



**RICHLAND COUNTY COUNCIL
REGULAR SESSION AGENDA**

**MAY 4, 2010
6:00 PM**

CALL TO ORDER

HONORABLE PAUL LIVINGSTON, CHAIR

INVOCATION

HONORABLE DAMON JETER

PLEDGE OF ALLEGIANCE

HONORABLE DAMON JETER

Approval Of Minutes

1. Regular Session: April 20, 2010 [PAGES 8-15]
2. Zoning Public Hearing: April 27, 2010 [PAGES 17-20]

Adoption Of The Agenda

Report Of The Attorney For Executive Session Items

3. a. Columbia Venture
- b. Vulcan Lease Agreement
- c. Real Estate Contract
- d. Pending Legal Matter

Citizen's Input

4. For Items on the Agenda Not Requiring a Public Hearing

Report Of The County Administrator

5. a. Real Estate Contract
- b. Smoking Ban Update [PAGE 24]

- c. Farmers' Market Update
- d. Lower Richland Sewer Update
- e. Richland Savvy Seniors - May 21st
- f. Richland County Census Update
- g. Employee Grievance

Report Of The Clerk Of Council

Report Of The Chairman

Open/Close Public Hearings

- 6. An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$345,000 of undesignated General Fund Balance to the Sheriff Department's Budget for part-time personnel expenditures

Approval Of Consent Items

- 7. An Ordinance Authorizing a lease to Vulcan Construction Materials, LP, for approximately 10 Acres of land, which is a portion of Richland County TMS # 06500-01-11 [**THIRD READING**] [**PAGE 27**]
- 8. An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses with Special Requirements, and Special Exceptions; "Business, Professional and Personal Services" of Table 26-V-2.; and Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; so as to allow "Bed and Breakfast Homes/Inns" as a Permitted Use with Special Requirements in the RU Rural; OI Office and Institutional, NC Neighborhood Commercial, and GC General Commercial Zoning Districts; and to remove "Bed and Breakfast Homes/Inns" from the M-1 Zoning District [**THIRD READING**] [**PAGES 29-35**]
- 9. 10-03MA
Matthew Congdon
Killian Crossing
PDD to Amended PDD (398.66 Acres) & GC (17.29 Acres)
17400-02-04/12/13/14
Killian Rd. [**SECOND READING**] [**PAGES 37-39**]
- 10. 10-06MA
Lake Carolina
David Tuttle
PUD-2 to RU (22.5 Acres)
23300-03-01(p)
Ashland at Kelly Mill Rd. [**SECOND READING**] [**PAGES 41-42**]
- 11. 10-07MA
Map amendment for properties in the Crane Creek Master Plan Neighborhood District

[SECOND READING] [PAGES 44-46]

12. An Ordinance so as to reflect that schools, including public and private, are not permitted in the M-1 Zoning District **[SECOND READING] [PAGES 48-51]**
13. An Ordinance so as to correctly identify the Development Review Team as the entity that reviews land development and subdivisions, and has the authority to reduce road standards **[SECOND READING] [PAGES 53-55]**
14. Jasmine Place Water Quality Improvement Project **[PAGES 57-59]** (*Forwarded from the D&S Committee*)
15. Ordinance to Amend the Standards for Outdoor Retail Lighting **[PAGES 61-63]** (*Forwarded from the D&S Committee*)
16. Change to Handbook regarding Weapons **[PAGES 65-66]** (*Forwarded from the D&S Committee*)
17. Decker Blvd Woodfield Park Slum and Blight Designation **[PAGES 68-74]** (*Forwarded from the D&S Committee*)
18. Laurelwood Plantation Historic Preservation Acquisition **[PAGES 76-79]** (*Forwarded from the A&F Committee*)
19. Transportation Enhancement Grant for Woodrow Wilson Home **[PAGES 81-83]** (*Forwarded from the A&F Committee*)
20. Request for Contract Award for Parking Garage Repairs **[PAGES 85-86]** (*Forwarded from the A&F Committee*)
21. Job performance plan for the Clerk of Council position **[PAGE 88]** (*Forwarded from the A&F Committee*)
22. Business Services Center-Records Retention Schedule **[PAGES 90-92]** (*Forwarded from the A&F Committee*)
23. Approval of the Exercise of an Option to Renew a Contract with Palmetto Posting, Inc. **[PAGES 94-105]** (*Forwarded from the A&F Committee*)
24. Budget Amendment-Risk Management **[PAGES 107-108]** (*Forwarded from the A&F Committee*)
25. Emergency Services Purchase Orders and Contract Approvals for FY 2010-11 **[PAGES 110-111]** (*Forwarded from the A&F Committee*)
26. Transfer funds allocated for SC Gospel Fest to Administrator to be distributed as per County Rules **[PAGES 113-119]** (*Forwarded from the A&F Committee*)
27. Jail Intervention Program **[PAGES 121-124]** (*Forwarded from the A&F Committee*)

Third Reading Items

28. Budget Amendment-Sheriff: Part-Time Employees [**THIRD READING**] [**PAGES 126-127**]

Second Reading Items

29. Ordinance to Amend Road Names and Addressing Requirements [**PAGES 129-136**]

First Reading Items

30. An Ordinance to raise revenue, make appropriations, and adopt a budget for Richland County, South Carolina for Fiscal Year beginning July 1, 2010 and ending June 30, 2011 [**PAGES 138-142**]
31. 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, 2010, will provide sufficient revenues for the operations of Richland County Government during the period from July 1, 2010 through June 30, 2011 [**PAGES 144-145**]
32. An Ordinance Authorizing the issuance and sale of not to exceed \$2,100,000 General Obligation Bonds, Series 2010B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto [**PAGES 147-176**]
33. An Ordinance Authorizing the issuance and sale of not to exceed \$13,400,000 General Obligation Bonds, Series 2010A, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto [**PAGES 178-206**]

Report Of Development And Services Committee

34. Memorandum of Understanding to reflect the intent of parties regarding access to Lower Richland Boulevard and Garners Ferry Road in the development of certain residential and commercial facilities [**PAGES 208-231**]
35. Water Line Construction to New Light Beulah Baptist Church [**PAGES 233-237**]

Report Of Administration And Finance Committee

36. Richland County Library: USDA Grant Request-Eastover Branch [**PAGES 239-243**]
37. An Ordinance Amending the Fiscal Year 2009-2010 Victim's Assistance Fund Annual Budget and General Fund Annual Budget to appropriate \$50,000 of Undesignated Fund Balance from the General Fund to the Victim's Assistance Fund for the anticipated revenue shortfall [**PAGES 245-246**]

- 38. Replacement of Damaged RCSD Vehicles [PAGES 248-250]
- 39. Eastover Sewer Plant Update (Contractual Matter) [PAGE 252]

Report Of Economic Development Committee

- 40. Project McGuire
 - a. Resolution Re: First Amendment to Lease Purchase Agreement [PAGES 254-256]
 - b. First Amendment to Lease Purchase Agreement [PAGES 257-261]
 - c. Bond Resolution [PAGE 262]

Report Of Rules And Appointments Committee

1. Notification Of Vacancies

- 41. Building Codes Board of Adjustments-1 [Monte Lemmon, June 19, 2010*]
- 42. Historic Columbia Foundation-1 [John W. Cullum, Resigned]

2. Discussion From Rules And Appointments Committee

- 43. To request the Attorney General's opinion regarding the possibility of a conflict of interest as it related to the methodology used to compensate voter registration appointees [Dickerson] [PAGES 270-272]

Other Items

- 44. Resolution regarding Catawba Indians [MANNING] [PAGE 274]
- 45. Transportation Ad Hoc Committee
 - a. An Ordinance to levy and impose a one percent (1%) sales and use tax, subject to a referendum, within Richland County pursuant to Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended; to define the purposes and designate the projects for which the proceeds of the tax may be used; to provide the maximum time for which such tax may be imposed; to provide the estimated cost of the projects funded from the proceeds of the tax; to provide for a County-wide referendum on the imposition of the sales and use tax and the issuance of General Obligation Bonds and to prescribe the contents of the ballot questions in the referendum; to provide for the conduct of the referendum by the Richland County Election Commission; to provide for the administration of the tax, if approved; to provide for the payment of the tax, if approved; and to provide for other matters relating thereto [BY TITLE ONLY] [PAGES 276-280]

Citizen's Input

- 46. Must Pertain to Items Not on the Agenda

Executive Session

Motion Period

47. That the County Administrator direct staff to prepare a document prior to 2nd reading of the FY 2010-11 budget listing all budget amendments approved by County Council during the FY 2009-10 budget year. The list should include the County department receiving the additional funds, the amount requested, the amount approved by Council and a brief description as to why the additional appropriations were required. The listings should be grouped by department then by the date of Council action [**PEARCE, WASHINGTON, AND MALINOWSKI**]

Adjournment



Richland County Council Request of Action

Subject

Regular Session: April 20, 2010 [PAGES 8-15]

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, APRIL 20, 2010 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	Paul Livingston
Vice Chair	Damon Jeter
Member	Gwendolyn Davis Kennedy
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Bill Malinowski
Member	Jim Manning
Member	L. Gregory Pearce, Jr.
Member	Kit Smith
Member	Kelvin Washington

OTHERS PRESENT – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Amelia Linder, Anna Almeida, Dale Welch, Tiaa Rutherford, Daniel Driggers, Geo Price, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:08 p.m.

INVOCATION

The Invocation was given by the Honorable Kit Smith

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Kit Smith

APPROVAL OF MINUTES

Regular Session: April 6, 2010 – Mr. Jeter moved, seconded by Mr. Pearce, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Pearce moved, seconded by Ms. Hutchinson, to reorder the agenda to allow Palmetto Health to present their presentation immediately following Adoption of the Agenda. The vote in favor was unanimous.

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

PRESENTATION

Palmetto Health State of the Organization Annual Report – Dr. James Reynolds, Mr. Stan Hickson, and Dr. Bill Phillips presented Palmetto Health’s Annual Report.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

- a. **Contractual Matter—C&D Disposal Contract**
- b. **Farmers’ Market Update**
- c. **Columbia Venture** – This item was deferred.
- d. **Lower Richland Sewer Update**
- e. **Vulcan Lease Agreement** – This item was deferred
- f. **Project McGuire**
- g. **Bible Way De-Annexation**

OUTSIDE COUNSEL/CONSULTANT EXECUTIVE SESSION

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Council went into Executive Session at approximately 6:21 p.m. and came out at approximately 6:42 p.m.
=====

- a. **Project McGuire** – No action was taken.

CITIZENS' INPUT

No one signed up to speak.

REPORT OF THE COUNTY ADMINISTRATOR

Contractual Matter—C&D Disposal Contract – This item was taken up during Executive Session

Farmers' Market Update – This item was taken up during Executive Session.

Lower Richland Sewer Update – This item was taken up during Executive Session.

Budget Update – Mr. Pope stated that the Administrator's Recommended Budget will be presented to Council at the May 4th Council meeting.

REPORT OF THE CLERK OF COUNCIL

Black Pages Golf Tournament – Ms. Finch stated that the golf tournament will be held Friday, May 21st at Cobblestone Park Golf Club.

Black Expo – Ms. Finch stated that Black Expo will be hosting a concert on Saturday, May 22nd from 11 a.m.-7 p.m. at the Colonial Life Arena. The featured performers will be David and Tamela Mann, Tasha Smith and Doc Shaw.

Structure of Agenda – Ms. Finch stated that the recommendations from committee will now be listed on the item's coversheet under the Notes section. Additionally, when an item is forwarded from committee and is placed on the Consent Agenda it will be noted on the agenda coversheet which committee the item was forwarded from.

Richland County Recreation Commission 50th Anniversary – Ms. Finch stated that Council received an invitation to participate in the Recreation Commission's 50th Anniversary celebration on Saturday, June 5th from 10 a.m.-5 p.m. at the Meadowlake Park, 500 Beckman Road. Richland County departments will be allowed to participate in the event by having booths at the informational fair.

Mayor Bob Coble Reception – Ms. Finch reminded Council of the reception for Mayor Bob Coble on Thursday, April 29th from 5:30-7:30 p.m. at EdVenture. The tickets are \$25 and need to be purchased as soon as possible.

EdVenture – Ms. Finch stated that Council received an invitation from EdVenture to participate in a breakfast on Tuesday, May 11th from 7:30-8:30 a.m. to learn how their support has made an impact at EdVenture.

Benedict's Charter Day Scholarship Awards Dinner – Ms. Finch stated that Benedict's Charter Day Awards Dinner will be held on April 21st at 6:30 p.m.

REPORT OF THE CHAIRMAN

CMRTA Report – Mr. Livingston requested that the Transportation Ad Hoc Committee schedule a meeting and report back to full Council.

PRESENTATIONS

Engenuity—Neil McLean – Mr. McLean gave Council a brief update on Engenuity's present initiatives.

APPROVAL OF CONSENT ITEMS

- **10-04MA, Robert Davis, Richland County School Dist. II, PDD to Amended PDD (6.93 Acres), 20400-01-17, Hardscrabble Rd. & Marchbank Pkwy. [THIRD READING]**
- **An Ordinance Amending Chapter 26, Land Development, Regarding Lighting Standards [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to establish a district entitled "CC Crane Creek Neighborhood District" [THIRD READING]**

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

THIRD READING

An Ordinance Authorizing a lease to Vulcan Construction Materials, LP, for approximately 10 Acres of land, which is a portion of Richland County TMS #06500-01-11 – Ms. Dickerson moved, seconded by Mr. Washington, to defer this item until the May 4th Council meeting. The vote in favor was unanimous.

An Ordinance Authorizing a Utility Easement/Right-of-Way to South Carolina Electric & Gas Company on Property Identified as TMS # 25600-04-12 – Mr. Malinowski moved, seconded by Ms. Dickerson, to approve this item with the inclusion of the language that was removed at Second Reading. The vote in favor was unanimous.

SECOND READING

Budget Amendment-Sheriff: Part-Time Employees – Mr. Malinowski moved, seconded by Ms. Dickerson, to approve this item. The vote was in favor.

Ordinance to Amend Road Names and Addressing Requirements – Ms. Dickerson moved, seconded by Ms. Kennedy, to defer this item. The vote was in favor.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Organizationally place County Assessor under County Administrator – Mr. Pearce moved, seconded by Mr. Malinowski, to table this item. The vote was in favor.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Bible Way De-Annexation – This item was taken up during Executive Session.

CITIZENS INPUT

No one signed up to speak.

EXECUTIVE SESSION

=====
Council went into Executive Session at approximately 7:32 p.m. and came out at approximately 8:35 p.m.
=====

- a. **Contractual Matter—C&D Disposal Contract** – Mr. Washington moved, seconded by Ms. Hutchinson, to proceed with advertising. The vote was in favor.
- b. **Farmers' Market Update** – No action was taken.
- c. **Lower Richland Sewer Update** – No action was taken.
- d. **Bible Way De-Annexation** – Ms. Smith moved, seconded by Ms. Dickerson, to defer this item until the information requested in Executive Session is received.

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

The vote was in favor of deferral.

MOTION PERIOD

Resolution honoring Dr. Stephen Hefner for his service to Richland Two [HUTCHINSON] – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve the resolution honoring Dr. Stephen Hefner. The vote in favor was unanimous.

I Would like to make a motion to honor our female veterans and active duty who have and continue to serve our country [DICKERSON] – Ms. Dickerson moved, seconded by Mr. Washington, to approve a resolution honoring female active duty and veterans and to forward to the May 4th Council meeting for presentation.

Council schedule a retreat for the sole purpose (one agenda item) of attempting to obtain a consensus on the visionary legacy this Council would like to leave. This legacy could be as broad as how the Council would like to see the County look in 10-20 years from now or as narrow as one great accomplishment caused by this Council. This retreat would be for no less than ½ a day; held in a comfortable room without conference tables; only include staff on the day of the retreat as observers available for specific questions (not equal participants or driving the agenda discussions) and no notebooks or laptop computers. This retreat would be conducted within 100 days from the acceptance of the motion and facilitated by a credentialed professional [MANNING] – This item was referred to the D&S Committee.

JUMPS Grant [WASHINGTON] – This item was referred to the A&F Committee.

Request the Chairman to establish an “International Cultural Exchange Ad-Hoc Committee” so Richland County Council will have a direct line of communication to the foreign communities of Richland County, which make up over 60 different foreign nationalities. This committee will help foster a more open dialogue between local government and our foreign citizens [WASHINGTON] – This item was referred to the D&S Committee.

Resolution recognizing Dr. John R. Lincoln, Pastor of Shandon Baptist Church who with 30+ years of service has just become the longest serving pastor of the church [MANNING] – Mr. Manning moved for unanimous approval of a resolution recognizing Dr. John R. Lincoln, Pastor of Shandon Baptist Church and to forward to the May 4th Council meeting for presentation. The vote in favor was unanimous.

Catawba Indians Resolution [MANNING] – Mr. Manning moved, seconded by Mr. Jackson, to approve the resolution for the Catawba Indians. A discussion took place.

This item was referred to the A&F Committee.

Ms. Smith moved, seconded by Mr. Washington, to reconsider this item. The vote in favor was unanimous.

Ms. Smith moved, seconded by Mr. Malinowski, to place this item on the May 4th Council meeting agenda.

Motion to develop a public private water and sewer system for the Lower Richland 208 Planning area and other parts of the County [JACKSON] – This item was referred to the D&S Committee.

Blue lights can only be used on Law Enforcement and approved emergency vehicles, per State Law. There are a lot of vehicles, cars and bikes equipped or fitted with blue lights. A motion urging law enforcement to enforce the law [JACKSON] – This item was referred to the D&S Committee.

I move to waive Council rules and place an ordinance on the May 4th Council agenda for first reading, which would amend the standards for outdoor retail lighting. The purpose of this amendment is to increase the number of lumens allowed per acre during business hours and to reduce the number of lumens allowed per acre during non-business hours. In addition, this text amendment shall establish a maximum height for poles associated with an outdoor retail business and establish an alternative standard regarding the amount of illumination permitted at property line [HUTCHINSON] – This item was referred to the April 27th D&S meeting.

ADJOURNMENT

The meeting adjourned at approximately 8:15 p.m.

Paul Livingston, Chair

Damon Jeter, Vice-Chair

Gwendolyn Davis Kennedy

Joyce Dickerson

Valerie Hutchinson

Norman Jackson

Bill Malinowski

Jim Manning

L. Gregory Pearce, Jr.

Kit Smith

Kelvin E. Washington, Sr.

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

Zoning Public Hearing: April 27, 2010 [PAGES 17-20]

MINUTES OF



RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING TUESDAY, APRIL 27, 2010 7:00 p.m.

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

MEMBERS PRESENT:

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

OTHERS PRESENT: Michielle Cannon-Finch, Anna Almeida, Amelia Linder, Tiaa Rutherford, Tommy DeLage, Brian Cook, Geo Price, Milton Pope, Sparty Hammett, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Monique Walters, Michelle Onley

CALL TO ORDER

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

ADDITIONS/DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

MAP AMENDMENTS

10-03MA, Matthew Congdon, Killian Crossing, PDD to Amended PDD (398.66 Acres) and GC (17.29 Acres), 17400-02-04/12/13/14, Killian Rd.

Mr. Livingston opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Ms. Kennedy moved, seconded by Mr. Jackson, to give First Reading approval to this item. A discussion took place.

The vote in favor was unanimous.

10-06MA, Lake Carolina, David Tuttle, PUD-2 to RU (22 ± Acres), 23300-03-01(p), Ashland at Kelly Mill Rd.

Mr. Livingston opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

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

10-07MA, Map amendment for properties in the Crane Creek Master Plan Neighborhood District

Mr. Livingston opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

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

TEXT AMENDMENTS

An Ordinance so as to reflect that schools including public and private, are not permitted in the M-1 Zoning District

Mr. Livingston opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

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

An Ordinance so as to allow “Bed and Breakfast Homes/Inns” as a permitted use with special requirements in the RU Rural, OI Office and Institutional, NC Neighborhood Commercial, and GC General Commercial Zoning Districts; and to remove “Bed and Breakfast Homes/Inns” from the M-1 Zoning District [SECOND READING]

Mr. Livingston opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Ms. Hutchinson moved, seconded by Mr. Washington, to give Second Reading approval to this item. The vote in favor was unanimous.

An Ordinance so as to correctly identify the Development Review Team as the entity that reviews land development and subdivisions, and has the authority to reduce road standards

Mr. Livingston opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

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

The vote in favor was unanimous.

OTHER BUSINESS

Voluntary Incentive Based Zoning (presentation) – Mr. Tommy DeLage gave a brief presentation regarding this item.

ADJOURNMENT

The meeting adjourned at approximately 7:32 p.m.

Submitted respectfully by,

Paul Livingston
Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

- a. Columbia Venture
- b. Vulcan Lease Agreement
- c. Real Estate Contract
- d. Pending Legal 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. Real Estate Contract
- b. Smoking Ban Update [**PAGE 24**]
- c. Farmers' Market Update
- d. Lower Richland Sewer Update
- e. Richland Savvy Seniors - May 21st
- f. Richland County Census Update
- g. Employee Grievance



Richland County Business Service Center

2020 Hampton Street, Suite 1050
P.O. Box 192
Columbia, SC 29202

Phone: (803) 576-2287
Fax: (803) 576-2289
bsc@rcgov.us
<http://www.rcgov.us/bsc>

MEMORANDUM

TO: J. Milton Pope, County Administrator; County Council

FROM: Pam Davis

DATE: 04/19/2010

SUBJECT: Smoking Ban Report – 1st Quarter, 2010

Number of Complaints Received:	2
Number of Businesses referenced in complaints:	1
Business Type:	Adult Nightclub
Name of Businesses:	Platinum Plus
Number of Inspections:	1
Violations Noted:	0
Tickets Issued:	0

Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$345,000 of undesignated General Fund Balance to the Sheriff Department's Budget for part-time personnel expenditures

Richland County Council Request of Action

Subject

An Ordinance Authorizing a lease to Vulcan Construction Materials, LP, for approximately 10 Acres of land, which is a portion of Richland County TMS # 06500-01-11 **[THIRD READING] [PAGE 27]**

Notes

First Reading: February 16, 2010

Second Reading: March 2, 2010

Third Reading:

Public Hearing: March 16, 2010

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-10HR

AN ORDINANCE AUTHORIZING A LEASE TO VULCAN CONSTRUCTION MATERIALS, LP., FOR APPROXIMATELY 10 ACRES OF LAND, WHICH IS A PORTION OF RICHLAND COUNTY TMS # 06500-01-11.

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

SECTION I. The County of Richland and its employees and agents are hereby authorized to lease approximately 10 acres of TMS# 06500-01-11 to VULCAN CONSTRUCTION MATERIALS, LP., as specifically described in the Lease, a copy of which is attached hereto and incorporated herein.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2010.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2010.

Michielle R. Cannon-Finch
Clerk of Council

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; Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses with Special Requirements, and Special Exceptions; "Business, Professional and Personal Services" of Table 26-V-2.; and Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; so as to allow "Bed and Breakfast Homes/Inns" as a Permitted Use with Special Requirements in the RU Rural; OI Office and Institutional, NC Neighborhood Commercial, and GC General Commercial Zoning Districts; and to remove "Bed and Breakfast Homes/Inns" from the M-1 Zoning District **[THIRD READING] [PAGES 29-35]**

Notes

First Reading: March 2, 2010
Second Reading: April 27, 2010
Public Hearing: April 6, 2010
2nd Public Hearing: April 27, 2010
Third Reading:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-10HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-141, TABLE OF PERMITTED USES WITH SPECIAL REQUIREMENTS, AND SPECIAL EXCEPTIONS; “BUSINESS, PROFESSIONAL AND PERSONAL SERVICES” OF TABLE 26-V-2.; AND ARTICLE VI, SUPPLEMENTAL USE STANDARDS; SECTION 26-151, PERMITTED USES WITH SPECIAL REQUIREMENTS; SO AS TO ALLOW “BED AND BREAKFAST HOMES/INNS” AS A PERMITTED USE WITH SPECIAL REQUIREMENTS IN THE RU RURAL, OI OFFICE AND INSTITUTIONAL, NC NEIGHBORHOOD COMMERCIAL, AND GC GENERAL COMMERCIAL ZONING DISTRICTS; AND TO REMOVE “BED AND BREAKFAST HOMES/INNS” AS A PERMITTED USE FROM THE M-1 ZONING DISTRICT.

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 V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; “Business, Professional and Personal Services” of Table 26-V-2.; is hereby amended to read as follows:

(ORDINANCE CONTINUES ON NEXT PAGE)

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
<u>Business, Professional and Personal Services</u>																	
Accounting, Tax Preparation, Bookkeeping, and Payroll Services											P	P	P	P	P	P	
Advertising, Public Relations, and Related Agencies											P	P	P	P	P		
Automatic Teller Machines											P	P	P	P	P	P	P
Automobile Parking (Commercial)											P	P	P	P	P	P	P
Automobile Rental or Leasing																	
Automobile Towing, Not Including Storage																	
Automobile Towing, Including Storage Services																	
Banks, Finance, and Insurance Offices											P	SR	SR	P	P	P	
Barber Shops, Beauty Salons, and Related Services		SR							SR	SR	P	P	P	P	P	P	
Bed and Breakfast Homes/Inns		P SR	SR						SR	SR	P SR	P SR	SR	P SR	P		
Body Piercing Facilities																	
Building Maintenance Services, Not Otherwise Listed																	
Car and Light Truck Washes (See also Truck Washes)																	
Carpet and Upholstery Cleaning Services																	
Computer Systems Design and Related Services											P	P	P	P	P	P	P
Clothing Alterations/Repairs; Footwear Repairs											P	P	P	P	P		
Construction, Building, General Contracting, with Outside Storage																SR	SR
Construction, Building, General Contracting, without Outside Storage											P	P	P	P	P	P	P

ARL/13-28-09/amended 2-23-10

Item# 8

Attachment number 1
Page 2 of 7

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LJ	HI
Construction, Heavy, with Outside Storage															SR	SR	P
Construction, Heavy, without Outside Storage															P	P	P
Construction, Special Trades, with Outside Storage															SR	SR	P
Construction, Special Trades, without Outside Storage											P	P	P	P	P	P	P
Employment Services											P	P	P	P	P	P	
Engineering, Architectural, and Related Services											P	P	P	P	P	P	
Exterminating and Pest Control Services																	
Funeral Homes and Services																	
Furniture Repair Shops and Upholstery											P	P	P	P	P	P	P
Hotels and Motels																	
Janitorial Services																	
Kennels		SR									SR		SR	SR	SR	SR	P
Landscape and Horticultural Services		P															
Laundromats, Coin Operated																	
Laundry and Dry Cleaning Services, Non-Coin Operated											P	P	P	P	P	P	P
Legal Services (Law Offices, Etc.)																	
Linen and Uniform Supply																	
Locksmith Shops																	
Management, Scientific, and Technical Consulting Services											P	P	P	P	P	P	
Massage Therapists																	
Medical/Health Care Offices											P	P	P	P	P	P	
Medical, Dental, or Related Laboratories											P	P	P	P	P	P	
Motion Picture Production/Sound Recording																	

ARL/12-28-09/amended 2-23-10

Item# 8

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-I	LJ	HI
Office Administrative and Support Services, Not Otherwise Listed											P	P	P	P	P	P	
Packaging and Labeling Services											P	P	P	P	P	P	P
Pet Care Services (Excluding Veterinary Offices and Kennels)											P	SR	SR	P	P	P	
Photocopying and Duplicating Services											P	P	P	P	P	P	P
Photofinishing Laboratories											P	P	P	P	P	P	P
Photography Studios											P	P	P	P	P		
Picture Framing Shops											P	P	P	P	P		
Professional, Scientific, and Technical Services, Not Otherwise Listed											P	P	P	P	P	P	
Publishing Industries														P	P	P	P
Real Estate and Leasing Offices											P	P	P	P	P		
Recreational Vehicle Parks and Recreation Camps		SR															
Rental Centers, with Outside Storage														SR	P	P	P
Rental Centers, without Outside Storage														P	P	P	P
Repair and Maintenance Services, Appliance and Electronics													SR	SR	SR	SR	P
Repair and Maintenance Services, Automobile, Major															P	P	P
Repair and Maintenance Services, Automobile, Minor														P	P	P	P
Repair and Maintenance Services, Boat and Commercial Trucks, Large															P		P
Repair and Maintenance Services, Boat and Commercial Trucks, Small															P	P	P
Repair and Maintenance Services, Commercial and Industrial Equipment															P	P	P
Repair and Maintenance Services, Home and Garden Equipment														P	P	P	

ARL/12-28-09/revised 2-23-10

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LJ	HI
Repair and Maintenance Services, Personal and Household Goods												P	P	P	P	P	
Repair and Maintenance Services, Television, Radio, or Other Consumer Electronics												P	P	P	P	P	
Research and Development Services											SR			P	P	P	P
Security and Related Services														P	P	P	
Septic Tank Services													P		P		P
Tanning Salons												P	P	P	P		
Tattoo Facilities													P	P	P		
Taxidermists														P	P		
Theaters, Live Performances														P	P		
Theaters, Motion Picture, Other Than Drive-Ins												SE	P	P	P	P	
Theaters, Motion Picture, Drive-Ins													SE	SE	P	SE	
Tire Recapping															P		P
Travel Agencies (without Tour Buses or Other Vehicles)											P	P	P	P	P		
Traveler Accommodations, Not Otherwise Listed													P	P	P		
Truck (Medium and Heavy) Washes														P	P	P	P
Vending Machine Operators															P	P	P
Veterinary Services (Non-Livestock, May Include Totally Enclosed Kennels Operated in Connection with Veterinary Services)											SR	SR	P	P	P	P	
Watch and Jewelry Repair Shops											P	P	P	P	P		
Weight Reducing Centers											P	P	P	P	P		

ARL/12-28-09/amended 2-23-10

Item# 8

SECTION II. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (b) Permitted uses with special requirements listed by zoning district; Paragraph (10) Bed and Breakfast Homes/Inns.; is hereby amended to read as follows:

- (10) Bed and Breakfast Homes/Inns - (RU, RR, RM-MD, RM-HD, OI, NC, RC, GC)

SECTION III. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (c) Standards; Subparagraph (10) Bed and Breakfast Homes/Inns; Clause a; is hereby amended to read as follows:

- a. Use districts: Rural; Rural Residential; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.

SECTION IV. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (c) Standards; Subparagraph (10) Bed and Breakfast Homes/Inns; Clause d; is hereby amended to read as follows:

- d. The maximum number of guest rooms provided by the bed and breakfast home/inn shall be five (5) nine (9).

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 enforced from and after _____, 2010.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2010

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading:	March 2, 2010
First Public Hearing:	April 6, 2010
Second Public Hearing:	April 27, 2010 (tentative)
Second Reading:	April 27, 2010 (tentative)
Third Reading:	

Richland County Council Request of Action

Subject

10-03MA
Matthew Congdon
Killian Crossing
PDD to Amended PDD (398.66 Acres) & GC (17.29 Acres)
17400-02-04/12/13/14
Killian Rd. **[SECOND READING] [PAGES 37-39]**

Notes

First Reading: April 27, 2010
Second Reading:
Third Reading:
Public Hearing: April 27, 2010

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ___-10HR

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 # 17400-02-04/12/13/14 FROM PDD (PLANNED DEVELOPMENT DISTRICT) TO AN AMENDED PDD (PLANNED DEVELOPMENT DISTRICT) AND GC (GENERAL COMMERCIAL); 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 properties described as TMS # 17400-02-04/12/13/14 from PDD (Planned Development District) zoning to an amended PDD (Planned Development District) zoning (398.66 acres) and to GC (General Commercial District) zoning (17.29 acres), as described herein and shown on Exhibit “A”, which is attached hereto.

Section II. PDD Site Development Requirements. The following site development requirements shall apply to the subject parcels zoned to the amended PDD District:

- a) The applicant shall comply with the Master Plan (entitled, “Vision & Design Guidelines”, submitted to Richland County on February 26, 2010) prepared for Killian’s Crossing by DCG Development, which is on file in the Richland County Planning & Development Services Department (hereinafter PDSD), and is incorporated herein by reference, except as otherwise amended herein; and
- b) The site plan is attached hereto as Exhibit “B”; and
- c) The applicant shall transmit a phasing plan to the PDSD prior to the Department’s review of any construction plans; and
- d) A traffic impact assessment shall be submitted at the time of major subdivision or major land development submission; and
- e) Unless otherwise provided herein, all development shall conform to all current relevant land development regulations; and
- f) Proposed changes to the Master Plan shall be subject to the requirements of Section 26-59(j)(1) of the Richland County Land Development Code; and
- g) All development on this site shall meet or exceed the minimum standards of Chapter 26 of the Richland County Code of Ordinances for landscape/tree protection standards due to the impact on neighboring properties; and
- h) The applicant shall dedicate to Richland County right-of-way along Clemson Road, Killian Road, and Farrow Road within the project boundaries in order to address traffic concerns, and this dedication shall be submitted prior to recording any bonded plats or land development approval for the project; and

- i) All internal streets shall be privately owned; and
- j) Access to the subject site shall conform to the Master Plan unless public safety issues are determined during site specific development review; and
- k) The applicant shall install a right turn (deceleration) lane and a left turn lane at the Farrow Road entrance; and
- l) Transit facilities shall be provided for all neighborhoods within the PDD dedicated for public and school access; and
- m) The developer should consider developing a plan for dedicating land for a school site for an “on-site” elementary school or possibly a satellite facility for Midland Technical College; and
- n) The developer should consider a plan for a public safety, postal, and/or civic facility; and
- o) If applicable, prior to approval of the preliminary subdivision plans, the applicant shall submit to the PDSO written evidence of:
 - a. The U.S. Army Corps of Engineers’ approval of the wetlands delineation and/or encroachment permit, and
 - b. FEMA’s approval of the 100 year flood elevation statement; and
- p) The applicant shall consider utilizing “Low Impact Design (LID)” or other acceptable stormwater management technologies; and
- q) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest; and
- r) All site development requirements described above shall apply to the applicant, the developer, and/or their successors in interest; and

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

Section V. This ordinance shall be effective from and after _____, 2010.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of _____, 2010.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: April 27, 2010 (tentative)
First Reading: April 27, 2010 (tentative)
Second Reading:
Third Reading:

Richland County Council Request of Action

Subject

10-06MA
Lake Carolina
David Tuttle
PUD-2 to RU (22.5 Acres)
23300-03-01(p)
Ashland at Kelly Mill Rd. **[SECOND READING] [PAGES 41-42]**

Notes

First Reading: April 27, 2010
Second Reading:
Third Reading:
Public Hearing: April 27, 2010

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-10HR

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 A PORTION OF THE REAL PROPERTY DESCRIBED AS TMS # 23300-03-01 FROM PUD-2 (PLANNED UNIT DEVELOPMENT-2 DISTRICT) TO RU (RURAL 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 a portion of the property described as TMS # 23300-03-01 from PUD-2 (Planned Unit Development-2 District) zoning to RU (Rural District) zoning, as shown on Exhibit A, which is attached hereto.

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 _____, 2010.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2010.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: April 27, 2010 (tentative)
First Reading: April 27, 2010 (tentative)
Second Reading:
Third Reading:

Richland County Council Request of Action

Subject

10-07MA

Map amendment for properties in the Crane Creek Master Plan Neighborhood District [**SECOND READING**] [**PAGES 44-46**]

Notes

First Reading: April 27, 2010

Second Reading:

Third Reading:

Public Hearing: April 27, 2010

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ___-10HR

AN ORDINANCE AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, BY APPLYING THE CC (CRANE CREEK NEIGHBORHOOD DISTRICT) ZONING TO CERTAIN REAL PROPERTY LOCATED WITHIN AN UNINCORPORATED AREA OF RICHLAND COUNTY; 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 in Exhibit A, which is attached hereto, from RU (Rural District) zoning to CC-1 (Crane Creek-1 Neighborhood District) zoning.

