work and study environments to stakeholders within the Business School.
- Reviewed all contracts and agreements pertaining to Professional MBA facilities leases and equipment.
- Act as liaison between the business community, Business School representatives and external partners for all project requirements during the analysis and execution phase of assigned projects.
- Responsible for maintenance of complete, current, and properly archived project documentation.
- Managed day-to-day operational aspects of assigned projects.

Central South Carolina Alliance Columbia, SC
Director, Research Jan 2004 to April 2011

- Organized RFI (request for information) responses between multiple parties including site consultants, member counties, the SC Department of Commerce and assigned Central SC Alliance project manager.
- Developed, wrote and expedited proposals, presentations and other general information packages for prospects.
- Advised Alliance and SC Department of Commerce project managers on available properties for prospects.
- Supervised and maintained the Alliance research information storage and retrieval system including existing industry, demographic, quality of life, tax and wage databases.
- Coordinated day to day research request from staff, prospects, member counties and other parties.
- Researched, composed and published county executive summaries, targeted marketing brochures, property maps, site and building flyers and other specialty marketing products.
- Developed, analyzed and published comprehensive legal and financial status of projects for client counties.
- Maintained all records regarding annual project capital investment and new job creation.
- Managed the Alliance website (www.centralsc.org) and its associated content.
- Assisted Executive Vice President in the preparation of the annual budget, quarterly activity reports, annual reports and other project documentation.
- Responsible for the employment and supervision of the Research Assistant and Intern Positions.
- Managed daily office functions including telecommunications, IT, printers, and general troubleshooting.

PROFESSIONAL DEVELOPMENT AND ASSOCIATIONS

University of South Carolina Continuing Education
Project Management Fundamentals Completed July 2012

Council for Community and Economic Research (formerly ACCRA)
Data-Driven Economic Development Techniques Completed Sept. 2010

South Carolina Economic Developers' School
Basic Program in Economic Development Graduated Nov. 2006

ESRI ArcGIS Training Course
Basic ArcMap, ArcCatalog Completed Sept. 2005

Council for Community and Economic Research (formerly ACCRA) Member 2006 -2011
South Carolina Economic Developers' Association Member since 2006
-Member of SCEDA social media subcommittee

SKILLS

Excellent written and oral communication, ability to establish strong working relationship with clients and colleagues by promoting a team environment, public speaking and presentations, organization. Computer Programs – ACT, Microsoft Office Suite (Word, Excel, PowerPoint), Microsoft Project, Apple (Pages, Keynote, Numbers), Adobe Creative Suite (Photoshop, InDesign, Illustrator, Acrobat) ArcGIS 9.3 (ArcMap, Arc Catalog), Delorme Xmap.

Richland County Council Request of Action

Subject

Planning Commission-1 [**PAGES 192-194**]

An application was received from the following:

William H. Theus



**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant must reside in Richland County.

Name: William H. Theus

Home Address: 1521 Tanglewood Road Columbia, SC 29205

Telephone: (home) (803) 254-9745 (work) (803)256-1050

Office Address: 1213 Lady Street, Ste. 300, Columbia, SC 29201

Email Address: btheus@taylortheus.com

Educational Background: B.S./MBA University of Virginia

Professional Background: Real Estate Investment/Development

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Planning Commission

Reason for interest: I am interested in serving the community in an
area in which I have experience.

Your characteristics/qualifications, which would be an asset to Committee, Board or
Commission:

I have real life experience with property development.

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give? No

Recommended by Council Member(s): Greg Pearce

Hours willing to commit each month: Whatever is necessary

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 X No _____

If so, describe: We own and have developed property in Richland County.

 W. A. Jones
Applicant's Signature

 9/20/12
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

Agendas-FOIA Compliance [**PAGES 195-203**]

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

Dennis N. Lambries, Appellant,

v.

Saluda County Council; T.
Hardee Horne, Chairman;
William "Billie" Pugh,
Councilman; Steve Teer,
Councilman; Jacob Schumpert,
Councilman; and James Frank
Daniel, Sr., Councilman, Respondents.

Appeal From Saluda County
William P. Keesley, Circuit Court Judge

Opinion No. 4989
Heard March 15, 2012 – Filed June 13, 2012

REVERSED

Richard R. Gleissner, of Columbia, for Appellant.

Christian Giresi Spradley, of Saluda, for
Respondents.

