

Richland County Council



Anthony G. Mizzell
Chairman
District Eleven

L. Gregory Pearce, Jr.
Vice-Chairman
District Six

Doris M. Corley
District One

Joyce Dickerson
District Two

Valerie Hutchinson
District Nine

Damon Jeter
District Three

Paul Livingston
District Four

Joseph McEachern
District Seven

Mike Montgomery
District Eight

Bernice G. Scott
District Ten

Kit Smith
District Five

**RICHLAND COUNTY COUNCIL
REGULAR SESSION
JULY 19, 2005
6:00 P.M.**

CALL TO ORDER Honorable Anthony G. Mizzell

INVOCATION Honorable Paul Livingston

**PLEDGE OF ALLEGIANCE
 Honorable Paul Livingston**

ADOPTION OF AGENDA

PRESENTATION OF RESOLUTION

- Mr. Jim Friend – Owner of Zorba's on Decker Blvd

CITIZEN'S INPUT

APPROVAL OF MINUTES

Regular Session Meeting: July 12, 2005 [Pages 5-16]

**REPORT OF THE COUNTY ATTORNEY FOR
EXECUTIVE SESSION ITEM**

REPORT OF THE COUNTY ADMINISTRATOR

- Response to Letter Regarding Finding a
Funding Source for BRAC**
- Solid Waste Management Plan**

APPROVAL OF CONSENT ITEMS: 1.a.; 1.b.; 1.c.; 2.a.; 2.b.

1. THIRD READING ITEMS

- a. **05-75MA**
The James Company, LLC
c/o E. Clifton Kinder, Jr.
M-1 to RS-HD (10.53 acres)
Single family residential subdivision
17300-02-10 (portion)
Farrow Road [CONSENT] [Pages 17-20]

- b. **05-48MA**
Hawkins Creek Development
c/o Ron Anderson
RU to PDD (Formerly known as PUD-1R)
Single Family Residential
14800-05-36
Wilson Blvd., South of
Turkey Farm Road [CONSENT]
[Pages 21-25]

- c. **Ordinance authorizing amendment to the Master Multi-County Park Agreement to include International Paper, Inc. and R.C McEntire, Inc. [CONSENT] [Pages 26-29]**

2. SECOND READING ITEM

- a. **Ordinance authorizing the Single General Ledger System [CONSENT] [Pages 30-32]**

- b. **Ordinance Identifying the source of CPI for Elected Officials' Pay Increases [CONSENT] [Pages 33-34]**

- c. **05-39MA**
Robert Fuller
RU to PDD, Commercial Business Park
20200-03-49 & 50
Clemson Road near U.S. Post Office (First Reading given April 26, 2005) [Pages 35-41]

3. FIRST READING ITEM

- a. Land Development Code Text Amendment Private Road Subdivisions [Pages 42-44]**
- b. Public Works and Utilities Ordinance Amendment [Pages 45-51]**

4. REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE [Page 52]

- a. Citizen's Request: Assessment Ratio Refund**

5. REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

- a. Ordinance authorizing a First Amendment of the Lease Agreement between Richland County and Blue Cross and Blue Shield of South Carolina [Pages 53-64]**

6. APPLICATION FOR LOCATING A COMMUNITY RESIDENTIAL CARE FACILITY IN AN UNINCORPORATED AREA OF RICHLAND COUNTY

- a. Ms. Sarah Long
424 Calvary Drive
Columbia, South Carolina 29203 [Pages 65-67]**

7. REPORT OF RULES AND APPOINTMENTS COMMITTEE [Pages 68-69]

I. Notification of Appointments on Boards, Commissions, and Committees

- a. Central Midlands Council of Governments-1 [Pages 70-71]**
- b. Community Relations Council-3 [Pages 72-73]**
- c. Employee Grievance Committee [Pages 74-75]**

II. Items Pending

a. **Council Services Travel [Pages 76-77]**

b. **Appearance Commission [Pages 78-79]**

8. CITIZEN'S INPUT

9. MOTION PERIOD

10. ADJOURNMENT

MINUTES OF



RICHLAND COUNTY COUNCIL SPECIAL CALLED MEETING JULY 12, 2005 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	Anthony G. Mizzell
Vice-Chair	L. Gregory Pearce, Jr.
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Damon Jeter
Member	Paul Livingston
Member	Joseph McEachern
Member	Mike Montgomery
Member	Bernice G. Scott
Member	Kit Smith

Absent Doris M. Corley

OTHERS PRESENT: T. Cary McSwain, Michielle Cannon-Finch, Michielle Cannon-Finch, Milton Pope, Tony McDonald, Ashley Bloom, Chief Harrell, Joe Cronin, Marsheika Martin, Michael Criss, Brenda Carter, Betty Etheridge, Stephany Snowden, Kendall Johnson, Monique Walters, Anna Almeida, Roxanne Matthews

CALL TO ORDER

The meeting was called to order at approximately 6:10 p.m.