Section II. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit B, which is attached hereto, from RS-LD (Residential, Single-Family – Low Density District) zoning to CC-1 (Crane Creek-1 Neighborhood District) zoning.

Section III. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit C, which is attached hereto, from RS-MD (Residential, Single-Family – Medium Density District) zoning to CC-1 (Crane Creek-1 Neighborhood District) zoning.

Section IV. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit D, which is attached hereto, from RS-HD (Residential, Single-Family – High Density District) zoning to CC-1 (Crane Creek-1 Neighborhood District) zoning.

Section V. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit E, which is attached hereto, from RM-HD (Residential, Multi-Family – High Density District) zoning to CC-1 (Crane Creek-1 Neighborhood District) zoning.

Section VI. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit F, which is attached hereto, from MH (Manufactured Home Residential District) zoning to CC-1 (Crane Creek-1 Neighborhood District) zoning.

Section VII. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit G, which is attached hereto, from OI (Office and Institutional District) zoning to CC-1 (Crane Creek-1 Neighborhood District) zoning.

Section VIII. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit H, which is attached hereto, from NC (Neighborhood Commercial District) zoning to CC-1 (Crane Creek-1 Neighborhood District) zoning.

Section IX. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit I, which is attached hereto, from GC (General Commercial District) zoning to CC-1 (Crane Creek-1 Neighborhood District) zoning.

Section X. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit J, which is attached hereto, from M-1 (Light Industrial District) zoning to CC-1 (Crane Creek-1 Neighborhood District) zoning.

Section XI. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit K, which is attached hereto, from LI (Light Industrial District) zoning to CC-1 (Crane Creek-1 Neighborhood District) zoning.

Section XII. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit L, which is attached hereto, from PDD (Planned Development District) zoning to CC-1 (Crane Creek-1 Neighborhood District) zoning.

Section XIII. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit M, which is attached hereto, from RU (Rural District) zoning to CC-2 (Crane Creek-2 Neighborhood District) zoning.

Section XIV. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit N, which is attached hereto, from RS-LD (Residential, Single-Family – Low Density District) zoning to CC-2 (Crane Creek-2 Neighborhood District) zoning.

Section XV. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit O, which is attached hereto, from NC (Neighborhood Commercial District) zoning to CC-2 (Crane Creek-2 Neighborhood District) zoning.

Section XVI. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit P, which is attached hereto, from RU (Rural District) zoning to CC-3 (Crane Creek-3 Neighborhood District) zoning.

Section XVII. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit Q, which is attached hereto, from RS-HD (Residential, Single-Family – High Density District) zoning to CC-3 (Crane Creek-3 Neighborhood District) zoning.

Section XVIII. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit R, which is attached hereto, from GC (General Commercial District) zoning to CC-3 (Crane Creek-3 Neighborhood District) zoning.

Section XIX. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit S, which is attached hereto, from M-1 (Light Industrial District) zoning to CC-3 (Crane Creek-3 Neighborhood District) zoning.

Section XX. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit T, which is attached hereto, from PDD (Planned Development District) zoning to CC-3 (Crane Creek-3 Neighborhood District) zoning.

Section XXI. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit U, which is attached hereto, from M-1 (Light Industrial District) zoning to CC-4 (Crane Creek-4 Neighborhood District) zoning.

Section XXII. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit V, which is attached hereto, from LI (Light Industrial District) zoning to CC-4 (Crane Creek-4 Neighborhood District) zoning.

Section XXIII. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described in Exhibit W, which is attached hereto, from HI (Heavy Industrial District) zoning to CC-4 (Crane Creek-4 Neighborhood District) zoning.

Section XXIV. A map of the Crane Creek Neighborhood District is attached hereto as Exhibit X.

Section XXV. Upon enactment of this ordinance, any development of a property that is listed on one of the exhibits, which are attached hereto, shall conform to the relevant requirements of Section 26-111 (CC Crane Creek Neighborhood District) of the Richland County Code of Ordinances.

Section XXVI. 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 XXVII. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section XXVIII. This ordinance shall be effective from and after _____, 2010.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2010.

Michielle R. Cannon-Finch
Clerk of Council

Public Hearing: April 27, 2010 (tentative)
First Reading: April 27, 2010 (tentative)
Second Reading:
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance so as to reflect that schools, including public and private, are not permitted in the M-1 Zoning District
[SECOND READING] [PAGES 48-51]

Notes

First Reading: April 27, 2010
Second Reading:
Third Reading:
Public Hearing: April 27, 2010

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-10HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-141, TABLE OF PERMITTED USES WITH SPECIAL REQUIREMENTS, AND SPECIAL EXCEPTIONS; “INSTITUTIONAL, EDUCATIONAL AND CIVIC USES” OF TABLE 26-V-2.; SO AS TO REFLECT THAT SCHOOLS, INCLUDING PUBLIC AND PRIVATE, ARE NOT ALLOWED IN THE M-1 ZONING DISTRICT.

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 V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; “Institutional, Educational and Civic Uses” of Table 26-V-2.; is hereby amended to read as follows:

(ORDINANCE CONTINUES ON NEXT PAGE)

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
<u>Institutional, Educational and Civic Uses</u>																	
Ambulance Services, Emergency		P	P	P	P	P	P	P	P	P		P	P	P	P	P	P
Ambulance Services, Transport																	
Animal Shelters																	
Auditoriums, Coliseums, Stadiums											P					SR	
Bus Shelters/Bus Benches	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Cemeteries, Mausoleums																	
Colleges and Universities																	
Community Food Services																	
Correctional Institutions		SE															
Courts																	
Day Care, Adult, Home Occupation (5 or Fewer)		SR	SR	SR	SR	SR	SR	SR	SR	SR							
Day Care Centers, Adult		SR	SR	SR	SR	SR	SR	SR	SR	SR							
Day Care, Child, Family Day Care, Home Occupation (5 or Fewer)		SR	SR	SR	SR	SR	SR	SR	SR	SR							
Day Care, Child, Licensed Center		SR															
Fire Stations		P	P	P	P	P	P	P	P	P							
Government Offices																	

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: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY
OF _____, 2010.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: April 27, 2010 (tentative)
First Reading: April 27, 2010 (tentative)
Second Reading:
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance so as to correctly identify the Development Review Team as the entity that reviews land development and subdivisions, and has the authority to reduce road standards **[SECOND READING] [PAGES 53-55]**

Notes

First Reading: April 27, 2010
Second Reading:
Third Reading:
Public Hearing: April 27, 2010

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-10HR

AN ORDINANCE AMENDING 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; PARAGRAPH (1), RIGHT-OF-WAY AND PAVEMENT WIDTHS; SUBPARAGRAPH A., MINIMUM STANDARDS; SO AS TO CORRECTLY IDENTIFY THE DEVELOPMENT REVIEW TEAM AS THE ENTITY THAT REVIEWS LAND DEVELOPMENT AND SUBDIVISIONS, AND HAS THE AUTHORITY TO REDUCE ROAD STANDARDS.

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 VII, General Development, Site, and Performance Standards; Section 26-181, Road Standards; Subsection (b), Design Standards for Public or Private Roads; Paragraph (1), Right-of-Way and Pavement Widths; Subparagraph a., Minimum Standards; is hereby amended to read as follows:

- a. *Minimum standards.* Minimum rights-of-way and pavement widths shall be as follows, unless reduced by the ~~planning commission~~ 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>
Rural	66	22
Minor Residential	50	21
Local Residential	50	25
Local Commercial	66	36
Collector	66	36
Industrial	80	36
Arterial	100	53

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. Roads without curb and gutter shall have a minimum right-of-way of sixty-six (66) feet, although curb and gutters shall be installed on all paved roads unless the county engineer determines that another system is acceptable.

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: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY
OF _____, 2010

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: April 27, 2010 (tentative)
First Reading: April 27, 2010 (tentative)
Second Reading:
Third Reading:

PROCEDURES FOR SENDING REZONING MATTERS "BACK" TO THE PLANNING COMMISSION

PLANNING COMMISSION	PLANNING COMMISSION RECOMMENDATION	COUNTY COUNCIL ACTION AT THE ZONING PUBLIC HEARING	Goes back to PC and is reviewed	Goes back to PC and starts over	Does not go back to PC
Zoning District X to Zoning District Y	APPROVE	APPROVE			X
Zoning District X to Zoning District Y	DENY	APPROVE			X
Zoning District X to Zoning District Y	APPROVE	DENY			X
Zoning District X to Zoning District Y	DENY	DENY			X
Zoning District X to Zoning District Y	APPROVE	Zoning District X to Zoning District Z		X	
Zoning District X to Zoning District Y	DENY	Zoning District X to Zoning District Z		X	
Zoning District X to PDD	APPROVE	Zoning District X to PDD with less restrictions	X		
Zoning District X to PDD	APPROVE	Zoning District X to PDD with more restrictions			X
Zoning District X to PDD	DENY	Zoning District X to PDD with less restrictions	X		
Zoning District X to PDD	DENY	Zoning District X to PDD with more restrictions			X

Richland County Council Request of Action

Subject

Jasmine Place Water Quality Improvement Project **[PAGES 57-59]** (*Forwarded from the D&S Committee*)

Notes

April 27, 2010 - The committee recommended that Council approve the award of the construction services contract for Jasmine Place Water Quality Capital Improvement to the most responsive bidder (pending recommendation) from Richland County Department of Public Works Stormwater Management Division FY10 adjusted budget. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Award of Construction Services for Jasmine Place Water Quality Capital Improvement Project to the most responsive bidder from Richland County Department of Public Works Stormwater Management Division Budget

A. Purpose

"County Council is requested to approve the award of construction services for Jasmine Place Water Quality Capital Improvement Project to the most responsive bidder from Richland County Department of Public Works Stormwater Management Division FY10 adjusted budget."

B. Background / Discussion

The Jasmine Place Water Quality Improvement Project is being performed in an effort to improve water quality of stormwater runoff discharged from Jasmine Place Sub-division to Crane Creek watershed. The project is part of the implementation of the Lake Elizabeth Concept Study that was completed recently and per County's effort to improve water quality in Crane Creek Watershed.

Jasmine Place water quality improvement project includes retrofitting existing storm drainage system with water quality units at identified locations within Jasmine Place Subdivision and stabilizing the areas to better control stormwater velocities. All work on the project is expected to be completed within 60 consecutive calendar days from the date of Notice to Proceed.

All of the necessary requirements applicable to the project such as permits, easements, utilities co-ordination, design and drawings, contract documents, specifications, public meeting are satisfactorily addressed. Bids are solicited for the project construction services from the qualified contractors on February 15, 2010 with a due date of March 18, 2009 at 2.00p.m. A pre-bid conference is scheduled for March 01, 2010 at 10:00a.m. The received bids will be evaluated, and the most responsive bidder along with bid cost will be recommended to the Council appropriately.

C. Financial Impact

The Engineer's total estimated construction cost for the project is \$145,231.20. The Public Work's Stormwater Management Division has entire funding available for this project in its FY10 adjusted budget. Council approval is needed in authorizing the award of contract to the most responsive bidder. It is to be noted that the actual bids may come higher/lower than engineer's estimated cost of the project.

Item	Cost in Dollars
Engineer's Estimated Project Construction Cost for Lake Elizabeth Phase I CIP	\$145,231.20

Total Estimated Project Construction Cost	\$145,231.20
--	---------------------

D. Alternatives

1. Approve the request in full, and exactly as presented by the Department of Public Works Stormwater Management Division. **Reason:** The request involves no new financial impacts and is funded wholly in FY10 adjusted budget. This project will help in improving water quality in the region and in the Crane Creek watershed. The project is well in-line with planned Stormwater Management’s Capital Improvement Project (CIP) program.
2. Do not approve the recommendations, and send it back to the Department of Public Works Stormwater Management Division. **Consequences:** No contract for construction services which either stalls or delays the implementation of capital improvement project.

E. Recommendation

"It is recommended that Council approve the award of construction services contract for Jasmine Place Water Quality Capital Improvement Project to the most responsive bidder (pending recommendation) from Richland County Department of Public Works Stormwater Management Division FY10 adjusted budget. The name of the recommended responsive bidder/firm for the project and project bid cost will be presented to the Council appropriately at that time."

Recommended by: David Hoops, P.E., DPW Director
 Srinivas Valavala, DPW Stormwater Manager

Department: Public Works Date: 02/10/2010

F. Reviews

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

Finance

Reviewed by Daniel Driggers: Date: 4/9/10
 ✓ Recommend Council approval Recommend Council denial
 Comments regarding recommendation: Funds are available as stated

Procurement

Reviewed by: Rodolfo Callwood: Date: 4-12-10
 ✓ Recommend Council approval Recommend Council denial
 Comments regarding recommendation:

Comments regarding recommendation:

Legal

Reviewed by: Larry Smith

✓ Recommend Council approval

Comments regarding recommendation:

Date: 4-12-10

Recommend Council denial

Administration

Reviewed by: Sparty Hammett

✓ Recommend Council approval

Comments regarding recommendation:

Date: 4-12-10

Recommend Council denial

Richland County Council Request of Action

Subject

Ordinance to Amend the Standards for Outdoor Retail Lighting [**PAGES 61-63**] (*Forwarded from the D&S Committee*)

Notes

April 27, 2010 - The committee recommended that Council approve the ordinance amending Section 26-177, Lighting Standards; Subsection (b), Standards; Paragraphs (1) d. and (5). The committee also directed staff to look at business hours as to when businesses should reduce lighting especially around neighborhoods. The vote in favor was unanimous.

Richland County Council Request for Action

Subject: Ordinance to amend the standards for outdoor retail lighting.

A. Purpose

County Council is requested to consider an Ordinance to amend Section 26-177, Lighting Standards; Subsection (b), Standards; Paragraphs (1) d. and (5).

B. Background / Discussion

On April 20, 2010, a motion was made and County Council forwarded an ordinance to the April D&S Committee agenda that would amend the standards for outdoor retail lighting. The purpose of this amendment is to increase the number of lumens allowed per acre during business hours and to reduce the number of lumens allowed per acre during non-business hours. In addition, this text amendment will establish a maximum height for poles associated with an outdoor retail business and establish an alternative standard regarding the amount of illumination permitted at property line.

This motion was made to allow the infill development of a car lot in Richland County. The way the current ordinance reads, it would not allow proper lighting for “outdoor retail”, such as car lots, and therefore such businesses would not be able to relocate in the County.

The Planning Commission is scheduled to hear this text amendment at their May 3rd meeting. A copy of the proposed ordinance is attached for Council’s consideration.

C. Financial Impact

None.

D. Alternatives

1. Approve the ordinance amending Section 26-177, Lighting Standards; Subsection (b), Standards; Paragraphs (1) d. and (5).
2. Do not approve the ordinance amending Section 26-177, Lighting Standards; Subsection (b), Standards; Paragraphs (1) d. and (5).

E. Recommendation

This request is at Council’s discretion.

Recommended by: Honorable Val Hutchinson

Date: April 20, 2010

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-10HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE AND PERFORMANCE STANDARDS; SECTION 26-177, LIGHTING STANDARDS; SUBSECTION (B); PARAGRAPHS (1) AND (5); SO AS TO INCREASE MAXIMUM LUMENS UNDER CERTAIN CIRCUMSTANCES.

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 VII, General Development, Site and Performance Standards; Section 26-177, Lighting Standards; Subsection (b), Standards; Paragraph (1), Requirements for all zoning categories and applications; Subparagraph d.; is hereby amended to read as follows:

- d. Illumination from any luminaire at property lines shall not exceed .1 horizontal or .1 vertical foot-candles; provided, however, outdoor retail uses shall not exceed an average of 2.5 horizontal and/or vertical foot-candles.

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site and Performance Standards; Section 26-177, Lighting Standards; Subsection (b), Standards; Paragraph (5), Outdoor Retail; is hereby amended to read as follows:

- (5) Outdoor Retail.
 - a. The maximum lighting per acre is ~~650,000~~ 1.3 million lumens per acre for business hours and ~~180,000~~ 150,000 lumens per acre for security/non-business hours.
 - b. Luminaries shall not exceed twenty-four (24) feet in height.
 - c. Full-power lighting shall be reduced within thirty (30) minutes after the end of business hours. Auto display areas may be illuminated, but at security levels.

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 enforced from and after _____, 2010.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2010.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: May 4, 2010 (tentative)
Public Hearing: May 25, 2010 (tentative)
Second Reading: May 25, 2010 (tentative)
Third Reading: June 1, 2010 (tentative)

Richland County Council Request of Action

Subject

Change to Handbook regarding Weapons **[PAGES 65-66]** (*Forwarded from the D&S Committee*)

Notes

April 27, 2010 - The committee recommended that Council approve the proposed revision to the Employee Handbook and allow County employees to bring weapons onto County property provided the weapons are locked in the trunks of the employees' vehicles or some other vehicle receptacle if a trunk is not available. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Change to Handbook Regarding Weapons

A. Purpose

The purpose of this report is to seek the Council's approval to allow County employees to bring weapons on to County property provided the weapons are locked in the trunks of the employees' vehicles or in some other vehicle receptacle if a trunk is not available. This would not authorize possession of weapons in any County building, only in vehicles.

B. Background / Discussion

At the County Council meeting of March 16, 2010, Council Member Bill Malinowski introduced the following motion:

“Remove the wording that employees are prohibited from possession of a weapon on county property and change it to allow possession of a weapon in a locked trunk only or other receptacle if a trunk is not available. This will not authorize possession in any building, only the vehicles. [After discussion, the motion was amended to also include Council Members.]

The motion went on to include the following:

“An individual's right to keep and bear arms should not be subjected to arbitrary authority as it is in the Richland County Employee Handbook. Prohibiting an individual from possessing a weapon of any kind on County property is no better than enactment of the infamous “black codes” after the civil war designed to keep former slaves in a condition of subjugation. This prohibition of Richland County's on employees is unjust, oppressive and unconstitutional. Employees may find themselves in a situation en route to or from work that would put them in a position of needing to defend themselves, and Richland County has taken that need away with our current employee handbook.”

The County's Employee Handbook currently prohibits the possession of weapons on County property. Implementation of Council Member Malinowski's motion, therefore, would require a revision of the Employee Handbook.

C. Financial Impact

Adoption of the motion would result in little financial impact beyond the time and materials required to publish the amendment to the Employee Handbook and communicate the new provision to employees.

D. Alternatives

1. Approve the proposed revision to Employee Handbook.

2. Do not approve the proposed revision to Employee Handbook.

E. Recommendation

Human Resources prepared this action at the request of County Administration. No recommendation is offered by the Human Resources Department.

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 4/12/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation. Based on the ROA, this is a policy decision for Council with limited financial impact.

Human Resources

Reviewed by: Dwight Hanna

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation. Based on ROA, it appears that Council is in the process or had made policy decision.

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation: This is a policy decision of Council.

Administration

Reviewed by: J. Milton Pope

Date: 4-14-10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: This is a policy decision of Council however my professional recommendation is to support Council's previous policy decision and maintain the current policy.

Richland County Council Request of Action

Subject

Decker Blvd Woodfield Park Slum and Blight Designation **[PAGES 68-74]** (*Forwarded from the D&S Committee*)

Notes

April 27, 2010 - The committee recommended that Council approve the request to designate Decker Boulevard/Woodfield Park as a slum and blight area. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Decker Boulevard/Woodfield Park Slum and Blight Designation

A. Purpose

County Council is requested to approve Decker Boulevard/Woodfield Park as a slum and blight designation area. The purpose is to allow slum and blight designation so that the Richland County Community Development Department can be eligible to use Community Development Block Grant (CDBG) and other departmental federal funds within the area.

B. Background / Discussion

According to the SC Association of Counties, each county government within the authority granted by the Constitution and subject to the general law of this State shall have the following enumerated powers which shall be exercised by the respective governing bodies thereof:

...(15) to undertake and carry out **slum** clearance and redevelopment work in areas which are predominantly **slum** or blighted, the preparation of such areas for reuse, and the sale or other disposition of such areas to private enterprise for private uses or to public bodies for public uses and to that end the General Assembly delegates to any county the right to exercise the power of eminent¹

The County's designation of slum and blight influences would allow the Community Development Department to infuse CDBG into the area to act as a catalyst to increase commercial, economic and/or homeownership opportunities and growth.

Richland County has an approved Master Plan (adopted 07/10/07) for The Decker Boulevard/Woodfield Park Area, which meets HUD's definition of slum and blight influences due to chronic high occupancy turnover rates and/or chronic high vacancy rates in commercial or industrial buildings. Some examples are:

- ❖ Vacant Red Lobster/Jumbo's Restaurant located at 2701 Decker Blvd.²
- ❖ Vacant Olive Garden Restaurant located at 2547 Decker Blvd.³
- ❖ Vacant Blockbuster Video located at 2520 Decker Blvd.⁴
- ❖ Vacant bank building located at Decker-Trenholm Intersection⁵
- ❖ Abandoned and Foreclosed properties throughout the service area

An eligible use of CDBG also includes the national objective of removal of slum and blighting influences. Up to 30% of an annual CDBG entitlement allocation can be used for this purpose. This approved designation will provide HUD with required documentation and will help to reduce the number of vacant commercial buildings, rehabilitate dilapidated properties and assist in neighborhood stabilization.

Listed below are ways CDBG funds can be used for, but not limited to, slum and blight elimination:

¹ South Carolina Association of Counties, Title 4 Chapter 9

² www.loopnet.com

³ www.loopnet.com

⁴ Google Maps

⁵ Decker/Woodfield Park Renaissance Plan

- ❖ Demolition and Clearance of dilapidated properties
- ❖ Rehabilitation of single or multi unit residential
- ❖ Neighborhood and/or special use community centers
- ❖ Needed Infrastructure improvements
- ❖ Eligible Commercial Assistance to existing buildings such as facade improvements and parking lot enhancements
- ❖ Economic development assistance in the form of a grant or low-interest loan to businesses for low income job creation
- ❖ The development of parkway/natural/green areas

C. Financial Impact

Once the designation is approved, the Richland County Community Development Department will seek FY 10-11 and subsequent year dollars for this area. While this is required for use of CDBG (non-County funds) in the Decker Blvd / Woodfield Park are to eliminate slum and blighting influences, County funds can also be used at the discretion of County Council and Administration.

Richland County Community Development Department will have to determine on a project-by-project basis the use and availability of CDBG each funding year.

D. Alternatives

1. Approve the request to designate the Decker Boulevard/Woodfield area as slum and blight influence in order to eradicate the influences and conditions with CDBG funds.
2. Deny this request and not use CDBG funds in the Decker Boulevard/Woodfield area to eradicate the influences and conditions.

Recommendation

It is recommended that Council approves the request to designate Decker Boulevard/Woodfield Park as a slum and blight area.

Recommended by: Valeria D. Jackson Department: Community Development
Date: April 12, 2010

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 4/13/10

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood

Date: 4/13/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Grants

Reviewed by: Sara Salley

✓ Recommend Council approval

Comments regarding recommendation:

Date: 4/14/10

Recommend Council denial

Legal

Reviewed by: Larry Smith

✓ Recommend Council approval

Comments regarding recommendation:

Date: 4/14/10

Recommend Council denial

Administration

Reviewed by: Sparty Hammett

✓ Recommend Council approval

Comments regarding recommendation:

Date: 4/14/10

Recommend Council denial

Chapter 3: National Objectives As mentioned under the area benefit category, certain job creation or retention activities carried out by a CDFI or under a Neighborhood Revitalization Strategy can meet the national objective of benefiting LMI persons under either category. In these instances, the grantee will decide which category it will use to qualify the activity and record the decision in program files so that HUD will know which category is being applied.

3.3 Elimination of Slums and Blight

This section highlights the national objectives related to the elimination of slums and blight.

Key Topics in This Section: Overview of elimination of slum and blight; Area basis (SBA); Spot basis (SBS); Urban renewal (SBR)

Regulatory/Statutory Citations: Section 101(c), Section 104(b)(3), Section 105(c), 570.208(b)

Other Reference Materials on This Topic: Guide to National Objectives and Eligible Activities for Entitlement Communities, Chapter 3: Meeting a National Objective

Activities under this national objective are carried out to address one or more of the conditions which have contributed to the deterioration of an area designated as a slum or blighted area.

The focus of activities under this national objectives is a change in the physical environment of a deteriorating area. This contrasts with the LMI benefit national objective where the goal is to ensure that funded activities benefit LMI persons.

This difference in focus has an impact on the information that is required to assess the qualifications of an activity. Under the LMI benefit national objective, determining the number of LMI persons that actually or could potentially benefit from an activity is central to qualifying the activity. Under the elimination of slum and blight national objective, determining the extent of and physical conditions that contribute to blight is central to qualifying an activity.

There are three categories that can be used to qualify activities under this national objective:

- Prevent or eliminate slums and blight on an area basis;
- Prevent or eliminate slum and blight on a spot basis; or
- Be in an urban renewal area.

3.3.1 Slum Blight Area Basis (SBA)

This category covers activities that aid in the prevention or elimination of slums or blight in a designated area. Examples of activities that qualify when they are located within the slum or blighted area include

- Rehabilitation of substandard housing located in a designated blighted area and where the housing is expected to be brought to standard condition;
- Infrastructure improvements in a deteriorated area; and
- Economic development assistance in the form of a low-interest loan to a business as an inducement to locate a branch store in a redeveloping blighted area.

To qualify under this category, the area in which the activity occurs must be designated as slum or blighted. The following tests apply:

The designated area in which the activity occurs must meet the definition of a slum, blighted, deteriorated or deteriorating area under state or local law;

Additionally, the area must meet either one of the two conditions specified below:

Public improvements throughout the area are in a general state of deterioration; or

At least 25 percent of the properties throughout the area exhibit one or more of the following:

Physical deterioration of buildings/improvements;

Abandonment of properties;

Chronic high occupancy turnover rates or chronic high vacancy rates in commercial or industrial buildings;

Significant declines in property values or abnormally low property values relative to other areas in the community; or

Known or suspected environmental contamination.

Documentation must be maintained by the grantee on the boundaries of the area and the conditions that qualified the area at the time of its designation. The designation of an area as slum or blighted must be re-determined every 10 years for continued qualifications.

As stated above, qualified activities must address the identified conditions that contributed to the slum and blight.

NOTE: When undertaking residential rehab in a slum/blight area, the building must be considered substandard under local definition and all deficiencies making the building substandard must be eliminated before less critical work is undertaken.

TITLE 4. COUNTIES
CHAPTER 9. COUNTY GOVERNMENT

SECTION 4-9-30. Designation of powers under each alternative form of government except board of commissioners form. [SC ST SEC 4-9-30]

Under each of the alternate forms of government listed in § 4-9-20, except the board of commissioners form provided for in Article 11, each county government within the authority granted by the Constitution and subject to the general law of this State shall have the following enumerated powers which shall be exercised by the respective governing bodies thereof:

...(15) to undertake and carry out **slum** clearance and redevelopment work in areas which are predominantly **slum** or blighted, the preparation of such areas for reuse, and the sale or other disposition of such areas to private enterprise for private uses or to public bodies for public uses and to that end the General Assembly delegates to any county the right to exercise the power of eminent domain as to any property essential to the plan of **slum** clearance and redevelopment. Any county may acquire air rights or subsurface rights, both as hereinafter defined, by any means permitted by law for acquisition of real estate, including eminent domain, and may dispose of air rights and subsurface rights regardless of how or for what purpose acquired for public use by lease, mortgage, sale, or otherwise. Air rights shall mean estates, rights, and interests in the space above the surface of the ground or the surface of streets, roads, or rights-of-way including access, support, and other appurtenant rights required for the utilization thereof;...

NEIGHBORHOOD PLANNING AREAS



LEGEND

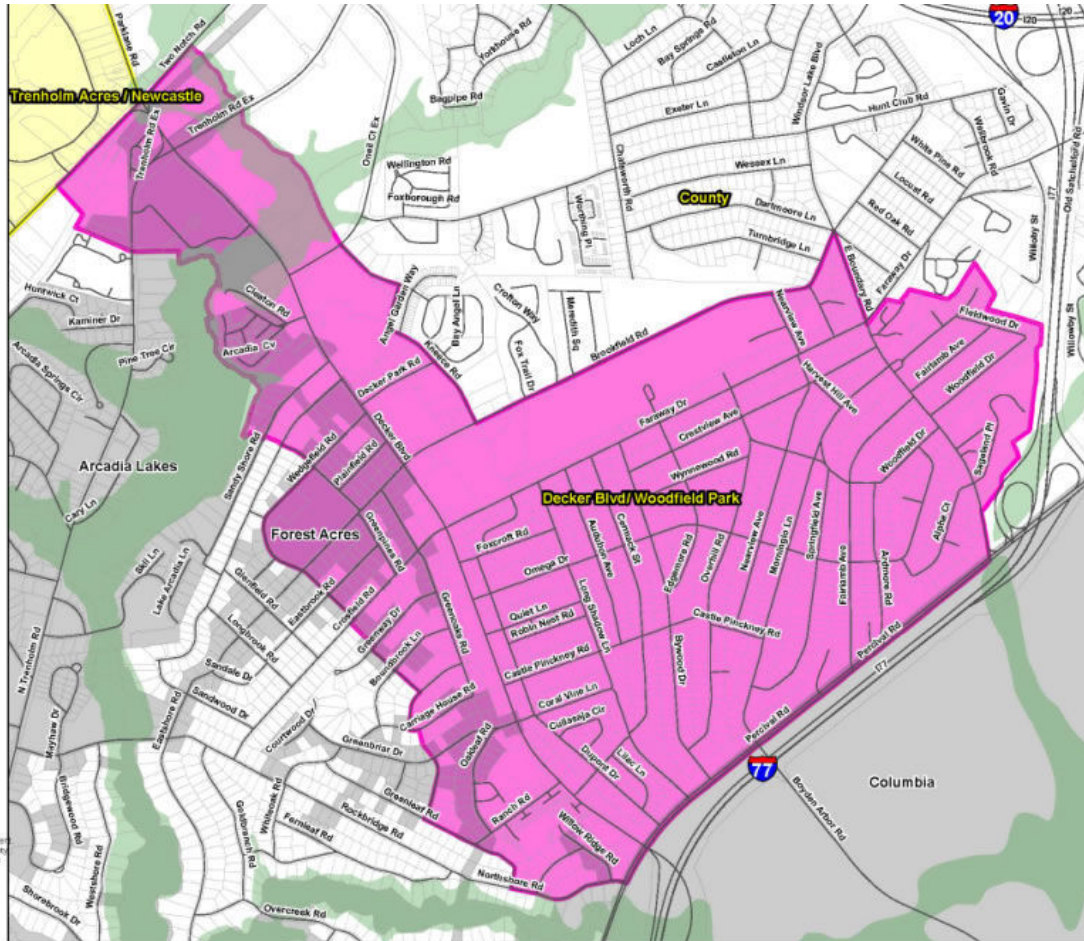
- Lakes
- Parcels
- FLOOD AREA
- Broad River Hgts/Riverview Ter
- Candlewood
- Crane Creek
- Decker Blvd/ Woodfield Park
- Dutch Square / Lower Broad River
- Hopkins / 29061
- Lower Richland / Garners Ferry Rd
- Piney Grove / St. Andrews
- Spring Hill
- Trenholm Acres / Newcastle



This map is a product of the Richland County Planning & Development Services Department. The data depicted here have been developed with extensive cooperation from other County Departments, as well as other federal, state and local government agencies. Reasonable efforts have been made to ensure the accuracy of this map. Richland County expressly disclaims responsibility for damages or liability that may arise from the use of this map.

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 Planning Analysis - Streets Center GIS Manager 9/27/2020



Richland County Council Request of Action

Subject

Laurelwood Plantation Historic Preservation Acquisition [**PAGES 76-79**] (*Forwarded from the A&F Committee*)

Notes

April 27, 2010 - The committee recommended that Council approve the request of acquisition of Laurelwood Plantation on 28 acres owned by Sarah Marye family in partnership with Palmetto Trust and Conservation Commission. The committee directed staff to provide Legal with information regarding the partnership so that an assessment can be made of what Council's obligations are under the agreement. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Laurelwood Plantation Historic Preservation Acquisition

A. Purpose

County Council is requested by the Conservation Commission to accept a historic and conservation easement acquisition of Laurelwood Plantation on 28 acres in Lower Richland County in order to protect valuable cultural and historic resource, and preserve valuable open space for conservation in partnership with the Palmetto Trust for Historic Preservation.

B. Background / Discussion

The Palmetto Trust for Historic Preservation has made a formal application to the Conservation Commission to help protect this valuable property for historic purposes, preserve natural resources, and maintain the rural integrity of the landscape. The historic plantation home is on the national register and is currently vacant. Built in the Greek Revival mode with a two-story, pedimented portico featuring paneled piers, the house is said to have been constructed ca. 1830 by James H. Seay, a wealthy cotton, corn, and rice planter. This land is currently managed for forestry, wildlife, and scenic open space. The property faces development pressures to be converted to residential home units. The property is located in County Council District #10 and #11 where several historic structures are owned by private citizens, but are not protected for preservation. The Marye family would like to see the homeplace protected as a historic site in Lower Richland. We salute their donation and legacy values.

C. Financial Impact- Compensation \$40,000

The Conservation Commission voted unanimously to make this acquisition request to County Council in partnership with the Palmetto Trust for Historic Preservation who will pay \$60,000 acquisition cost and \$20,000 restoration cost to stabilize the structure. The Conservation Commission will pay \$40,000 acquisition in a partnership agreement from the current year budget. The landowner is donating a large percentage of the appraised value of which some may be captured by tax incentives. The value based on a recent appraisal is \$300,000. We consider this agreement to be beneficial to both parties and it meets the goals of Richland County in a true volunteer partnership. The indirect benefits and cost to Richland County will be preservation of a valuable historic treasure, less storm water issues, improved water quality and wildlife habitat, and gaining valuable green space.

D. Alternatives

1. **Approve the request** to accept the historic acquisition of Laurelwood Plantation property in perpetuity and protect valuable natural resources and preserve green space for all citizens. Accepting this easement benefits our communities and sets an example of volunteer partnership with landowners and organizations.

2. Do not approve will allow the historic plantation home to be destroyed, encourage high density development, reduce green space, remove wildlife habitat, and change our rural landscape character forever.

E. Recommendation

"It is recommended that County Council approve the request of acquisition of Laurelwood Plantation on 28 acres owned by Sarah Marye Family in partnership with Palmetto Trust and Conservation Commission.

Recommended by:	Department:	Date:
Carol Kososki, Chair Jim Wilson, Program Manager	Conservation Commission Richland County	3-22-10

F. Reviews

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

Finance

Reviewed by Daniel Driggers:	Date: 4/09/10
✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation: Funds are available as stated	

Legal

Reviewed by: Larry Smith	Date: 4/09/10
<input type="checkbox"/> Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation: No recommendation: It is a policy decision of Council. However, I would recommend that prior to Council making a decision that there be a review of the Partnership Agreement that is proposed between the County and the Palmetto Trust and Conservation Commission so that the Council can assess what their obligations are under the agreement.	

Administration

Reviewed by: Sparty Hammett	Date: 4/9/10
✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	



The Palmetto Trust for Historic Preservation

March 17, 2010

Board of Directors

President
James Bradford
York

Vice President
Ned Nicholson
Columbia

Treasurer
Fred Delk
Columbia

Secretary
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Camden

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Florence

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Charleston

Donald Love
Spartanburg

Peden McLeod
Walterboro

Susan McMillan
Conway

Mack Whittle
Greenville

Brett Wright
Clemson

Mr. Jim Wilson
Program Manager
Richland County Conservation Commission
2020 Hampton Street Room 3063A
Columbia, SC 29202

Re: Laurelwood Plantation

Dear Mr Wilson

As you are aware, PTHP and RCCC has been discussing the oportunities in working together to bring about the purchase of the Laurelwood Plantation home located at 200 Campbell Road in Eastover as well as a portion of the surrounding land that would protect the access to the home as well as the aesthetic integrity of this very historic site. The public would have permitted access in the preservation agreement with PTHP.