KONDUROS, J.: Dennis Lambries appeals the circuit court's ruling that the amendment of the agenda by the Saluda County Council (the Council) during its meetings does not violate the Freedom of Information Act (FOIA). We reverse.

FACTS

Lambries filed suit against the Council contending its practice of amending its agenda during regularly scheduled meetings violated FOIA. The circuit court concluded specific language in section 30-4-80 of the South Carolina Code (2007) indicated no agenda was required for regularly scheduled meetings and the amendments to the agenda were made in open public sessions in accordance with the Council's procedures so the action did not violate FOIA.¹ This appeal followed.

STANDARD OF REVIEW

"Statutory interpretation is a question of law." Hopper v. Terry Hunt Constr., 373 S.C. 475, 479, 646 S.E.2d 162, 165 (Ct. App. 2007). This court may decide matters of law with no particular deference to the circuit court. Pressley v. REA Constr. Co., 374 S.C. 283, 287-88, 648 S.E.2d 301, 303 (Ct. App. 2007).

LAW/ANALYSIS

Lambries argues the circuit court's interpretation of section 30-4-80 of the South Carolina Code (2007) was erroneous because it undercuts the purpose of FOIA to inform the public about business to be addressed at meetings of public bodies. We agree.

¹ Lambries initially requested that certain acts of the Council be declared null and void, but he abandoned those claims and seeks only an interpretation of FOIA that will prevent the Council from amending its agenda during meetings in the future.

Section 30-4-80 provides:

(a) All public bodies, except as provided in subsections (b) and (c) of this section, must give written public notice of their regular meetings at the beginning of each calendar year. The notice must include the dates, times, and places of such meetings. Agenda, if any, for regularly scheduled meetings must be posted on a bulletin board at the office or meeting place of the public body at least twenty-four hours prior to such meetings. All public bodies must post on such bulletin board public notice for any called, special, or rescheduled meetings. Such notice must be posted as early as is practicable but not later than twenty-four hours before the meeting. The notice must include the agenda, date, time, and place of the meeting. This requirement does not apply to emergency meetings of public bodies.

....

(d) Written public notice must include but need not be limited to posting a copy of the notice at the principal office of the public body holding the meeting or, if no such office exists, at the building in which the meeting is to be held.

(e) All public bodies shall notify persons or organizations, local news media, or such other news media as may request notification of the times, dates, places, and agenda of all public meetings, whether scheduled, rescheduled, or called, and the efforts made to comply with this requirement must be noted in the minutes of the meetings.

Section 30-4-15 of the South Carolina Code (2007) discusses the purpose of FOIA.

The General Assembly finds that it is vital in a democratic society that public business be performed in an open and public manner so that citizens shall be advised of the performance of public officials and of the decisions that are reached in public activity and in the formulation of public policy. Toward this end, provisions of this chapter must be construed so as to make it possible for citizens, or their representatives, to learn and report fully the activities of their public officials at a minimum cost or delay to the persons seeking access to public documents or meetings.

Id. (emphasis added).

The circuit court determined the "if any" language in section 30-40-80(a) means that nothing requires Council to have an agenda for a regularly scheduled meeting. However, this interpretation is inconsistent with the requirement that agendas be posted twenty-four hours prior to a meeting. Applying such a construction, Council could circumvent the notice requirement by simply not preparing a formal agenda and then discussing matters on an ad hoc basis at the meeting. Such conduct would not be in keeping with the purpose of FOIA, and we will not construe a statute in a way that defeats the legislative intent. See Sloan v. S.C. Bd. of Physical Therapy Exam'rs, 370 S.C. 452, 468, 636 S.E.2d 598, 606 (2006) ("A statute as a whole must receive [a] practical, reasonable, and fair interpretation consonant with the purpose, design, and policy of lawmakers."); Kiriakides v. United Artists Commc'ns, Inc., 312 S.C. 271, 275, 440 S.E.2d 364, 366 (1994) (stating courts will reject the ordinary meaning of words if accepting such an interpretation of a statute leads to an absurd result that would defeat the plain legislative intention.); id. ("If possible, the court will construe the statute so as to escape the absurdity and carry the intention into effect."). Additionally, if as Council argues no agenda is required because regularly scheduled meetings are open to the public, then the publication requirement when there is an agenda is superfluous. Meetings with or without an agenda are equally open to the public.