INVOCATION

The Invocation was given by the Honorable Damon Jeter.

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

Mr. Mizzell stated that a Personnel Matter and a Presentation from the SCAC needs to be added to the agenda.

Mr. McEachern moved, and it was seconded, to adopt the agenda as amended. The vote in favor was unanimous.

PRESENTATION

SCAC – Mr. Tim Winslow, Senior Staff Attorney: Mr. Winslow handed out material related to the 2005 Acts that will affect the counties. He also gave a legislative update and spoke of the training opportunities and workshops that will be offered at the SCAC Annual Conference in Hilton Head.

Point of Personal Privilege – Mr. Mizzell recognized Senators Darrell Jackson and Joel Lourie. Mr. David Adams, County Treasurer, was also recognized.

Amendment to the Adoption of the Agenda – Mr. McEachern moved, seconded by Ms. Scott, to hold Executive Session before Item-1. The vote in favor was unanimous.

CITIZEN'S INPUT

No one signed up to speak at this time

APPROVAL OF MINUTES

Regular Session Meeting: June 21, 2005 - Ms. Scott moved, seconded by Ms. Dickerson, to approve the minutes as submitted. The vote in favor was unanimous.

Special Called Meeting: June 28, 2005 – Mr. Pearce moved, seconded by Ms. Dickerson, to approve the minutes as submitted. The vote in favor was unanimous.

Zoning Public Hearing: June 28, 2005 - Mr. Montgomery moved, seconded by Mr. McEachern, to approve the minutes as submitted. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEM

Mr. Larry Smith, County Attorney, stated two Personnel Matters, Solid Waste Management Plan, pending litigation regarding the Recreation Commission, Conservation Commission (if there are any questions) are all Executive Session items.

REPORT OF THE COUNTY ADMINISTRATOR

- a. **Solid Waste Management Plan – Executive Session item**
- b. **Personnel Issue – Executive Session item**
- c. **Steering Group with the University of South Carolina Research Campus –**
Mr. McSwain met with the Steering Group and stated he would keep Council informed of ongoing discussions.

Amendment to Adoption of the Agenda - Ms. Smith moved, seconded by Ms. Scott, to divide the executive session items and take up the Recreation Commission's lawsuit

and the Treasurer's Personnel issue as a courtesy to persons present. The vote in favor was unanimous.

(The first Executive Session items will be taken up before the Public Hearing items and the second Executive Session items will be taken up after Citizen's Input at the end of the agenda.)

REPORT OF THE CLERK OF COUNCIL

- a. **United Black Fund** – Information was distributed.
- b. **Special Called Meeting, July 26, 2005 at 6:45 p.m.** – This will be a meeting to clean up items before Council recesses in August. She stated the time will be changed to 6:30 p.m.

EXECUTIVE SESSION ITEMS

Mr. Pearce moved, seconded by Ms. Dickerson, to go into Executive Session to discuss the Treasurer's Personnel Issue and to receive a legal briefing regarding the Recreation Commission's lawsuit. The vote in favor was unanimous.

=====
Council went into Executive Session at approximately 6:27 p.m. and came out at approximately 7:14 p.m.
=====

Mr. Pearce moved, seconded by Mr. McEachern, to come out of Executive Session. The vote in favor was unanimous.

Mr. Mizzell stated information was received on both of the items.

PUBLIC HEARING ITEMS

Planning and Development: Adoption of the 2003 Editions of the International Residential Code, International Fuel Gas Code, and International Property Maintenance Code

Mr. Mizzell opened the floor to the public hearing.

Ms. Evelyn Bush spoke.

The floor to the public hearing was closed.

Ordinance repealing Deed in Richland Northeast Industrial Park

Mr. Mizzell opened the floor to the public hearing.

Ms. Evelyn Bush spoke.

The floor to the public hearing was closed.

Planning and Development Services: Organization Ordinance

Mr. Mizzell opened the floor to the public hearing.

Ms. Evelyn Bush spoke.

The floor to the public hearing was closed.

Traffic Calming Standard Ordinance

Mr. Mizzell opened the floor to the public hearing.

Ms. Evelyn Bush spoke.

The floor to the public hearing was closed.

Recreation Commission Bond Ordinance

Mr. Mizzell opened the floor to the public hearing.

The following persons signed up to speak:

Ms. Juliette Greenlee	Rev. Darrell Jackson	Mr. Herb Cooper
Ms. Evelyn Bush	Mr. Lee G. Edens	Mr. Jim Prater
Mr. Wade Potter	Mr. David Edmond	Mr. Dale Barker
Ms. Dot Brooks	Mr. Bret Ross	Mr. Moses Reed
Mr. LeRoy Bolton	Mr. Kelvin Jamison	Mr. Gregory Sinkler
Mr. Hainsley Lewis	Mr. Sherman Goodwin	Mr. Eugene F. Speed
Mr. Bobbie Warden	Ms. Gwen Taylor	Ms. Audrey Jones
Mr. Walts B. Jones	Mr. Roland A. Scott	L. Lumpkin
Mr. Ed Judice		

The floor to the public hearing was closed.