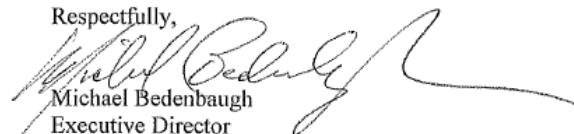
After 18 months of negotiations, the family has agreed to accept \$100,000.00 for the house and 28 Ac. including Laurelwood Lane, and an additional 200' buffer strip along Campbell Road.

The Palmetto Trust for Historic Preservation is prepared to pay \$60,000 for the property.

We respectfully request \$40,000 from RCCC in order to acquire this valuable piece of historic property. PTHP will stabilize the roof and immediately place the property under easement to ensure that the structure will never again be vulnerable to loss by the neglect of future owners again. Funds will not be requested for restoration in the future from RCCC.

It is one of the last antebellum homes in eastern Richland County and its loss would be tragic. As always, we look forward to furthering our organizations mutual goals and working together to ensure Richland County does not lose any more of its irreplaceable architectural heritage.

Respectfully,


Michael Bedenbaugh
Executive Director

cc: Jim Bradford, President PTHP

*Dedicated to protecting and preserving
South Carolina's irreplaceable architectural heritage*

www.PalmettoTrust.org • oldhouse@palmettotrust.org • 803-896-6234 • 8301 Parklane Road • Columbia, SC 29223

Item# 18

Attachment number 1
Page 3 of 4



Richland County Council Request of Action

Subject

Transportation Enhancement Grant for Woodrow Wilson Home [PAGES 81-83] (*Forwarded from the A&F Committee*)

Notes

April 27, 2010 - The committee recommended that Council approve the request to partner with Historic Columbia and accept Transportation Enhancement Funds, if awarded, for the Woodrow Wilson Family Home. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Transportation Enhancement Grant for the Woodrow Wilson Family Home

A. Purpose

County Council is requested to approve a grant for the Woodrow Wilson Family Home that will complete the landscape portion of Historic Columbia Foundation’s restoration project for the County owned property.

B. Background / Discussion

Historic Columbia Foundation manages the County owned Woodrow Wilson Family home that is undergoing an extensive renovation including the home and landscape. To assist with the landscape portion, Historic Columbia has asked Richland County to partner with them on a Transportation Enhancement Program grant administered by the Central Midlands Council of Governments.

Applicants must be an official governmental body and may partner with non-governmental organizations. Historic Columbia Foundation is a nonprofit and is not eligible to directly apply for these funds. They request that Richland County partner with them as the local body of government. As a partner, Richland County will submit the application and act as a pass through for Transportation Enhancement Funds that will, if awarded, be used to complete the landscape restoration of the Wilson site.

The renovation of this landscape to an 1870s Victorian-era landscape meets the criteria for “landscaping and scenic beautification” as outlined in the COATS guidelines and impacts the transportation as a “proximity project” related to the improvement in an area surrounding a transportation corridor. Plans for renovation of the 1.25 acre site have been developed and the project is “shovel ready.” Once complete the garden will address three aspects of a Victorian-era landscape including the formal front yard, the functional gardens immediately behind the house and a working rear yard. Once complete the garden will include walking paths with interpretive signage and will be open as a public park space.

The project meets the qualifications of the grant in the following categories: the plan is compatible with historic qualities of the area; the new landscaping will provide community/public gathering space; it will improve the area as a park setting; and it will serve as a beautification project for the southeast entry to the Historic Garden District (at the corner of Hampton and Henderson streets).

Total costs for the renovation of the landscape total \$275,000. Historic Columbia Foundation has raised \$130,000 for the landscape to date, which provides the required 40% match for the \$145,000 of federal funding. The full landscape project would be able to be accomplished with the federal funding support. Historic Columbia Foundation has completed the application and will be responsible for all reporting related to the project if successfully funded.

C. Financial Impact

There is no financial impact on the County.

Grant Program	Grant Funds	Historic Columbia Match	Richland County Match	Total
Transportation Enhancement Grant – Woodrow Wilson Family Home Landscape Project	\$145,000	\$130,000	\$0	\$275,000
				Item# 19

D. Alternatives

- 1. Approve the request to partner with Historic Columbia as stated above, and accept the Transportation Enhancement grant, if awarded.
- 2. Do not approve the partnership.

E. Recommendation

It is left to County Council’s discretion whether or not to approve the request to partner with Historic Columbia as stated above, and accept Transportation Enhancement Funds, if awarded for the Woodrow Wilson Family Home.

Recommended by: Sara Salley, Grants Manager Department: Administration Date: 4-13-10

F. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 4/13/10
 ✓ Recommend Council approval Recommend Council denial
 Comments regarding recommendation: Recommendation based on no financial impact to the county as stated in section “c”.

Procurement

Reviewed by: Rodolfo Callwood Date: 4/13/10
 Recommend Council approval Recommend Council denial
 Comments regarding recommendation:

Legal

Reviewed by: Larry Smith Date:
 ✓ Recommend Council approval Recommend Council denial
 Comments regarding recommendation:

Administration

Reviewed by: J. Milton Pope Date: 4-13-10
 ✓ Recommend Council approval Recommend Council denial
 Comments regarding recommendation: Recommend approval...

April 12, 2010

J. Milton Pope
Richland County Administrator
2020 Hampton Street
Columbia, SC 29201

Dear Mr. Pope,

Please consider this request to submit the Woodrow Wilson Gateway Project for 2010 Transportation Enhancement Funding.

As you know, plans for the renovation of this landscape to an 1870s Victorian-era site have been developed and the project is "shovel ready." The project meets the qualifications of the grant in the following categories: the plan is compatible with historic qualities of the area; the new landscaping will provide community/public gathering space, it will improve the area as a park setting, and it will serve as a beautification project for the southeast entry to the Historic Garden District (at the corner of Hampton and Henderson streets). The site, owned by Richland County, is in proximity to the major transportation corridors of Taylor and Hampton streets.

Total costs for the renovation of the landscape total \$275,000. HCF has raised \$130,000 for the landscape to date, which provides more than the required 40% match for the \$145,000 federal funding. The total project would be able to be accomplished with the federal funding support.

HCF would complete the application as well as cover all reporting related to the project if successfully funded.

Thank you for considering this request. I look forward to hearing from you on this matter.

Sincerely,



Robin Waites
Executive Director

Richland County Council Request of Action

Subject

Request for Contract Award for Parking Garage Repairs [PAGES 85-86] (*Forwarded from the A&F Committee*)

Notes

April 27, 2010 - The committee recommended that Council allow the Procurement Director and Support Services Department to move forward with negotiations and award the contract to complete the designed and bid scope of work to stop water intrusion into the parking garage structure. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Request for Contract Award for Parking Garage Repairs

A. Purpose

The purpose of this request is to seek County Council's approval to enter into a construction contract with the lowest, most responsive bidder for the second phase of a three phase sealing project of the Administration Complex parking garage. Cleaning and resurfacing the structural components of the crosswalks are also part of the scope of work in this repair. The purpose of the project is to prevent water that is currently entering the structure from continuing to enter and create negative impacts on the structure.

B. Background / Discussion

After having a complete evaluation of the structure and defining the need and detail for preventing water intrusion into the garage structure, a priority list of tasks was determined to meet the funding levels for this fund source. Facilities has been funding the multiple phases of the parking garage sealant repairs by utilizing only the funding available in parking garage fund balance after normal maintenance and operations have been satisfied. The first phase of sealing and coating the surface to prevent water intrusion into the EMS HQ was completed late summer 2008. This greatly improved the conditions for all employees working from this facility. Sufficient funding for the second phase was realized and approved in the current fiscal year 10 budget for design and construction of major water intrusion prevention processes. The design for phase two has been completed during this fiscal year and all bid responses were received on March 10, 2010. After evaluation of the responses, staff requests that Aquatech of Greenville SC. be awarded the bid as the most responsive and advantageous responder for Richland County on this project. This phase of work will make major repairs by sealing all water intrusion areas through the entire facility and installing several floor drains to prevent ponding water within the garage.

C. Financial Impact

There are no additional funds requested for this phase of the project. All funds necessary to complete phase two were approved in the FY 10 budget process totaling \$198,435. Of this amount \$30,000 is allocated for design, bid documents and construction oversight to ensure quality of performed work to the design. The Aquatech bid is \$110,457 for the base bid and \$9,120 for alternate two. The purpose of alternate two is to repair abraded concrete at the turn areas of the vehicle lanes. After including a 10% contingency of \$11,957 the total contract will be \$131,534. This will allow the remaining funded \$36,901 to be utilized for the third phase to coat the concrete as was completed over the EMS section and address façade items. Once this is complete normal maintenance will be utilized to protect the asset and help prevent future major repairs.

D. Alternatives

1. Council is requested to allow the Procurement Director and Support Services Department to move forward with negotiation and award of the contract to complete the designed and bid scope of work to stop the water intrusion into the parking garage structure.
2. Do not approve the request to move forward with entering into a contract to make the repairs and the continued water intrusion will create safety concerns in future years by continuing to degrade and damage the structural components of the structure.

E. Recommendation

It is recommended for Council to approve alternate 1

Recommended by: John Hixon Department: Support Services Date: 4/12/10

F. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 4/13/10
 ✓ Recommend Council approval Recommend Council denial
 Comments regarding recommendation: Funds are appropriated in the FY10 budget

Procurement

Reviewed by: Rodolfo Callwood Date: 4/15/10
 Recommend Council approval Recommend Council denial
 Comments regarding recommendation:

Legal

Reviewed by: Larry Smith Date:
 ✓ Recommend Council approval Recommend Council denial
 Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald Date: 4/15/10
 ✓ Recommend Council approval Recommend Council denial
 Comments regarding recommendation:

Richland County Council Request of Action

Subject

Job performance plan for the Clerk of Council position [PAGE 88] (*Forwarded from the A&F Committee*)

Notes

April 27, 2010 - The committee recommended that Council forward this item to the Evaluation Committee. The vote in favor was unanimous.

Motion: Council will create a job performance plan for the Clerk of Council position to make that employee aware of the job requirements. This plan will be updated periodically but no later than every two years. The Clerk of Council will receive an annual appraisal to be completed by (set date) and all appraisals will be signed by the appraising council member. [Malinowski]

Richland County Council Request of Action

Subject

Business Services Center-Records Retention Schedule [PAGES 90-92] (*Forwarded from the A&F Committee*)

Notes

April 27, 2010 - The committee recommended that Council approve the record retention schedule as described. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Business Service Center – Record Retention Schedules

A. Purpose

County Council is requested to approve two more record retention schedules developed by and in cooperation with the SC Department of Archives & History, for (1) Business License Audit Records and (2) Freedom of Information Act Request Files.

B. Background / Discussion

As part of creating and operating the Business Service Center, the staff inventoried each document type that the office generates, collects, uses, or keeps. Staff then reviewed the State Department of Archives & History's record retention schedules for counties to determine what the retention schedules were for each type of record. This comparison resulted in a finding that some document types in the office did not have applicable retention schedules.

While the State long ago established record retention schedules for many municipal operations, the same schedules were not always developed for counties, since most counties, when the schedules were developed, did not include many of the municipal operations. These include business licenses, Hospitality Taxes, Tourism Development Fees, and others. Since counties are unable to use schedules developed for municipalities, retention schedules for some county operations had to be developed.

The Business Service Center coordinated with the State Department of Archives & History to develop the proposed record retention schedules. With the drafts complete, the State now requires the county's governing body to approve them.

These latest two retention schedules are for (1) Business License Audit Records and (2) Freedom of Information Act Request Files. These new retention schedules are attached for your review.

No other retention schedules for the Business Service Center are foreseen at this time to be needed.

C. Financial Impact

Approving these record retention schedules will have no negative financial impact on the County. Additionally, implementing approved retention schedules will have the positive financial impact of reducing the County's costs associated with storing records.

D. Alternatives

1. Approve the record retention schedules as described.
2. Disapprove the record retention schedules as described. Concerns should be clearly stated so they may be considered by the SC Dept. of Archives & History for possible revision to the schedules.

E. Recommendation

It is recommended that the record retention schedules developed by the SC Dept. of Archives & History be approved.

Recommended by: Pam Davis, Director Department: BSC. Date: 03/12/10

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 3/12/10

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Larry Smith

Date:

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Administration

Reviewed by: J. Milton Pope

Date: 3-17-10

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval



RICHLAND COUNTY

RECORD GROUP NUMBER: 0040

BUSINESS SERVICE CENTER

15454 BUSINESS LICENSE AUDIT RECORDS

Description:

This series is used for the purpose of determining if businesses accurately report revenue to ensure that the proper amount of fees and taxes were paid based on gross revenue. Information includes business license renewal information (including a list of deductions); correspondence sent to and received from businesses being audited; business financial records (sales tax, income tax, and other related information); copies of billing sheets and completed audit report; and any other related documentation.

Retention:

3 years, then destroy.

15455 FREEDOM OF INFORMATION ACT REQUEST FILES

Records used to respond to citizens requests for public information. Information includes initial request, name of requestor, name of person responding to request, any related correspondence and supporting documentation.

Retention:

2 years after final action, then destroy.

1 of 1

The approval and implementation of this records retention schedule should comply with the Department of Archives and History's *Guidelines for Understanding and Implementing Records Retention Schedules*.

Richland County Council Request of Action

Subject

Approval of the Exercise of an Option to Renew a Contract with Palmetto Posting, Inc. **[PAGES 94-105]**
(Forwarded from the A&F Committee)

Notes

April 27, 2010 - The committee recommended that Council approve the request of the Treasurer/Tax Collector to exercise the option to renew the contract with Palmetto Posting through the 2010 tax sale. The committee requested a copy of Item 9 from last year's contract (as referenced in the request of action) be part of the information provided to Council. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Approval of the Exercise of an Option to Renew a Contract with Palmetto Posting, Inc.

A. Purpose

The Treasurer/Tax Collector requests County Council to exercise the option to renew our contract with Palmetto Posting through the 2010 tax sale this year, per Item 9 of last year's contract. There are no changes to the existing contract from 2009. The purpose of the contract with Palmetto Posting, Inc. is for the posting of property, per state law, in Richland County on which delinquent ad valorem property taxes are due. County Council is requested to approve an expenditure of \$20.00 per property posting. Total charges for postings of Richland County Properties are estimated to result in an expenditure of funds over \$100,000.

B. Background / Discussion

Palmetto Posting, Inc. provided property posting services in a timely, efficient and cost effective manner for the prior tax year. Palmetto Posting, Inc. possesses the unique and singularly available capacity to meet the County's requirements for posting of delinquent properties for this tax year according to statute.

C. Financial Impact

There is no financial impact to the County's General Fund. All monies expended for the posting of properties come from the Tax Sale Account, 1735, a revenue fund that can only be used for services and notices related to delinquent property taxes.

It is anticipated that the financial impact of this request will be no more than \$130,000.00 to account 1735. This amount has been requested as part of the County Treasurer's authorized budget for Fiscal Year 10-11.

D. Alternatives

1. Approve the request of the Treasurer/Tax Collector to exercise the option to renew our contract with Palmetto Posting through the 2010 tax sale this year, per Item 9 of last year's contract, at rate and cost estimates provided, for the purpose of posting of property in Richland County on which delinquent ad valorem property taxes are due. This request will increase the speed and accuracy of the process for the county and our taxpayers, and will not impact the General Fund.

2. Do not approve.

E. Recommendation

It is recommended that Council exercise the option to renew our contract with Palmetto Posting through the 2010 tax sale this year, per Item 9 of last year's contract, as requested by the Treasurer/Tax Collector.

Recommended by: David A. Adams **Department:** Richland County Treasurer **Date:** April 8, 2010

F. Reviews

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

Finance

Reviewed by Daniel Driggers: Date: 4/12/10
✓ Recommend Council approval Recommend Council denial
Comments regarding recommendation: Budget funds are available as stated

Procurement

Reviewed by: Rodolfo Callwood Date: 4-12-10
✓ Recommend Council approval Recommend Council denial
Comments regarding recommendation:

Legal

Reviewed by: Larry Smith Date:
✓ Recommend Council approval Recommend Council denial
Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald Date: 4/13/10
✓ Recommend Council approval Recommend Council denial
Comments regarding recommendation:



JUSTIFICATION FOR SOLE SOURCE PROCUREMENT

Definitions that should be used when determining a True Sole Source Purchases

Sole Source Procurement is when only **ONE VENDOR/CONTRACTOR** possesses unique and singularly available capacity to meet the requirements such as technical specifications and qualifications, ability to deliver at and in a particular time. When the required equipment, supplies, construction, or services are available from only one source and no other type of property or services will satisfy the need. A **"True Sole Source"** product is available from only one source, often determined by patent or copyright protection, proprietary rights and capacity of one supplier to provide superior capabilities unobtainable from any other supplier for similar products.

Sole Source must be justified with information of efforts undertaken to locate possible alternative supplier. Whenever using Sole Source rather than full and open competition, provide an explanation of the reason why specifications suitable for full and open competition could not be developed or meet your needs and **why** it is necessary and in the county best interest. The use of Sole Source addresses the source of a product or services not the item itself.

The following examples describing circumstances which could necessitate "Sole Source" procurement:

- (a) Where the compatibility of equipment, accessories, or replacement parts is the paramount consideration;
- (b) Where a sole supplier's item is needed for trial use or testing;
- (c) Where a sole source supplier's item is to be procured for resale;
- (d) Where public utility services are to be procured;
- (e) Where the item is one of a kind; and
- (f) Printed forms, pamphlets, brochures, exclusive of printing equipment.

1. **REQUIRING DEPARTMENT:** Treasurer's Office

NAME OF REQUESTOR: David A. Adams

TELEPHONE:803-576-2275

2. DESCRIPTION OF ACTION.

- a. State if procurement is: Non-Urgent Sole Source Urgent Sole Source
- b. For sole source requests, provide the contractor name, point of contact, address and phone/fax numbers and e-mail address. If a sole source manufacturer distributes via Vendors, provide Vendors information here.

Company: Palmetto Posting

Point of Contact: Terry O'Brien

Telephone #: 864-585-8080

Fax #:

Address: 150 E. Henry Street, Suite 201 Spartanburg, SC 29306

3. **DESCRIPTION OF SUPPLIES/SERVICES, ESTIMATED DOLLAR VALUE AND DELIVERY REQUIREMENTS.** Give a short description of the item or service required, the estimated cost, and required delivery date.

Item:

4. **EXPLANATION OF SOLE SOURCE CIRCUMSTANCES.**

For Sole Source Requirements:

- (1) Explain why the item is needed and what will happen if it's not received by the Required Delivery Date (RDD). Describe impact on overhaul/availability schedules, impact to support, personnel safety issues, potential environmental damages, etc., and include the dollar value associated with late delivery.
- (2) Explain the unique features/function of the item and why only one manufacturer can provide it. Discuss why a similar product from another manufacturer will not work.
- (3) If the item can only be obtained from the OEM (Original Equipment Manufacturer), discuss the proprietary (i.e. owned by the company, not for public release) design/drawing/specification requirements.
- (4) If there is a higher order requirement mandating a particular manufacturer (Public Safety equipment, goods and services), cite the requirement and who approved or required its usage. For component repair or replacement parts, explain any compatibility requirements, including a description of the existing equipment and the interface requirements.
- (5) Provide Sole Source information requested above.

5. PROPRIETARY INFORMATION:

- a. If sole source is based on proprietary data, a statement to that effect is all that is required in response to this block.

The equipment and software are proprietary to:

6. **DOCUMENTATION OF REVIEW OF SPECIFICATIONS FOR SPARE AND REPAIR PARTS.** If the procurement is for spare or repair parts, include a statement that the specifications have been reviewed and meet the minimum functional requirements of the government.

CERTIFICATIONS

I CERTIFY THAT THE FACTS AND REPRESENTATIONS UNDER MY COGNIZANCE WHICH ARE INCLUDED IN THIS JUSTIFICATION ARE COMPLETE AND ACCURATE AND IS BEING PROCURED PURSUANT TO THE AUTHORITY OF RICHLAND COUNTY CODE OF ORDINANCES.

REQUESTOR

Name, Title and Signature: David A. Adams, Treasurer		
Account Code 1735-5265	Telephone 803-576-2275	Date 4/8/10

I CERTIFY THAT THE FACTS AND REPRESENTATIONS UNDER MY COGNIZANCE WHICH ARE INCLUDED IN THIS JUSTIFICATION ARE COMPLETE AND ACCURATE AND IS BEING PROCURED PURSUANT TO THE AUTHORITY OF RICHLAND COUNTY CODE OF ORDINANCES.

PROCUREMENT DIRECTOR

Name and Signature	Date:
--------------------	-------

I CERTIFY THAT THE REPRESENTATIONS UNDER MY COGNIZANCE ARE BEING PROCURED PURSUANT TO THE AUTHORITY OF RICHLAND COUNTY CODE OF ORDINANCES.

ADMINISTRATOR

Name and Signature	Date:
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Attachment for Sole Source Form

3. Description

The Treasurer/Tax Collector requests County Council to exercise the option to renew our contract with Palmetto Posting through the 2010 tax sale this year, per Item 9 of last year's contract. There are no changes to the existing contract from 2009. The purpose of the contract with Palmetto Posting, Inc. is for the purpose of posting of property, per state law, in Richland County on which delinquent ad valorem property taxes are due. County Council is requested to approve an expenditure of \$20.00 per property posting. Total charges for postings of Richland County Properties are estimated to result in an expenditure of funds over \$100,000.

4. Explanation

To perform the duties required by State Law 12-51. If this is not approved, we will not have the capacity to perform these duties.
There is no other service of this kind available currently.

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

AGREEMENT

This Agreement is entered into this 2nd day of April, 2009, between Richland County, South Carolina, hereinafter referred to as "County", and Palmetto Posting, Inc., hereinafter referred to as "Contractor".

WITNESSETH:

Whereas, the County desires to employ a part-time independent contractor to take exclusive physical possession of the property on which delinquent ad valorem property taxes are owing by posting a notice at one or more conspicuous places on the premises in accordance with South Carolina Code of Laws § 12-51-40; and

Whereas, the Contractor has represented to the County that the Contractor is experienced and qualified to provide the services contemplated by this agreement and the County has relied upon such representation.

Now, therefore, in consideration of the mutual promises and undertakings contained herein, the County and the Contractor, each for itself and its successors and assigns, intending to be fully and legally bound hereby, agree as follows:

1. The Contractor agrees to provide the necessary software and hardware for the posting of property in County on which delinquent ad valorem property taxes are due, per County requirements and also agrees to furnish an adequate number of Field Agents to post the property efficiently and timely.
2. The County agrees to provide at no charge to the Contractor any GIS information the County has access to. The information provided to the Contractor will be used in the service herein described for the County exclusively. The information will not be sold or used for any other purpose.
3. The County agrees to provide internet connectivity and a computer to the Contractor. The County further agrees to provide personnel to administer Contractor's delinquent tax posting process.

Item# 23

4. The Contractor agrees to provide a PDA and a GPS unit as needed per Field Agent. The Contractor agrees to provide a printer of adequate speed and durability to accommodate the specifications of the forms required by the County.
5. The County agrees to act as Administrator in preparing daily the PDA and GPS units for the Field Agents.
6. Contractor agrees to provide an electronic report of the posting of the property. The report may include property owner's name, address, legal description of the property, map number, item number, year built, improvement type, land use, square footage, last sale date, last sale amount, deed book, land value, improvement value, total value, picture of property indicating sign, certificate of posting and signature of person posting property.
7. Contractor agrees to provide reports as required by the Delinquent Tax Collector. The exact details and format of said report to be finalized during design phase between County and Contractor.
8. In consideration of the Contractor furnishing the County with the services as described herein, the County shall pay to the Contractor the sums as stated in the proposal which was submitted by the Contractor and approved and accepted by the County. A copy of such sums which were stated in the contractor's proposal is attached to this Agreement as "Exhibit A" and incorporated herein by reference.
9. The term of this Agreement shall become effective upon the date of its execution and shall continue through the 2009 tax sale this year. The County shall have the option to renew this Agreement for a one (1) year term.
10. The County shall not be liable to the Contractor for any expenses paid or incurred by the Contractor unless otherwise agreed in writing.

11. Neither federal, nor state, nor local income tax nor payroll tax of any kind shall be withheld or paid by County on behalf of the Contractor or any employees of the Contractor. The Contractor shall not be treated as an employee with respect to the services performed hereunder for federal or state tax purposes.
12. The Contractor is not eligible for and shall not participate in, any employer pension, health or other fringe benefit plan of County.
13. The Contractor understands that it is responsible to pay, according to law, income taxes on any payment received from the County pursuant to this agreement. The Contractor further understands that it may be liable for self-employment (social security) tax, to be paid by the Contractor according to law.
14. No workers' compensation insurance shall be obtained by County concerning the Contractor or any employees of the Contractor. The Contractor shall comply with the workers' compensation law concerning the Contractor and any employees of the Contractor.
15. It is understood and agreed between the parties that the County, except as noted herein, is in no way connected with the actual performance of this contract on the part of the Contractor, nor as to the employment of labor or the incurring of other expenses; that the Contractor is an independent contractor in the performance of each and every part of this contract and so liable for all labor and expenses in connection therewith and for all damages which may be occasioned on account of the operation of this contract, whether the same be for personal injuries or damages of any kind. Nothing in this Agreement shall be construed to be inconsistent with the Contractor's status as an independent contractor, or construed to constitute the Contractor, or any of its agents or employees as agents, employees or representatives of the County. The Contractor will supervise the execution

of all work covered by this Agreement which shall be in the exclusive charge and control of the Contractor.

16. The Contractor additionally agrees to indemnify and to hold County, its employees and agents harmless from any and all claims for damages to persons and/or property arising out of or in any way connected with the performance of any work, services or functions covered by this Agreement. The contractor agrees that as an independent contractor, it will not assert in any legal action by claim or defense, or take the position in any administrative procedures that it is an agent or employee of the County.

Item# 2

Attachment number 2
Page 4 of 6

17. The Contractor further agrees that as an independent contractor it cannot and will not encumber County with any obligation and that it will make no representation to any person or any party on behalf of County. The Contractor further additionally agrees that it will be barred and estopped from instituting or participating in any litigation against County to recover damages, costs or expenses which might arise out of or in any way be connected with the performance of any work, services or functions covered by this Agreement, with the exception of actions by the Contractor to recover payment for services provided under this Agreement, or damages directly attributable to the acts and/or omissions of the County.

18. The Contractor further agrees and binds itself and its successors and assigns in any action by the County for recoupment or reimbursement of such damages and expenses and to be estopped from asserting as a defense that the County did not have proper authority or approval to enter into such indemnity agreement or that the Contractor is not liable for such costs, claims and expenses and the Contractor shall be deemed to have waived such defenses and positions so that only the amount of such costs, claims, etc. shall be the subject of defense. The Contractor agrees that this Agreement may be pleaded by the County in such actions.

19. This Agreement may be terminated by either party without cause upon thirty (30) days written notice to the other party. Such notice by the County to the Contractor, or by the Contractor to the County, may be given and shall be deemed to have been duly given, if either delivered personally or mailed in any general or branch post office enclosed in a certified or registered postpaid envelope addressed as follows:

To the County: Richland County
Office of County Treasurer
2020 Hampton St. Suite 2025
Columbia, SC 29204

To the Contractor: Palmetto Posting, Inc.
150 East Henry Street Suite 201
Spartanburg, SC 29306

Item# 23

Attachment number 2
Page 5 of 6

20. The Contractor may at any time change the address for notices to it by delivering or mailing an aforesaid notice at least five (5) days prior to such change and setting forth the changed address. The parties shall continue to perform and to be bound by the terms of this Agreement during the thirty (30) day period after any notice of intent to terminate without cause has been given.

21. The County shall, upon reasonable notice, furnish such information and proper assistance to the Contractor as it may reasonably require in connection with any litigation in which the Contractor is, or may become, a party arising out of its performance of this Agreement. This provision shall survive the termination of this Agreement.

22. This Agreement shall super cede any prior agreement between the parties except that this Agreement shall not affect or operate to reduce any benefit or compensation inuring to the Contractor elsewhere provided and not expressly provided for in this Agreement.

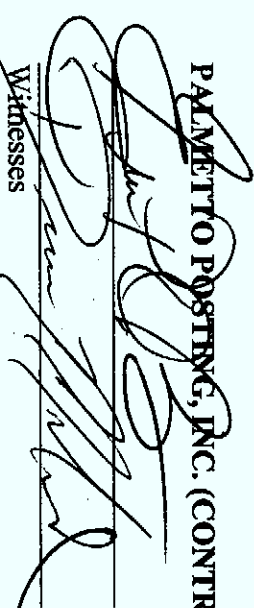
23. This Agreement cannot be assigned without the prior written approval of the County.

24. If any provision of this Agreement shall be held to be invalid or unenforceable, the remaining provisions shall remain in effect. In the event such invalid or unenforceable provision is considered an essential element of this Agreement, the parties shall promptly renegotiate a replacement provision.
25. This Agreement can only be changed, modified, added to or deleted from by the mutual consent of the parties in writing.
26. This Agreement contains the entire agreement between the parties and no statement or representation not contained herein shall be valid.

Item#


Attachment number 2
Page 6 of 6

PALMETTO POSTING, INC. (CONTRACTOR)

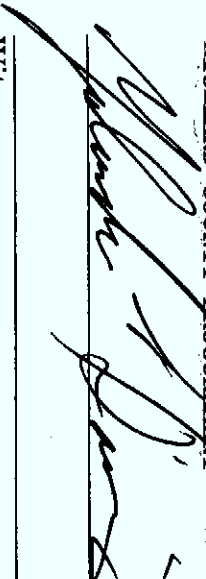


Witnesses

By:

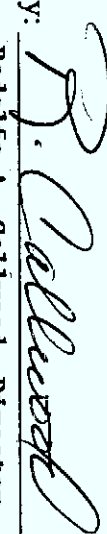

Name: Terrence P. O'Brien
Its: President

RICHLAND COUNTY PROCUREMENT




Witnesses

By:



Rodolfo A. Callwood, Director

RICHLAND COUNTY ADMINISTRATION



Witnesses

By: 
RICHLAND COUNTY ADMINISTRATION

Richland County Attorneys Office

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

Richland County Council Request of Action

Subject

Budget Amendment-Risk Management [PAGES 107-108] (*Forwarded from the A&F Committee*)

Notes

April 27, 2010 - The committee recommended that Council approve the budget amendment with funding to come from the General Fund fund balance. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Budget Amendment for Risk Management

A. Purpose

County Council is requested to approve a budget amendment to the Risk Management Department in the amount of \$500,000 to pay liability and workers compensation claims. \$300,000 is for liability claims, and \$200,000 is for workers' compensation claims.

B. Background / Discussion

The budget for fiscal year 09-10 for liability claims is \$1,035,977. The budget for fiscal year 09-10 for workers' compensation is \$3,787,260. Claims are expected to exceed the budget by the amounts requested.

C. Financial Impact

The general fund will be reduced by \$500,000 to pay liability and workers' compensation claims.

D. Alternatives

1. Approve the budget amendment request to cover claims and expenses for this fiscal year.
2. Do not approve the budget amendment request.

E. Recommendation

Approving the budget amendment request is recommended.

Recommended by: David Chambers Risk Management March 9, 2010

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 4/9/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Approval would require the identification of a funding source and a budget amendment. The current budget includes the following uses of fund balance.

FY10 budget	3.5m
FY09 capital rollover	2.2
FY10 approved amendments	.2
FY10 pending amendments	<u>.3</u>
Total	6.2m

Legal

Item# 24

Attachment number 1
Page 1 of 2

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation: Council discretion

Administration

Reviewed by: Tony McDonald

Date: 4/22/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval, with funding to come from the General Fund fund balance. Any portion of this budget amendment that does not get spent during the remainder of the current fiscal year will revert back to the fund balance on July 1, 2010.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. __-10HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2009-2010 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$500,000 OF UNDESIGNATED GENERAL FUND BALANCE TO THE RISK MANAGEMENT DEPARTMENT'S BUDGET TO PAY FOR LIABILITY AND WORKER'S COMPENSATION CLAIMS.

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 five hundred thousand dollars (\$500,000) be appropriated to the Fiscal Year 2009-2010 Risk Management Department budget for liability and worker's compensation claim expenditures. Therefore, the Fiscal Year 2009-2010 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2009 as amended:	\$ 137,188,215
Appropriation of General Fund Undesignated Fund Balance:	\$ <u>500,000</u>
Total General Fund Revenue as Amended:	\$ 137,688,215

EXPENDITURES

Expenditures appropriated July 1, 2009 as amended:	\$ 137,188,215
Increase to Risk Management Department budget:	\$ <u>500,000</u>
Total General Fund Expenditures as Amended:	\$ 137,688,215

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

Item# 24

Attachment number 2
Page 1 of 2

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2010

Michielle R. Cannon-Finch
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

Emergency Services Purchase Orders and Contract Approvals for FY 2010-11 [**PAGES 110-111**] (*Forwarded from the A&F Committee*)

Notes

April 27, 2010 - The committee recommended that Council approve the purchase orders and contracts for the services, contingent on the 2010-2011 budget. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: ESD01041210

A. Purpose

The purpose of this report is to obtain Council approval to award Purchase Orders for services in the 2010-2011 budget year. These services are required for the operations of the Emergency Services Department. These Purchase Orders and Contract approvals are subject to Council's adoption of the 2010-2011 budgets.

B. Background / Discussion

The Emergency Services Department uses vendors to provide service for operations. It is necessary to have agreements in place July 1, 2010, so that service will not be interrupted at the start of the new budget year.

VENDOR	SERVICE	ESTIMATED AMOUNT
City of Columbia	EMS/ESD Diesel & Gasoline	\$240,000
Phillips Medical	Annual Service, EKG Monitors	\$ 70,000
Motorola	EMS/Radio Service	\$ 75,000
Motorola	ETS/911 Equip. Service Agreement	\$197,000
Motorola	FIRE Radio Service	\$132,000

C. Financial Impact

Funding is included in the 2010-2011 budget request.

D. Alternatives

1. Approve the purchase orders and contracts.
2. Do not approve the purchase orders and contracts.

E. Recommendation

It is recommended that Council approve the purchase orders and contracts for the services, contingent on the 2010-2011 budget, so there will not be an interruption of these mission essential services at the beginning of the new budget year.

Recommended by: Michael A. Byrd, Director of Emergency Services April 12, 2010

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 4/13/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval contingent upon the adoption of the FY11 budget.

Procurement

Reviewed by: Rodolfo Callwood

Date: 4/13/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Larry Smith

Date:

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald

Date: 4/21/10

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Richland County Council Request of Action

Subject

Transfer funds allocated for SC Gospel Fest to Administrator to be distributed as per County Rules **[PAGES 113-119]** (*Forwarded from the A&F Committee*)

Notes

April 27, 2010 - The committee voted to send this item to Council with the recommendation that the County Attorney review the MOU from 2008-2009 to see if there were any violations to the MOU and report the results of his review to Council. The vote in favor was unanimous.

Transfer funds in the amount of \$28,500 allocated for SC Gospel Fest to Administrator to be distributed as by County Rules; and withhold an additional \$11,500 for funding pending investigation of 2009 funding (SERCO) [Jackson]

STATE OF SOUTH CAROLINA)
)
)
COUNTY OF RICHLAND) **MEMORANDUM OF UNDERSTANDING**
BETWEEN THE SOUTH EAST RURAL
COMMUNITY OUTREACH AND
RICHLAND COUNTY, SOUTH CAROLINA

THIS MEMORANDUM OF UNDERSTANDING is made and entered into this 15th day of July, 2009, by and between the South East Rural Community Outreach (hereinafter "Recipient") and Richland County, South Carolina.