However, if "agenda"² is not viewed narrowly as only a formally prepared piece of paper but instead represents the impactful actions and business the paper memorializes, the statute can be read harmoniously. Then, the "if any" language simply recognizes that regularly scheduled meetings of public bodies may occur during which no formal action or discussion is to take place. If so, there is no agenda and no requirement for publication of a blank piece of paper.

The remainder of subsection (a) requires publication of the agenda for any called or special meeting. By implication, a called or special meeting would only occur if an item required formal discussion or action. This interpretation of the statute gives logical effect and meaning to each part of the statute and is in accord with the purpose of FOIA to notify the public of the activities of public bodies.

The remaining question is whether a published agenda for a regularly scheduled meeting can be amended during the meeting without violating FOIA. This is a close question, because no provision appears to prohibit such action. However, to allow an amendment of the agenda regarding substantive public matters undercuts the purpose of the notice requirement in section 30-4-80. A narrow construction of FOIA may support the position that so long as regularly scheduled meetings are open to the public, they are conducted in compliance with FOIA. However, such a construction would be inconsonant with the agenda notice requirement for regularly scheduled meetings and would go against the instruction that FOIA is to be liberally construed. See N.Y. Times Co. v. Spartanburg Cnty. Sch. Dist. No. 7, 374 S.C. 307, 311, 649 S.E.2d 28, 30 (2007) (stating FOIA is a statute remedial in nature and must be liberally construed to carry out the purpose mandated by the legislature); Evening Post Publ'g Co. v. City of N. Charleston, 363 S.C. 452, 457, 611 S.E.2d 496, 499 (2005) (holding FOIA exemptions are to be narrowly construed to fulfill the purpose of FOIA to guarantee the public reasonable access to certain activities of government).

While Lambries does not argue Council's deeds have been done with ill intent, permitting the amendments to the agenda during a regularly

² Agenda is not defined in FOIA.

scheduled meeting is a practice that could be abused and violates the spirit of FOIA. A South Carolina Attorney General opinion, while not authoritative, eloquently describes the ideal conduct for meeting the obligations set forth under FOIA.

Public bodies are encouraged to take all steps necessary to comply with both the letter and the spirit of the Act, to carry out the express purpose of keeping the public informed about the performance of their public officials and the conduct of public business. If any doubt exists as to action to be taken, the doubt should be resolved in a manner designed to promote openness and greater notice to the public.

1989 S.C. Op. Att'y Gen. 89-111, 1989 WL 406201 (October 11, 1989).

We recognize our decision may be inconvenient in some instances, but the purpose of FOIA is best served by prohibiting public bodies governed by FOIA from amending their agendas during meetings. Therefore, the ruling of the circuit court is

REVERSED.

GEATHERS, J., concurs.

PIEPER, J., dissents in a separate opinion.

PIEPER, J., dissenting:

I respectfully dissent. The majority opinion is well-reasoned and compelling. However, I am reluctant to reverse the denial of temporary injunctive relief by the trial court because the statute is completely silent as to whether a public body can amend an agenda that is not required for a regularly scheduled meeting. "A statute as a whole must receive practical, reasonable, and fair interpretation consonant with the purpose, design, and policy of lawmakers." Sloan v. S.C. Bd. of Physical Therapy Exam'rs, 370 S.C. 452, 468, 636 S.E.2d 598, 606 (2006). "[I]t is vital in a democratic

society that public business be performed in an open and public manner so that citizens shall be advised of the performance of public officials and of the decisions that are reached in public activity" S.C. Code Ann. § 30-4-15 (2007). FOIA must be construed to make it possible for citizens to learn and report fully the activities of public officials. Id. Section 30-4-80 of the South Carolina Code provides the following:

- (a) All public bodies, except as provided in subsections (b) and (c) of this section, must give written public notice of their regular meetings at the beginning of each calendar year. The notice must include the dates, times, and places of such meetings. Agenda, if any, for regularly scheduled meetings must be posted on a bulletin board at the office or meeting place of the public body at least twenty-four hours prior to such meetings. All public bodies must post on such bulletin board public notice for any called, special, or rescheduled meetings. Such notice must be posted as early as is practicable but not later than twenty-four hours before the meeting. The notice must include the agenda, date, time, and place of the meeting. This requirement does not apply to emergency meetings of public bodies.