Public Works and Utilities Ordinance Amendment

Mr. Mizzell opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

APPROVAL OF CONSENT ITEMS

To adopt the following consent items:

- **Planning and Development: Adoption of the 2003 Editions of the International Residential Code, International Fuel Gas Code, and International Property Maintenance Code** [Third Reading]
- **Ordinance repealing Deed in Richland Northeast Industrial Park** [Third Reading]
- **Planning and Development Services: Organization Ordinance** [Third Reading]
- **Traffic Calming Standard Ordinance** [Third Reading]
- **05-75MA, The James Company, LLC, c/o E. Clifton Kinder, Jr., M-1 to RS-HD (10.53 acres), Single family residential subdivision, 17300-02-10, Farrow Road** [Second Reading]
- **Ordinance authorizing amendment to the Master Multi-County Park Agreement to include International Paper, Inc. and R.C. McEntire, Inc** [Second Reading]
- **Coroner's Office: Autopsy Services Contract Renewal**
- **Purchase of Property Insurance**
- **Resolution approval Purchase of Fidelity Bond**
- **Ordinance authorizing the Single General Ledger System** [First Reading]
- **Ordinance Identifying the source of CPI for Elected Officials' Pay Increases** [First Reading]
- **Memorandum of Understanding: Conservation Easement**

The vote in favor was unanimous.

SECOND READING ITEMS

Recreation Commission Bond Ordinance

Ms. Scott moved, seconded by Ms. Dickerson, to approve the \$26,000,000 bond.

Mr. Livingston made a substitute motion, seconded by Ms. Smith, to appropriate \$14.5 million in order for the main concerns to be addressed and come back later and look at the additional \$12 million and determine how it needs to be allocated. He stated no projects will be tied to the \$14.5 million.

A discussion took place.

Mr. McEachern requested for a work session to be held regarding allocation of the funds.

The vote for the substitute motion was as follows:

<u>In favor</u>	<u>Oppose</u>
Livingston	Montgomery
Pearce	McEachern
Smith	Mizzell
Hutchinson	Dickerson
	Scott
	Jeter

The motion failed.

Mr. McEachern offered an amendment, seconded by Ms. Dickerson, to hold a Work Session prior to Third Reading. Ms. Scott accepted the amendment.

The vote for the original motion as amended was as follows:

<u>In favor</u>	<u>Oppose</u>
McEachern	Montgomery
Mizzell	Smith
Dickerson	Hutchinson
Scott	
Jeter	
Livingston	

The motion passed.

05-48MA, Hawkins Creek Development, c/o Ron Anderson, RU to PUD-1R, Single Family Residential, 14800-05-36, Wilson Blvd., South of Turkey Farm Road

Mr. McEachern moved, seconded by Ms. Scott, to approve this item with the same stipulations that were approved on First Reading. The vote in favor was unanimous.

FIRST READING ITEM

Public Works and Utilities Ordinance Amendment - Mr. McEachern moved, seconded by Mr. Pearce, to defer this item to the next meeting. The vote in favor was unanimous.

Land Development Code Text Amendment – Private Road Subdivisions (Deferred from April Zoning Public Hearing)

Ms. Scott moved, seconded by Mr. Montgomery, to defer this until the South Carolina State University's recommendation is received and also for Council to amend the ordinance to be where it was before July 1st until all of the information is received. The vote in favor was unanimous.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

East Central Consortium Planning Projects – Mr. Livingston moved, seconded by Mr. McEachern, to provide \$25,000 from the Neighborhood Improvement Fund and \$25,000 from the Conservation Commission for this current fiscal year and for FY 2006/2007.

A discussion took place.

The vote in favor was unanimous.

Beatty Road Magistrate/Sheriff Facility - Ms. Smith stated this item was forwarded for information.

Mr. McSwain stated there is a need to begin the reconstruction renovation process to take care of the Dutch Fork Magistrate and get him into the building. He stated bond counsel stated the County can proceed under the terms of Council's approval of \$3,000,000 in bond. Mr. McSwain stated he wanted to inform Council of this before proceeding and can bring a report back to the Committee.

Ms. Scott moved, seconded by Ms. Dickerson, to move forward and bring information back to the committee.

A discussion took place.

The vote was in favor of the motion.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Northeast Transportation Study – Mr. Jeter stated the Committee did not take any action on this item, but Administration was asked to look at a study of the southern portion of the county, to be used with similar studies of the northeast and northwest in identifying county-wide transportation concerns.

Mr. McEachern moved, to move forward with the northeast transportation study and directed staff to schedule other areas of the county to be studied.

Committee members stated this item was deferred in committee.

A discussion took place.

Ms. Smith moved, seconded by Mr. McEachern, to approve the Northeast Transportation Study and forward to the appropriate parties; and in the meantime, requested a plan for completing transportation studies in other parts of the county.