WHEREAS, Richland County has imposed a local hospitality tax, as provided in §§6-1-700 et seq., S.C. Code 1976, as amended, the funds from which must be used in accordance with State law; and

WHEREAS, the Recipient, a 501(c)(3) non-profit organization under the United States Internal Revenue Code, was created to provide cultural diversity, outreach, resources, partnerships and initiatives within the community in order to bridge the gaps of disparities and to provide a platform to address these issues; and

WHEREAS, the Recipient plans to develop the Lower Richland Heritage Corridor in partnership with the Harriet Barber House, the Kensington Mansion and the Congaree National Park by offering a variety of events that will attract a diverse audience to the historic Harriet Barber House, the Kensington Mansion and the Congaree National Park, as well as other areas of the Lower Richland Heritage Corridor; and

WHEREAS, the Richland County Council recognizes the positive contributions the Recipient can make toward improving the lives of citizens in Richland County and attracting tourism to Richland County, and desires to take full advantage of these contributions; and

WHEREAS, the Richland County Council, in exchange for the aforementioned contributions and services to the community, has determined that it is appropriate to award the

sum of Two Hundred Thirty-Seven Thousand Five Hundred (\$237,500.00) Dollars to the Recipient for fiscal year 2009/2010, from the Local Hospitality Tax Revenue Fund.

NOW, THEREFORE, in consideration of the mutual benefits, covenants and agreements described herein, the parties hereto agree as follows:

- 1) The Recipient will continue to work towards developing the Lower Richland Heritage Corridor by holding annual events at the Harriet Barber House, the Kensington Mansion and the Congaree National Park, and other Lower Richland Heritage Corridor sites.
- 2) Richland County agrees to award the Recipient the sum of Two Hundred Thirty-Seven Thousand Five Hundred (\$237,500.00) Dollars for fiscal year 2009/2010. Such funds are to be used as program operating funds and **shall only be applied towards tourism related activities.**
- 3) The Recipient shall request disbursement of approved funding by writing to the Richland County Budget Department on a quarterly basis, with the quarters being July-September, October-December, January-March and April-June. Such requests shall include a balance sheet and expenditure summary as of the end of the preceding quarter. The requests for disbursements should be mailed to: Richland County Budget Department, Hospitality Tax Disbursements, P.O. Box 192, Columbia, SC 29202;
- 4) The parties hereto understand that the funding for this award is for fiscal year 2009/2010 only, and that the appropriations herein agreed to shall be subject to the availability of funds for Richland County during the fiscal year.
- 5) The parties understand that the Recipient shall submit a budget plan for the

complete Two Hundred Thirty-Seven Thousand Five Hundred (\$237,500.00) Dollar award. This budget shall include any special appropriation made by council for inclusion in the recipient's budget (see paragraph 14).

- 6) The parties understand the Recipient shall submit, on a form provided by Richland County, a report of expenditures and the impact on tourism for the preceding calendar year. This report shall be submitted to the Richland County Administrator on or before May 1, 2010.
- 7) This Agreement shall remain in full force and effect for fiscal year 2009/2010, subject to paragraph 4 above, provided the Recipient continues to carry out its above-stated mission and uses the award for tourism related activities. If at any time Richland County Council finds that the awarded funds are not being used in accordance with Local Hospitality Tax requirements, as provided in applicable State law and the Richland County Code, Chapter 23, Article 6 or the provisions of this Memorandum of Understanding, Richland County shall have the right to immediately terminate this Memorandum of Understanding.
- 8) The parties hereto expressly agree that the tendering of this award by Richland County and the acceptance thereof by the Recipient in no way creates any agency relationship between the parties or any relationship which would subject Richland County to any liability for any acts or omissions of the recipient entity or entities. The Recipient shall indemnify and hold harmless Richland County, its parent, subsidiaries and affiliates and all their respective directors, council members, officers, agents and employees (hereafter collectively referred to as the "Indemnitee") from liability, damages, losses, costs, expenses, demands, claims,

suits, actions and causes of action on account of illness, personal injury or death to employees or any other persons, damage to property of Richland County or others or other loss or liability arising from or in connection with the Recipient's performance of any services funded by this award. Further, the Recipient, at its own expense, shall defend any demand, claim, suit, action or cause of action brought against the Indemnitee where such demand, claim, suit, action or cause of action arises from any cause for which the Indemnitee may be entitled to be indemnified and held harmless pursuant to this agreement, arising from or in connection with such demand, claim, suit, action or cause of action; provided, however, that the Indemnitee shall be entitled to participate in such defense.

- 9) Any such employees, volunteers or persons authorized to conduct or carry out the mission of the Recipient shall be the sole responsibility of the Recipient, which shall ensure that such persons comply with all applicable laws, rules, regulations or decisions of any federal, state, county or municipal governmental authority (including all requirements of state, federal or other grant authorities to ensure a drug-free workplace).
- 10) Recipient must at all times during the term of this Memorandum of Understanding be a non-profit corporation in good standing with the South Carolina Secretary of State, and must fully comply with all applicable State, Federal, and local laws, rules and regulations as they apply to non-profit corporations. If, in the sole opinion of Richland County, Recipient violates this provision, it shall be considered a breach of this Memorandum of Understanding and Richland County shall have the right to immediately terminate this Memorandum of

Understanding.

- 11) Recipient must use all awarded Hospitality Tax Funds as provided in its budget approved by Richland County Council. Any changes in funds expenditures must be pre-approved by the Richland County Council before funds disbursement. Expenditure of funds not in accordance with the pre-approved budget or approved by Richland County Council is a breach of this Memorandum of Understanding and Richland County shall have the right to immediately terminate this Memorandum of Understanding.
- 12) Any awarded Hospitality Tax Funds not expended during the fiscal year for which they are awarded shall be promptly returned to Richland County.
- 13) No contract may be awarded to, nor may any awarded Hospitality Tax Funds be used to compensate any relative of any Board Member of Recipient within the second degree of consanguinity or affinity, except with the prior approval of the Richland County Council.
- 14) By accepting the awarded Hospitality Tax funds, Recipient hereby agrees to use the funds only on the following specifically delineated projects. Expenditure of funds not in accordance with the below list or with specific pre-approval of Richland County Council is a breach of this Memorandum of Understanding and Richland County shall have the right to immediately terminate this Memorandum of Understanding. The following projects, totaling Fifty-Seven Thousand ^{47,500} (~~57,000~~) Dollars have been approved by council for specific appropriations under the recipient's total allocation:
 - a) Lower Richland Sweet Potato Festival (\$19,000) ✓
 - b) Odyssey Golf Foundation (\$9,500)

c) SC Gospel Quarter (~~\$18,500~~) ^{19,000} ~~\$18,500~~

~~190,500.00~~

The remaining One Hundred Eighty Thousand Five Hundred (\$180,500.00) ^{190,000}

Dollars may be used only on the following specifically delineated projects:

- a) Kingsville Reunion
- b) Congaree Swamp Fest
- c) Lower Richland Veterans Day Parade & Celebration
- d) Holiday Taste and Tour - Dec. 12
- e) Victorian Christmas at Kensington Mansion Dec. 5
- f) Strong Threads III Feb.
- g) Eastover Festival and Parade - June ?
- h) Memorial Day Celebration _
- i) Juneteenth -
- j) Gadsden Community Festival - 2010
- k) Heritage Corridor Promotions _

The recipient shall be responsible for providing expenditure reports to the county, as provided in paragraph 6, for all projects that are funded from the lists above.

IN WITNESS WHEREOF WE THE UNDERSIGNED have this 15th day of July, 2009, set our hand and seal hereon.

SOUTH EAST RURAL COMMUNITY
OUTREACH ~~MINISTRY~~
Reborah Scott Brooks
Executive Director

WITNESSES:
Marie B. Adams

RICHLAND COUNTY
Paul Livingston
Paul Livingston
Chairman, Richland County Council

WITNESSES:
Monique Walters
Michelle Orluz

Richland County Council Request of Action

Subject

Jail Intervention Program [**PAGES 121-124**] (*Forwarded from the A&F Committee*)

Notes

April 27, 2010 - The committee voted to move this from an item for discussion/information to an action item. The vote in favor was unanimous. The committee recommended that Council support the establishment of a Jail Intervention Program. The vote in favor was unanimous.

Richland County Government

County Administration Building
2020 Hampton Street
P.O. Box 192
Columbia, SC 29202



Phone (803) 576-2050
Fax (803) 576-2137
TDD (803) 748-4999

Office of the County Administrator

MEMORANDUM

TO: Councilman Norman Jackson
FROM: Sparty Hammett, Assistant County Administrator
SUBJECT: Military Diversion Program
DATE: November 24, 2009

Overview of Military Diversion Program

The program criterion as outlined by the Solicitor's Office is similar to the criteria in place for the existing Pretrial Intervention (PTI) program. In a follow-up discussion with the Assistant Solicitor, she confirmed that the program would serve as an extension of the PTI program. The Solicitor's Office would operate the program with existing Pretrial Intervention staff, and would potentially consider a slightly higher level offender for the program than they would normally approve for regular Pretrial Intervention. There would be no additional cost to implement the program either for the Solicitor's Office or the Detention Center.

Potential alternative candidates would apply for the program and their charge would be dismissed at the discretion of the Solicitor based upon acceptance into the military for a specified period of service. There are several thousand offenders admitted into the Alvin S. Glenn Detention Center (ASGDC) annually that meet the age criteria of 17 to 35; however, it is the other criteria (no prior record – either through expungement or otherwise, for example) that would make the majority of the offenders who are detained after appearing before bond court ineligible.

Impact on the Detention Center

Based upon the initial Military Diversion Program meeting, and the general comments that were made by both the representatives from Fort Jackson and the Solicitor, it appears that only a small number of offenders admitted and detained at the ASGDC would qualify. The average length of stay at the ASGDC is 16.4 days and the cost per day is \$60, resulting in a potential cost savings of \$984 per young offender who is diverted into the program. In a preliminary discussion with

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Attachment number 1
Page 1 of 3

the Detention Center Director, we estimated that 10 to 20 ASGDC incarcerated offenders may qualify annually and choose the intervention program versus prosecution. This would yield an annual cost savings of \$9,840 to \$19,680.

I contacted the Solicitor's Office in mid-September to discuss the program, the proposed criteria, and how they envisioned the Military Diversion Program being administered. I told the Assistant Solicitor that my preliminary estimate would be 10 to 20 offenders diverted from the jail population annually. She indicated that number could be potentially high. I met with Detention Center staff to go over the preliminary criteria for the program proposed by the Solicitor's Office. After this meeting, I had staff go through the records of all of the offenders who were detained on September 14, 2009. The result of that review was that there were no offenders who would meet the program criteria detained on that date.

In order to ensure that this result was a good reflection of the potential impact of the program on the jail population, I waited a month and had the Detention Center do the same analysis of records on October 15, 2009. The result for this date was that there were three offenders that could potentially qualify. Please note that these offenders could potentially qualify, they would still have to be assessed by the Solicitor's Office and agree to join the military in lieu of sentencing.

Conclusion

As a consultant, I have been involved in conducting Detention Center studies in over 50 counties. Jail population management is one of the things that Richland County does as well as any county that I am aware of. As a result, the County has an extremely low number of non-violent offenders without prior criminal records detained in the ASGDC. Most of these offenders either receive low-level bonds and bond out, or they receive personal recognizance (PR) bonds. In addition, all offenders who receive a sentence of over 90 days serve their time in the South Carolina Department of Corrections and not the ASGDC.

South Carolina is very unique with the 90-day sentence limitation. In most states, inmates sentenced to either one or two years serve their time in a local detention center, and in many cases there is a backlog into the state system, even for the inmates who the state is responsible for. Now, in South Carolina there is no backlog into the state system.

The Solicitor's Office indicated they could run the program with the existing PTI staff, so there would be no additional cost to implement the Military Diversion Program. In addition, the existing Pretrial Services staff at the ASGDC could be used to help identify potential diversion candidates, so there would be no additional cost to the Detention Center to implement the program. Anyone who is diverted from the criminal justice system is a very positive achievement, whether it is from the ASGDC or the State Department of Corrections.

CRITERION FOR “MILITARY” (ARMY?) DIVERSION PROGRAM

- Alternative to jail sentence; (not for those qualified for probation?)
- Defendant is age 17 to 35
- Military must be willing to accept the defendant (can have a prior non-violent record)
- Victim’s consent
- Law enforcement officer’s consent
- Specified amount of time in military service
- Current charge cannot involve a weapon
- Current charge must be non-violent
- Decision made by Solicitor on case-by-case basis
- Educational requirements set by military
- Defendant may be in jail OR on bond on current charge
- No prior record—either through expungement or otherwise
- Charge will be dismissed based upon acceptance into military
- Eligible defendants will be identified by their attorney and sent to Solicitor’s Office (PTI?) for screening

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

A RESOLUTION

A RESOLUTION TO ESTABLISH A JAIL INTERVENTION PROGRAM

WHEREAS, young adults are face with many challenges from continuing their education to going out in the work force, or starting a career in the military; and yes...peer pressure; and

WHEREAS, there are many young adults that will not make the wisest choices for their future, and many may commit a crime; and

WHEREAS, while these young adults may commit crimes that they should be punished for and make retribution for their mistakes, punishment is often given at the expense of the tax payer by giving these perpetrators jail time; and

WHEREAS, there are crimes committed that facilitate the need to remove these persons from society, many are not of a violent nature; therefore, rehabilitation could be better achieved through an intervention program; and

WHEREAS, because the military is structured to promote discipline, responsibility, and the desire to achieve excellence, an intervention program with a military structure would be an ideal tool to instill in young adults the inclination to strive to promote integrity, commitment to their country, and the development of self-worth; and

WHEREAS, a jail intervention program will provide an opportunity for young adults that have committed a crime to repay society, have their record expunged, and reward them with life skills in exchange for serving jail time; and the cost to tax payers is substantially less; and

NOW THEREFORE BE IT RESOLVED that Richland County Council supports a jail intervention program for young adults that commit crimes because rehabilitation should be about preserving the lives of our young adults; and not about producing model prisoners.

ADOPTED this ____ day of

Richland County Council Request of Action

Subject

Budget Amendment-Sheriff: Part-Time Employees **[THIRD READING]** **[PAGES 126-127]**

Notes

March 23, 2010 - The committee recommended that Council give First Reading approval to the Sheriff Department's request in the amount of \$345,000 to amend the budget to cover part-time expenses. The vote in favor was unanimous.

First Reading: April 6, 2010

Second Reading: April 20, 2010

Third Reading:

Public Hearing:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. __-10HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2009-2010 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$345,000 OF UNDESIGNATED GENERAL FUND BALANCE TO THE SHERIFF DEPARTMENT'S BUDGET FOR PART-TIME PERSONNEL EXPENDITURES.

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 three hundred forty-five thousand dollars (\$345,000) be appropriated to the Fiscal Year 2009-2010 Sheriff Department budget for part-time personnel expenditures. Therefore, the Fiscal Year 2009-2010 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2009 as amended:	\$ 136,793,215
Appropriation of General Fund Undesignated Fund Balance:	\$ <u>345,000</u>
Total General Fund Revenue as Amended:	\$ 137,138,215

EXPENDITURES

Expenditures appropriated July 1, 2009 as amended:	\$ 136,793,215
Increase to Sheriff Department budget:	\$ <u>345,000</u>
Total General Fund Expenditures as Amended:	\$ 137,183,215

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: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2010

Michielle R. Cannon-Finch
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

Ordinance to Amend Road Names and Addressing Requirements **[PAGES 129-136]**

Notes

First Reading: March 23, 2010

Second Reading:

Third Reading:

Public Hearing: February 23, 2010

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-10HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; SECTION 26-183, ROAD NAMING AND ADDRESSING.

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 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; is hereby amended to include in the appropriate alphabetical order, the following definitions:

E9-1-1 address number. The number assigned to any building or property in a sequential manner.

E9-1-1 property address. The unique E9-1-1 address number and roadway name that is used in combination with one another to effectively locate a building for use with the E9-1-1 System.

Guidelines for Road Naming and Addressing in Richland County. The manual establishing a uniform system for road naming and addressing property and buildings on all roads, streets, and public and private roadways in the unincorporated area of Richland County.

Private roadway. An area of land that is privately owned, provides vehicular access to residential lots and has not been dedicated; or a private right-of-way created by recorded easement, or other instrument, where no recording has taken place, or no right of interest has accrued to the public and has not been designated as part of the county road maintenance system.

Sign, road or street. A sign placed at a roadway intersection that indicates the road name and block number.

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-183, Road Naming and Addressing; is hereby amended to read as follows:

Sec. 26-183. Road naming and addressing.

(a) ~~General provisions:~~

(1) ~~Uniform system.~~ A uniform system of naming roads and numbering properties and principal buildings, called "Guidelines for Road Naming and Addressing in Richland County", will be maintained by the planning and development services department.

~~(2) — *Addresses, generally.* — An address shall be available for all principal dwellings and buildings within the unincorporated area of the county. Addresses will be provided only on those roads that have been assigned a name in accordance with the guidelines set forth by the planning department.~~

~~(3) — *Road naming, generally.* — Upon recommendation of the planning department, the planning commission, in conjunction with the requirements set forth in Section 6-29-1200 of the S.C. Code of Laws, as amended, will be responsible for naming all roads in the unincorporated areas of the county. New road names will not be allowed if they duplicate existing county road names, including road names within zip code areas that cross county boundaries into neighboring counties. Existing duplicate road names shall be changed as necessary to ensure the efficiency of the emergency response system.~~

~~(b) — *Assignment of numbers.*~~

~~(1) — *Basis for assignment.* — The planning department, in conjunction with the county assessor's office, shall assign all numbers on the basis of one number for each fifty (50) feet of frontage along the road. All buildings north of the east-west roads and east of north-south roads shall bear even numbers, and likewise, all buildings south of east-west roads and west of north-south roads shall bear odd numbers. All roads running more nearly north-south shall be numbered as north-south roads, and all roads running more nearly east-west shall be numbered as east-west roads.~~

~~(2) — *Number to be assigned.* — No building shall have more than one number. If multiple buildings have frontage within one or more assigned forty (40) foot frontage area(s) so that sufficient numbers are not available to give each building a separate number designation, then all such buildings at that location will be assigned the same number and each one of such buildings will carry a sub-designation in addition to the assigned number.~~

~~(3) — *Location of numbers.* — When each dwelling or building has been assigned its respective number or numbers, the owner, occupant, or agent shall be required to immediately attach the assigned number or numbers in accordance with the following provisions. The cost of the numbers shall be paid for by the property owner.~~

~~a. — *Size/material.* — Residential numbers shall not be less than three (3) inches in height, and business numbers shall not be less than four (4) inches in height. Numbers shall be made of a durable and clearly visible material that is in a contrasting color to the building.~~

~~b. *Placement.* The numbers shall be conspicuously placed immediately above, on, or at the side of the proper door of each building so that the number can be seen plainly from the road line. Whenever the building is more than fifty (50) feet from the road line, the numbers must be placed near the walk, driveway, or common entrance to the building, and upon a mailbox, gate post, fence, or other appropriate place so as to be easily read from the road line.~~

~~e. *Digits.* The number or numbers assigned to each dwelling or building shall not exceed five (5) digits.~~

~~(4) *Administration.*~~

~~a. *Application.* Whenever any principal dwelling or building is erected or located in the county, it will be the duty of the owner or owners to obtain the correct address for the property as designated by the planning department, and to immediately attach the number or numbers to the building as provided in this subsection. No building permit will be issued for any dwelling or building until the owner has obtained the official address from the planning department.~~

~~b. *Final approval on construction.* Final approval of any principal structure erected, altered, repaired, or modified shall be withheld by the building inspections division until the address is posted on said structure as outlined in this subsection.~~

(a) *General provisions.*

(1) *Purpose.* A uniform system for road naming is essential in expediting the response time from all emergency services agencies, such as police, fire, ambulance or other rescue services; in facilitating postal and other service delivery; and in reducing confusion for the driving public.

(2) *Guidelines.* In addition to the regulations set forth herein, a uniform system of naming roads and numbering properties and principal buildings, called "Guidelines for Road Naming and Addressing in Richland County", will be maintained by the Planning Department.

(3) *Jurisdiction.* The regulations set forth herein and in the "Guidelines for Road Naming and Addressing in Richland County" shall apply only to those properties, buildings, streets, and public or private roadways that are located within the unincorporated area of Richland County, and those incorporated areas that are included through intergovernmental agreement. It shall be the responsibility of all municipalities and political subdivisions

not included through intergovernmental agreement to coordinate road naming and property numbering with the Planning Department.

(b) *Changing a road name.*

1. Existing road names may only be changed pursuant to Section 6-29-1200, South Carolina of Laws, 1976, as amended, and include the following reasons:

a. A road name duplicates or is similar to another, either phonetically or by spelling, within a 9-1-1 community or an emergency service district. In accordance with State Law, “Existing duplicated road names must be changed as necessary by the local government to ensure the efficiency of the emergency response system”; or

b. The 9-1-1 Central Dispatch/Communications Department submits a written request to the county that a particular road name is causing confusion with the dispatch and/or delivery of emergency service delivery; or an emergency service provider requests in writing that a particular street name is causing service delivery confusion; or

c. The United States Postal Service presents a request in writing stating that a particular road name is causing service delivery confusion; or

d. When road configurations exist or change so that a road is split into two (2) or more non-continuous sections; or

e. When conditions result in confusion for emergency services delivery; or

f. A change may simplify markings or giving directions to persons looking for an address; or

g. Any other good and just reason that may appear to the Planning Commission.

2. *Administrative procedures for changing a road name.*

a. The Planning Commission shall hold a public hearing regarding the proposed road name change after providing notice of such public hearing in a newspaper of general circulation at least fifteen (15) days prior to the hearing. The Planning Department shall mail written notice to the property owners of record, which are adjacent

to or abutting the road, of the time, date, and location of the public hearing.

- b. After the public hearing, the Planning Commission shall either approve, deny, or select an alternative name. The Richland County Planning Commission is responsible for approving and authorizing street names in its area of jurisdiction pursuant to Section 6-29-1200, Code of Laws of South Carolina, 1976, as amended.
- c. Written notice shall be mailed to the affected property owners of the Planning Commission's determination.

(c) Addressing.

- (1) Approval agency. The Planning Department shall assign address numbers in the unincorporated areas of Richland County; and shall coordinate municipal addresses that are to be added to the E9-1-1 database. The Planning Department shall also assign and maintain addresses within the jurisdiction of any municipality with whom there is an intergovernmental agreement.
- (2) Notification of address. Written notification of the proper address of each building shall be mailed to the owner, occupant, or agent of each building in all instances where a new number is assigned.
- (3) Notification of new address information to proper agencies. Notification shall be sent to all residents/property owners, the Richland County 9-1-1 Communications Department, the U.S. Postal Service, the E9-1-1 database maintenance organization, appropriate state agencies, and public utility and affected emergency service providers whenever a new address has been assigned. It shall be the responsibility of the occupant to notify their respective telephone companies by informing the company of the correct address at the time telephone service is requested.
- (4) Placement and posting of numbers.
 - a. When a house or building has been assigned its respective number or numbers, the owner, occupant, or agent/person in charge shall place or cause to be placed upon each house or building controlled by him/her the number or numbers assigned under the uniform system as outlined in this Section and in the "Guidelines for Road Naming and Addressing in Richland County".
 - b. All numbers shall be made of a durable, clearly visible, and reflective material that contrasts with the color of the house, building or structure on which it is being placed.

- c. The numbers must be posted as numerals and must not be spelled out.
- d. The address shall be placed on existing buildings within twenty-one (21) days from the date shown on the written notification that is referenced in subsection (c) (2), above.
- e. Residential numerals shall be at least three (3) inches in height, and numerals for multiple dwelling units and nonresidential buildings shall be at least six (6) inches in height, and shall be placed on the front of the building facing the road or on the end of the building nearest the road.
- f. Numbers shall be conspicuously placed immediately above, on, or at the side of the door facing the road off which the structure is addressed so that the number is clearly visible from the road line.
- g. In the case where the building cannot be seen from the road or is situated more than fifty (50) feet from the road line, the building number shall also be placed near the walk, driveway, or common entrance to the building, or upon the mailbox, gatepost, fence, or other appropriate place so as to clearly be visible from the street or road.
- h. The road address number shall be displayed on both sides of the mail box. If mailboxes are grouped together, the road address number shall be displayed on the mailbox door, as well as on the side visible towards the road.
- i. Costs and installation of the numbers shall be paid for by the property owner or occupant or person in charge of house or building.

(d) Enforcement, violations, and penalties.

- (1) Enforcement of posting numbers. The office of the Richland County Fire Marshall shall be responsible for enforcing the posting of numbers. Prior to the issuance of a citation for any structure without properly posted numbers, the Fire Marshal shall consult with the Planning Department regarding the proper address of the structure in question. The Planning Department shall issue a notice of violation giving the violator ten (10) days from the date the letter is mailed, to correct the violation. Such notice of violation shall be in writing and sent by certified or registered mail or delivered by personal service. If the property owner, occupant, or agent has not properly posted the address after the ten (10) day time period, then

the Richland County Fire Marshal or a local fire officer shall issue a citation. Such person shall be deemed guilty of a misdemeanor and upon conviction shall be fined or imprisoned for a term not to exceed the authority of the Magistrate's Courts. Each day that such violation continues to exist shall constitute a separate offense.

- (2) *Tampering with street signs, posting illegal street signs.* Removing or defacing a street name sign in any manner, placing a street name sign in any unapproved location, or being found in possession of a stolen street sign shall constitute a violation; and such person shall be deemed guilty of a misdemeanor and upon conviction shall be fined or imprisoned for a term not to exceed the authority of the Magistrate's Courts.
- (3) *Damage to street signs.* It shall be unlawful for any person, corporation, firm, or organization to alter, remove, deface or damage any street name signs placed by the county pursuant to this Section. Any violation of this Section shall be deemed a misdemeanor and upon conviction shall be fined or imprisoned for a term not to exceed the authority of the Magistrate's Courts.
- (4) *Naming of streets not approved by the Planning Commission.* Failure to obtain proper approval of any road name used within the unincorporated areas of Richland County and the recordation of any plat containing any road name not approved by the Planning Commission shall constitute a violation; and such person shall be deemed guilty of a misdemeanor and upon conviction shall be fined or imprisoned for a term not to exceed the authority of the Magistrate's Courts.
- (5) *Removing or defacing numbers.* Any person who unlawfully removes, defaces, mars, changes, destroys, or renders an existing number or numbers unreadable in any manner shall be deemed guilty of a misdemeanor, and upon conviction shall be fined or imprisoned for a term not to exceed the authority of the Magistrate's Court.

SECTION III. Severability. If any section, subsection, or clause of this Ordinance shall be held by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such finding shall not affect the validity of the remaining sections, subsections, and clauses of this Ordinance.

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 _____, 2010.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2010

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: February 23, 2010
First Reading: March 23, 2010
Second Reading: May 4, 2010 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance to raise revenue, make appropriations, and adopt a budget for Richland County, South Carolina for Fiscal Year beginning July 1, 2010 and ending June 30, 2011 **[PAGES 138-142]**

Notes

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

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-10HR**

**AN ORDINANCE TO RAISE REVENUE, MAKE APPROPRIATIONS,
AND ADOPT A BUDGET FOR RICHLAND COUNTY, SOUTH
CAROLINA FOR FISCAL YEAR BEGINNING JULY 1, 2010 AND
ENDING JUNE 30, 2011.**

WHEREAS, 4-9-120 and 4-9-140 of the Laws of South Carolina require that a County Council shall adopt an annual budget, and shall act by Ordinance to adopt a budget and levy taxes.

NOW THEREFORE, be it ordained by County Council of Richland County in Council, duly assembled, and by the authority of the same:

SECTION 1. That the following appropriations by activity be, and the estimated revenue to support these appropriations, as well as other supporting documents contained in the recommended budget are hereby adopted, such supporting documents being made part thereof and incorporated herein by reference:

<u>REVENUES</u>	<u>FY11 Appropriation</u>
General Operations	124,792,746
Capital Replacement	4,417,285
Victims Assistance Surcharge/Assessments	665,000
Temporary Alcohol Permits	97,616
Title IV Civil Process	65,000
Solicitor Drug Court	57,000
Emergency Telephone System	1,700,000
Accommodations Tax	550,000
Road Maintenance	5,400,000
Mass Transit	2,500,000
Hospitality Tax	2,410,000
Conservation Commission	692,000
Neighborhood Redevelopment	692,000
Tourism Development	900,000
Stormwater Management	2,904,658
Fire Service - Operations	19,796,259
Solid Waste – including Landfill	26,906,468
Jim Hamilton Airport	257,750
Utilities System	5,739,662
Parking Garage	135,000
School District No. 1 – Operations	181,038,955
School District No. 2 – Operations	120,011,732
Recreation Commission – Operations	10,570,840
Midlands Technical College	4,175,250
Midland Technical College - Capital and Debt Service	2,047,250
Columbia Area Mental Health	1,705,250
Library	19,579,500
Riverbanks Zoological Park – Operations	1,868,100
School District No. 1 – Debt Service	39,198,741
School District No. 2 – Debt Service	36,923,602
General County Debt Service	12,816,496
Fire Service – Debt Service	233,176
East Richland Public Service District – Debt Service	927,922

Item# 30

Attachment number 1
Page 1 of 5

Riverbanks Zoological Park – Debt Service	1,599,809
Recreation Commission – Debt Service	2,709,090

TOTAL REVENUES **636,084,157**

FUND BALANCE AND OTHER SOURCES

General Fund	3,993,163
Neighborhood Redevelopment	40,102
Hospitality Tax	1,326,261
Stormwater Management	637,177
Accommodation Tax	112,591
Parking Garage	117,350
Solid Waste	325,425
Emergency Telephone System	157,602
Road Maintenance	519,685
Mass Transit	728,877
Tourism Development	17,369
TOTAL FUND BALANCE AND OTHER SOURCES	7,975,602

TRANSFERS IN

To Victims Assistance from General Fund	363,163
To Airport Fund from General Fund	100,000
To Emergency Telephone System from General Fund	1,513,785
To Emergency Telephone System from Fire Service	830,000
To Utilities System from Stormwater	500,000
Total Transfers In	3,306,948
TOTAL SOURCES	<u>\$647,366,707</u>

EXPENDITURES

General Operations	129,406,685
Capital Replacement	1,819,561
Victims Assistance Surcharge/Assessments	1,028,163
Temporary Alcohol Permits	97,616
Title IV Civil Process	65,000
Solicitor Drug Court	57,000
Emergency Telephone System	4,201,387
Accommodations Tax	662,591
Road Maintenance	5,919,685
Mass Transit	3,228,877
Hospitality Tax	3,736,261
Conservation Commission	692,000
Neighborhood Redevelopment	732,102
Tourism Development	917,369
Stormwater Management	3,041,835
Fire Service - Operations	18,966,259
Solid Waste – including Landfill	27,231,893
Jim Hamilton Airport	357,750
Utilities System	6,239,662
Parking Garage	252,350
School District No. 1 – Operations	181,038,955
School District No. 2 – Operations	120,011,732
Recreation Commission – Operations	10,570,840
Midlands Technical College	4,175,250
Midland Technical College - Capital and Debt Service	2,047,250
Columbia Area Mental Health	1,705,250
Library	19,579,500
Riverbanks Zoological Park – Operations	1,868,100

Item# 30

Attachment number 1
Page 2 of 5

School District No. 1 – Debt Service	39,198,741
School District No. 2 – Debt Service	36,923,602
General County Debt Service	12,816,496
Fire Service – Debt Service	233,176
East Richland Public Service District – Debt Service	927,922
Riverbanks Zoological Park – Debt Service	1,599,809
Recreation Commission – Debt Service	2,709,090

TOTAL EXPENDITURES **644,059,759**

TRANSFERS OUT

From General Fund to ETS	1,513,785
From Fire Service to ETS	830,000
From General Fund to Victim's Assistance	363,163
From General Fund to Airport Fund	100,000
From Stormwater to Utilities System	500,000

Total Transfers Out **3,306,948**

TOTAL USES **\$647,366,707**

SECTION 2. Mileage rate paid to County employees shall be the same as the U.S. Federal reimbursement rate per mile for the fiscal period stated above.

SECTION 3. All fees previously approved by the County Council, either through budget ordinances or ordinances apart from the budget, will remain in effect unless and until the County Council votes to amend those fees.

SECTION 4. At fiscal year end, any funds encumbered for capital purchases shall reflect as a designation of fund balance in the Comprehensive Annual Financial Report and shall be brought forward in the subsequent fiscal year as budgeted fund balance. This automatic re-budgeting shall not require a supplemental budget ordinance.

SECTION 5. Continuation grants and those with no personnel or match requests are considered approved as presented with budget adoption up to available budgeted match dollars. All other grants will require individual Council approval prior to award acceptance.

SECTION 6. Commensurate with budget authority, the County Administrator may approve purchases in the amount of one hundred thousand dollars (\$100,000) or less. Purchases in excess of one hundred thousand dollars (\$100,000) shall be reviewed and approved by the County Council prior to acceptance.

SECTION 7. Designated fund balance allocated in prior years for the establishment of an emergency disaster fund, economic development fund and an insurance reserve fund shall remain so designated, but only to the extent of available fund balance as approved by the County Administrator.

SECTION 8. All One-percent funds collected through established Multi-County Industrial Park agreements or the funds from the completed sale of any county-owned property in a multi-county park shall be placed in the Richland County Industrial Park Fund and be immediately appropriated for the purpose of continued Economic Development. This appropriation shall not require a supplemental budget ordinance.

SECTION 9. Funds allocated but unspent during the fiscal year in capital accounts designated in the County Administrator's Recommended Budget shall be recognized as part of a multi-year capital projects funding and be carried forward and transferred to a capital projects fund for the purpose of providing partial funding for approved major capital projects. The amount to be carried forward shall not exceed the line item appropriated amount without approval from County Council.

SECTION 10. Funds awarded to the Sheriff's Department through forfeiture are included as part of this ordinance and Council designates, as the governing body, that the Sheriff shall maintain these funds in accordance with Federal, State and County guidelines. All forfeited funds will be audited along with the General Fund and posted at that time.

Item# 30

Attachment number 1
Page 3 of 5

SECTION 11. This ordinance hereby authorizes the County Administrator to enter into a short-term promissory note with the Richland County Public Library based on Library cash flow needs from July 1 – December 31 of the current year. The note shall be issued at an interest rate at prime rate plus 2% or a reasonable rate as determined by the County Administrator. The decision shall be made by the County Administrator after reviewing the current financial status of the County and shall have the authority not to issue the note if the issuance creates any adverse cash flow problem for the County.

SECTION 12. This ordinance shall establish the County to be self-funded against tort claim liability and shall no longer carry an excess liability insurance policy. Funding shall be established through the annual automatic re-budgeting of the County Self Funded account. The amount to be carried forward shall not exceed the unspent portion of the current year appropriation and shall be used only to cover tort liability claims against the County. This shall increase the original appropriated budget and shall not require a separate budget amendment.

SECTION 13. Richland County hereby enacts the implementation of an Administrative Service Fee of up to \$10.00 per hour, to be collected by the Sheriff from parties who request special duty services, and which are authorized by the Sheriff for the duration of fiscal year 2010-2011 only. Funds collected by the Sheriff that are derived from the up to \$10.00 per hour administrative fee for special duty services shall be deposited directly into a Sheriff Administrative Fee revenue account in the General Fund. This revenue will be to offset the cost of the additional use of petrol oil and lubricants, and for the cost of administrative management of special duty assignments. The Sheriff and Finance Director will assess the status of fees collected through the Special Duty Program prior to the end of fiscal year 2011. All excess funds collected over cost shall reflect as a designation of fund balance and shall be brought forward in the following fiscal year as budgeted fund balance. This automatic re-budgeting shall not require a supplemental budget ordinance. Continuation of the Special Duty Program and associated fees shall be evaluated each year during the budget process.