S.C. Code Ann. § 30-4-80 (2007).

Section 30-4-80 is completely silent as to whether an amendment to a published agenda for a regularly scheduled meeting is permitted. What is clear is that an agenda is not required for a regularly scheduled meeting, as indicated by the "if any" language in the statute. See S.C. Code Ann. § 30-4-80 (2007) ("Agenda, if any, for regularly scheduled meetings"). Because an agenda is not required for a regularly scheduled meeting, it is difficult to conclude that the statute's silence clearly demonstrates legislative intent to prohibit a public body from amending a discretionary agenda. Additionally, Council's amendment of the agenda did not violate FOIA's

purpose of providing the public access to a public body's actions behind closed doors. Council's amendment of the agenda did not infringe on Lambries' ability to learn and report fully on the activities of the public officials. While the public was not informed of the amendment to the agenda, the meeting was performed in an open and public manner, and the public was advised of both the meeting and the decisions reached at the meeting.

Moreover, because a FOIA violation can be criminal in nature, the law should be clear as to what is proscribed; otherwise, unintended prosecutions could be threatened. See S.C. Code Ann. § 30-4-110 (2007) ("Any person or group of persons who willfully violates the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars or imprisoned for not more than thirty days for the first offense . . ."). Until the legislature resolves this issue, I would not judicially impose requirements that would have the effect of creating new and potentially unintended criminal liability. Furthermore, in light of the admitted lack of legislative clarity on this issue, I would alternatively affirm the trial court's denial of Lambries' temporary injunction, as the decision to grant or deny an injunction is within the discretion of the trial court. See Strategic Res. Co. v. BCS Life Ins. Co., 367 S.C. 540, 544, 627 S.E.2d 687, 689 (2006) ("An order granting or denying an injunction is reviewed for abuse of discretion."). Based on the foregoing reasons, I would affirm the order of the trial court.

Richland County Council Request of Action

Subject

Appearance Commission: **[MALINOWSKI] [PAGES 204-206]**

- a. Determine what constitutes a quorum for the Appearance Commission and have the Ordinance reflect that.
- b. Require all Council members appoint a representative to the Appearance Commission by the July 31, 2012 Council meeting.

Sec. 2-332. Boards, commissions and committees created.

The following boards, commissions and committees are hereby established and recognized:

(i) *Richland County Appearance Commission.*

(1) *Creation.* There is hereby created a Richland County Appearance Commission, which shall be a permanent county commission, appointed in whole by the county council.

(2) *Membership.* The Richland County Appearance Commission shall consist of ~~at least 11 members who are individually appointed by the representing councilperson to represent each council district. Additionally, two members shall be appointed at large by majority vote of the full council, for a maximum number of 13 commission members. At least one member of the commission must be a landscape architect and one member must be a horticulturist; and the other members being interested citizens residing in Richland County. Appropriate representatives from the South Carolina Department of Transportation, City of Columbia, and the county will serve as ex-officio members.~~ appointed by county council. While any interested citizen residing in Richland County at the time of his or her appointment and remaining a citizen of Richland County during the tenure of his or her appointment is eligible to be a member, special consideration may be given to applicants with specialized knowledge of or proficiency in landscape architecture, horticulture or master gardening.

(3) *Purpose.* The Richland County Appearance Commission will seek to improve and enhance the overall appearance of Richland County. Responsibilities include:

a. To identify and work with municipalities, state agencies, and interested organizations to coordinate and collaborate in improving the appearance of Richland County.

b. To make a recommendation to the county council, no later than June 1, 1999, as to the implementation of the Landscaping Investment and Major Boulevards Plan (LIMB) approved by county council.

c. To undertake the development and implementation of a five-year overall beautification plan to complement and expand upon the LIMB Plan. This five-year plan will address long-term efforts to improve the appearance and natural beauty of the county and will include appearance standards and principles.

d. To develop a maintenance plan for the above LIMB Plan and five-year plan.

e. To identify outside public and/or private funding sources for beautification and recommend to council grant opportunities and if needed, county funding, for the beautification efforts.