The discussion continued.

The vote was in favor. (Ms. Scott opposed.)

Acquisition of Land to the North of the Richland County C&D Landfill

Mr. Jeter stated the Committee recommended approval of this item. The vote in favor was unanimous.

APPLICATION FOR LOCATING A COMMUNITY RESIDENTIAL CARE FACILITY IN AN UNINCORPORATED AREA OF RICHLAND COUNTY

- a. **Ms. Sarah Long
424 Calvary Drive
Columbia, South Carolina 29203**

Mr. McEachern moved, and it was seconded, to defer this item to the next Council meeting. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENT COMMITTEE

Notification of Vacancies on Boards, Commissions, and Committees

Mr. McEachern notified Council of the following vacancy that will be advertised:

Board of Zoning Adjustments and Appeals-3

He stated the Committee directed staff to advertise. The vote in favor was unanimous.

Notification of Appointments to Boards, Commissions, and Committees

Board of Assessment Control-1: Mr. McEachern stated there is one appointment to be made with three applications received. He stated the Committee recommended Mr. Joseph E. Sharpe. The vote in favor was unanimous.

Central Midlands Council of Governments-2: Mr. McEachern stated there are two appointments to be made with only one application received. The Committee recommended Mr. Edwin Craig Wall and re-advertising. The vote in favor was unanimous.

Community Relations Council-3: Mr. McEachern stated there are three appointments to be made with only one application received. He stated the Committee recommended Ms. Celestine Parker and re-advertising the two vacancies. The vote in favor was unanimous.

East Richland Public Service Commission-1: Mr. McEachern stated there is one appointment to be made with one application received. He stated the Committee recommended Mr. O. Stanley "Chip" Smith, III. The vote in favor was unanimous.

Employee Grievance Committee-1: Mr. McEachern stated there is one appointment to be made with two applications received. He asked the Chair to carry the vote.

The vote was as follows:

<u>Gold</u>	<u>Tynes</u>
Smith	Montgomery
Pearce	McEachern
Livingston	Mizzell
Hutchinson	Dickerson
	Scott
	Jeter

Ms. Smifeccia "Smiley" Tynes was appointed.

Internal Audit Committee-1: Mr. McEachern stated there is one appointment to be made with no applications received. He stated the Committee recommended re-advertising the position. The vote in favor was unanimous.

Library Board-6: Mr. McEachern stated there are six appointments to be made with eight applications received. He stated the Committee recommended re-appointing the four incumbents and then vote for the remaining two vacancies.

Ms. Scott moved, seconded by Mr. Jeter, to re-appoint the four incumbents. The vote in favor was unanimous.

Mr. McEachern asked the Chair to carry out the vote for the remaining two seats.

The vote was as follows:

<u>Shealy</u>	<u>Johnson</u>	<u>Driggers</u>	<u>Baker</u>
Montgomery	Pearce	Smith	Montgomery
Smith	McEachern	Mizzell	McEachern
	Livingston		Pearce
	Hutchinson		Mizzell
	Jeter		Livingston
	Scott		Dickerson
	Jeter		Scott
			Jeter

The following persons were appointed: Mr. John D. Baker, Mr. David Campbell, Mr. Noble P. Cooper, Jr., Mr. Ken Driggers, Mr. George C. Johnson, Ms. Pamela Rogers Melton, Mr. Rox W. Pollard, Jr.

Recreation Commission-7 – Mr. McEachern stated that appointments have been postponed due to a pending litigation.

ITEMS FOR DISCUSSION

The following items are still in Committee:

**Council Services Travel
Tracking System**

CITIZEN'S INPUT: No one signed up to speak at this time.

EXECUTIVE SESSION ITEMS

Mr. Pearce moved, seconded by Mr. McEachern, to go into Executive Session to discuss the Solid Waste Management Plan and a Personnel Issue. The vote in favor was unanimous.

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Council went into Executive Session at approximately 9:25 p.m. and came out at approximately 10:00 p.m.
=====

Mr. McEachern moved, seconded by Mr. Pearce, to come out of Executive Session. The vote in favor was unanimous.

The Solid Waste Management Plan – This was received as information.

Personnel Matter - This was received as information. Staff was directed to distribute the requested information to Council as requested in Executive Session.

MOTION PERIOD

Letter regarding BRAC

Mr. Pearce moved, seconded by Ms. Dickerson, to direct administration to advise Council of potential sources of securing funds at the next meeting. The vote in favor was unanimous.

Ms. Smith requested information as to their budget, how money has been spent in the past, who their vendors are and how much they received.

Request for Audits filed by the Recreation Commission

Mr. Montgomery moved, seconded by Mr. Jeter, that pursuant to Act 873 Section 7 which deals with audits of the Recreation Commission, that Council requests copies of audits that were supposed to have been filed with the Clerk of Court each year and request that Administration review the options that Council has to attain an audit with regard to the use of funds that are levied by Richland County Council and bond proceeds from bonds sold by Richland County Council.