SECTION 14. All funds collected by the Sheriff's Department as a cost reimbursement from employees shall be credited back to the sheriff's budget and allowed to utilize for other operational cost.

SECTION 15. All major county set fees for services shall be reviewed annually as part of the budget process to adjust for any warranted inflationary adjustment (CPI), but not in excess of market comparables. (Fees established by specific statute would not be covered by this policy.) The CPI adjustment shall be the same as that used for other budget adjustments. Both existing and proposed fee rates and annual revenue estimates shall be included as part of the departmental budget request by each respective department each budget cycle. Also, because of the intent to cover services provided by the cost to provide those services, as part of this annual review, each fee-based revenue shall be compared to its total cost (direct and indirect).

SECTION 16. The County Administrator is granted authority to transfer up to \$100,000 between all General Fund direct report budgets.

SECTION 17. Recreation Commission appropriation in excess of five mills is made with the following condition; the appropriated fund use must include the continuation of the free after-school programs JUMPs, Fighting Back and Tutorial.

SECTION 18. The Utility system sewer rate is increased to the uniform county rate of \$46.54 per month.

SECTION 19. The Hospitality Tax Undesignated Fund Balance policy is amended to reflect that any undesignated Hospitality Tax dollars will be reflected as unappropriated reserved funds in the final budget.

SECTION 20. The rank structure plan for the Sheriff's Office is approved with no additional funding.

SECTION 21. Conflicting Ordinances Repealed. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 22. Separability. 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 23. Effective Date. This Ordinance shall become effective July 1, 2010.

Item# 30

RICHLAND COUNTY COUNCIL

BY: Paul Livingston, Chair

First Reading:
Public Hearing
Second Reading:
Third Reading:

Richland County Council Request of Action

Subject

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, 2010, will provide sufficient revenues for the operations of Richland County Government during the period from July 1, 2010 through June 30, 2011 **[PAGES 144-145]**

Notes

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

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-10HR**

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, 2010, WILL PROVIDE SUFFICIENT REVENUES FOR THE OPERATIONS OF RICHLAND COUNTY GOVERNMENT DURING THE PERIOD FROM JULY 1, 2010, THROUGH JUNE 30, 2011.

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 THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION 1. That a tax for the General Fund to cover the period from July 1, 2010 to June 30, 2011, both inclusive, is hereby levied upon all taxable property in Richland County, in a sufficient number of mills not to exceed forty-seven and one tenth (47.1) to be determined from the assessment of the property herein.

SECTION 2. That the additional taxes, besides that noted above in Section 1, to cover the period of July 1, 2010 to June 30, 2011, both inclusive, are hereby levied upon all taxable property in Richland County for the funds:

<u>NAME</u>	<u>MILLS</u>
General Fund Debt Service	9.0
Solid Waste – Landfill	3.0
Capital Replacement	3.0
Library	13.1
Mental Health	1.2
Riverbanks Zoo	1.3
Conservation Commission	.5
Neighborhood Redevelopment	.5

SECTION 3. That the additional taxes, besides that noted in Section 1 and 2, to cover the period from July 1, 2010 to June 30, 2011, both inclusive, are hereby levied upon all taxable property located within each of the following respective Special Tax Districts in Richland County for the following Funds:

<u>NAME</u>	<u>MILLS</u>
Fire Service – Operations	18.2
Fire Service – Debt Service	.4
School District One – Operations	231.4
School District One – Debt Service	53.0
School District Two – Operations	250.3
School District Two – Debt Service	92.0

Recreation Commission – Operations	10.2
Recreation Commission – Debt Service	3.0
Midlands Technical College – Operations	2.8
Midlands Technical College – Capital & Debt Service	1.4
Riverbanks Zoo – Debt Service	.7
Stormwater Management	3.1
East Richland Public Service District – Debt Service	4.0

SECTION 4. Conflicting Ordinances Repealed. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. Separability. 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 6. Effective Date. This Ordinance shall become effective .

RICHLAND COUNTY COUNCIL

BY: Paul Livingston, Chair

FIRST READING:
PUBLIC HEARING:
SECOND READING:
THIRD READING:

Richland County Council Request of Action

Subject

An Ordinance Authorizing the issuance and sale of not to exceed \$2,100,000 General Obligation Bonds, Series 2010B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto [**PAGES 147-176**]

Notes

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

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

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$2,100,000 GENERAL OBLIGATION BONDS, SERIES 2010B, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF RICHLAND COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; DELEGATING TO THE COUNTY ADMINISTRATOR CERTAIN AUTHORITY RELATED TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

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) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"), provides that each county shall have the power to incur bonded indebtedness in such manner and upon such terms and conditions as the General Assembly shall prescribe by general law. Such debt must be incurred for a public purpose and a corporate purpose in an amount not exceeding eight percent (8%) of the assessed value of all taxable property of such county.

(c) Pursuant to Title 4, Chapter 15 of the Code (the same being and hereinafter referred to as the "County Bond Act"), the governing bodies of the several counties of the State may each issue general obligation bonds to defray the cost of any authorized purpose and for any amount not exceeding their applicable constitutional limit.

(d) The County Bond Act provides that as a condition precedent to the issuance of bonds an election be held and the result be favorable thereto. Title 11, Chapter 27 of the Code of Laws of South Carolina 1976, as amended, provides that if an election be prescribed by the provisions of the County Bond Act, but not be required by the provisions of Article X of the Constitution, then in every such instance, no election need be held (notwithstanding the requirement therefor) and the remaining provisions of the County Bond Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions.

(e) The assessed value of all the taxable property in the County as of June 30, 2009, for purposes of computation of the County's constitutional debt limit, is \$1,360,107,180 which excludes exempt manufacturing property of \$18,817,230. Eight percent of such sum is \$108,808,574. As of the date hereof, the outstanding general obligation debt of the County subject to the limitation imposed by Article X, Section 14(7) of the Constitution is \$38,720,000. Thus, the County may incur not exceeding \$70,088,574 of additional general obligation debt within its applicable debt limitation.

The County intends to issue simultaneously with the bonds authorized herein not to exceed \$13,400,000 General Obligation Bonds, Series 2010A, the par amount of which will also count against the County's constitutional debt limit.

(f) The American Recovery and Reinvestment Act of 2009 (the "ARRA"), Pub.L. 111-5, Feb. 17, 2009, 123 Stat. 115, amends the Internal Revenue Code of 1986, as amended (the "IRC"), to provide for the issuance of Build America Bonds ("BABs") if (a) the interest on such obligation would otherwise be excludable from gross income under Section 103 of the IRC; (b) such obligation is issued before January 1, 2011; and (c) the issuer makes an irrevocable election to have Section 54AA of the Code apply to the obligation. BABs are taxable obligations which provide a tax credit in the amount of 35% of the interest payable by the issuer, either as an annual credit to the respective bondholders under Section 54AA(a) of the IRC, or, if the bond is qualified under Section 54AA(g) of the IRC, and the issuer so elects, as an annual direct payment to the issuer under Section 6431 of the IRC.

(g) It is now in the best interest of the County for the County Council to provide for the issuance and sale of not exceeding \$2,100,000 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: (i) funding improvements to the Northeast Campus of Midlands Technical College; (ii) paying costs of issuance of the bonds; and (iii) such other lawful corporate and public purposes as the County Council shall determine.

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 \$2,100,000 aggregate principal amount of general obligation bonds of the County to be designated "Not exceeding \$2,100,000 (or such other amount as may be issued) General Obligation Bonds, Series 2010B, of Richland County, South Carolina" (the "Bonds") for the purpose stated in Section 1(g) 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, respectively; shall bear interest from their date payable at such times as hereafter designated by the Administrator of the County (the "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 Administrator.

Both the principal of and interest on the Bonds shall be 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.

SECTION 3. Delegation of Authority Relating to the Bonds. The County Council hereby delegates to the Administrator the authority to determine whether the Bonds shall be issued as traditional tax-exempt bonds or shall be issued as BABs.

In connection with the issuance of traditional tax-exempt bonds, the County Council hereby delegates to the Administrator or his lawfully-authorized designee the authority: (a) to determine the maturity dates of the Bonds and the respective principal amounts maturing on such dates; (b) to determine the interest payment dates of the Bonds; (c) to determine redemption provisions, if any, for the Bonds; (d) the date and time of sale of the Bonds; (e) to receive bids on behalf of the County Council; and (f) to award the sale of the Bonds to the lowest bidder therefor in accordance with the terms of the Notice of Sale for the Bonds.

In connection with the issuance of BABs, the County Council hereby delegates to the Administrator or his lawfully-authorized designee the authority: (a) to determine the maturity dates of the Bonds and the respective principal amounts maturing on such dates; (b) to determine the interest payment dates of the Bonds; (c) to determine redemption provisions, if any, for the Bonds; (d) to determine the date and time of sale of the Bonds; (e) to receive bids on behalf of the County Council; (f) to award the sale of the Bonds to the lowest bidder therefor in accordance with the terms of the Notice of Sale for the Bonds, provided it reflects the lowest cost of borrowing to the County; (g) to determine whether the tax credit shall be provided as a credit to the bondholders or as a direct payment to the County; and (h) to make an irrevocable election to have Section 54AA of the IRC apply to the Bonds, such that a portion of the Bonds may be issued as BABs.

The County Administrator is further authorized to determine, upon advice of the County's bond counsel and financial advisor, if the Bonds should be sold together with the Series 2010A Bonds.

After the sale of the Bonds, the Administrator or his lawfully-authorized designee shall submit a written report to the County Council setting forth the results of the sale of the Bonds.

SECTION 4. 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 5. 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 6. 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 7. Execution of Bonds. The Bonds shall be executed in the name of the County with the manual or facsimile signature of the Chair of the County Council attested by the manual or facsimile signature of the 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 8. Form of Bonds. The Bonds shall be in substantially the form attached hereto as Exhibit A and incorporated herein by reference. If the Bonds are issued as BABs, appropriate changes will be made in the form of the bonds attached hereto as Exhibit A.

SECTION 8. Security for Bonds. The full faith, credit, and taxing power of the county is irrevocably pledged to the payment of the Bonds. The Bonds are payable from an ad valorem tax levied annually by the County Auditor and collected by the County Treasurer.

The Council 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 County, an ad valorem tax sufficient to pay the principal and interest of the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor. To the extent allowed by law, the Auditor and Treasurer of the County, may consider the amounts available as an annual direct payment to the County under Section 6431 (or other relevant section) of the IRC when levying and collecting the taxes provided for herein, if the Bonds are issued as BABs.

SECTION 9. Notice of Initiative and Referendum. The County Council hereby delegates to its Chair and the 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 substantially the form attached hereto as Exhibit B. If such notice is given, the Chair and the Administrator are authorized to cause such notice to be published in a newspaper of general circulation in the County.

SECTION 10. 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 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:

(a) 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;

(b) non-callable, U. S. Treasury Securities - State and Local Government Series (“SLGS”); and

(c) general obligation bonds of the State, its institutions, agencies, school districts and political subdivisions.

SECTION 11. 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 12. 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 of 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 13. Sale of Bonds, Form of Notice of Sale. The Bonds shall be sold at public sale. A Notice of Sale in substantially the form attached hereto as Exhibit C 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 having general circulation in the State of South Carolina or in a financial publication published in the City of New York, State of New York, or both, not less than seven (7) days prior to the date set for such sale. Appropriate modifications shall be made in the Notice of Sale if the Bonds are offered to purchase as BABs.

SECTION 14. Preliminary and Final Official Statement. The County Council hereby authorizes and directs the 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 Administrator to designate the Preliminary Official Statement as “near final” for purposes of Rule 15c2-12 of the Securities Exchange Commission. The 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 15. 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 16. 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 17. 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 18. 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 substantially 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 19. Reimbursement of Certain Expenditures. The County Council hereby declares that this Ordinance shall constitute its declaration of official intent pursuant to Treasury Regulation § 1.150-2 to reimburse the School District from the proceeds of the Bonds for expenditures with respect to the Project (the "Expenditures"). The County anticipates incurring Expenditures with respect to the capital improvements prior to the issuance by the County of the 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 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 or other legally-available funds.

SECTION 20. 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; provided, however, that for purposes of this covenant only, the County shall not be in violation of this covenant solely because it makes the irrevocable election under Section 54AA(d) or (g) (as applicable) of the IRC with respect to the Bonds to be issued as BABs. 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 54AA, 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 21. 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, County Administrator, Clerk to the County Council and County Attorney. The County Council hereby retains McNair Law Firm, P.A. as bond counsel and Ross, Sinclair & Associates, LLC, as Financial Advisor, in connection with the issuance of the Bonds. The 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.

[Signature Page to Follow]

Enacted this _____ day of _____, 2010.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Paul Livingston, Chairman
Richland County Council

(SEAL)

ATTEST THIS _____ DAY OF

_____, 2010:

Michielle R. Cannon-Finch
Clerk of County 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:
Publication of Notice of
Public Hearing:
Date of Public Hearing:
Date of Third Reading:

FORM OF BOND

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
GENERAL OBLIGATION BONDS, SERIES 2010B

No. R-

<u>INTEREST</u> <u>RATE</u>	<u>MATURITY</u> <u>DATE</u>	<u>ORIGINAL</u> <u>ISSUE DATE</u>	<u>CUSIP</u>
--------------------------------	--------------------------------	--------------------------------------	--------------

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 _____, in the City of _____, State of _____ (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, a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on this Bond as they respectively mature and to create such sinking fund as may be necessary therefore.

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 American

Recovery and Reinvestment Act of 2009], 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, Chapter 27 of the Code of Laws of South Carolina 1976, as amended; and Ordinance No. _____ duly enacted by the County Council on _____, 2010.

[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 Chair of the County Council, attested by the facsimile signature of the Clerk to the County Council and the seal of the County impressed, imprinted or reproduced hereon.

RICHLAND COUNTY, SOUTH CAROLINA

Chair, County Council

(SEAL)
ATTEST:

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 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: _____
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 _____, 2010, enacted Ordinance No. _____ entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$2,100,000 GENERAL OBLIGATION BONDS, SERIES 2010B, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF RICHLAND COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE ADMINISTRATOR OF THE COUNTY 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 "Ordinance"). The Ordinance authorizes the issuance and approves the sale of not to exceed \$2,100,000 General Obligation Bonds, Series 2010B (the "Bonds") of the County.

The proceeds of the Bonds will be used to provide funds for: (i) funding capital projects; (ii) paying costs of issuance of the bonds; and (iii) such other lawful corporate and public purposes as the County Council shall determine.

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 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/Chair, County Council, Richland County,
South Carolina

FORM OF NOTICE OF SALE

\$ _____ GENERAL OBLIGATION BONDS, SERIES 2010B
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 _____, _____, 2010, at which time said proposals will be publicly opened for the purchase of \$ _____ General Obligation Bonds, Series 2010B, of the County (the "Bonds").

Sealed Bids: Each hand delivered proposal shall be enclosed in a sealed envelope marked "Proposal for \$ _____ General Obligation Bonds, Series 2010B, Richland County, South Carolina" and should be directed to the 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 J. Milton Pope, 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 _____, 2010; 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]

Municipal Bond Insurance: The County has submitted applications to various bond insurers for a policy of insurance relating to the Bonds to be effective as of the date of their issuance. If a bidder for the Bonds desires to have the Bonds so insured, the bidder should specify in its bid for the Bonds whether bond insurance will be purchased. The premium on such bond insurance must be paid at or prior to the closing by the successful bidder. Any failure of the Bonds to be so insured or of any such policy of insurance to be issued shall not constitute cause for a failure or refusal by the purchaser of the bonds to accept delivery of and pay for the Bonds.

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: The full faith, credit and taxing power of the County are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor. 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, a tax, without limit, on all taxable property in the County 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. [To the extent allowed by law, the County Auditor and County Treasurer may consider the amounts available as an annual direct payment to the County under Section 6431 (or other relevant section) of the IRC when levying and collecting the taxes provided for herein, if the Bonds are issued as BABs.]

Good Faith Deposit: No good faith deposit is required.

Bid Form: Proposals should be enclosed in a separate sealed envelope marked "Proposal for \$ _____ General Obligation Bonds, Series 2010B, of Richland County, South Carolina" and should be directed to the Chair of the County Council 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 _____, 2010, 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 will be furnished to any person interested in bidding for the Bonds upon request. 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 additional information should communicate with J. Milton Pope, County Administrator, 2020 Hampton Street, Columbia, South Carolina, 29201, telephone (803) 576-2054 or Francenia B. Heizer, Esquire, McNair Law Firm, P.A., 1301 Gervais Street, 17th Floor, Columbia, South Carolina, 29201, telephone (803) 799-9800, e-mail: fheizer@mcnair.net.

RICHLAND COUNTY, SOUTH CAROLINA
s/ _____
Chair, County Council

FORM OF DISCLOSURE DISSEMINATION AGENT AGREEMENT

This Disclosure Dissemination Agent Agreement (the “Disclosure Agreement”), dated as of _____, 2010, is executed and delivered by Richland County, South Carolina (the “Issuer”) and Digital Assurance Certification, L.L.C., as exclusive Disclosure Dissemination Agent (the “Disclosure Dissemination Agent” or “DAC”) for the benefit of the Holders (hereinafter defined) of the Bonds (hereinafter defined) 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 under the Securities Exchange Act of 1934, as the same may be amended from time to time (the “Rule”).

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 (hereinafter defined). 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 Repositories.

“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, Voluntary Report or Notice Event notice delivered to the Disclosure Dissemination Agent is the Annual Report, Audited Financial Statements, Voluntary Report or Notice Event notice required to be submitted to the Repositories 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, the senior member of the Issuer 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.

“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 the Annual Financial Information, the Audited Financial Statements (if any) the Notice Event notices, and the Voluntary Reports.

“Notice Event” means an event listed in Sections 4(a) of this Disclosure Agreement.

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

“National Repository” means for purposes of the Rule the Electronic Municipal Market Access (EMMA) system created by the Municipal Securities Rulemaking Board.

“Repository” means the MSRB, each National Repository and the State Depository (if any).

“State Depository” means any public or private depository or entity designated by the State of South Carolina as a state information depository (if any) for the purpose of the Rule. The list of state information depositories maintained by the United States Securities and Exchange Commission shall be conclusive as to the existence of a State Depository. Currently, the following depositories are listed by the Securities and Exchange Commission as available State Depositories:

1. Municipal Advisory Council of Michigan
1445 First National Building
Detroit, Michigan 48226-3517
(313) 963-0420 (phone)
(313) 963-0943 (fax)
jackie@macmi.com
2. Municipal Advisory Council of Texas
PO Box 2177
Austin, TX 78768-2177
(512) 476-6947 (phone)
(512) 476-6403 (fax)
mac@mactexas.com
3. Ohio Municipal Advisory Council
9321 Ravenna Road, Unit K
Twinsburg, OH 44087-2445
(330) 963-7444 (phone)
(800) 969-OMAC (6622) (phone)
(330) 963-7553 (fax)
sid_filing@ohiomac.com

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

“Voluntary Report” means the information provided to the Disclosure Dissemination Agent by the Issuer pursuant to Section 7.

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 30 days prior to 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 each National Repository and the State Depository (if any) not later than 210 days after the end of each fiscal year of the Issuer, commencing with the fiscal year ending June 30, 2009. 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 Notice Event as described in Section 4(a)(12) has occurred and to immediately send a notice to each National Repository or the MSRB and the State Depository (if any) in substantially the form attached as Exhibit B.

(c) If the Disclosure Dissemination Agent has not received an Annual Report and Certification by 12:00 noon on the first business day following the Annual Filing Date for the Annual Report, a Notice Event described in Section 4(a)(12) shall have occurred and the Issuer irrevocably directs the Disclosure Dissemination Agent to immediately send a notice to each National Repository or the MSRB and the State Depository (if any) in substantially the form attached as Exhibit B.

(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 Certificate, together with a copy for the Trustee, for filing with each National Repository and the State Depository (if any).

(e) The Disclosure Dissemination Agent shall:

- (i) determine the name and address of each Repository each year prior to the Annual Filing Date;
- (ii) upon receipt, promptly file each Annual Report received under Section 2(a) with each National Repository, and the State Depository, (if any);
- (iii) upon receipt, promptly file each Audited Financial Statement received under Section 2(d) with each National Repository, and the State Depository (if any);
- (iv) upon receipt, promptly file the text of each disclosure to be made with each National Repository or the MSRB and the State Depository (if any) together with

a completed copy of the MSRB Material Event Notice Cover Sheet in the form attached as Exhibit C, describing the event by checking the box indicated below when filing pursuant to the Section of this Disclosure Agreement indicated:

1. “Principal and interest payment delinquencies,” pursuant to Sections 4(c) and 4(a)(1);
2. “Non-Payment related defaults,” pursuant to Sections 4(c) and 4(a)(2);
3. “Unscheduled draws on debt service reserves reflecting financial difficulties,” pursuant to Sections 4(c) and 4(a)(3);
4. “Unscheduled draws on credit enhancements reflecting financial difficulties,” pursuant to Sections 4(c) and 4(a)(4);
5. “Substitution of credit or liquidity providers, or their failure to perform,” pursuant to Sections 4(c) and 4(a)(5);
6. “Adverse tax opinions or events affecting the tax-exempt status of the security,” pursuant to Sections 4(c) and 4(a)(6);
7. “Modifications to rights of securities holders,” pursuant to Sections 4(c) and 4(a)(7);
8. “Bond calls,” pursuant to Sections 4(c) and 4(a)(8);
9. “Defeasances,” pursuant to Sections 4(c) and 4(a)(9);
10. “Release, substitution, or sale of property securing repayment of the securities,” pursuant to Sections 4(c) and 4(a)(10);
11. “Ratings changes,” pursuant to Sections 4(c) and 4(a)(11);
12. “Failure to provide annual financial information as required,” pursuant to Section 2(b)(ii) or Section 2(c), together with a completed copy of Exhibit B to this Disclosure Agreement;
13. “Other material event notice (specify),” pursuant to Section 7 of this Agreement, together with the summary description provided by the Disclosure Representative.

- (v) 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 Repositories, provided that the period between the existing Annual Filing Date and new Annual Filing Date shall not exceed one year.

SECTION 3. Content of Annual Reports.

(a) Each Annual Report shall contain Annual Financial Information with respect to the Issuer, including the information provided in the Official Statement under the headings: “Security,” “Outstanding Indebtedness,” “Assessed Value of Taxable Property in the County,” “Estimated True Value of All Taxable Property in the County,” “Tax Rates,” “Tax Collections for Last Five Years,” and “Ten Largest Taxpayers.”

(b) Audited Financial Statements prepared in accordance with GAAP as described in the Official Statement will be included in the Annual Report.

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 each of the National Repositories or the Securities and Exchange Commission. 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.

SECTION 4. Reporting of Notice Events.

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

1. Principal and interest payment delinquencies;
2. Non-payment related defaults;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements relating to the Bonds reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions or events affecting the tax-exempt status of the Bonds;
7. Modifications to rights of Bond holders;
8. Bond calls;
9. Defeasances;
10. Release, substitution, or sale of property securing repayment of the Bonds;
11. Rating changes on the Bonds;
12. Failure to provide annual financial information as required; and
13. Other material event notice (specify) _____.

The Issuer shall promptly notify the Disclosure Dissemination Agent in writing upon the occurrence of a Notice Event. Such notice shall instruct the Disclosure Dissemination Agent to report the occurrence pursuant to subsection (c). Such notice shall be accompanied with the text of the disclosure that the Issuer desires to make, the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information.

(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 five business days of receipt of such notice, 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

Disclosure Agent is to report the occurrence pursuant to subsection (c), together with the text of the disclosure that the Issuer desires to make, the written authorization of the Issuer for the Disclosure Agent to disseminate such information, and the date the Issuer desires for the Disclosure Agent to disseminate the information.

(c) If the Disclosure 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 Agent shall promptly file a notice of such occurrence with the State Depository (if any) and (i) each National Repository, or (ii) the MSRB.

SECTION 5. CUSIP Numbers. Whenever providing information to the Disclosure Agent, including but not limited to Annual Reports, documents incorporated by reference to the Annual Reports, Audited Financial Statements, notices of Notice Events, and Voluntary Reports filed pursuant to Section 7(a), 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 failure of the Disclosure Agent to so advise the Issuer shall not constitute a breach by the Disclosure Agent of any of its duties and responsibilities under this Disclosure Agreement. The Issuer acknowledges and understands that the duties of the Disclosure Agent relate exclusively to execution of the mechanical tasks of disseminating information as described in this Disclosure Agreement.

SECTION 7. Voluntary Reports.

(a) The Issuer may instruct the Disclosure Agent to file information with the Repositories, from time to time pursuant to a Certification of the Disclosure Representative accompanying such information (a "Voluntary Report").

(b) Nothing in this Disclosure Agreement shall be deemed to prevent the Issuer from disseminating any other information through the Disclosure Agent using the means of dissemination set forth in this Disclosure Agreement or including any other information in any Annual Report, Annual Financial Statement, Voluntary Report or Notice Event notice, in addition to that required by this Disclosure Agreement. If the Issuer chooses to include any information in any Annual Report, Annual Financial Statement, Voluntary Report or Notice Event notice 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, Annual Financial Statement, Voluntary Report or Notice Event notice.

SECTION 8. Termination of Reporting Obligation. The obligations of the Issuer and the Disclosure Agent under this Disclosure Agreement shall terminate with respect to the Bonds upon the legal defeasance, prior redemption or payment in full of all of the Bonds, when the Issuer is no longer an obligated person with respect to the Bonds, or upon delivery by the Disclosure Representative to the Disclosure Agent of an opinion of nationally recognized bond counsel 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 ISSUER AGREES TO INDEMNIFY AND SAVE THE DISCLOSURE DISSEMINATION AGENT AND ITS RESPECTIVE OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS, HARMLESS AGAINST ANY LOSS, EXPENSE AND LIABILITIES WHICH THEY MAY INCUR ARISING OUT OF OR IN THE EXERCISE OR PERFORMANCE OF THEIR POWERS AND DUTIES HEREUNDER, INCLUDING THE COSTS AND EXPENSES (INCLUDING ATTORNEYS FEES) OF DEFENDING AGAINST ANY CLAIM OF LIABILITY, BUT EXCLUDING LIABILITIES DUE TO THE DISCLOSURE DISSEMINATION AGENT'S GROSS NEGLIGENCE OR WILLFUL MISCONDUCT.

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 neither of them shall incur any liability and shall be fully protected in acting in good faith upon the advice of such legal counsel. The fees and expenses of such counsel shall be payable by the Issuer.

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 Securities and Exchange Commission 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 New York (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 Continuing Disclosure 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) Daniel Driggers, Finance Director
Name of Bond Issue: General Obligation Bonds, Series 2010B, \$ _____
Date of Issuance: _____, 2009
Date of Official Statement _____, 2009

CUSIP Number: _____ CUSIP Number: _____

EXHIBIT B

NOTICE TO REPOSITORIES OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer	Richland County, South Carolina
Obligated Person(s)	Daniel Driggers, Finance Director
Name of Bond Issue:	General Obligation Bonds, Series 2010B, \$ _____
Date of Issuance:	_____, 2009
Date of Official Statement:	_____, 2009

NOTICE IS HEREBY GIVEN that the Issuer has not provided an Annual Report with respect to the above-named Bonds as required by the Disclosure Agreement, dated as of _____, 2008, 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: Issuer
Obligated Person

EXHIBIT C
MATERIAL EVENT NOTICE COVER SHEET

This cover sheet and material event notice should be sent to the Municipal Securities Rulemaking Board or to all Nationally Recognized Municipal Securities Information Repositories, and the State Information Depository, if applicable, 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 material event notice relates:

Number of pages of attached material event notice: ____

Description of Material Events Notice (Check One):

1. Principal and interest payment delinquencies
2. Non-Payment related defaults
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 or events affecting the tax-exempt status of the security
7. Modifications to rights of securities holders
8. Bond calls
9. Defeasances
10. Release, substitution, or sale of property securing repayment of the securities
11. Rating changes
12. Failure to provide annual financial information as required
13. Other material event notice (specify)
14. _____

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

Signature:

Name: _____ Title: _____

Employer: Digital Assurance Certification, L.L.C.

Address: _____

City, State, Zip Code: _____

Voice Telephone Number: _____

FORM OF NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the County Council of Richland, South Carolina (the "County"), in County Council Chambers located at 2020 Hampton Street, Columbia, South Carolina, at 6:00 p.m. on _____, 2009, 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 General Obligation Bonds of Richland County, South Carolina in the aggregate principal amount of not to exceed \$2,100,000 (the "Bonds"), the proceeds of which will be used to provide funds for: (i) acquiring vehicles for use by the Sheriff's Department; funding capital projects; constructing and equipping a public safety building; and acquiring and installing digital radios; (ii) paying costs of issuance of the bonds; and (iii) such other lawful corporate and public purposes as the County Council shall determine.

The full faith, credit and taxing power of the County will be irrevocably pledged for the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor. 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, a tax, without limit, on all taxable property in the County 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.

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

Richland County Council Request of Action

Subject

An Ordinance Authorizing the issuance and sale of not to exceed \$13,400,000 General Obligation Bonds, Series 2010A, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto **[PAGES 178-206]**

Notes

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

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

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$13,400,000 GENERAL OBLIGATION BONDS, SERIES 2010A, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF RICHLAND COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; DELEGATING TO THE COUNTY ADMINISTRATOR CERTAIN AUTHORITY RELATED TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

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) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"), provides that each county shall have the power to incur bonded indebtedness in such manner and upon such terms and conditions as the General Assembly shall prescribe by general law. Such debt must be incurred for a public purpose and a corporate purpose in an amount not exceeding eight percent (8%) of the assessed value of all taxable property of such county.

(c) Pursuant to Title 4, Chapter 15 of the Code (the same being and hereinafter referred to as the "County Bond Act"), the governing bodies of the several counties of the State may each issue general obligation bonds to defray the cost of any authorized purpose and for any amount not exceeding their applicable constitutional limit.

(d) The County Bond Act provides that as a condition precedent to the issuance of bonds an election be held and the result be favorable thereto. Title 11, Chapter 27 of the Code of Laws of South Carolina 1976, as amended, provides that if an election be prescribed by the provisions of the County Bond Act, but not be required by the provisions of Article X of the Constitution, then in every such instance, no election need be held (notwithstanding the requirement therefor) and the remaining provisions of the County Bond Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions.

(e) The assessed value of all the taxable property in the County as of June 30, 2009, for purposes of computation of the County's constitutional debt limit, is \$1,360,107,180 which excludes exempt manufacturing property of \$18,817,230. Eight percent of such sum is \$108,808,574. As of the date hereof, the outstanding general obligation debt of the County subject to the limitation imposed by Article X, Section 14(7) of the Constitution is \$38,720,000. Thus, the County may incur not exceeding \$70,088,574 of additional general obligation debt within its applicable debt limitation.

The County intends to issue simultaneously with the bonds authorized herein not to exceed \$2,100,000 General Obligation Bonds, Series 2010B, the par amount of which will also count against the County's constitutional debt limit.

(f) The American Recovery and Reinvestment Act of 2009 (the "ARRA"), Pub.L. 111-5, Feb. 17, 2009, 123 Stat. 115, amends the Internal Revenue Code of 1986, as amended (the "IRC"), to provide for the issuance of Build America Bonds ("BABs") if (a) the interest on such obligation would otherwise be excludable from gross income under Section 103 of the IRC; (b) such obligation is issued before January 1, 2011; and (c) the issuer makes an irrevocable election to have Section 54AA of the Code apply to the obligation. BABs are taxable obligations which provide a tax credit in the amount of 35% of the interest payable by the issuer, either as an annual credit to the respective bondholders under Section 54AA(a) of the IRC, or, if the bond is qualified under Section 54AA(g) of the IRC, and the issuer so elects, as an annual direct payment to the issuer under Section 6431 of the IRC.

(g) It is now in the best interest of the County for the County Council to provide for the issuance and sale of not exceeding \$13,400,000 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: (i) funding capital projects; (ii) paying costs of issuance of the bonds; and (iii) such other lawful corporate and public purposes as the County Council shall determine.

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 \$13,400,000 aggregate principal amount of general obligation bonds of the County to be designated "Not exceeding \$13,400,000 (or such other amount as may be issued) General Obligation Bonds, Series 2010A, of Richland County, South Carolina" (the "Bonds") for the purpose stated in Section 1(g) 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, respectively; shall bear interest from their date payable at such times as hereafter designated by the Administrator of the County (the "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 Administrator.

Both the principal of and interest on the Bonds shall be 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.

SECTION 3. Delegation of Authority Relating to the Bonds. The County Council hereby delegates to the Administrator the authority to determine whether the Bonds shall be issued as traditional tax-exempt bonds or shall be issued as BABs

In connection with the issuance of traditional tax-exempt bonds, the County Council hereby delegates to the Administrator or his lawfully-authorized designee the authority: (a) to determine the maturity dates of the Bonds and the respective principal amounts maturing on such dates; (b) to determine the interest payment dates of the Bonds; (c) to determine redemption provisions, if any, for the Bonds; (d) the date and time of sale of the Bonds; (e) to receive bids on behalf of the County Council; and (f) to award the sale of the Bonds to the lowest bidder therefor in accordance with the terms of the Notice of Sale for the Bonds.

In connection with the issuance of BABs, the County Council hereby delegates to the Administrator or his lawfully-authorized designee the authority: (a) to determine the maturity dates of the Bonds and the respective principal amounts maturing on such dates; (b) to determine the interest payment dates of the Bonds; (c) to determine redemption provisions, if any, for the Bonds; (d) to determine the date and time of sale of the Bonds; (e) to receive bids on behalf of the County Council; (f) to award the sale of the Bonds to the lowest bidder therefor in accordance with the terms of the Notice of Sale for the Bonds, provided it reflects the lowest cost of borrowing to the County; (g) to determine whether the tax credit shall be provided as a credit to the bondholders or as a direct payment to the County; and (h) to make an irrevocable election to have Section 54AA of the IRC apply to the Bonds, such that a portion of the Bonds may be issued as BABs.

The County Administrator is further authorized to determine, upon advice of the County's bond counsel and financial advisor, if the Bonds should be sold together with the Series 2010B Bonds.

After the sale of the Bonds, the Administrator or his lawfully-authorized designee shall submit a written report to the County Council setting forth the results of the sale of the Bonds.

SECTION 4. 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 5. 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 6. 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 7. Execution of Bonds. The Bonds shall be executed in the name of the County with the manual or facsimile signature of the Chair of the County Council attested by the manual or facsimile signature of the 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 8. Form of Bonds. The Bonds shall be in substantially the form attached hereto as Exhibit A and incorporated herein by reference. If the Bonds are issued as BABs, appropriate changes will be made in the form of the bonds attached hereto as Exhibit A.

SECTION 8. Security for Bonds. The full faith, credit, and taxing power of the county is irrevocably pledged to the payment of the Bonds. The Bonds are payable from an ad valorem tax levied annually by the County Auditor and collected by the County Treasurer.

The Council 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 County, an ad valorem tax sufficient to pay the principal and interest of the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor. To the extent allowed by law, the Auditor and Treasurer of the County, may consider the amounts available as an annual direct payment to the County under Section 6431 (or other relevant section) of the IRC when levying and collecting the taxes provided for herein, if the Bonds are issued as BABs.

SECTION 9. Notice of Initiative and Referendum. The County Council hereby delegates to its Chair and the 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 substantially the form attached hereto as Exhibit B. If such notice is given, the Chair and the Administrator are authorized to cause such notice to be published in a newspaper of general circulation in the County.

SECTION 10. 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 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:

(a) 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;

(b) non-callable, U. S. Treasury Securities - State and Local Government Series (“SLGS”); and

(c) general obligation bonds of the State, its institutions, agencies, school districts and political subdivisions.