(4) *Terms of members; election of officers; and meetings.*

a. ~~An at-large A~~ A commission member shall serve a term of four years or until his or her successor is appointed. ~~The term of a member of the Commission individually appointed by a Council member shall be coterminous with the term of the appointing Council member. Provided, however, that if a vacancy shall occur on Council, the member of the Commission appointed by the vacating Council member shall complete his or her term.~~

b. The commission shall elect a chairman, vice-chairman, secretary and treasurer.

c. The commission shall meet at such times and places as determined by the chairman, but shall hold at least one meeting each quarter. The county administrator shall assign staff to assist the

commission in making its recommendations to county council. All meetings of the commission shall be conducted in compliance with the South Carolina Freedom of Information Act.

(5) *By-laws.* The commission ~~shall~~ may adopt by-laws and rules of procedure by which meetings and activities of the commission will be conducted. ~~Such by-laws shall not conflict with Robert's Rules of Order, the general and permanent statutes of the State of South Carolina, and Richland County ordinances.~~ Any matter not addressed under the by-laws or rules of procedure the commission adopts shall be governed by Robert's Rules of Order, most recent edition.

(6) *Quorum.* A quorum of appointed members (*i.e.*, a majority of the appointed members), and not of the "fixed membership" of the commission, must be present for the commission to conduct business. [For example, if the commission has only five (5) appointed members at the time, notwithstanding the "fixed membership" described in subsection (2), a quorum of the "appointed members" would be three (3)].

Richland County Council Request of Action

Subject

Council Individual Discretionary Account

Richland County Council Request of Action

Subject

I move Council consider allowing Master Gardeners to fulfill the roles of Landscaper and Horticulturalist on the Appearance commission, in the event that no licensed Landscaper or Horticulturalist can be recruited for the Commission. I also encourage all Council members to appoint their candidates to this Commission, and request staff inform Council vacancies **[HUTCHINSON] [PAGES 208-213]**

APPEARANCE COMMISSION

The Richland County Appearance Commission will seek to improve and enhance the overall appearance of Richland County. The Commission, appointed in whole by Council, shall consists of at least eleven (11) members; at least one member who is a landscape architect and one member who is a horticulturist; and the other members being interested citizens residing in the county. Members shall serve a term of four (4) years or until his of her successor is appointed. Appropriate representatives from the South Carolina Department of Transportation, City of Columbia and Richland County will serve as an ex-officio member.

	<u>District</u>	<u>Member</u>	<u>Expiration</u>
1	Malinowski	Kim Murphy	Concurrent
2	Dickerson		*
3	Jeter		*
4	Livingston		*
5	Rose	Carla Lewis Moore	*
6	Pearce		*
7	Kennedy	Jim Davis	*
8	Manning	Lee Phippen	*
9	Hutchinson	Mary Jane Henderson	*
10	Washington		*
11	Jackson	Angela Geiger	*

Other Members:
 Horticulturist (Vacant)
 Landscape Architect (Vacant)

APPEARANCE COMMISSION

The Richland County Appearance Commission will seek to improve and enhance the overall appearance of Richland County. The Commission, appointed in whole by Council, shall consist of at least eleven (11) members: at least one member who is a landscape architect and one member who is a horticulturist; and the other members being interested citizens residing in the county. Members shall serve a term of four (4) years or until his or her successor is appointed. Appropriate representatives from the South Carolina Department of Transportation, City of Columbia, and Richland County will serve as an ex-officio member.

District 1

Kim Murphy, *Chair*
154 Old Laurel Lane
Chapin, SC 29036
345-8855 (H)
12/31/14

District 2 (Vacant)

Betty Robinson
1916 Spotswood
Columbia, SC 29210
(H)
12/31/08

District 3 (Vacant)

William A. Niblock
4011 Highland Park Drive
Columbia, SC 29204
754-4429
12/31/08

District 4 (Vacant)

Betsy L. Boozer
2304 Lincoln Street
Columbia, SC 29201
779-7595 (H)
Retired (O)
12/31/14

District 5

Carla Lewis Moore
2300 Wilmot Ave
Columbia, SC 29205
(H) 770-0124
c-l-moore@att.net
12/31/14

District 6 (Vacant)

Ms. Arney Love
3 Cedarwood Lane
Columbia, SC 29205
256-1196
12/31/10

District 7

Jim Davis
120 Swandale Dr.
Columbia, SC 29203
(C) 318-1136
4/10/12

District 8

Lee Phippen
4230 Sandwood Drive
Columbia, SC 29205
(H) 738-0865
npippen@sc.rr.com
12/31/12