Work Session to discuss the Recreation Commission Bond

Mr. McEachern requested a Work Session on Monday, July 25th at 4:00 p.m. There were no objections.

Letter from Homebuilders regarding Road Guarantees

Mr. Pearce requested to refer this item to the D&S Committee agenda.

Ms. Scott stated this has already been done.

Fundraiser for CASA at Carrabba's

Mr. Pearce informed Council of the fundraiser at Carrabba's at Sparkleberry. He stated persons paying \$15.00 for lunch will be served by celebrity waiters. Mr. Pearce stated he would be one of the waiters.

Richland County Bonds

Mr. Jeter directed the County Administrator to explore setting up a committee to review future bond issuance and how it affects the County's overall debt. He requested for this item to be placed on the next A&F committee agenda.

ADJOURNMENT

The meeting adjourned at approximately 10:11 p.m.

Anthony G. Mizzell, Chair

L. Gregory Pearce, Jr. Vice-Chair

Doris M. Corley

Joyce Dickerson

Valerie Hutchinson

Damon Jeter

Paul Livingston

Joseph McEachern

Mike Montgomery

Bernice G. Scott

Kit Smith

The minutes were transcribed by Marsheika G. Martin

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ___-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 A PORTION OF THE REAL PROPERTY DESCRIBED HEREIN (TMS # 17300-02-10) FROM M-1 (LIGHT INDUSTRIAL DISTRICT) TO RS-HD (RESIDENTIAL, SINGLE-FAMILY, HIGH DENSITY 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 a portion of the property (TMS # 17300-02-10) described in Exhibit A, which is attached hereto, from M-1 Light Industrial District zoning to RS-HD Residential, Single-Family, High Density 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 _____ day of
_____, 2005.

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: June 28, 2005
First Reading: June 28, 2005
Second Reading: July 12, 2005
Third Reading: July 19, 2005 (tentative)

Exhibit A
Property Description

Tract "B" Legal Description:

All that certain piece, parcel or tract of land situate, lying and being Northeast of the City of Columbia, County of Richland, State of South Carolina, containing 10.53 acres, more or less, as shown and delineated on a plat prepared for the James Company, LLC by Glenn Associates Surveying, Inc., Michael R. Mills, SCPLS #11606, dated March 23, 2005, designated as Tract "B", and according to said plat, having the following metes and bounds: from the point of commencement, being a point at the intersection of the centerline of Hard Scrabble Road (S 40-83) and the centerline of Southern Railroad, located at South Carolina State Grid Coordinates: North 829,583.15, East 2,016,196.43, thence South 83°42'48" West for 475.48 feet to a concrete right-of-way monument found, thence North 60°18'14" East for 126.91 feet to a concrete right-of-way monument found, thence North 16°17'53" East for 250.06 feet to a concrete right-of-way monument found, thence North 16°09'04" East for 3.75 feet to a 1-inch rebar set, thence in a curved line for 567.52 feet, the arc of said curved line having a radius of 1829.26 feet and the chord of which runs North 07°15'47" East for 565.25 feet to a 1-inch rebar set, thence in a curved line for 98.54 feet, the arc of said curved line having a radius of 1829.26 feet and the chord of which runs North 03°10'05" West for 98.53 feet to a 1-inch rebar set, thence North 06°13'57" West for 0.67 foot to a concrete right-of-way monument found, thence North 06°14'20" West for 176.19 feet to a 1-inch rebar set, thence North 06°13'42" West for 264.07 feet to a concrete right-of-way monument found, thence North 78°06'00" East for 12.09 feet to a concrete right-of-way monument found, thence North 14°19'17" West for 7.79 feet to a 1-inch rebar set, being the point of beginning, thence South 14°19'17" East for 7.79 feet to a concrete right-of-way monument found, thence South 78°06'00" West for 12.09 feet to a concrete right-of-way monument found, thence South 06°13'42" East for 264.07 feet to a 1-inch rebar set, thence North 83°52'48" West for 256.59 feet to a 1-inch rebar set, thence South 06°07'25" West for 109.96 feet to a 1-inch rebar set, thence South 44°32'12" West for 63.82 feet to a 1-inch rebar set, thence South 06°07'04" West for 110.12 feet to a 1-inch rebar set, thence North 83°53'36" West for 640.57 feet to a 1-inch rebar set, thence South 88°09'59" West for 187.42 feet to a 1-inch rebar set, thence North 56°26'25" EAST FOR 74.96 FEET TO A 1-INCH REBAR SET, THENCE NORTH 40°48'39" EAST FOR 74.86 FEET TO A 1-INCH REBAR SET, THENCE NORTH 25°09'33" EAST FOR 74.99 FEET TO A 1-INCH REBAR SET, THENCE NORTH 09°28'32" EAST FOR 74.87 FEET TO A 1-INCH REBAR SET, THENCE NORTH 02°26'33" WEST FOR 38.11 FEET TO A 1-INCH REBAR SET, THENCE NORTH 00°49'38" EAST FOR 74.73 FEET TO A 1-INCH REBAR SET, THENCE NORTH 15°20'28" EAST FOR 76.53 FEET TO A 1-INCH REBAR SET, THENCE NORTH 32°15'53" EAST FOR 70.98 FEET TO A 1-INCH REBAR SET, THENCE NORTH 38°41'59" EAST FOR 69.83 FEET TO A 1-INCH REBAR SET, THENCE SOUTH 83°52'33" EAST FOR 877.02 FEET TO THE POINT OF BEGINNING, BE ALL MEASUREMENTS A LITTLE MORE OR LESS. SURVEY COURSES AND COORDINATES GIVEN HEREIN ARE BASED ON THE SOUTH CAROLINA STATE PLANE GRID SYSTEM, NORTH AMERICA DATUM OF 1983(2001).