SECTION 11. 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 12. 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 of 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 13. Sale of Bonds, Form of Notice of Sale. The Bonds shall be sold at public sale. A Notice of Sale in substantially the form attached hereto as Exhibit C 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 having general circulation in the State of South Carolina or in a financial publication published in the City of New York, State of New York, or both, not less than seven (7) days prior to the date set for such sale. Appropriate modifications shall be made in the Notice of Sale if the Bonds are offered to purchase as BABs.

SECTION 14. Preliminary and Final Official Statement. The County Council hereby authorizes and directs the 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 Administrator to designate the Preliminary Official Statement as “near final” for purposes of Rule 15c2-12 of the Securities Exchange Commission. The 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 15. 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 16. 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 17. 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 18. 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 substantially 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 19. Reimbursement of Certain Expenditures. The County Council hereby declares that this Ordinance shall constitute its declaration of official intent pursuant to Treasury Regulation § 1.150-2 to reimburse the School District from the proceeds of the Bonds for expenditures with respect to the Project (the "Expenditures"). The County anticipates incurring Expenditures with respect to the capital improvements prior to the issuance by the County of the 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 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 or other legally-available funds.

SECTION 20. 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; provided, however, that for purposes of this covenant only, the County shall not be in violation of this covenant solely because it makes the irrevocable election under Section 54AA(d) or (g) (as applicable) of the IRC with respect to the Bonds to be issued as BABs. 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 54AA, 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 21. 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, County Administrator, Clerk to the County Council and County Attorney. The County Council hereby retains McNair Law Firm, P.A. as bond counsel and Ross, Sinclair & Associates, LLC, as Financial Advisor, in connection with the issuance of the Bonds. The 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.

[Signature Page to Follow]

Enacted this _____ day of _____, 2010.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Paul Livingston, Chairman
Richland County Council

(SEAL)

ATTEST THIS _____ DAY OF
_____, 2010:

Michielle R. Cannon-Finch
Clerk of County 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:
Publication of Notice of
Public Hearing:
Date of Public Hearing:
Date of Third Reading:

FORM OF BOND

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
GENERAL OBLIGATION BONDS, SERIES 2010A

No. R-

<u>INTEREST</u> <u>RATE</u>	<u>MATURITY</u> <u>DATE</u>	<u>ORIGINAL</u> <u>ISSUE DATE</u>	<u>CUSIP</u>
--------------------------------	--------------------------------	--------------------------------------	--------------

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 _____, in the City of _____, State of _____ (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, a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on this Bond as they respectively mature and to create such sinking fund as may be necessary therefore.

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 American

Recovery and Reinvestment Act of 2009], 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, Chapter 27 of the Code of Laws of South Carolina 1976, as amended; and Ordinance No. _____ duly enacted by the County Council on _____, 2010.

[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 Chair of the County Council, attested by the facsimile signature of the Clerk to the County Council and the seal of the County impressed, imprinted or reproduced hereon.

RICHLAND COUNTY, SOUTH CAROLINA

Chair, County Council

(SEAL)
ATTEST:

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 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: _____
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 _____, 2010, enacted Ordinance No. _____ entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$13,400,000 GENERAL OBLIGATION BONDS, SERIES 2010A, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF RICHLAND COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE ADMINISTRATOR OF THE COUNTY 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 "Ordinance"). The Ordinance authorizes the issuance and approves the sale of not to exceed \$13,400,000 General Obligation Bonds, Series 2010A (the "Bonds") of the County.

The proceeds of the Bonds will be used to provide funds for: (i) funding capital projects; (ii) paying costs of issuance of the bonds; and (iii) such other lawful corporate and public purposes as the County Council shall determine.

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 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/Chair, County Council, Richland County,
South Carolina

FORM OF NOTICE OF SALE

§ _____ GENERAL OBLIGATION BONDS, SERIES 2010A
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 _____, _____, 2010, at which time said proposals will be publicly opened for the purchase of \$ _____ General Obligation Bonds, Series 2010A, of the County (the "Bonds").

Sealed Bids: Each hand delivered proposal shall be enclosed in a sealed envelope marked "Proposal for \$ _____ General Obligation Bonds, Series 2010A, Richland County, South Carolina" and should be directed to the 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 J. Milton Pope, 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 _____, 2010; 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]

Municipal Bond Insurance: The County has submitted applications to various bond insurers for a policy of insurance relating to the Bonds to be effective as of the date of their issuance. If a bidder for the Bonds desires to have the Bonds so insured, the bidder should specify in its bid for the Bonds whether bond insurance will be purchased. The premium on such bond insurance must be paid at or prior to the closing by the successful bidder. Any failure of the Bonds to be so insured or of any such policy of insurance to be issued shall not constitute cause for a failure or refusal by the purchaser of the bonds to accept delivery of and pay for the Bonds.

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: The full faith, credit and taxing power of the County are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor. 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, a tax, without limit, on all taxable property in the County 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. [To the extent allowed by law, the County Auditor and County Treasurer may consider the amounts available as an annual direct payment to the County under Section 6431 (or other relevant section) of the IRC when levying and collecting the taxes provided for herein, if the Bonds are issued as BABs.]

Good Faith Deposit: No good faith deposit is required.

Bid Form: Proposals should be enclosed in a separate sealed envelope marked "Proposal for \$ _____ General Obligation Bonds, Series 2010A, of Richland County, South Carolina" and should be directed to the Chair of the County Council 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 _____, 2010, 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 will be furnished to any person interested in bidding for the Bonds upon request. 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 additional information should communicate with J. Milton Pope, County Administrator, 2020 Hampton Street, Columbia, South Carolina, 29201, telephone (803) 576-2054 or Francenia B. Heizer, Esquire, McNair Law Firm, P.A., 1301 Gervais Street, 17th Floor, Columbia, South Carolina, 29201, telephone (803) 799-9800, e-mail: fheizer@mcnair.net.

RICHLAND COUNTY, SOUTH CAROLINA
s/ _____
Chair, County Council

FORM OF DISCLOSURE DISSEMINATION AGENT AGREEMENT

This Disclosure Dissemination Agent Agreement (the “Disclosure Agreement”), dated as of _____, 2010, is executed and delivered by Richland County, South Carolina (the “Issuer”) and Digital Assurance Certification, L.L.C., as exclusive Disclosure Dissemination Agent (the “Disclosure Dissemination Agent” or “DAC”) for the benefit of the Holders (hereinafter defined) of the Bonds (hereinafter defined) 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 under the Securities Exchange Act of 1934, as the same may be amended from time to time (the “Rule”).

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 (hereinafter defined). 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 Repositories.

“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, Voluntary Report or Notice Event notice delivered to the Disclosure Dissemination Agent is the Annual Report, Audited Financial Statements, Voluntary Report or Notice Event notice required to be submitted to the Repositories 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, the senior member of the Issuer 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.

“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 the Annual Financial Information, the Audited Financial Statements (if any) the Notice Event notices, and the Voluntary Reports.

“Notice Event” means an event listed in Sections 4(a) of this Disclosure Agreement.

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

“National Repository” means for purposes of the Rule the Electronic Municipal Market Access (EMMA) system created by the Municipal Securities Rulemaking Board.

“Repository” means the MSRB, each National Repository and the State Depository (if any).

“State Depository” means any public or private depository or entity designated by the State of South Carolina as a state information depository (if any) for the purpose of the Rule. The list of state information depositories maintained by the United States Securities and Exchange Commission shall be conclusive as to the existence of a State Depository. Currently, the following depositories are listed by the Securities and Exchange Commission as available State Depositories:

1. Municipal Advisory Council of Michigan
1445 First National Building
Detroit, Michigan 48226-3517
(313) 963-0420 (phone)
(313) 963-0943 (fax)
jackie@macmi.com
2. Municipal Advisory Council of Texas
PO Box 2177
Austin, TX 78768-2177
(512) 476-6947 (phone)
(512) 476-6403 (fax)
mac@mactexas.com
3. Ohio Municipal Advisory Council
9321 Ravenna Road, Unit K
Twinsburg, OH 44087-2445
(330) 963-7444 (phone)
(800) 969-OMAC (6622) (phone)
(330) 963-7553 (fax)
sid_filing@ohiomac.com

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

“Voluntary Report” means the information provided to the Disclosure Dissemination Agent by the Issuer pursuant to Section 7.

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 30 days prior to 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 each National Repository and the State Depository (if any) not later than 210 days after the end of each fiscal year of the Issuer, commencing with the fiscal year ending June 30, 2009. 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 Notice Event as described in Section 4(a)(12) has occurred and to immediately send a notice to each National Repository or the MSRB and the State Depository (if any) in substantially the form attached as Exhibit B.

(c) If the Disclosure Dissemination Agent has not received an Annual Report and Certification by 12:00 noon on the first business day following the Annual Filing Date for the Annual Report, a Notice Event described in Section 4(a)(12) shall have occurred and the Issuer irrevocably directs the Disclosure Dissemination Agent to immediately send a notice to each National Repository or the MSRB and the State Depository (if any) in substantially the form attached as Exhibit B.

(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 Certificate, together with a copy for the Trustee, for filing with each National Repository and the State Depository (if any).

(e) The Disclosure Dissemination Agent shall:

- (i) determine the name and address of each Repository each year prior to the Annual Filing Date;
- (ii) upon receipt, promptly file each Annual Report received under Section 2(a) with each National Repository, and the State Depository, (if any);
- (iii) upon receipt, promptly file each Audited Financial Statement received under Section 2(d) with each National Repository, and the State Depository (if any);
- (iv) upon receipt, promptly file the text of each disclosure to be made with each National Repository or the MSRB and the State Depository (if any) together with

a completed copy of the MSRB Material Event Notice Cover Sheet in the form attached as Exhibit C, describing the event by checking the box indicated below when filing pursuant to the Section of this Disclosure Agreement indicated:

1. “Principal and interest payment delinquencies,” pursuant to Sections 4(c) and 4(a)(1);
2. “Non-Payment related defaults,” pursuant to Sections 4(c) and 4(a)(2);
3. “Unscheduled draws on debt service reserves reflecting financial difficulties,” pursuant to Sections 4(c) and 4(a)(3);
4. “Unscheduled draws on credit enhancements reflecting financial difficulties,” pursuant to Sections 4(c) and 4(a)(4);
5. “Substitution of credit or liquidity providers, or their failure to perform,” pursuant to Sections 4(c) and 4(a)(5);
6. “Adverse tax opinions or events affecting the tax-exempt status of the security,” pursuant to Sections 4(c) and 4(a)(6);
7. “Modifications to rights of securities holders,” pursuant to Sections 4(c) and 4(a)(7);
8. “Bond calls,” pursuant to Sections 4(c) and 4(a)(8);
9. “Defeasances,” pursuant to Sections 4(c) and 4(a)(9);
10. “Release, substitution, or sale of property securing repayment of the securities,” pursuant to Sections 4(c) and 4(a)(10);
11. “Ratings changes,” pursuant to Sections 4(c) and 4(a)(11);
12. “Failure to provide annual financial information as required,” pursuant to Section 2(b)(ii) or Section 2(c), together with a completed copy of Exhibit B to this Disclosure Agreement;
13. “Other material event notice (specify),” pursuant to Section 7 of this Agreement, together with the summary description provided by the Disclosure Representative.

- (v) 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 Repositories, provided that the period between the existing Annual Filing Date and new Annual Filing Date shall not exceed one year.

SECTION 3. Content of Annual Reports.

(a) Each Annual Report shall contain Annual Financial Information with respect to the Issuer, including the information provided in the Official Statement under the headings: “Security,” “Outstanding Indebtedness,” “Assessed Value of Taxable Property in the County,” “Estimated True Value of All Taxable Property in the County,” “Tax Rates,” “Tax Collections for Last Five Years,” and “Ten Largest Taxpayers.”

(b) Audited Financial Statements prepared in accordance with GAAP as described in the Official Statement will be included in the Annual Report.

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 each of the National Repositories or the Securities and Exchange Commission. 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.

SECTION 4. Reporting of Notice Events.

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

1. Principal and interest payment delinquencies;
2. Non-payment related defaults;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements relating to the Bonds reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions or events affecting the tax-exempt status of the Bonds;
7. Modifications to rights of Bond holders;
8. Bond calls;
9. Defeasances;
10. Release, substitution, or sale of property securing repayment of the Bonds;
11. Rating changes on the Bonds;
12. Failure to provide annual financial information as required; and
13. Other material event notice (specify) _____.

The Issuer shall promptly notify the Disclosure Dissemination Agent in writing upon the occurrence of a Notice Event. Such notice shall instruct the Disclosure Dissemination Agent to report the occurrence pursuant to subsection (c). Such notice shall be accompanied with the text of the disclosure that the Issuer desires to make, the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information.

(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 five business days of receipt of such notice, 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

Disclosure Agent is to report the occurrence pursuant to subsection (c), together with the text of the disclosure that the Issuer desires to make, the written authorization of the Issuer for the Disclosure Agent to disseminate such information, and the date the Issuer desires for the Disclosure Agent to disseminate the information.

(c) If the Disclosure 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 Agent shall promptly file a notice of such occurrence with the State Depository (if any) and (i) each National Repository, or (ii) the MSRB.

SECTION 5. CUSIP Numbers. Whenever providing information to the Disclosure Agent, including but not limited to Annual Reports, documents incorporated by reference to the Annual Reports, Audited Financial Statements, notices of Notice Events, and Voluntary Reports filed pursuant to Section 7(a), 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 failure of the Disclosure Agent to so advise the Issuer shall not constitute a breach by the Disclosure Agent of any of its duties and responsibilities under this Disclosure Agreement. The Issuer acknowledges and understands that the duties of the Disclosure Agent relate exclusively to execution of the mechanical tasks of disseminating information as described in this Disclosure Agreement.

SECTION 7. Voluntary Reports.

(a) The Issuer may instruct the Disclosure Agent to file information with the Repositories, from time to time pursuant to a Certification of the Disclosure Representative accompanying such information (a "Voluntary Report").

(b) Nothing in this Disclosure Agreement shall be deemed to prevent the Issuer from disseminating any other information through the Disclosure Agent using the means of dissemination set forth in this Disclosure Agreement or including any other information in any Annual Report, Annual Financial Statement, Voluntary Report or Notice Event notice, in addition to that required by this Disclosure Agreement. If the Issuer chooses to include any information in any Annual Report, Annual Financial Statement, Voluntary Report or Notice Event notice 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, Annual Financial Statement, Voluntary Report or Notice Event notice.

SECTION 8. Termination of Reporting Obligation. The obligations of the Issuer and the Disclosure Agent under this Disclosure Agreement shall terminate with respect to the Bonds upon the legal defeasance, prior redemption or payment in full of all of the Bonds, when the Issuer is no longer an obligated person with respect to the Bonds, or upon delivery by the Disclosure Representative to the Disclosure Agent of an opinion of nationally recognized bond counsel 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 ISSUER AGREES TO INDEMNIFY AND SAVE THE DISCLOSURE DISSEMINATION AGENT AND ITS RESPECTIVE OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS, HARMLESS AGAINST ANY LOSS, EXPENSE AND LIABILITIES WHICH THEY MAY INCUR ARISING OUT OF OR IN THE EXERCISE OR PERFORMANCE OF THEIR POWERS AND DUTIES HEREUNDER, INCLUDING THE COSTS AND EXPENSES (INCLUDING ATTORNEYS FEES) OF DEFENDING AGAINST ANY CLAIM OF LIABILITY, BUT EXCLUDING LIABILITIES DUE TO THE DISCLOSURE DISSEMINATION AGENT'S GROSS NEGLIGENCE OR WILLFUL MISCONDUCT.

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 neither of them shall incur any liability and shall be fully protected in acting in good faith upon the advice of such legal counsel. The fees and expenses of such counsel shall be payable by the Issuer.

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 Securities and Exchange Commission 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 New York (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 Continuing Disclosure 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 C
MATERIAL EVENT NOTICE COVER SHEET**

This cover sheet and material event notice should be sent to the Municipal Securities Rulemaking Board or to all Nationally Recognized Municipal Securities Information Repositories, and the State Information Depository, if applicable, 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 material event notice relates:

Number of pages of attached material event notice: ____

Description of Material Events Notice (Check One):

1. Principal and interest payment delinquencies
2. Non-Payment related defaults
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 or events affecting the tax-exempt status of the security
7. Modifications to rights of securities holders
8. Bond calls
9. Defeasances
10. Release, substitution, or sale of property securing repayment of the securities
11. Rating changes
12. Failure to provide annual financial information as required
13. Other material event notice (specify)
14. _____

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

Signature:

Name: _____ Title: _____

Employer: Digital Assurance Certification, L.L.C.

Address: _____

City, State, Zip Code: _____

Voice Telephone Number: _____

FORM OF NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the County Council of Richland, South Carolina (the "County"), in County Council Chambers located at 2020 Hampton Street, Columbia, South Carolina, at 6:00 p.m. on _____, 2010, 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 General Obligation Bonds of Richland County, South Carolina in the aggregate principal amount of not to exceed \$13,400,000 (the "Bonds"), the proceeds of which will be used to provide funds for: (i) funding capital projects; (ii) paying costs of issuance of the bonds; and (iii) such other lawful corporate and public purposes as the County Council shall determine.

The full faith, credit and taxing power of the County will be irrevocably pledged for the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor. 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, a tax, without limit, on all taxable property in the County 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.

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

Richland County Council Request of Action

Subject

Memorandum of Understanding to reflect the intent of parties regarding access to Lower Richland Boulevard and Garners Ferry Road in the development of certain residential and commercial facilities **[PAGES 208-231]**

Notes

April 27, 2010 - The committee forwarded this item to Council without a recommendation. The vote in favor was unanimous.

Richland County Council Request for Action

Subject: To enter into an MOU with the members of the Bunch Family and the South Carolina Department of Transportation (SCDOT)

A. Purpose

County Council is requested to consider a memorandum of understanding with George H. Bunch, III, Robert H. Bunch, William A. Bunch, and Ansel C. Bunch (collectively the “Family”), and the South Carolina Department of Transportation (the “SCDOT”). to accept access points and anticipated road improvements to be performed along Lower Richland Boulevard and Garner’s Ferry Road for property known as “Bunch Master Plan Development”; TMS# 21800-01-06 and TMS# 21800-01-23.

B. Background / Discussion

The Bunch Family, SCDOT, and the County have reviewed the approved Bunch Master Plan Development (PDD) requirements regarding maximum access points and have agreed upon the internal and external access points and future road improvements for both parcels. This will benefit both the developer (Bunch Family or their designee), the County, and SCDOT regarding future obligations for the anticipated development to both parcels.

C. Financial Impact

None.

D. Alternatives

1. Approve the memorandum to identify the phasing of road improvements and access points both external and internal for the development of both parcels currently owned by the Bunch Family.
2. Do not approve the memorandum.

E. Recommendation

This request is at Council’s discretion.

Recommended by: Planning and Development Services Dept.

Date: April 21, 2010

F. Approvals

Finance

Reviewed by: Daniel Driggers

Date: 4/22/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation

Planning and Development Services

Reviewed by: Amelia Linder,
Land Use Attorney

Recommend Council approval

Comments regarding recommendation:

Date: April 22, 2010

Recommend Council denial

Administration

Reviewed by: Sparty Hammett

Recommend Council approval

Comments regarding recommendation:

Date: April 22, 2010

Recommend Council denial

Phase 2 will include additional retail to be constructed in the 21.67 acres parcel known as TMS# R21800-01-23, and will include retail and a possible fast food restaurant. This will be constructed by the year 2019. Access points 5 and 6 will be constructed at this time.

Phase 3 is the balance of the site, which will include a potential grocery store, adjacent retail and two outparcels of retail. This will also include the balance of the PDD and will include multifamily, single family, and additional commercial development along Garners Ferry. This is anticipated to be constructed by the year 2020 and will include the balance of all access points – 1, 2, 8, 10, 11 and 13, as indicated on Sheet C1.0. The access points in Phase 3 will be submitted to SCDOT for an encroachment permit and will be constructed only as needed.

The Role of the Family: The Family intends to sell off various portion of the property to developers or individuals who will develop the property. The requirements of this MOU, including the requirements of installation of various off-site mitigations, will be the responsibility of the Family as developers. That responsibility would be transferred to others as the property is sold. In the event the responsibility is assigned to another developer, it is the responsibility of the Family to inform the developer and to provide him with a copy of this MOU and its requirements to install off-site mitigations. The Family will inform the County of any assignments.

Transportation/Access:

Garners Ferry Road (US-378) – Developer will construct the various access points (1-16) in accordance with current SCDOT design guides at locations indicated on Sheet C1.0. These will be public road access to the Project. Currently, the existing traffic impact study completed by WSA and updated by Iteris calls for the Project to construct off-site mitigations to the intersection at Garners Ferry and Lower Richland and at Garners Ferry. A matrix is included with the MOU to identify the required mitigations, to identify triggers for those mitigations, and to identify whether those mitigations are a result of the Project development traffic or background mitigations required now or with anticipated development growth identified by previously approved projects or from anticipated population growth.

Should the anticipated traffic levels vary significantly from those predicted in the traffic study; the traffic report will be re-examined to determine if revisions in the recommended mitigation are required. If this is found to be the case, a new traffic impact study will be presented to the County and the Department for concurrence.

All encroachment permits will be subject to current state law, SCDOT encroachment permit policy, the SCDOT design guide and this document. The final disposition of each access will be decided as development occurs. The geometric design of each access location will be subject to approval of an encroachment permit submitted to SCDOT prior to each development phase.

The County will not issue a certificate of occupancy for any building that utilizes a particular driveway until the necessary mitigation items identified in the designated Phases and approved traffic impact study have been implemented.

[END OF MOU, SIGNATURE PAGE ATTACHED]

NOW, THEREFORE, in consideration of the mutual benefits, covenants and agreements described herein, the parties hereto have executed this MOU as of the day above written.

GEORGE H. BUNCH, III

WITNESSES:

ROBERT H. BUNCH

WITNESSES:

WILLIAM A. BUNCH

WITNESSES:

ANSEL C. BUNCH

WITNESSES:

RICHLAND COUNTY, SOUTH CAROLINA

WITNESSES:

By: _____

Name: Paul Livingston

Title: Chair, Richland County Council

SOUTH CAROLINA DEPARTMENT
OF TRANSPORTATION

WITNESSES:

By: _____

Name: _____

Title: District One Administrator

EXHIBITS

MOU Matrix	- Bunch / SCDOT / Richland MOU Access Plan and Schedule
Sheet C1.0	- Development Master Plan
Sheet C1.1	- Access Plan Wal-greens and Lower Richland Boulevard
Sheet C1.2	- Color Map of the Phases
PDD Ordinance	- Ordinance changing the zoning on the 178 acres
Commercial Ordinance	- Ordinance changing the zoning on the 21.67 acres

BOOK 019 PAGE 53

2005 OCT - 6 PM 12:30
BARBARA A. SCOTT
S.C.C. & G.S.

RICHLAND COUNTY
FILED

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. 064-05HR

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 HEREIN (A PORTION OF TMS # 21800-01-06) FROM RU (RURAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation, and similar activities and services; and

WHEREAS, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

WHEREAS, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

WHEREAS, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements Title 6, Chapter 29, of the Code of Laws of South Carolina; and

WHEREAS, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

WHEREAS, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances.

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 RICHLAND COUNTY COUNCIL:

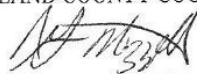
Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the property (a portion of TMS # 21800-01-06) described in Exhibit A, which is attached hereto, from RU Rural District zoning to GC General Commercial District zoning.

Section II. 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. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

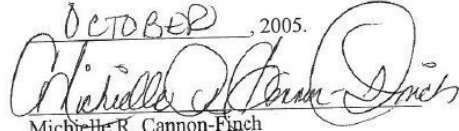
Section IV. This ordinance shall be enforced after the date of an affirmative Third Reading.

RICHLAND COUNTY COUNCIL

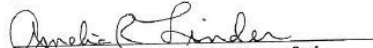
By: 
Anthony G. Mizzell, Chair

Attest this 4TH day of
OCTOBER, 2005.

BOOK 019 PAGE 637


Michelle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE


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

Public Hearing:	July 26, 2005
First Reading:	July 26, 2005
Second Reading:	September 6, 2005
Third Reading:	September 20, 2005

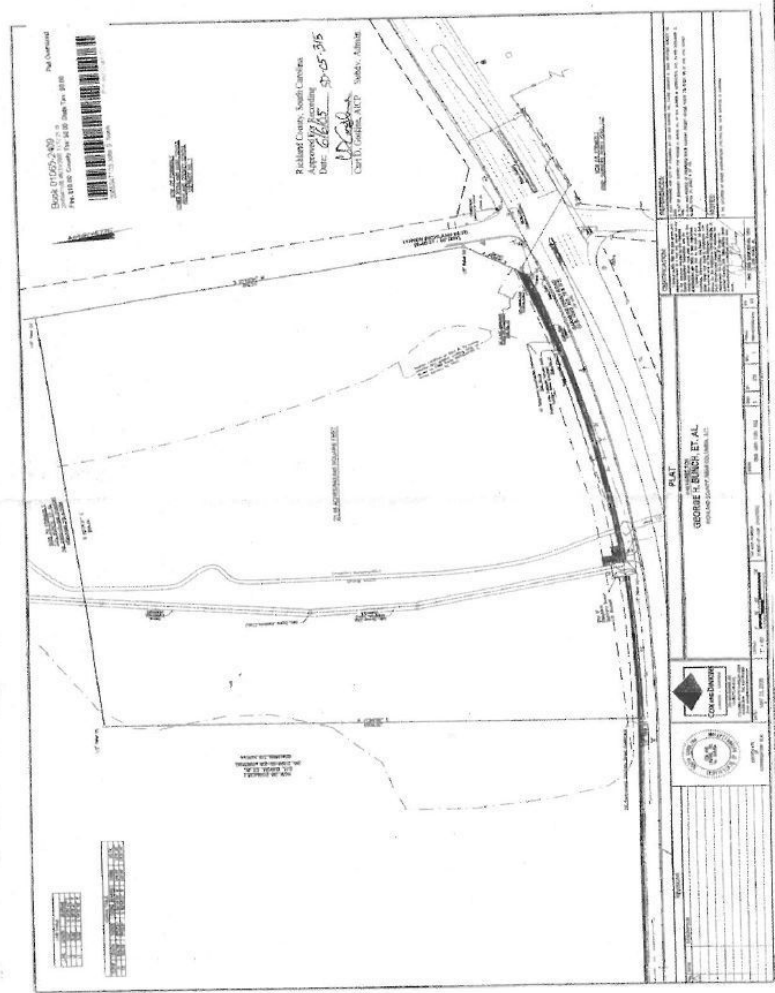
05-79 MA – Northwest corner of Garners Ferry Road and Lower Richland Boulevard

Item# 34

Attachment number 1
Page 8 of 24

BUCK 019 PAGE 530

Exhibit A Property Description



05-79 MA – Northwest corner of Garners Ferry Road and Lower Richland Boulevard

Item# 34

Attachment number 1
Page 9 of 24

2007 JUL 12 PM 4
BARBARA A. ST
C.C.C. & O.S.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. 057-07HR

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 # 21800-01-06 FROM RU (RURAL DISTRICT) TO A PDD (PLANNED DEVELOPMENT 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 property described as TMS # 03300-07-06 from OI (Office and Institutional District) zoning to a PDD (Planned Development District) zoning, as described herein.

Section II. PDD Site Development Requirements. The following site development requirements shall apply to the subject parcels:

- a) The applicant shall comply with the Master Plan (dated March 1, 2007) prepared for George, Robert, Ansel, and William Bunch by K.B. Simmons Associates, LLC, which was submitted to, and is on file in, the Richland County Planning & Development Services Department (hereinafter referred to as "PDSD"), and is incorporated herein by reference, except as otherwise amended herein; and
- b) As reflected in Exhibit A, which is attached hereto, the site development shall be limited to:
 - 1. 1 - Forty-four (44) acre site for single-family detached dwellings with a net density of four (4) units per acre; and
 - 2. 1 - Twelve (12) acre site for single-family attached dwellings with a net density of eight (8) units per acre; and
 - 3. 1 - Eighteen (18) acre site for multi-family residential with a new density of eight (8) units per acre; and
 - 4. 1 - Thirty (30) acre site with a net density of 16 units per acre; and
 - 5. 3 - Commercial sites, one of which shall be limited to sixteen (16) acres, one of which shall be limited to thirty-one (31) acres, and one of which shall be limited to fourteen (14) acres, all of which shall be limited to the permitted use table, which is attached hereto as Exhibit B; and
 - 6. 1 - Seven (7) acre open space area; and
- c) The applicant shall provide a minimum five percent (5%) open space per development, with a minimum ten (10) foot wide buffer, with connectivity to all open space provided throughout the site; and
- d) A reservation of a fifty (50) foot wide strip for the development on the west side of the parcel for an extension of future development, or it shall remain as a natural vegetated buffer; and
- e) The applicant shall be limited in the number of curb cuts to the site, as follows:
 - 1. No more than three (3) curb cuts on Garners Ferry Road; and
 - 2. No more than two (2) curb cuts on Lower Richland Boulevard; and
 - 3. No more than three (3) curb cuts on Rabbit Run Road; and
- f) The main entrances on all roadways shall align with the entrances of other existing or proposed developments; and
- g) The applicant shall provide sidewalks along all external roadways; and
- h) Unless otherwise provided herein, all development shall conform to all relevant land development regulations in effect at the time a permit application is received by the PDSD; and
- i) Proposed changes to the Master Plan shall be subject to the requirements of Section 26-59(j)(1) of the Richland County Land Development Code; and
- j) If applicable, prior to approval of the preliminary subdivision plans, the applicant shall submit to the PDSD written evidence of:

07-28 MA - Garners Ferry Road & Lower Richland Boulevard

- a. The U.S. Army Corps of Engineers' approval of the wetlands delineation and/or encroachment permit, and
- b. FEMA's approval of the 100 year flood elevation statement; and
- k) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest; and
- l) All site development requirements described above shall apply to the applicant, the developer, and/or their successors in interest; and

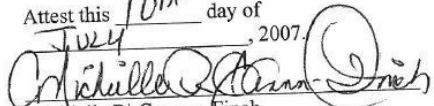
Section III. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section IV. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

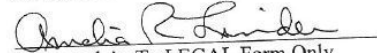
Section V. This ordinance shall be effective from and after June 19, 2007.

RICHLAND COUNTY COUNCIL

By: 
Joseph McEachern, Chair

Attest this 10th day of JULY, 2007.