District 9
Mary Jane Henderson
19 Stagbriar Court
Columbia, SC 29229
736-0176
917-8670

District 10 (Vacant)
Susan R. Harris
2509 Flamingo Drive
Columbia, SC 29209
783-0130
12/31/12

District 11
Angela Geiger
405 N. Maney Ct.
Hopkins, SC 29061
776-6436 (H)
333-6104 (O)
12/31/14

Contact: James “Buddy” Atkins
RC Conservation Department
576-2080

Council Liaison:

Others Members:
James E. Storzier, Horticulturist (Resigned)
315 Kilbourne Rd. (Dist 5)
Columbia, SC 29205
(H) (706) 621-9947
(O) 978-1048
jstorzier@riverbanks.org
4/6/10-4/6/13

Landscape Architect
(Vacant)

Citizen Liaisons:

(i) *Richland County Appearance Commission.*

- (1) *Creation.* There is hereby created a Richland County Appearance Commission, which shall be a permanent county commission, appointed in whole by county council.
- (2) *Membership.* The Richland County Appearance Commission shall consist of at least 11 members who are individually appointed by the representing councilperson to represent each council district. Additionally, two members shall be appointed at-large by majority vote of the full council, for a maximum number of 13 commission members. At least one member of the commission must be a landscape architect and one member must be a horticulturist; and the other members being interested citizens residing in Richland County. Appropriate representatives from the South Carolina Department of Transportation, City of Columbia, and the county will serve as ex-officio members.
- (3) *Purpose.* The Richland County Appearance Commission will seek to improve and enhance the overall appearance of Richland County. Responsibilities include:
 - a. To identify and work with municipalities, state agencies, and interested organizations to coordinate and collaborate in improving the appearance of Richland County.
 - b. To make a recommendation to the county council, no later than June 1, 1999, as to the implementation of the Landscaping Investment and Major Boulevards Plan (LIMB) approved by county council.
 - c. To undertake the development and implementation of a five-year overall beautification plan to complement and expand upon the LIMB Plan. This five-year plan will address long-term efforts to improve the appearance and natural beauty of the county and will include appearance standards and principles.
 - d. To develop a maintenance plan for the above LIMB Plan and five-year plan.
 - e. To identify outside public and/or private funding sources for beautification and recommend to council grant opportunities and if needed, county funding, for the beautification efforts.
- (4) *Terms of members: election of officers; and meetings.*
 - a. An at-large Commission member shall serve a term of four years or until his or her successor is appointed. The term of a member of the

Commission individually appointed by a Council member shall be coterminous with the term of the appointing Council member. Provided, however, that if a vacancy shall occur on Council, the member of the Commission appointed by the vacating Council member shall complete his or her term.

- b. The commission shall elect a chairman, vice-chairman, secretary and treasurer.
 - c. The commission shall meet at such times and places as determined by the chairman, but shall hold at least one meeting each quarter. The county administrator shall assign staff to assist the commission in making its recommendations to county council. All meeting of the commission shall be conducted in compliance with the South Carolina Freedom of Information Act.
- (5) *By-laws*. The commission shall adopt by-laws by which meetings and activities of the commission will be conducted. Such by-laws shall not conflict with Robert's Rules of Order, the general and permanent statutes of the State of South Carolina, and Richland County ordinances.

Richland County Council Request of Action

Subject

Due to recent issues with the Chair making announcements and having meetings on behalf of Richland County and County Council without Council's approval. I move that we have a workshop on the rules of the Chair. The do's and don'ts of the Chair. This will help with the problem and the chaos we are having on County Council. **[JACKSON]**

Richland County Council Request of Action

Subject

Add to Section 4.1 of Council Rules: "No standing committees of Council shall be scheduled at the same time." **[LIVINGSTON] [PAGES 215-216]**

4.5 Meetings

Committees shall meet regularly in a room designated by the Committee Chair. No committee shall meet while the Council is meeting without special leave. No committee shall sit unless a quorum is present. No Council member shall be allowed under any circumstances to vote by proxy. Members of Council, whenever possible, shall make inquires and requests for information at the Committee meetings. Members of the public may address a Committee with the permission of the Committee Chair and with the consent of the Committee; however, any material that a citizen intends to present, including audio and visual presentations, must be approved by the Clerk of Council prior to the Committee meeting.