DERIVATION: THE ABOVE DESCRIBED PROPERTY BEING A PORTION OF TAX MAP PARCEL 17300-02-010 AS SHOWN ON RICHLAND COUNTY TAX MAPS. ALSO A PORTION OF THAT PROPERTY DEEDED TO SPS LIMITED LIABILITY COMPANY BY MARGARET P. SMITH, STEPHANIE E. SMITH-PHILLIPS, WALTER C. PUTNAM, JR., AND SARAH J. CAHALAN, AS TRUSTEES UNDER THE LAST WILL AND TESTAMENT OF WILBUR S. SMITH and RECORDED DECEMBER 27, 1995 IN DEED BOOK 1294, PAGE 662.

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

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, AS DEFINED IN SECTION 26-31 OF THE RICHLAND COUNTY CODE OF ORDINANCES, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 14800-05-36) FROM RU (RURAL DISTRICT) TO PDD (PLANNED DEVELOPMENT DISTRICT, F/K/A PUD-1R); 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 of 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 with 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 Richland County Code of Ordinances, Chapter 26, Zoning; Article 3, Establishment of Districts and Zoning Maps; is hereby amended to change the property (TMS # 14800-05-36) described in Exhibit A, which is attached hereto, from RU Rural District zoning to PDD Planned Development District zoning (F/K/A PUD-1R zoning).

Section II. PDD (F/K/A PUD) Site Development Requirements. The following site development requirements shall apply to the subject parcels:

- a) The Planning Commission approved the General Development Plan prepared for Hawkins Creek Development by Cornerstone Development of the Carolinas, Inc., except as otherwise amended herein, previously required by Section 26.70-15, which is on file in the Richland County Planning & Development Services Department (hereinafter referred to as “PDS”) and is incorporated herein by reference; and
- b) Consistent with Exhibit B, which is attached hereto, the site development shall be limited to a maximum of ~~202~~ 182 dwelling units; access to the subject site shall be limited to one intersection on Wilson Boulevard (Hwy. 21); and there shall be one secondary access point on the northwest portion of the subject site that shall only be used for emergency vehicles, such as law enforcement vehicles, ambulances, and fire trucks; and
- c) 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 PDS; and
- d) Exhibit B constitutes the applicant’s Sketch Plan for subdivision purposes, and is hereby approved for such purposes; and
- e) The provisions of former Sections 26-70.7, 26-70.8, 26-70.10, and 26-70.11 of the Richland County Code of Ordinances shall not apply to this project; and
- f) No Special Exceptions, as defined in former Section 26-602 of the Richland County Code of Ordinances, or its relevant successor regulations, shall be permitted; and
- g) Pursuant to the requirements of former Section 26-70.17 of the Richland County Code of Ordinances, the following changes shall require a review and recommendation by the Planning Commission and a new ordinance by the County Council:
 - 1) Any increase in the number of access points to the external road network;
 - 2) Any decrease in the amount of open space/common areas;
 - 3) Any increase in the gross project density (measured in DU/acre); and/or
 - 4) Any change in traffic flow; and
- h) The Planning Commission is hereby authorized to make minor amendments to Exhibit B or as otherwise allowed by former Section 26-70.17 of the Richland County Code of Ordinances, or its relevant successor regulations; and
- i) The PDS is authorized to make minor adjustments to the phasing schedule as may become necessary during the project’s construction; and
- j) No site clearing activity shall begin until the Richland County Public Works Department issues a Grading Permit and the PDS issues a Controlled Clearing letter; and
- k) The applicant shall dedicate to Richland County a twenty foot (20’) wide right-of-way along the west side of Wilson Boulevard within the project boundaries prior to recording any plats for the project; and
- l) All internal streets shall be publicly owned and maintained by Richland County; and
- m) The applicant shall that the post-development stormwater discharge is no greater than the pre-development discharge; and
- n) The developer shall pay the costs associated with the construction of any necessary acceleration, deceleration, or turn lanes that may be required by the South Carolina Department of Transportation; and
- o) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest.