Michelle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE


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

Public Hearing: May 22, 2007
First Reading: May 22, 2007
Second Reading: June 5, 2007
Third Reading: June 19, 2007

07-28 MA - Garners Ferry Road & Lower Richland Boulevard

Exhibit B
Permitted Uses BOOK 010 PAGE 563

TABLE OF PERMITTED USES, PERMITTED USES AS SHOWN ON TABLE 26-V-2 UNDER SECTION 26-141

<i>USE TYPES</i>
Residential Uses
Common Area Recreation and Service Facilities
Continued Care Retirement Communities
Dwellings, Conventional or Modular
Multi-Family, Not Otherwise Listed
Residential above Commercial
Accessory Uses and Structures
Accessory Uses and Structures (Customary) - See Also Sec. 26-185
Swimming Pools
Recreational Uses
Amusement or Water Parks
Batting Cages
Dance Studios and Schools
Golf Courses, Miniature
Martial Arts Instructional Schools
Physical Fitness Centers
Public or Private Parks
Public Recreation Facilities
Skating Rinks
Swim and Tennis Clubs
Institutional, Educational and Civic Uses
Ambulance Services, Emergency
Colleges and Universities
Community Food Services

07-28 MA – Garners Ferry Road & Lower Richland Boulevard

Day Care, Adult Centers
Day Care, Child, Licensed Center
Fire Stations
Government Offices
Individual and Family Services, Not Otherwise Listed
Libraries
Museums and Galleries
Nursing and Convalescent Homes
Places of Worship
Police Stations, Neighborhood
Post Offices
Schools, Administrative Facilities
Schools, Business, Computer and Management Training
Schools, Fine Arts Instruction
Schools, Including Public and Private, Having a Curriculum Similar to Those Given in Public Schools
Schools, Technical and Trade (Except Truck Driving)
Business, Professional and Personal Services
Accounting, Tax Preparation, Bookkeeping, and Payroll Services
Advertising, Public Relations, and Related Agencies
Automatic Teller Machines
Automobile Rental or Leasing
Banks, Finance, and Insurance Offices
Barber Shops, Beauty Salons, and Related Services
Bed and Breakfast Homes/Inns
Building Maintenance Services, Not Otherwise Listed
Carpet and Upholstery Cleaning Services
Clothing Alterations/Repairs; Footwear Repairs
Computer Systems Design and Related Services
Employment Services

07-28 MA – Garners Ferry Road & Lower Richland Boulevard

BOOK 010 PAGE 10

Engineering, Architectural, and Related Services
Funeral Homes and Services
Furniture Repair Shops and Upholstery
Hotels and Motels
Janitorial Services
Landscape and Horticultural Services
Laundromats, Coin Operated
Laundry and Dry Cleaning Services, Non-Coin Operated
Legal Services (Law Offices, Etc.)
Linen and Uniform Supply
Locksmith Shops
Management, Scientific, and Technical Consulting Services
Massage Therapists
Medical/Health Care Offices
Medical, Dental, or Related Laboratories
Motion Picture Production/Sound Recording
Office Administrative and Support Services, Not Otherwise Listed
Packaging and Labeling Services
Pet Care Services (Excluding Veterinary Offices and Kennels)
Photocopying and Duplicating Services
Photofinishing Laboratories
Photography Studios
Picture Framing Shops
Professional, Scientific, and Technical Services, Not Otherwise Listed
Publishing Industries
Real Estate and Leasing Offices
Rental Centers, without Outside Storage
Repair and Maintenance Services, Automobile, Minor
Repair and Maintenance Services, Personal and Household Goods
Repair and Maintenance Services, Television, Radio, or Other Consumer Electronics
Research and Development Services

07-28 MA – Garners Ferry Road & Lower Richland Boulevard

Security and Related Services
Tanning Salons
Taxidermists
Theaters, Live Performances
Theaters, Motion Picture, Other Than Drive-Ins
Travel Agencies (without Tour Buses or Other Vehicles)
Traveler Accommodations, Not Otherwise Listed
Vending Machine Operators
Veterinary Services (Non-Livestock, May Include totally enclosed Kennels Operated in Connection with Veterinary Services)
Watch and Jewelry Repair Shops
Weight Reducing Centers
Retail Trade and Food Services
Antique Stores (See Also Used Merchandise Shops and Pawn Shops)
Appliance Stores
Art Dealers
Arts and Crafts Supply Stores
Auction Houses
Automotive Parts and Accessories Stores
Bakeries, Retail
Bicycle Sales and Repair
Book, Periodical, and Music Stores
Building Supply Sales without Outside Storage
Camera and Photographic Sales and Service
Candle Shops
Candy Stores (Confectionery, Nuts, Etc.)
Caterers, No On Site Consumption
Clothing, Shoe, and Accessories Stores
Coin, Stamp, or Similar Collectibles Shops
Computer and Software Stores

07-28 MA – Garners Ferry Road & Lower Richland Boulevard

Convenience Stores (with Gasoline Pumps)
Convenience Stores (without Gasoline Pumps)
Cosmetics, Beauty Supplies, and Perfume Stores
Department, Variety or General Merchandise Stores
Direct Selling Establishments, Not Otherwise Listed
Drugstores, Pharmacies, with Drive-Thru
Drugstores, Pharmacies, without Drive-Thru
Electronic Shopping and Mail Order Houses
Fabric and Piece Goods Stores
Floor Covering Stores
Florists
Food Service Contractors
Food Stores, Specialty, Not Otherwise Listed
Formal Wear and Costume Rental
Fruit and Vegetable Markets
Furniture and Home Furnishings
Garden Centers, Farm Supplies, or Retail Nurseries
Gift, Novelty, Souvenir, or Card Shops
Grocery/Food Stores (Not Including Convenience Stores)
Hardware Stores
Health and Personal Care Stores, Not Otherwise Listed
Hobby, Toy, and Game Stores
Home Centers
Home Furnishing Stores, Not Otherwise Listed
Jewelry, Luggage, and Leather Goods (May Include Repair)
Meat Markets
Miscellaneous Retail Sales - Where Not Listed Elsewhere, and Where All Sales and Services are Conducted within an Enclosed Building
Musical Instrument and Supplies Stores (May Include Instrument Repair)
News Dealers and Newsstands

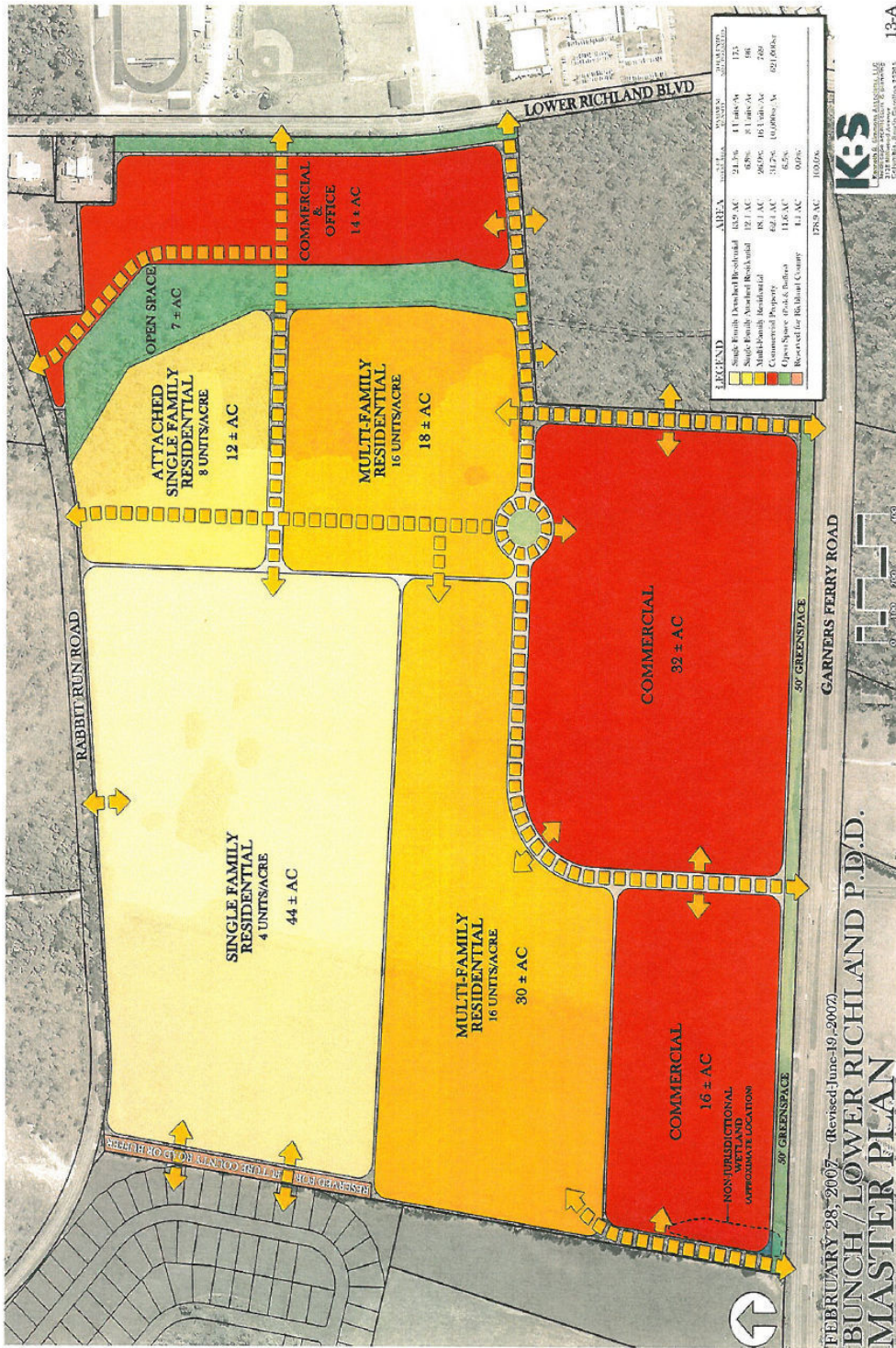
07-28 MA – Garners Ferry Road & Lower Richland Boulevard

Office Supplies and Stationery Stores
Optical Goods Stores
Paint, Wallpaper, and Window Treatment Sales
Pet and Pet Supplies Stores
Record, Video Tape, and Disc Stores
Restaurants, Cafeterias
Restaurants, Full Service (Dine-In Only)
Restaurants, Limited Service (Delivery, Carry Out)
Restaurants, Limited Service (Drive-Thru)
Restaurants, Snack and Nonalcoholic Beverage Stores
Service Stations, Gasoline
Sporting Goods Stores
Television, Radio or Electronic Sales
Tire Sales
Used Merchandise Stores
Video Tape and Disc Rental
Warehouse Clubs and Superstores
Wholesale Trade
Apparel, Piece Goods, and Notions
Books, Periodicals, and Newspapers
Drugs and Druggists' Sundries
Durable Goods, Not Otherwise Listed
Electrical Goods
Flowers, Nursery Stock, and Florist Supplies
Furniture and Home Furnishings
Groceries and Related Products
Hardware
Jewelry, Watches, Precious Stones
Market Showrooms (Furniture, Apparel, Etc.)

07-28 MA – Garners Ferry Road & Lower Richland Boulevard

Motor Vehicles, New Parts and Supplies
Nondurable Goods, Not Otherwise Listed
Plumbing and Heating Equipment and Supplies
Professional and Commercial Equipment and Supplies
Sporting and Recreational Goods and Supplies (Except Sporting Firearms and Ammunition)
Toys and Hobby Goods and Supplies
Transportation, Information, Warehousing, Waste Management, and Utilities
Utility Company Offices
Other Uses
Buildings, High Rise, 4 or 5 Stories

07-28 MA – Garners Ferry Road & Lower Richland Boulevard



19-A

Bunch / SCDOT / Richland MOU Access Plan and Schedule

Access Point	Phase	Type of Access	Description	Road/Speed Limit	Primary Area Served in PDD/Commercial	Mitigation Required	Responsibility	Trigger	Anticipated Date
1	3	Full Access - No Signal	Western most full access - major access to the PDD	Carners Ferry -45	Commercial Area / Multi-Family / Single Family	Construct Eastbound left turn lane into PDD in Carners Ferry	Developer	1. Construction of Multi-Family or 2) Single Family lot greater than 10, or 3) Commercial greater than 3,000 sf on 17 acre parcel	2020
2	N/A	No Access	N/A	N/A	N/A	N/A	N/A	N/A	N/A
3	3	Full Access - Signal (Noise Light will have to meet warrants and a warrant analysis submitted and approved before light is installed)	Primary Entrance to Multi-Family - and enter PDD	Carners Ferry -45	Primary Access to all PDD	Signalized Intersection. Construct dual eastbound left turn lanes on Carners Ferry Road (second left to be marked out until right is installed). Construct westbound right turn lanes on Carners Ferry Road	Developer	1. Construction of Multi-Family or 2) Single Family lot greater than 10, or 3) Commercial greater than 3,000 sf on 28 acre parcel or 17 acre parcel	2014
4	N/A	No Access	N/A	N/A	N/A	N/A	N/A	N/A	N/A
5	2	Full Access - No Signal	Full access with interconnectivity - edge of commercial area outside the PDD	Carners Ferry -45	Commercial Area outside of PDD and connection back to PDD	Construct Eastbound left turn lane into PDD in Carners Ferry and westbound right turn lane on Carners Ferry	Developer	1) Construction of full access drive	2014
6	3	Full Access - No Signal	Primary Entrance to Commercial and secondary to Multi-Family	Lower Richland - 35	Commercial Area outside of PDD and connection back to PDD	Construct Northbound left turn lane on Lower Richland	Developer	Construction of Grocery Store or associated retail greater than 3,000 sf	2019
7	N/A	No Access	N/A	N/A	N/A	N/A	N/A	N/A	N/A
8	3	Full Access - No Signal	Full access with interconnectivity to Commercial, multi-family and single family	Lower Richland - 35	Commercial and Multi-Family	Construct Northbound left turn lane on Lower Richland	Developer	Construction of Multi-family or Commercial greater than 3,000 sf on 22 acre parcel off Lower Richland Boulevard	2020
9	N/A	No Access	N/A	N/A	N/A	N/A	N/A	N/A	N/A
10	3	Full Access - No Signal	Intermediate secondary access to multi-family	Rabbit Run -40	Multi-Family	None	N/A	N/A	N/A
11	3	Full Access - No Signal	Full access to single family	Rabbit Run -40	Single Family	None	N/A	N/A	N/A
12	N/A	No Access	N/A	N/A	N/A	N/A	N/A	N/A	N/A
13	3	Full Access - No Signal	Full access to single family	Rabbit Run -40	Single Family	None	N/A	N/A	N/A
14	1	Full Access - No Signal	Wal-Creens Access Point - Full Access	Lower Richland - 35	Wal-Creens Only	None	N/A	N/A	2010
14	1	Full Access - No Signal	Wal-Creens Access Point - Full Access	Lower Richland - 35	Wal-Creens and Fast Food Commercial	Construct Northbound left turn lane on Lower Richland. Construct	Developer	1. Construction of the Wal-Creens will NOT require left turn lanes, construction of Fast Food Retail will require.	2014
14	1	Full Access - No Signal	Wal-Creens Access Point - Full Access	Lower Richland - 35	Wal-Creens and Grocery Store Commercial and Grocery Store	None	N/A	N/A	2019

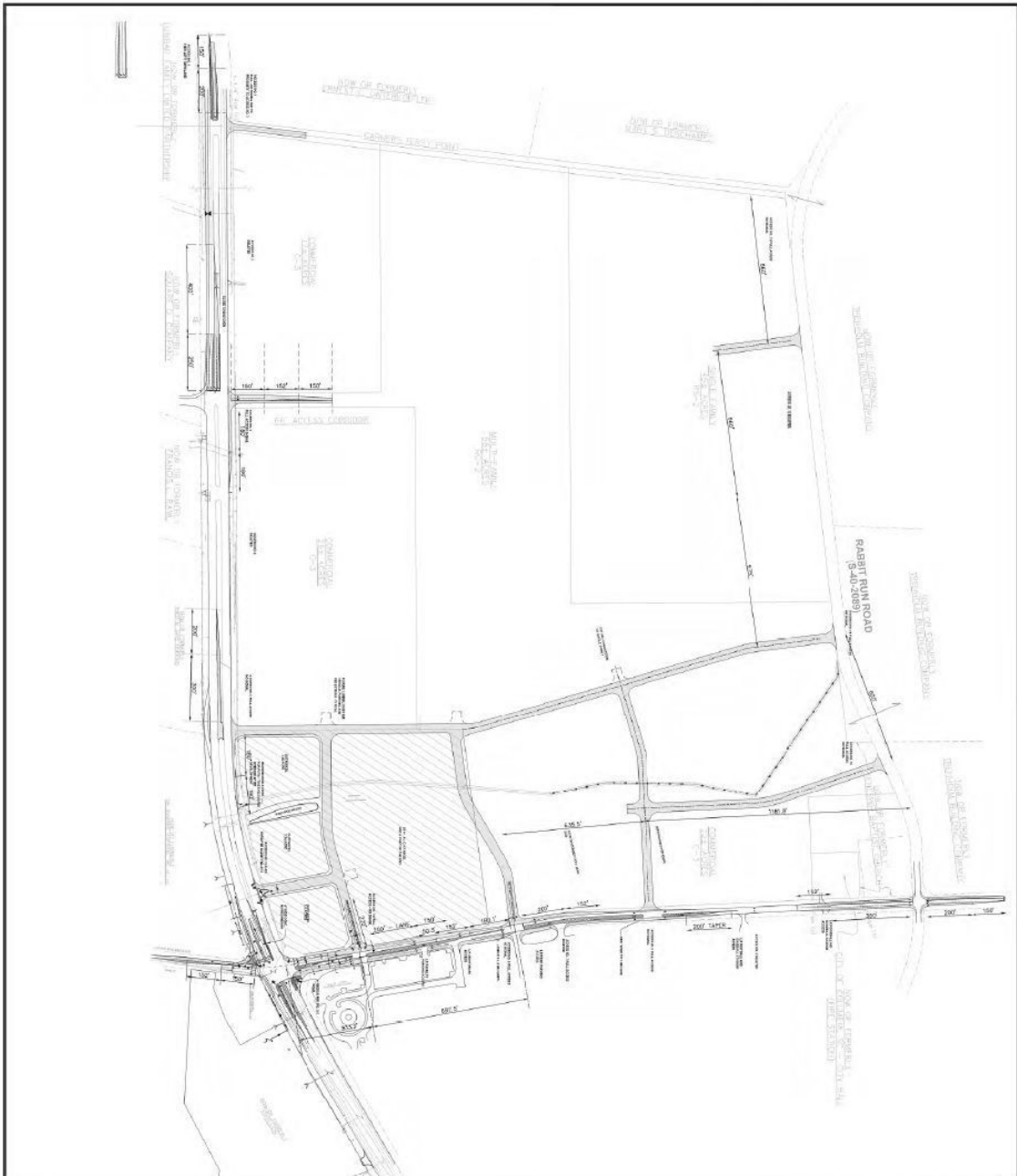
Bunch / SCDOT / Richland MOU Access Plan and Schedule

Access Point	Phase	Type of Access	Description	Road/Speed Limit	Primary Area Served in PDD/Commercial	Mitigation Required	Responsibility	Trigger	Anticipated Date
15	1	RL-RO	Wal-Orens and Future Commercial (potential Fast Food) Access Point - RL-RO	Carners Ferry -45	Wal-Orens and Fast Food Commercial	None		N/A	2010
	N/A	Carners Ferry and Lower Richland Boulevard Intersection	Intersection Improvements			None		N/A	2010
	3	Carners Ferry and Lower Richland Boulevard Intersection	Intersection Improvements			Separate northbound lane and add a separate left turn lane creating three lanes - a left, a through and a right turn lane replacing the existing shared through/left movement	Background	Required due to back-ground traffic growth	2019
	3	Carners Ferry and Lower Richland Boulevard Intersection	Intersection Improvements			1) Construct second eastbound left turn lane in Carners Ferry Road. 2) Construct a second southbound right turn lane and convert the shared through/right lane back to a through lane only, and 3) restripe the northbound lanes to allow a separate left turn lane and shared through/right lane (on Lower Richland Boulevard)	Background	Required due to back-ground traffic growth	2019
	3	Lower Richland Boulevard and Rabbit Run Intersection	Intersection Improvements			1) Construct northbound and southbound left turn lane Lower Richland Boulevard.	Developer	Construction of Single Family	2019

Notes:

1. Background traffic improvements are required by growth outside the developer's control. They shall either be constructed by the SCDOT, others or not constructed at all. They will not be the responsibility of the developer.
2. All access points shall adhere to the ARMS manual, latest edition.
3. All access points shall adhere to the Richland County LDC, Table 28-VI-5 for minimum driveway spacing, and the PDD document.

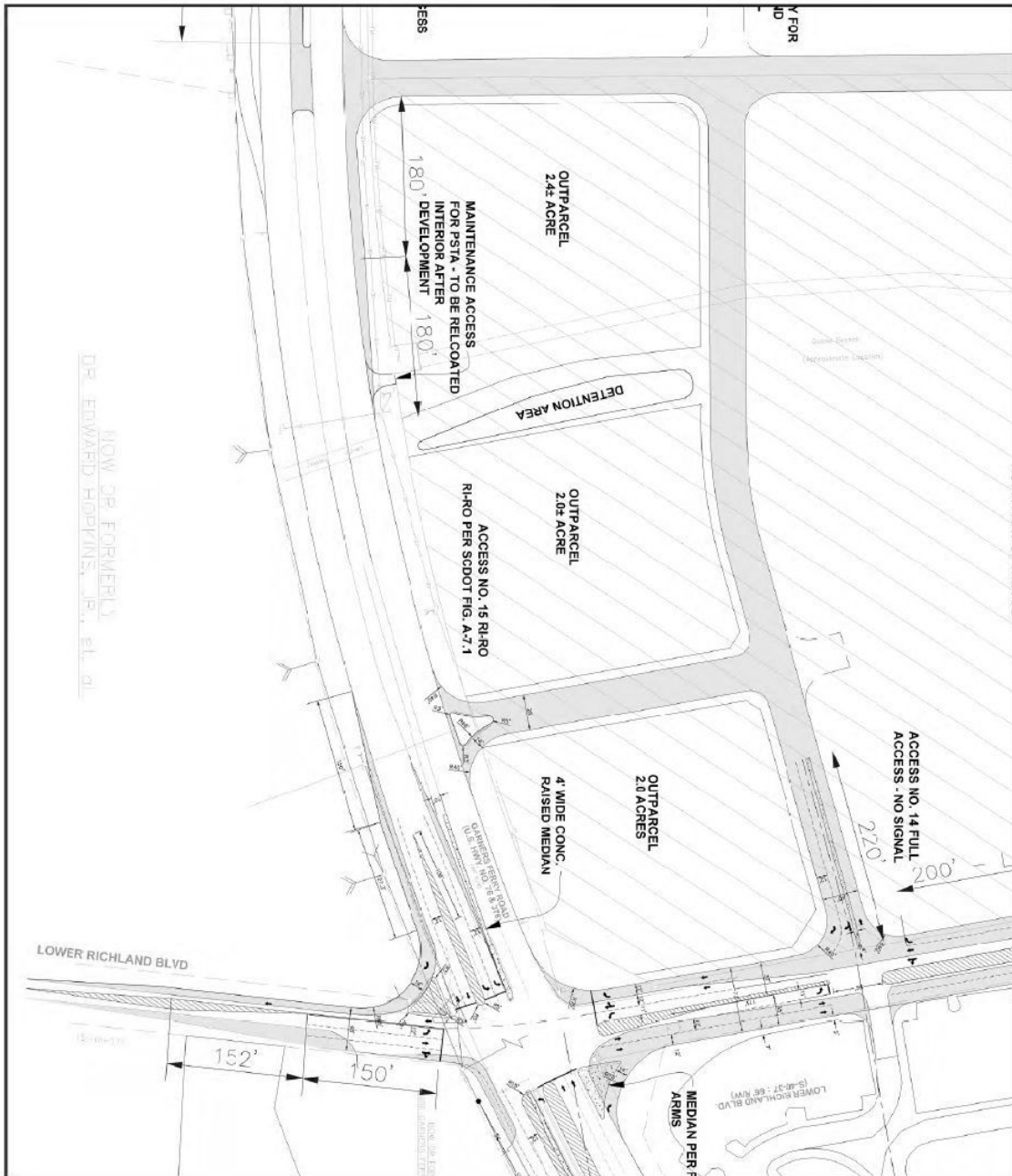
Developer Funded
No cost - There is no off-site requirements for this access point or the access point has been eliminated.
Mitigations required by background traffic, and will be required by the County and SCDOT for other identified projects requiring either a TIS or TMP from either the SCDOT or the County under existing rules. Should those not be constructed by others, once Phase 3 is begun, those mitigations will be constructed by the developer of the PDD.



NOTES:

1. FIELD SURVEY FOR DIMENSIONS, AND VERT. DAT. REFLECTED ON S-218 AND CORRECTION.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
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10. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

<p>C1.0</p>	<p>DEVELOPMENT MASTER PLAN</p>	<p>DATE: 11/18/2010</p> <p>BY: [Signature]</p>	<p>PROJECT: BUNCH DEVELOPMENT</p> <p>LOCATION: LOWER RICHLAND, SOUTH-CAROLINA</p>	<p>GENESIS CONSULTING GROUP</p>	<p>PO BOX 117804 Columbia, SC 29211</p> <p>1330 Lady Street, Suite 205 Columbia, SC 29201 (803) 744-4500 (Voice) (803) 744-4501 (Fax) www.genesis-consulting.com</p>					
	<p>REVISIONS:</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>11/18/2010</td> <td>ISSUED FOR PERMITS</td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION	1	11/18/2010	ISSUED FOR PERMITS	<p>DATE: 11/18/2010</p> <p>BY: [Signature]</p>	<p>PROJECT: BUNCH DEVELOPMENT</p> <p>LOCATION: LOWER RICHLAND, SOUTH-CAROLINA</p>	<p>GENESIS CONSULTING GROUP</p>
NO.	DATE	DESCRIPTION								
1	11/18/2010	ISSUED FOR PERMITS								



NOW OR FORMERLY
DR. EDWARD HOPKINS, JR., et. al

NOTES:

C1.1	Drawing Title: ACCESS PLAN WALGREENS AND LR HIGH SCHOOL	Revision: 1. 04/15/18 2. 04/16/18	Project: BUNCH DEVELOPMENT LOWER RICHLAND, SOUTH CAROLINA	Client: BUNCH DEVELOPMENT LOWER RICHLAND, SOUTH CAROLINA	 GENESIS CONSULTING GROUP PO BOX 11584 Columbia, SC 29211 1330 Lady Street, Suite 205 Columbia, SC 29201 (803) 744-4500 (Main) (803) 744-4501 (Fax) www.genesis-consultinggroup.com
		Author: J. L. ... Check: J. L. ... Date: 04/15/18	Scale: 1" = 100'		



NOTES:

C1.2	PHASING PLAN	Drawing Title: PHASING PLAN	Drawing Number: 633-038	Date: 03/22/09	Client File / Description: BUNCH DEVELOPMENT LOWER RICHLAND, SOUTH-CAROLINA	<p>GENESIS CONSULTING GROUP</p>	PLOT 1150E Columbia, SC 29211 1330 Lady Street, Suite 205 Columbia, SC 29201 (803) 744-4500 (Main) (803) 744-4501 (Fax) www.genesis-consulting-group.com
	Project Information: Location: County: City: State: Zip: Project Name: Client:	Revision: 1 2 3 4 5 6 7	Description of Change: 1. REVISED PHASING PLAN 2. REVISED PHASING PLAN 3. REVISED PHASING PLAN 4. REVISED PHASING PLAN 5. REVISED PHASING PLAN 6. REVISED PHASING PLAN 7. REVISED PHASING PLAN	Date: 03/22/09 03/22/09 03/22/09 03/22/09 03/22/09 03/22/09 03/22/09	Scale: 1" = 100'-0"		

Richland County Council Request of Action

Subject

Water Line Construction to New Light Beulah Baptist Church [**PAGES 233-237**]

Notes

April 27, 2010 - The committee recommended that Council **deny** the request for Richland County to participate in the funding of the construction of a water line to serve the New Light Beulah Baptist Church. The vote was in favor.

Richland County Council Request of Action

Subject: Water Line Construction to New Light Beulah Baptist Church

A. Purpose

The purpose of this request is to determine County Council's intent in participating in the funding of the construction of a water line to serve the New Light Beulah Baptist Church.

B. Background / Discussion

Senator Darrell Jackson, County Councilman Norman Jackson and Representative Jimmy Bales met with Columbia City Council regarding the extension of a water line to serve the New Light Beulah Baptist Church. The City Council indicated that if Richland County could assist with the expenses they would also try to come up with some funds to perform the work. Representative Jimmy Bales has subsequently submitted a letter to the Richland County Administrator requesting the County to participate in the project. A copy of the letter, a cost estimate and map of the project is attached for reference.

C. Financial Impact

The project is estimated to cost approximately \$996,360.00. Currently funding has not been identified but, as indicated in Mr. Bales' letter, the City of Columbia is apparently willing to participate financially if Richland County could also assist with the expenses.

D. Alternatives

1. Identify a source of funds and participate by funding a portion of the water project.
2. Do not participate in the project.

E. Recommendation

Council's discretion.

Recommended by: Andy H. Metts Department: Utilities Date: 4/13/10

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 4/13/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommendation is council discretion. No funding source is currently identified therefore approval would require the identification of a funding source and may require a budget amendment.

Procurement

Reviewed by: Rodolfo Callwood

Date: 4/15/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Council's discretion

Grants

Reviewed by: Sara Salley

Date: 4/15/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Council's discretion

Legal

Reviewed by: Larry Smith

Date: 4/15/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Council discretion

Administration

Reviewed by: Sparty Hammett

Date: 4/15/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation – Council discretion. As indicated by the Finance Director, a funding source would have to be identified. In addition, the County has not planned for this project and it is not funded in the Capital Improvement Plan.



RECEIVED
 10 FEB 18 AM 10: 02
 RICHLAND COUNTY
 ADMINISTRATORS OFFICE

House of Representatives

State of South Carolina

Jimmy C. Bales, Ed.D.
 District No. 80 - Richland County
 1515 Crossing Creek Road
 Eastover, SC 29044

432-C Blatt Building
 Columbia, SC 29211

February 17, 2010

Tel. (803) 734-3058
 Tel. (803) 776-7355
 Beeper (803) 304-0464

Committee:
 Labor, Commerce and Industry
Mr. J. Milton Pope
 Richland County Administrator
 POB 192
 Columbia, SC 29202-0192

Dear Milton:

On Wednesday, February 10, 2010, Senator Darrell Jackson, County Councilman Norman Jackson and I met with Columbia City Council regarding the installation and extension of water lines and service from Crossing Creek up Congaree Road to Sumter Highway to provide water for New Light Beulah Baptist Church. This installation is desperately needed for high pressure water lines to operate the sprinkler system at their new multipurpose building.

New Light enjoys a membership of over 800 and serves and ministers to hundreds of local youth who urgently need local activities with the right guidance and mentorship.

The estimated cost of this installation is \$900,000. The City Council indicated that if Richland County could assist with the expense they would also try to come up with some funds to perform the work. Perhaps you know of some infrastructure monies or federal funds that could be allocated for this project.

The community, council and New Light Beulah Baptist would greatly appreciate anything you can do and Pastor Gregory Cunningham will be happy to provide any additional information at 783-2050.

Thank you,

Jimmy C. Bales

JCB/vhr/2010feb17-7

cc: Rev. Gregory B. Cunningham, New Light Beulah Baptist Church
 1330 Congaree Road, Hopkins, SC 29061
 Steve Gantt, Columbia City Manager, POB 147, Columbia, SC 29217
 Richland County Council Members

11/12/09

CONTRACT COST ESTIMATE

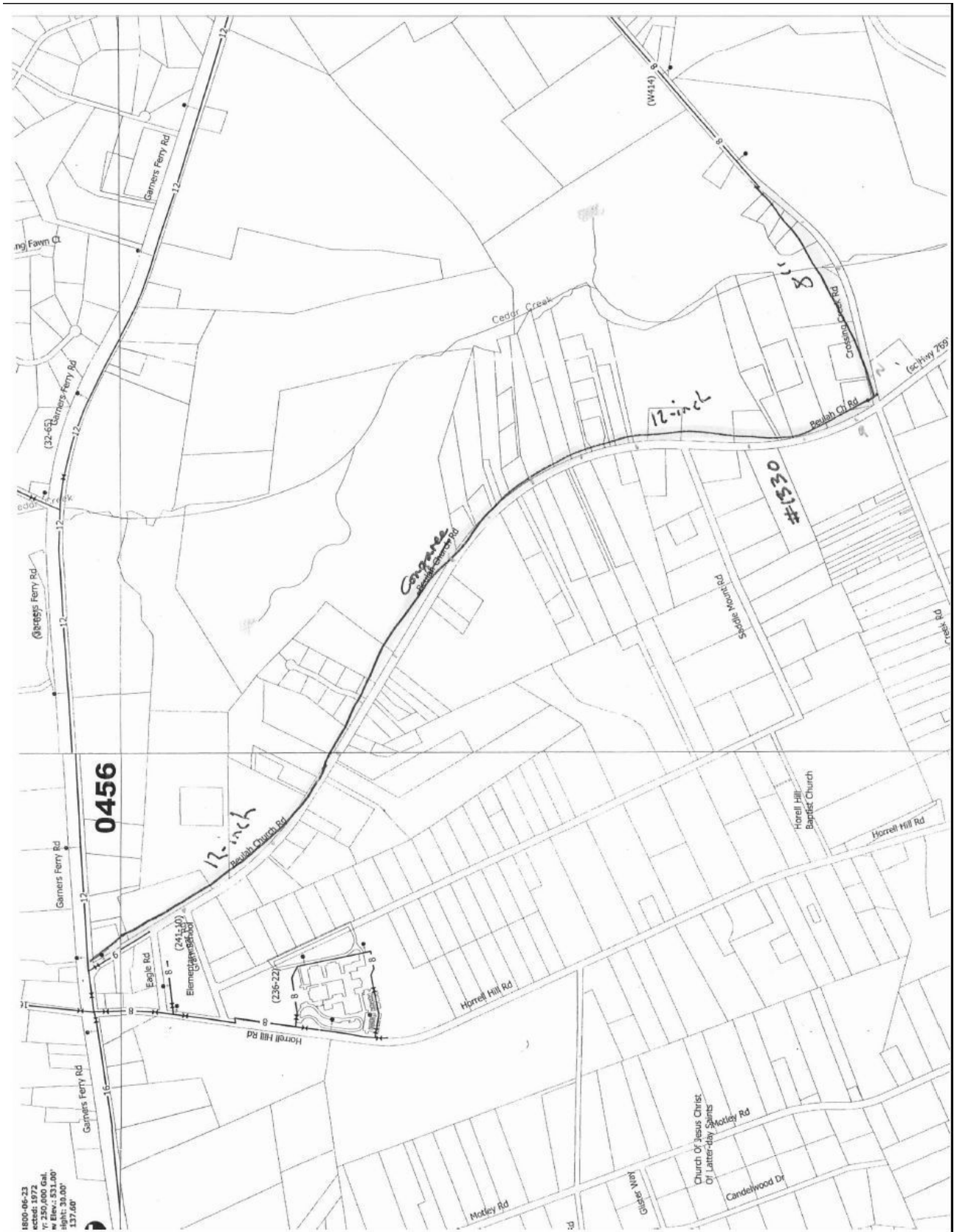
**WATER MAIN EXTENSION ALONG CONGAREE RD & CROSSING CREEK RD.
TO SERVE NEW LIGHT BEULAH CHURCH (#1330 CONGAREE RD.)**

Estimated by: HH

Item	Description	Quantity	Unit	Unit Price	Total Price
1	12" DIP Water Main	9,300	LF	\$60.00	\$558,000.00
2	8" DIP Water Main	2,300	LF	\$40.00	\$92,000.00
3	6" DIP Water Main	100	LF	\$30.00	\$3,000.00
4	Fittings (10%±)	1	LS		\$65,300.00
5	12"x 12" MJ Tapping Sleeve & Valve w/Box	1	EA	\$4,000.00	\$4,000.00
6	12" Valve w/Box	8	EA	\$1,500.00	\$12,000.00
7	8" Valve w/Box	2	EA	\$1,000.00	\$2,000.00
8	6" Valve w/Box	10	EA	\$800.00	\$8,000.00
9	Automatic Flushing Device	2	EA	\$3,000.00	\$6,000.00
10	Fire Hydrant	10	EA	\$2,800.00	\$28,000.00
11	Remove & Replace Asphalt Pavement	100	LF	\$50.00	\$5,000.00
12	Remove & Replace Asphalt Drive	300	LF	\$40.00	\$12,000.00
13	Flowable Fill	50.0	CY	\$100.00	\$5,000.00
14	Restoration Including Sod Replacement	2.5	AC	\$10,000.00	\$25,000.00
15	Traffic Control	1	LS	\$5,000.00	\$5,000.00
16	Contingencies (20%)	1	LS		\$166,060.00

TOTAL: \$996,360.00

NOTE: WATER MAIN OUTSIDE PAVEMENT.



1800-06-23
 created: 1972
 V: 250,000 Gal.
 H: 30.00'
 137.60'

Richland County Council Request of Action

Subject

Richland County Library: USDA Grant Request-Eastover Branch **[PAGES 239-243]**

Notes

April 27, 2010 - The committee forwarded this item to Council without a recommendation. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Richland County Public Library: USDA Grant Request

A. Purpose

County Council is requested to approve Richland County Public Library's request for the County to apply for a grant in partnership with the Library that will, if funded, expand the Eastover Branch. The Library also requests \$400,000 from the County to complete the project.

B. Background / Discussion

The Richland County Public Library plans to double the size of the Eastover Branch library which will include meeting room space, homework/jobs technology center, space dedicated to materials that highlight the local history of Eastover and explore partnerships to provide interactive youth spaces focusing on developing reading skills. The current facility is 2,600 square feet with limited hours. To better serve the community, the library will also increase the operating hours from 32 hours a week to 62 hours per week. The library will also increase the number of computers from six to twenty-five, some of which will be used in a Lab setting allowing staff to offer patrons classes and to promote workforce development. The renovated Eastover Library will better meet the community's need for services and provide a dynamic, highly visible community gathering place. There will be an increase in programming for all ages that will be provided in the new meeting room space and space for community groups to meet. The library's collection will be increased and a wider variety of materials will be provided. These efforts are intended to increase the use of the library by the community by 30% and promote reading and cultural activities in the Eastover Community.

The Library would like Richland County, owner of the building, to submit an application for a USDA Rural Development grant for community facilities. The Richland County Public Library would complete the application with assistance from the Richland County Grants Manager, manage project implementation as well as cover all reporting related to the project, if successfully funded.

The total cost of the expansion is currently estimated at \$900,000. The library plans to spend \$300.00 per square foot, which includes all building, fixtures and equipment and will ensure the best sustainable building practices to achieve LEED certification. Richland County Public Library plans to add 3,000 square feet to the building. A more detailed budget will be submitted once the Library engages an architectural firm.

If awarded, the USDA Rural Development grant will provide \$500,000 in stimulus funds to the project. The Richland County Public Library is asking the County to provide \$400,000 to complete the project. This amount includes a 25% grant match requirement.

C. Financial Impact

The Richland County Public Library requests \$400,000 from Richland County for the project.

Grant Program	Grant Funds	Request to Richland County	Total Project
USDA Rural Development – Community Facilities Grant	\$500,000	\$400,000	\$900,000

D. Alternatives

1. Approve the request to accept the USDA Rural Development grant, if awarded, and supply \$400,000 in funds to complete the project.
2. Approve the request to apply for the grant and supply the 25% match requirement of \$125,000.
3. Approve the request to apply for the grant, but recommend the Library raise all additional funds.
4. Do not approve applying for grant funds at this time.

E. Recommendation

This request is at Council's discretion.

Recommended by: Sara Salley, Grants Manager Department: Administration Date: 4-13-10

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 4/15/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation is made on the merits of the request however approval as requested would require the identification of a funding source for the \$400k and a budget amendment.

There are several financial items that are unclear based on the information provided such as;

- What is the actual grant deadline?
- When is a financial commitment from the County required in order for the application to be considered?
- Based on timing, can the County commitment be incorporated into the normal budget process rather than off-cycle? This would allow the evaluation of the impact based on other funding decisions.
- Since this would expand the operation, what will be the incremental change in operating cost and how would that be funded post-expansion?

It would be prudent, if the possible, for the County to analysis the total impact based on the expansion and determine the long-term funding strategy prior to committing resources.

Procurement

Reviewed by: Rodolfo Callwood

Date: 4/15/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Council discretion

Administration

Reviewed by: Roxanne Ancheta

Date: April 22, 2010

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: This decision is at Council's discretion.