Absent emergency circumstances, no meeting of a standing committee of Council shall be scheduled at the same time as another meeting of a standing committee of Council.

Richland County Council Request of Action

Subject

That all items currently listed at the end of the A&F and D&S Committee agendas as "Items Pending Analysis" be cleared up within 90 days. There is no reason some action should not be taken, even if it means to table it for now
[MALINOWSKI] [PAGES 217-219]

Items kept in Pending Analysis beyond 90 days

- 2) Any item defeated, tabled, or not acted on by committee within 90 days of that item that item having been placed 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,

Amendment:

b. Any item listed on the A&F and D&S Committee agendas under "Pending Items" that have not received action for 100 days shall be moved from "Items Pending Analysis" section to the "Items for Action" section. Actions that could be taken on these items are directing staff to "do" something with an item, such as negotiate, staff or representative to provide a report or summary of information, and/or tabling the item.

4.6 Legislative Action

Items referred to a committee for consideration shall be listed under one of the following categories: “Items for Action” or “Items for Information, Discussion, and/or Preliminary Action.” Additional agenda categories (including, but not limited to, “Presentations,” “Notifications,” and “Items Pending Analysis”) may be added to the agenda as needed for items not requiring immediate committee action.

- a) ITEMS FOR ACTION-For all items requiring action, the committee shall take one of the following actions by majority vote:
 - 1) Recommend that Council approve the item, which may or may not include amendments or modifications to the original request;
 - 2) Recommend that Council deny the item;
 - 3) Forward the item to Council without a recommendation;
 - 4) Defer consideration of the item to a future committee meeting;
 - 5) Refer the item to another committee or commission; or
 - 6) Table the item.

- b) ITEMS FOR INFORMATION, DISCUSSION AND/OR PRELIMINARY ACTION-For items on the agenda for information, discussion and/or preliminary action, the committee shall take one of the following actions by majority vote:
 - 1) Direct the administrator to bring the item back for action at a specified committee meeting;
 - 2) Defer consideration of the item until a specified committee meeting; or
 - 3) Receive the item for information or discussion purposes only, and dispose the item from the committee agenda;
 - 4) Items so removed will be reported as such by the committee to Council.

Any item on the Administration and Finance Committee agenda listed as an “Item Pending Analysis” must be resolved, tabled or otherwise disposed of within 90 days of that matter’s referral to the committee.

Any item on the Development and Services Committee agenda listed as an “Item Pending Analysis” must be resolved, tabled or otherwise disposed of within 90 days of that matter’s referral to the committee.

Richland County Council Request of Action

Subject

Reviewing Committee Qualifications [**PAGES 220-224**]

Richland County Government

County Administration Building
2020 Hampton Street
P.O. Box 192
Columbia, SC 29202



Phone: (803) 576-2050
Fax: (803) 576-2137
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Office of the County Administrator

MEMORANDUM

TO: Rules and Appointments Committee Members
FROM: Sparty Hammett
SUBJECT: Internal Audit Project List
DATE: October 12, 2012

The recommended internal audit project list was based on the results of the 2005 Follow-up Countywide Management Study conducted by Hammett Consulting (fieldwork was completed from November, 2004 to February, 2005), feedback from County management staff, and feedback from the Internal Audit Committee. The list is seven-years old and operations within some departments on the list have improved during this period of time. In addition, the focus areas of County management and County Council may have changed. While the list can be used as a general starting point, it should be updated based upon the current conditions and risks in Richland County. It should also be noted that four of the audits on the list were completed (Planning and Development Services; Human Resources; Detention Center; and Public Works).

POTENTIAL INTERNAL AUDIT PROJECTS

1. **Finance Department Performance Audit** – Hammett Consulting recommended further study of the Finance Department during the 2001 Countywide Management Study. Internal issues identified during the Follow-up Countywide Management Study, as well as concerns identified by the County’s external auditor, indicate a high level of potential risk.
2. **Treasurer’s Office Performance Audit** – Although the Treasurer’s Office was outside of the scope of review of the Follow-up Study, many concerns regarding the Office were identified by County staff both during this study and the 2001 study. Operational concerns were also identified by the County’s external auditor.
3. **Human Resources Performance Audit** – An efficient and effective Department of Human Resources is crucial to the overall effectiveness of Richland County government. The Department does not currently have the resources to meet the service demand and significant service delivery concerns were identified during the Follow-up Study.
4. **Planning and Development Services Performance Audit** – During the 2001 study, Planning and Development was identified as the most problematic department. Although significant improvements have been made since 2001, there are still many opportunities for improvement particularly given the expanded role of the department since implementation of the new Land Development Code.
5. **Performance Measurement Refinement** – During the 2001 Countywide Management Study, Hammett Consulting conducted a series of meetings with each direct report department to develop base level performance measures. This was intended as a starting point for Richland County’s performance measurement process. The Follow-up Study documented that many departments have made minimal progress in refining and compiling the measures since 2001.