Numerous issues are outstanding, many of which are included in the Finance Director's comments. The most pertinent outstanding issue at this time, however, is the funding request. The only funding source currently available at the County is Fund Balance. However, it has come to our attention that the Library has the funds available for the grant match in their own Fund Balance. It is Administration's recommendation that if Council chooses to proceed with the grant application, that the \$400,000 funding request come from the Library's own Fund Balance, and that all outstanding issues, including those raised by the Finance Director, be addressed before submitting a completed grant application.



April 13, 2010

J. Milton Pope
Richland County Administrator
2020 Hampton Street
Columbia, SC 29201

Dear Mr. Pope:

I am writing to request that Richland County support our efforts to expand and enhance the library experience in the Eastover community by applying for a USDA American Recovery and Reinvestment Act Funding for Rural Libraries Grant on our behalf. As you know, libraries are more critical than ever in helping people learn, find work and in ensuring that communities can bridge the digital divide. There is not a community that is more deserving and in need of a state of the art library than the town of Eastover.

Our plans include a \$900,000 expansion and renovation of the existing Eastover Library. We anticipate the 3,000 SF expansion to include:

- A computer/homework lab to support expanded classes focusing on workforce development and technology skill building.
- 25 computers for the public.
- An interactive, multi-generational environment for visitors—developed in partnership with EdVenture—that will highlight the rich and proud history of the town of Eastover and engage all ages in 21st Century learning techniques.
- Much needed Community Gathering space.

In addition, the Richland County Public Library is committed to expanding the operating hours of the library—from 32 to 62 hours per week—which will mean more access to valuable resources for library customers.

Our request to the USDA will be in the amount of \$500,000. We request that Richland County provide the remainder of the cost of the project: \$400,000. For our application to be successful, we are required to identify existing sources of funding so it is imperative that we know Richland County's level of commitment prior to submitting our request.

As applicant, Richland County would work with Library staff to ensure timely completion and submission of all required application materials. Upon receipt of the grant, it is our expectation that the Richland County Public Library will manage and be responsible for: the funds received; required reporting and

Page 2
April 13, 2010
J. Milton Pope

evaluation; and the successful implementation and completion of the project—including facilitating the community engagement process and oversight of the design and construction of the library.

I know that you realize what a wonderful yet time-specific opportunity it is to have the USDA committed to libraries in rural communities. Now is the time to move forward with one of our top priorities in RCPL's capital plan – the Eastover Library.

Please let me know if you have any additional questions.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Melanie Huggins". The signature is fluid and cursive, with a long horizontal stroke at the end.

Melanie Huggins
Executive Director

Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2009-2010 Victim's Assistance Fund Annual Budget and General Fund Annual Budget to appropriate \$50,000 of Undesignated Fund Balance from the General Fund to the Victim's Assistance Fund for the anticipated revenue shortfall [**PAGES 245-246**]

Notes

April 27, 2010 - The committee forwarded this item to Council without a recommendation. The committee requested that Sheriff Department staff appear before Council to further explain this request. The vote in favor was unanimous.

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

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. __-10HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2009-2010 VICTIM'S ASSISTANCE FUND ANNUAL BUDGET AND GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$50,000 OF UNDESIGNATED FUND BALANCE FROM THE GENERAL FUND TO THE VICTIM'S ASSISTANCE FUND FOR THE ANTICIPATED REVENUE SHORTFALL.

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 fifty thousand (\$50,000) be appropriated from the Fiscal Year 2009-2010 General Fund to the Fiscal Year 2009-2010 Victim's Assistance Fund for the anticipated revenue shortfall. Therefore, the Fiscal Year 2009-2010 General Fund Budget and Victim's Assistance Fund Budget are hereby amended as follows:

VICTIM'S ASSISTANCE:
REVENUE

Revenue appropriated July 1, 2009 as amended:	\$ 1,049,213
Reduction in Victim's Assistance Revenue:	(50,000)
Transfer In from General Fund:	<u>50,000</u>
Total Victim's Assistance Fund Revenue as Amended:	\$ 1,049,213

EXPENDITURES

Expenditures appropriated July 1, 2009 as amended:	\$ 1,049,213
Increase to Victim's Assistance Expenditure Budget:	<u>0</u>
Total Victim's Assistance Fund Expenditures as Amended:	\$ 1,049,213

GENERAL FUND:
REVENUE

Revenue appropriated July 1, 2009 as amended:	\$ 136,793,215
Appropriation of Undesignated Fund Balance:	<u>50,000</u>
Total General Fund Revenue as Amended:	\$ 136,843,215

EXPENDITURES

Expenditures appropriated July 1, 2009 as amended:	\$ 136,793,215
Increase in Transfer Out to Victim's Assistance Fund:	<u>50,000</u>
Total General Fund Expenditures as Amended:	\$ 136,843,215

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: _____
Paul Livingston, Chair

ATTEST THIS THE _____ DAY

OF _____, 2010

Michielle R. Cannon-Finch
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

Replacement of Damaged RCSD Vehicles [**PAGES 248-250**]

Notes

April 27, 2010 - The committee forwarded this item to Council without a recommendation. The committee provided the County Administrator flexibility to adjust the numbers prior to presenting this item to Council. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Replacement of Damaged RCSD Vehicles

A. Purpose

County Council is requested to approve a budget amendment to the Sheriff's Department budget in the amount of \$92,102.00 for the purpose of replacing five RCSD vehicles that have sufficient accident damage requiring replacement of the vehicles.

B. Background / Discussion

Unit DE141 is a 2008 Ford F150 pickup truck that was damaged on May 8. USAA Casualty had declared it a total loss and issued a check in the amount of \$18,467.00 in settlement of the claim. The check has been deposited and the funds are in the "Insurance Adjustment" budget account (IFAS account line 1100100000452001).

Unit DD012 was damaged on June 15. The initial estimated repair cost is \$13,332.75, while the Blue Book value, in "Fair" condition is \$9,050.00. The actual value is less, as it is severely damaged, but Blue Book does not offer values on damaged or "Poor" equipment.

Unit DD006 is a 2007 Ford Crown Victoria that was damaged on September 27. The County has received a settlement check in the amount of \$12,435.00 from State Farm insurance, which has been submitted to Finance for deposit into the "Insurance Adjustment" account.

Unit DF028 is a 2009 Ford Crown Victoria that was damaged on October 15. The initial damage estimate to repair is \$14,770.00, while the Blue Book "Fair" value is \$15,025.00. (No value is offered on damaged or "Poor" equipment)

Unit DB039 is a 2005 Ford Crown Victoria that was damaged on November 8. The initial repair estimate is \$21,025.00, and the Blue Book "Fair" value is \$4,775.00. (No value is offered on damaged or "Poor" equipment)

C. Financial Impact

DE141 - The cost of a replacement Ford F150 pickup, purchased from state contract:

2010 Ford F150	\$23,180.00
Decals	\$ 400.00
SC Sales Tax	\$ 300.00
Total Cost	\$23,880.00
Insurance Adjustment	(\$18,467.00)
Final Cost	\$ 5,413.00

DD012 - The cost of a replacement Ford 500 (now Ford Taurus), purchased from state contract:

2010 Ford Taurus	\$22,437.00
Decals	\$ 400.00
SC Sales Tax	\$ 300.00
Total Cost	\$23,137.00

DD006 - The cost of a replacement Ford Crown Victoria (pursuit package), purchased from the state contract:

2010 Ford Crown Victoria	\$24,029.00
Decals	\$ 400.00
Video System Components	\$ 1800.00
SC Sales Tax	\$ 300.00
Total Cost	\$26,529.00
Insurance Adjustment	(\$12,435.00)
Total Final Cost	\$14,094.00

DF028 - The cost of a replacement Ford Crown Victoria (Pursuit Package), purchased from the state contract:

2010 Ford Crown Victoria	\$24,029.00
Decals	\$ 400.00
SC Sales Tax	\$ 300.00
Total Cost	\$24,729.00

DB039 – The cost of a replacement Ford Crown Victoria (Pursuit Package), purchased from the state contract:

2010 Ford Crown Victoria	\$24,029.00
Decals	\$ 400.00
SC Sales Tax	\$ 300.00
Total Cost	\$24,729.00

The total cost of the budget amendment request for the replacement of the five RCSD vehicles is \$92,102.00.

D. Alternatives

There are three alternatives available:

1. Approve the request for the budget amendment, allowing the RCSD to replace equipment damaged beyond repair. The cost of the budget amendment is \$92,102.00.
2. Replace the damaged units with suitable equipment previously taken out of service until the arrival of new vehicles purchased for the RCSD. There will be nominal expenses, primarily impacting non-contract maintenance costs, as the replaced units are returned to service.
3. Do not approve the request for a budget amendment, preventing the RCSD from replacing equipment damaged beyond repair.

E. Recommendation

It is recommended that Council approve the request to amend the Richland County Sheriff's department budget for the cost of replacing the damaged vehicles.

Recommended by: Bill Peters, County Fleet Manager
Date: November 12, 2009

Department: Support Services

F. Reviews

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

Finance

Reviewed by Daniel Driggers:

Date: 4/14/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: We would recommend alternative 2. The County has a funding program in place to replace about 80 sheriff vehicles per year additionally there are currently 25-30 vehicles available that have been replaced but not sold. Approval of alternative 1 would require the identification of a funding source and a budget amendment.

Procurement

Reviewed by: Rodolfo Callwood

Date: 4/14/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Alternative # 2

Legal

Reviewed by: Larry Smith

Date: 4/15/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Council discretion

Administration

Reviewed by: Sparty Hammett

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend Alternative #2.

Richland County Council Request of Action

Subject

Eastover Sewer Plant Update (Contractual Matter) [**PAGE 252**]

Notes

April 27, 2010 - The committee forwarded this item to Council without a recommendation. The vote in favor was unanimous.

Staff will provide information at the committee meeting.

Richland County Council Request of Action

Subject

Project McGuire

- a. Resolution Re: First Amendment to Lease Purchase Agreement [**PAGES 254-256**]
- b. First Amendment to Lease Purchase Agreement [**PAGES 257-261**]
- c. Bond Resolution [**PAGE 262**]

A RESOLUTION
(RICHLAND COUNTY)

AUTHORIZING THE EXECUTION AND DELIVERY BY RICHLAND COUNTY, SOUTH CAROLINA OF A FIRST AMENDMENT TO LEASE PURCHASE AGREEMENT WITH INTERNATIONAL PAPER COMPANY FOR THE PURPOSE OF EXTENDING THE TERM OF A LEASE PURCHASE AGREEMENT BETWEEN THE COUNTY AND THE COMPANY AND MODIFYING THE AMOUNT A FEE IN LIEU OF PROPERTY TAXES PAYABLE BY THE COMPANY THEREUNDER

WHEREAS, Richland County, South Carolina (the "County"), acting by and through its County Council (the "County Council"), is authorized and empowered under and pursuant to the provisions of the South Carolina Constitution (the "Constitution") and the Code of Laws of South Carolina 1976, as amended (the "Code"), to offer and provide certain privileges, benefits, and incentives to industries as inducements for economic development within the County; is authorized and empowered under and pursuant to the provisions of Title 4, Chapter 29, Code of Laws of South Carolina 1976, as amended (the "Act"), to acquire, or cause to be acquired, properties (which constitute "projects" as defined in the Act) and to enter into agreements with any industry to construct, operate, maintain, and improve such projects; to enter into or allow financing agreements with respect to such projects; and, to accept any grants for such projects; to extend the term of agreements providing for the payment of fees in lieu of property taxes; and

WHEREAS, the County and International Paper Company, a New York corporation and successor by merger to Union Camp Corporation (the "Company"), are parties to a Lease Purchase Agreement dated as of December 1, 1991 (the "Lease Agreement"), pursuant to which, among other things, the Company leases from the County certain equipment and improvements at the Company's facility located in the County (the "Project") and is obligated to pay a fee in lieu of property taxes in respect of the Project as authorized by the Act; and

WHEREAS, the Company has heretofore requested the County Council to make the finding required by the Act and to consent to the extension of the Lease Agreement for a period of ten (10) years; and

WHEREAS, in consideration of the County's agreement to extend the term of the Lease Agreement, the Company has agreed to increase the fee in lieu of property taxes payable by the Company thereunder and to make certain additional investments at its facility located in the County; and

WHEREAS, the County desires to enter into a First Amendment to Lease Agreement (the "Lease Amendment") with the Company and to take such further actions as are appropriate under the Act.

NOW, THEREFORE, BE IT RESOLVED, by the County Council as follows:

Section 1. Findings and Determinations. The County hereby finds and determines that the Lease Amendment and the Project directly and substantially benefit the general public welfare of

the County by providing the retention of jobs and employment; the increase of the ad valorem tax base; service or other public benefits.

Section 2. Approval of Lease Amendment. Pursuant to the authority given to the County Council by the Code and the Constitution, and for the purpose of authorizing the drafting, creation, and execution of development incentives and associated agreements and documents with respect to the Project, there is hereby authorized to be executed the Lease Amendment pertaining the extension of the term of the Lease Agreement, the payment of fees in lieu of ad valorem taxes by the Company and certain additional investments by the Company at its facility located in the County. The form, terms, and provisions of the Lease Amendment shall be, and hereby are, approved and all of the terms, provisions and conditions of the Lease Amendment are hereby incorporated by reference as if the Lease Amendment were set out in this Resolution in its entirety.

Section 5. Execution of Documents. The Chairman of the County Council and the County Administrator, or one of them, are hereby authorized and directed to execute the Lease Amendment in the name of and on behalf of the County, the Clerk to the County Council is hereby authorized and directed to attest the same, and the Chairman of the County Council and the County Administrator, or one of them, are hereby further authorized and directed to deliver the executed Lease Amendment to the Company. The Lease Amendment is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall be approved by the Chairman of the County Council and the County Administrator (with advice from the County's Attorney), the execution thereof to constitute conclusive evidence of approval of any and all changes or revisions therein from the form of the Lease Amendment.

Section 7. Effectiveness of Resolution. All orders, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This resolution shall take effect and be in full force from and after its passage by the County Council.

[Remainder of Page Intentionally Left Blank]

Adopted in meeting duly assembled this _____ day of _____ 2010.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Paul Livingston
Chairman of the County Council
of Richland County, South Carolina

(SEAL)

ATTEST:

By: _____
Michielle Cannon-Finch
Clerk to County Council
of Richland County, South Carolina

\10751639.1

FIRST AMENDMENT TO LEASE PURCHASE AGREEMENT

THIS FIRST AMENDMENT TO LEASE PURCHASE AGREEMENT (this "Amendment"), dated as of _____, 2010, is made and entered into by and between RICHLAND COUNTY, SOUTH CAROLINA, a public body corporate and a political subdivision of the State of South Carolina (the "County"), and INTERNATIONAL PAPER COMPANY, a New York corporation (the "Company"). All capitalized terms used herein without definition shall have the same meanings herein as such terms are defined in the Lease Agreement (hereinafter defined).

RECITALS

WHEREAS, pursuant to a Lease Purchase Agreement dated as of December 1, 1991 (the "Lease Agreement") between the County and the Company, as successor by merger to Union Camp Corporation, County agreed to lease to the Company and the Company agreed to lease from the County the Building and Equipment; and

WHEREAS, the County and the Company desire to amend certain provisions of the Lease Agreement in order to extend the term thereof and modify the payment in lieu of ad valorem taxes payable by the Company thereunder during such extended term.

NOW, THEREFORE, in consideration of the foregoing premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

ARTICLE I AMENDMENTS

Section 1.1. Section 4.3 of the Lease Agreement is hereby amended and restated as follows:

The County agrees to deliver to the Company sole and exclusive possession of the Building and the Equipment for twenty (20) years from the date of acquisition of title of each asset by the County (the "Original Lease Term") plus an additional period of ten (10) years from the expiration of the Original Lease Term (the "Extended Lease Term"), and the Company thereupon and thereafter shall have sole and exclusive possession of each asset during that period. The Original Lease Term and the Extended Lease Term shall be referred to collectively herein as the "Lease Term".

Section 1.2. Section 4.6 of the Lease Agreement is hereby amended and restated as follows:

Payments-in-Lieu-of-Taxes. The parties acknowledge that under Article I, Section 3 of the South Carolina Constitution, the Project is exempt from ad valorem property taxes. However, the Company shall be required to make payments to the County in lieu of ad valorem property taxes with respect to the

Project. In accordance with Section 4-29-67 of the Act, and unless sooner terminated in accordance with Section 11.1 or unless the option to purchase provided for in Section 11.2 is exercised, the Company shall make thirty (30) annual Payments-in-Lieu-of-Taxes for the portion of the Project placed in service each year during the Project Period, said payments being due and payable and subject to penalty assessments on the same dates and in the same manner as prescribed by the County for ad valorem taxes. Such amounts shall be calculated as follows:

In each year of the Original Lease Term, the Payment-in-Lieu-of-Taxes payable by the Company shall be the amount determined pursuant to the Lease Agreement prior to the effective date of this Amendment.

Thereafter, in each year of the Extended Lease Term, the Company shall become liable to the County for an amount equal to the sum of (a) the amount that would be due as taxes on the undeveloped property if it were taxable, and (b) the product of multiplying (i) the millage rate in effect for the then current year, by (ii) six percent (6%) of the fair market value of each asset included within the Building or Equipment (determined by the South Carolina Tax Commission as though title to such assets were in the name of the Company and subject to ad valorem taxes) that has been placed into service prior to the year of payment, determined at the time of payment and including all deductions for depreciation or diminution in value allowed by the tax laws and all applicable ad valorem tax exemptions except the exemption allowed pursuant to Section 3(g) of Article X of the Constitution of the State and the exemption allowed pursuant to Section 12-37-220B(32) of the Code of Laws of South Carolina, 1976, as amended, and determined without regard to capitalized interest.

In the event that the Company does not invest at least \$25,000,000 at its facility located in Richland County prior to December 31, 2012, the Company shall make payments in lieu of taxes retroactively to the date of the commencement of the Extended Lease Term to the County, in such amounts as would result from taxes levied on such assets by the County if such assets were owned by the Company, but with appropriate reductions similar to the tax exemptions, if any, which would be afforded to the Company if it were the owner of such assets. Such payments shall be made at the times, in the manner and to the persons as payments of taxes would otherwise be made.

ARTICLE II MISCELLANEOUS

Section 2.1. This Amendment shall be effective from the date first above written.

Section 2.2. Except as specifically amended hereby, the Lease Agreement shall continue in full force and effect in accordance with its terms. Reference to this specific Amendment need not be made in the Lease Agreement or any other instrument or document executed in connection therewith, or in any certificate, letter or communication issued or made pursuant to or with respect to the Lease Agreement, any reference in any of such items to the Lease Agreement being sufficient to refer to the Lease Agreement as amended hereby. The County and the Company confirm all their respective representations and covenants made under the Lease Agreement as if made on the date of this Amendment.

Section 2.3. This Amendment may be recorded in the office of Richland County Register of Deeds, or in such other office as may be at the time provided by law as the proper place for such recordation.

Section 2.4. This Amendment shall be governed by South Carolina law.

Section 2.5. This Amendment may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument.

[Remainder of Page Intentionally Left Blank]

[Signature Pages Follow]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed and delivered by their respective duly authorized officers as of the date first above written.

RICHLAND COUNTY, SOUTH CAROLINA

[SEAL]

By: _____
Paul Livingston
Chairman of the County Council
of Richland County, South Carolina

ATTEST:

Michielle Cannon-Finch
Clerk, County Council
of Richland County, South Carolina

WITNESSES:

[Signature Page of the County]

[Signature Page of the Company Follows]

INTERNATIONAL PAPER COMPANY

[SEAL]

ATTEST:

By: _____

WITNESSES:

[Signature Page of the Company]

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3. Based on information provided by and representations of the Company, the Issuer has determined that the Project is necessary and that the issuance of the Bonds will subserve the purposes of the Act, is anticipated to benefit the general public welfare of Richland County, South Carolina (the “County”) by providing services, employment, recreation or other public benefits not otherwise provided locally, and will not give rise to any pecuniary liability of the Issuer, the County Council or a charge against the Issuer’s general credit or taxing power and that the Bonds shall be payable solely out of the moneys to be derived by the Issuer pursuant to a financing agreement in the form of a loan agreement hereinafter described.

4. The proceeds derived from the sale of the Bonds will be made available by the Issuer to the Company for the purpose of defraying the costs of the Project, and the Company will prepare and submit to the Issuer a loan agreement (the “Loan Agreement”) under which the Company will agree to make payments in the amount necessary to provide the annual payments of principal of, premium, if any, and interest on the Bonds as the same become due and payable. The Loan Agreement will be in substantially such form as shall be approved by the County Council and the County Attorney.

5. If the Bonds are issued, the Company will agree to effect the payment of the costs of the Project to the extent the proceeds of the Bonds are insufficient. The Company will indemnify the Issuer against any costs in connection with the Bonds or the Project.

6. The Bonds will be issued pursuant to a security agreement in the form of a trust indenture (the “Trust Indenture”) between the Issuer and a bank yet to be named as trustee prescribing the terms and conditions of the Bonds and the security therefor. The Trust Indenture and the form of the Bonds will be in substantially such form as shall be approved by the County Council and the County Attorney.

7. In view of the well-established credit of the Company, the County Council is informed that it is unnecessary to establish reserve funds for the payment of principal of, premium, if any, and interest on the Bonds.

8. To further economic development in the County, the County Council desires to designate the area comprising the Mill as a recovery zone, pursuant to Section 1400U-1 of the Internal Revenue Code of 1986, as amended (the "Code").

NOW, THEREFORE, BE IT RESOLVED BY RICHLAND COUNTY THROUGH ITS COUNTY COUNCIL, IN MEETING DULY ASSEMBLED:

That the Issuer through its County Council finds that the facts set forth above are in all respects true and correct and on such basis determines to finance the Project above described and to declare its intention to issue the Bonds as aforesaid, conditioned upon the following prerequisites:

1. That approval of the State Budget and Control Board of South Carolina (the "State Board") under Sections 4-29-20 and 4-29-140 of the Act be obtained;

2. That the Issuer and the Company agree as to the forms and content of all agreements and documents necessary or convenient to the issuance of the Bonds; and

3. That the Bonds and all documents and proceedings in connection therewith comply in all respects with the prerequisites or conditions of the Act and of the Code.

BE IT FURTHER RESOLVED:

That the Petition to the State Board be prepared on behalf of the Issuer by the Company's representatives, and that the proper officers of the Issuer be, and they are hereby directed, to take all such future actions, including, without limitation, the preparation of documents and the

advertisement and conducting of a public hearing with respect to the Bonds that is satisfactory to the Company, all as shall be necessary to carry out the purposes of this Resolution.

BE IT FURTHER RESOLVED:

That the Issuer through its County Council authorizes its counsel and McGuireWoods LLP to take such other actions, including, without limitation, the preparation and filing of an application for an allocation of volume cap (or similar allocation) to the extent required by the Code, as are necessary and appropriate to carry out the intent of this Resolution and the matters that are hereby authorized.

BE IT FURTHER RESOLVED:

That, to further economic development in the County, the County Council hereby acknowledges the substantial employment provided by the Mill and hereby designates the area comprising the Mill as a recovery zone, pursuant to Section 1400U-1 of the Code.

[Remainder of Page Intentionally Left Blank]

BE IT FURTHER RESOLVED:

That this Resolution constitutes the official action of the Issuer, pursuant to the Code and the regulations promulgated thereunder, towards the issuance and sale of the Bonds.

ADOPTED THIS THE _____ DAY OF FEBRUARY, 2010.

Paul Livingston, Chair
Richland County Council

Attest: _____
Clerk of Council

\10245490.4

Richland County Council Request of Action

Subject

Building Codes Board of Adjustments-1 [Monte Lemmon, June 19, 2010*]

Richland County Council Request of Action

Subject

Historic Columbia Foundation-1 [John W. Cullum, Resigned]

Richland County Council Request of Action

Subject

To request the Attorney General's opinion regarding the possibility of a conflict of interest as it related to the methodology used to compensate voter registration appointees [Dickerson] **[PAGES 270-272]**

April 28, 2010

The Honorable Henry McMaster
Attorney General
State of South Carolina
Post Office Box 11549
Columbia, SC 29211

Dear General McMaster:

At the request of the Richland County Council, I would like to formally request an opinion from your office regarding whether members of the Richland County Board of Voter Registration have a conflict of interest by serving as members of the Board and employees of Richland County.

Pursuant to S.C. Code Ann. §§ 7-5-10 and 7-27-405, the Governor appoints members of the Richland County Board of Voter Registration and has the power to remove these members for incapacity, misconduct, or neglect of duty. Although not required by statute, it has been the practice of this governor and prior governors to appoint individuals recommended by the Senators of the Richland County Legislative Delegation. Currently, and consistent with past practice, the members of the Board, appointed by the Governor upon the recommendation of the Senators of the Legislative Delegation, are also employed as full-time staffers within the Richland County Department of Voter Registration.

The members of the Board serve as employees of the Department of Voter Registration pursuant to Richland County Ordinance § 2-238(d), which provides:

The department of voter registration shall be the operational unit for the county board of voter registration, with each board member being responsible for administrative functions within the department. The board shall be appointed by the Governor of South Carolina, with advice and consent of the county senatorial delegation, and shall be directed by the chair of the board of voter registration, who is appointed by the Governor in the same manner as above. The department shall comply with the requirements of the South Carolina Code of Laws, 1976, as amended, section 7-5-10 through 7-5-30, and all members shall have the rights of regular

Item# 43

Attachment number 1
Page 1 of 3

county employees, but shall not have grievance rights as set forth elsewhere in this Code. The department shall be responsible to:

- (1) Provide for the proper registration of all persons qualified to vote;
- (2) Maintain all equipment, books and records necessary to effect such registration of voters in the county; and
- (3) Operate an office to serve the general public and maintain the records, files and all other relevant information and/or data on voter registration.
- (4) Establish absentee and fail safe voting precincts.

Thus, the Board members have the rights of county employees, perform the work of county employees, and are paid a salary as full-time county employees. However, neither Richland County Council nor the County Administrator has the ability to hire, terminate, or discipline the Board members under the South Carolina Code of Laws. Thus, the Board members appear to be their own masters.

The fact that the Board members occupy dual roles as Board members and county employees immune from accountability suggests a possible violation of the conflict of interest rule announced in *McMahan v. Jones*, 94 S.C. 362 (1913), in which the South Carolina Supreme Court declared:

No man in the public service should be permitted to occupy the dual position or master and servant; for master, he would be under the temptation of exacting too little of himself, as servant; and, as servant, he would be inclined to demand too much of himself, as master. There would be a constant conflict between self-interest and integrity.

This concern of a possible conflict of interest is heightened by the fact that Richland County appears to be unique among South Carolina counties by allowing its members on the voter registration board to serve as county employees. Accordingly, I ask that you provide an opinion on whether there is an illegal conflict of interest by serving as a member of the Richland County Board of Voter Registration and an employee of the Richland County Department of Voter Registration.

As the question above is a time sensitive matter, we would appreciate any help you could give in expediting any response.

Thank you in advance for your assistance. Please feel free to contact me with any questions.

With kindest regards,

RICHLAND COUNTY ATTORNEY'S OFFICE

By: _____
Larry C. Smith
Richland County Attorney

LCS:eam

Cc: J. Milton Pope, County Administrator
Richland County Council

Richland County Council Request of Action

Subject

Resolution regarding Catawba Indians [MANNING] **[PAGE 274]**

Richland County Council Request of Action

Subject

Transportation Ad Hoc Committee

a. An Ordinance to levy and impose a one percent (1%) sales and use tax, subject to a referendum, within Richland County pursuant to Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended; to define the purposes and designate the projects for which the proceeds of the tax may be used; to provide the maximum time for which such tax may be imposed; to provide the estimated cost of the projects funded from the proceeds of the tax; to provide for a County-wide referendum on the imposition of the sales and use tax and the issuance of General Obligation Bonds and to prescribe the contents of the ballot questions in the referendum; to provide for the conduct of the referendum by the Richland County Election Commission; to provide for the administration of the tax, if approved; to provide for the payment of the tax, if approved; and to provide for other matters relating thereto **[BY TITLE ONLY] [PAGES 276-280]**

Transportation Ad Hoc Committee Recommendations

Mode	Amount	Percentage
Bike / Pedestrian / Greenway	\$58,482,394	6%
Transit	\$337,117,605	33%
Roadway	\$627,400,000	61%
TOTAL	\$1,022,999,999	100%

Notes:

1. Bike / Pedestrian / Greenway amount includes the addition of all high priority sidewalks requested by the City. (Approximately \$1.5M) It also includes the deletion of the Main and Taylor Street Intersection in the amount of \$90,000. Per the City, this project has been completed.
2. Transit includes a 22.5% decrease from the CMRTA's request of \$435M.
3. Roadway includes the addition of the following projects: Innovista (\$50M); Zoo (\$4M); Spears Creek Church Road (\$26.6M – Medium Priority); Neighborhood Improvement Transportation – Related Projects (\$63M); Commerce Drive Improvements (City's request, \$5M); North Main Street (City's request to complete Main Street Project – Phases 1A2 & III; II & IV, \$36.2M); and the deletion of the Assembly Street RR Grade Separation (\$24.4M) and North Main Street and Fairfield Road Intersection (\$5.1M; Per City, this project is already funded with construction starting very soon.) Net amount of revisions to original high priority list = \$155,500,000.
4. The City's projects which have been included in these funding recommendations are **estimates only**, and will need to be reviewed and revised by the consultant. Therefore, a funding source for these revisions needs to be determined.
5. Council is requested to consider the following request from the Midlands Authority for Conventions, Sports & Tourism: The Board of Directors of the Midlands Authority for Conventions, Sports & Tourism hereby requests that Richland County and the City of Columbia include Downtown Trolleys in the Master Plan for the Central Midlands Regional Transit Authority. It is important that we have the linkage for not only our residents but the three million visitors that come to Columbia each year. It should be included in the short term version of that plan.
6. The Committee recommends first reading by title only of the transportation sales tax ordinance.

The following motions were forwarded from the April 6, 2010 Council Meeting to the Transportation Ad Hoc Committee.

The Committee's recommendations regarding these motions are as follows:

- 1. I move that we direct staff to review the congestion management plan of the Midlands COG and incorporate those suggestions into the Transportation Plan for the referendum. [Hutchinson]:** The Ad Hoc Committee reviewed this item, and has determined that this information has been included in the current study. Therefore, no action is required.
- 2. Add an option to the referendum of a quarter of a penny sales tax for the bus only and reduce the two cents hospitality tax to one and three-quarters cents. This would keep the sales tax the same while eliminating the additional road maintenance fee of \$10 for cars and \$16 for commercial vehicles. An option for no new taxes while solving the bus problem. [Jackson]:** The Committee recommends the elimination of the Mass Transit Fee as scheduled. However, the Committee has no recommendations regarding the Hospitality Tax.
- 3. Motion to give High priority ranking to all Local roads projects to include; resurfacing, widening, sidewalks and paving (using alternative and traditional paving methods) in the transportation penny sales tax referendum to all. [Washington]:** The Committee has reviewed this item, and has determined that the existing methodology should continue to be used instead of "shifting" priorities at this time.
- 4. Motion to use Pavement Quality Index PQI to prioritize all State and Local road resurfacing projects listed in the transportation penny sales tax referendum. [Washington]:** The Committee has reviewed this item, and has determined that the existing methodology should continue to be used instead of "shifting" methodologies at this time. PQI was not part of the scope of the current or previous project task. The methodology used for the transportation study was discussed and approved during the earlier study by the committee members. Further, per the consultants, the use of PQI is viable as the starting point for a ranking system, but not the answer. PQI only accounts for the roughness and ridability of existing pavements; it does not account for current and projected ADT, % truck traffic and other important factors in ranking roadway segments in a constrained funding scenario. The re-surfacing program may also want to include monies for the differing types of roadways (arterials, collectors, local subdivision streets) and rank them separately. The consultants recommend that the County develop an ordinance for ranking resurfacing, similar to the dirt road paving program, that includes PQI and other factors (such as ADT and %truck traffic). Horry County has a rather robust

resurfacing program under their RIDE program, and may be a good example. The development of the ranking system for the re-surfacing program could be developed after the approval of the referendum.

- 5. Motion to give High priority ranking to sidewalks and bike lane projects for any road that is within a one mile radius of the following: school, recreational facility and churches. [Washington]:** The Committee has reviewed this item, and has determined that the existing methodology should continue to be used instead of “shifting” methodologies at this time. The project ranking for road projects did include consideration of bike/pedestrian usage and gave additional weighting to multi-modal projects, but no specific criteria relating directly to schools, recreational facilities, and churches. The evaluation criteria focused on how many people would benefit from a particular project and how well each project interrelated with other existing and planned facilities. The following factors were taken into consideration in prioritizing the various projects:

Criteria	Measurement
Intersection Improvements for Pedestrians	
Population/Employment Served	Estimated number of residential population + employment served within ¼ mile of intersection.
Transit Route	Number of existing/proposed transit routes that cross the intersection.
Road Improvements	Determine if the project is part of a proposed road improvement.
Existing Facilities	Determine if the project is near existing sidewalks, bike lanes, or greenways.
Pedestrian Facilities Improvements	
Population/Employment Served	Estimated number of residential population + employment served within ¼ mile divided by route length.
Transit Route	Number of existing/proposed transit routes that cross or follow the route.
Road Improvements	Determine if the project is part of a proposed road improvement.
Existing Facilities	Determine if the project is near existing sidewalks, bike lanes, or greenways.
Bicycle Facilities Improvements	
Population/Employment Served	Estimated number of residential population + employment served within ½ mile divided by route length.
Transit Route	Number of existing/proposed transit routes that cross or follow the route.
Road Improvements	Determine if the project is part of a proposed road improvement.
Existing Facilities	Determine if the project is near existing sidewalks, bike lanes, or greenways.

Greenways	
Population/Employment Served	Estimated number of residential population + employment served within 1 mile divided by route length.
Transit Route	Number of existing/proposed transit routes that cross or follow the route.
Road Improvements	Determine if the project is part of a proposed road improvement.
Existing Facilities	Determine if the project is near existing sidewalks, bike lanes, or greenways.

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

AN ORDINANCE TO LEVY AND IMPOSE A ONE PERCENT (1%) SALES AND USE TAX, SUBJECT TO A REFERENDUM, WITHIN RICHLAND COUNTY PURSUANT TO SECTION 4-37-30 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; TO DEFINE THE PURPOSES AND DESIGNATE THE PROJECTS FOR WHICH THE PROCEEDS OF THE TAX MAY BE USED; TO PROVIDE THE MAXIMUM TIME FOR WHICH SUCH TAX MAY BE IMPOSED; TO PROVIDE THE ESTIMATED COST OF THE PROJECTS FUNDED FROM THE PROCEEDS OF THE TAX; TO PROVIDE FOR A COUNTY-WIDE REFERENDUM ON THE IMPOSITION OF THE SALES AND USE TAX AND THE ISSUANCE OF GENERAL OBLIGATION BONDS AND TO PRESCRIBE THE CONTENTS OF THE BALLOT QUESTIONS IN THE REFERENDUM; TO PROVIDE FOR THE CONDUCT OF THE REFERENDUM BY THE RICHLAND COUNTY ELECTION COMMISSION; TO PROVIDE FOR THE ADMINISTRATION OF THE TAX, IF APPROVED; TO PROVIDE FOR THE PAYMENT OF THE TAX, IF APPROVED; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

Richland County Council Request of Action

Subject

That the County Administrator direct staff to prepare a document prior to 2nd reading of the FY 2010-11 budget listing all budget amendments approved by County Council during the FY 2009-10 budget year. The list should include the County department receiving the additional funds, the amount requested, the amount approved by Council and a brief description as to why the additional appropriations were required. The listings should be grouped by department then by the date of Council action [**PEARCE, WASHINGTON, AND MALINOWSKI**]

Richland County Council Request of Action

Subject

Must Pertain to Items Not on the Agenda