6. **Procurement Audit** – Within any county government, procurement is a high risk area for potential fraud and abuse. Periodic audits of procurement transactions can help reduce the likelihood of fraud. After Richland County implements procurement cards, the potential risk will increase.
7. **Countywide Fee Study** – Hammett Consulting recently conducted a Countywide Fee Study for Gwinnett County, Georgia. Given the budgetary constraints in Richland County, this study could prove beneficial in ensuring that the County is collecting appropriate revenue from user fees and charges.
8. **Timekeeping Audit** – Fraud related to timekeeping is also a potential concern for county government. Controls over timekeeping have improved in Richland County since 2001, however there is still potential for abuse.
9. **Roads and Drainage Maintenance Performance Audit** – At the beginning of 2001 Countywide Management Study fieldwork, Roads and Drainage was one of the most troubled divisions within Richland County government. County Administration made several key operational changes, and the unit had improved significantly by the end of the study process. During the Follow-up Study, a significant number of concerns were again identified within the division.
10. **Detention Center Performance Audit** – A detention center is one of the highest risk areas for any county government. Significant supervisory concerns were identified within the Richland County Detention Center during the course of the Follow-up Study.
11. **Magistrate Court Audit** – Potential internal control issues were identified during the interview process of the 2003 Court Administration Audit conducted by Hammett Consulting.
12. **Animal Care Performance Audit** – County Administration made several key operational changes within the Department during the 2001 study, and the department had improved significantly by the end of the study process. Although the Follow-up Study indicated that operations were still effective, Animal Care issues are often a major concern for citizens. Also, if consolidation of services with the City of Columbia is not accomplished, additional resources and construction of a county animal shelter may be needed to provide the required level of service.

13. **County/City Service Consolidation Review** – Richland County and the City of Columbia have consolidated several governmental services including the Detention Center, Fire, Emergency Services, Dispatch and Business Licensing. This study would review how well these services are meeting the needs of the county and the citizens. The study could also include a review of other services which could be consolidated to enhance service delivery, such as Animal Care.

14. **Emergency Management Performance Review** – Emergency Management and Homeland Security are major concerns for county government today. Hammett Consulting recently conducted an Emergency Management Performance Review in Gwinnett County, Georgia.

15. **Register of Deeds Audit** - A more detailed external audit of the Register of Deeds is being conducted. However, consideration should still be given to conducting an internal audit of internal controls of the Register of Deeds Office due to the amount of cash handled by the department.

Richland County Council Request of Action

Subject

Appointment of Code Enforcement Officers:

- a. A Resolution to appoint and commission Alonzo W. Smith, Sr., as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County **[PAGE 226]**
- b. A Resolution to appoint and commission Michael A. King, as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County **[PAGE 227]**

Richland County Council Request of Action

Subject

a. Wrecker service operators in Richland County have requested that County Council review for possible adjustment the 2009 Richland County Ordinance pertaining to allowable fees charged for wrecker (towing) and storage services based on increased costs especially in fuel. Fee adjustments have apparently been granted by the SC Highway Patrol and City of Columbia. **[PEARCE]**

b. For Businesses closed for more than one year, if the building is structurally sound then it should be allowed for continued use only without modification.

Reason: Buildings closed for more than one year are subject to new Building Codes. The costs for updates are too expensive causing new potential businesses to go elsewhere. The County has a lot of unoccupied buildings causing blighted communities. To resolve the problem if buildings are structurally sound and the use is the same or similar then it should be allowed as continued use without additional modifications. **[JACKSON]**

c. Resolution honoring William "Bill" Robinson on his retirement **[WASHINGTON]**

Richland County Council Request of Action

Subject

Must Pertain to Items Not on the Agenda