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 enforced after the date of an affirmative Third Reading.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2005

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

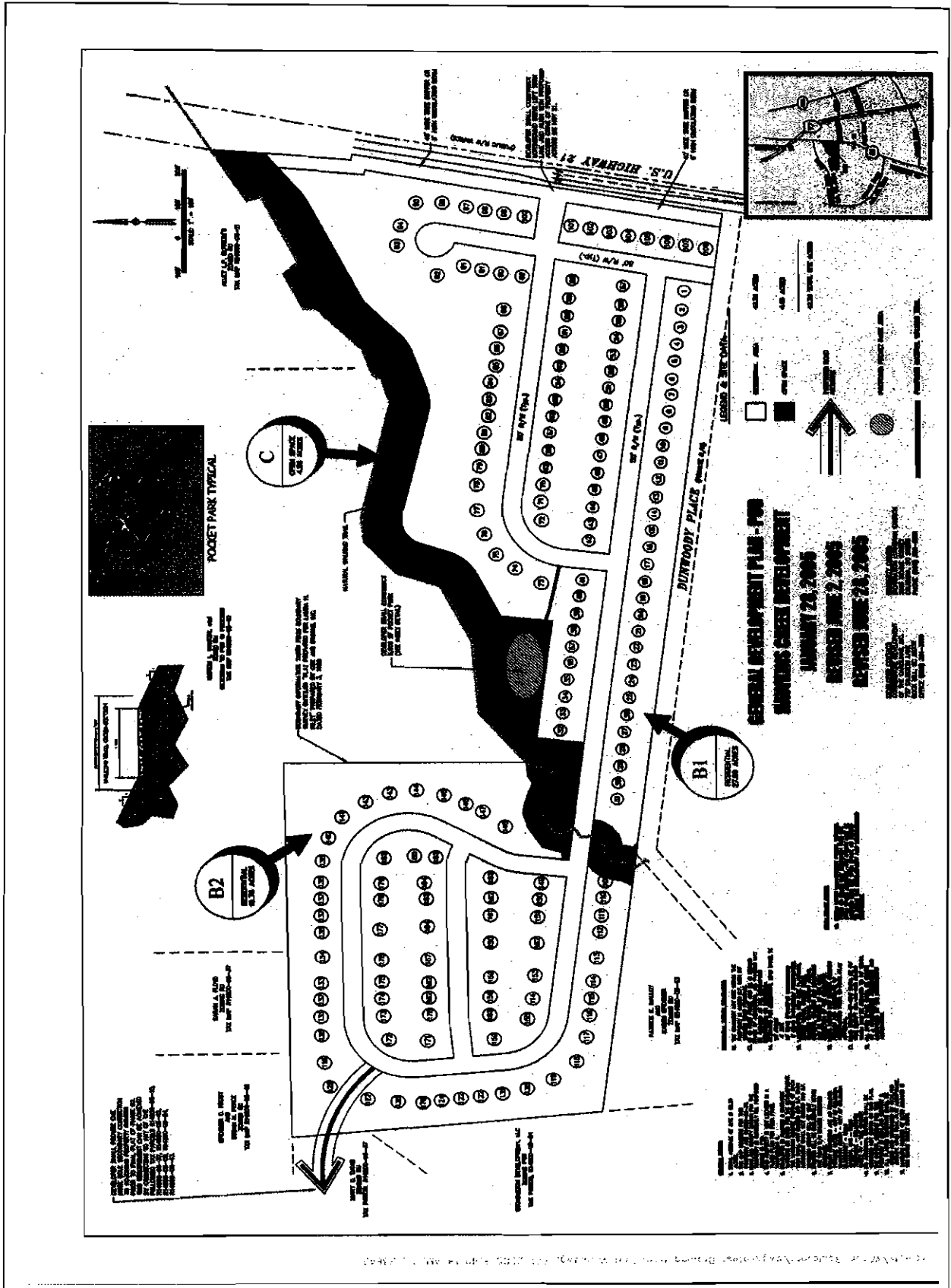
Public Hearing: May 24, 2005
First Reading: May 24, 2005
Second Reading: July 12, 2005
Third Reading: July 19, 2005 (tentative)

Exhibit A
Legal Description

All that certain piece, parcel or lot of land, lying and being in Richland County, state of South Carolina, being located on the west side of Wilson Boulevard (U.S. Highway 21) and 986.0'± south of Turkey Farm Road (S.C. Hwy. No. S-40-1694) and being more fully shown and designated on a Boundary survey as the 52.25 acres, prepared for Laura H. Riley by Cox and Dinkins, Inc. dated February 3, 1988 having the following metes and bounds, to wit:

Beginning at a point in the intersection of the center of Hawkins Creek and the R/W of Wilson Blvd. (U.S. Highway 21) said point being S 04-24 W 15.30' from an existing concrete monument located on the R/W of Wilson Blvd. (U.S. Highway 21) and running in a clockwise direction along said R/W S 04-24 W 360.98' to an iron thence S 79-52 E 17.00' to an iron thence S 10-25 W 965.73' to an iron at the intersection of the R/W's of Wilson Blvd. and Dunwoody Place thence N 83-14 W 2665.11' to an iron thence N 05-24 W 800.81' to an iron thence N 89-07 E 1106.21' to a fence post thence S 00-12 E 622.74' through an iron offset at 10.0' to the center of Hawkins Creek thence meandering with center of said creek along the following approximate courses N 50-03 E 187.51' to a point thence N 85-16 E 213.77' to a point thence N 63-50 E 182.69' to a point thence N 18-48 E 119.61' to a point thence N 47-49 E 122.12' to a point thence N 83-00 E 70.30' to a point thence S 77-07 E 344.76' to a point thence N 71-18 E 75.15' to a point thence N 20-02 E 23.26' to a point thence N 70-44 E 83.26' to a point thence N 45-22 E 167.00' to a point thence N 00-42 E 32.56' to a point thence N 63-13 E 110.79' to a point thence S 43-08 E 50.10' to a point thence N 63-50 E 217.63' to a point thence N 20-59 W 37.85' to a point thence N 58-21 E 177.57' to the point of beginning containing 52.25 acres more or less.

Exhibit B Site Plan



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

AUTHORIZING AN AMENDMENT TO THE MASTER AGREEMENT GOVERNING THE I-77 CORRIDOR REGIONAL INDUSTRIAL PARK BY AND BETWEEN RICHLAND COUNTY, SOUTH CAROLINA AND FAIRFIELD COUNTY, SOUTH CAROLINA, IN ORDER TO EXPAND THE BOUNDARIES OF THE PARK TO INCLUDE CERTAIN PROPERTIES OWNED BY INTERNATIONAL PAPER, INC. AND MCENTIRE LIMITED PARTNERSHIP, AND OTHER MATTERS RELATED THERETO.

WHEREAS, Richland County, South Carolina (“Richland”) and Fairfield County, South Carolina (“Fairfield”) (collectively, “Counties”), as authorized under Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended (“Act”), have jointly developed the I-77 Corridor Regional Industrial Park (“Park”); and,

WHEREAS, in response to requests from companies seeking to invest in either Richland or Fairfield, the Counties have heretofore expanded the boundaries of the Park to include additional property, which inclusion has afforded the requesting companies additional tax benefits under South Carolina law; and

WHEREAS, the Counties have entered into separate agreements to reflect each new phase of expansion of the Park (“Phase Agreements”); and

WHEREAS, on April 15, 2003, the Counties entered into an agreement entitled “Master Agreement Governing the I-77 Corridor Regional Industrial Park” (“Master Agreement”), the provisions of which replaced all existing Phase Agreements and now govern the operation of the Park; and

WHEREAS, International Paper, Inc., its corporate affiliates and assigns (collectively, “IP”), has requested the Counties expand the boundaries of the Park to include its property located in Richland and described in the attached **Exhibit A** (hereafter, “IP Property”); and

WHEREAS, McEntire Limited Partnership, its corporate affiliates and assigns (“R.C.”), has requested the Counties expand the boundaries of the Park to include its property located in Richland and described in the attached **Exhibit B** (hereafter, “R.C. Property”); and

WHEREAS, the Counties now desire to expand the boundaries to include the IP Property and R.C. Property.

NOW, THEREFORE, BE IT ORDAINED BY THE RICHLAND COUNTY COUNCIL AS FOLLOWS:

Section 1. Expansion of Park Boundaries. There is hereby authorized an expansion of the Park boundaries to include the IP Property and R.C. Property. The County Council Chair, or the Vice Chair in the event the Chair is absent, the County Administrator and the Clerk to the County Council are hereby authorized to execute such documents and take such further actions as may be necessary to complete the expansion of the Park boundaries. Pursuant to the terms of the Master Agreement, the expansion shall be complete upon the adoption of this Ordinance by the Richland County Council and a companion Ordinance by the Fairfield County Council.

Section 2. Removal of Property from Park. IP or R.C. may request that a portion of the IP Property or the R.C. Property, as applicable. In such case, the Counties hereby authorize removal of such portion of the IP Property or the R.C. Property, as applicable upon receipt of a written request from IP or R.C., respectively. No further action by either the Richland County Council or the Fairfield County Council shall be required. The County Council Chair, or the Vice Chair in the event the Chair is absent, the County Administrator and the Clerk to the County Council are hereby authorized to execute such documents and take such further actions as may be necessary to complete removal of a portion of the IP Property or the R.C. Property, as applicable, from the Park. The public hearing requirement set forth in Section 1.03 of the Master Agreement is hereby waived.

Section 3. Savings Clause. If any portion of this Ordinance shall be deemed unlawful, unconstitutional or otherwise invalid, the validity and binding effect of the remaining portions shall not be affected thereby.

Section 4. General Repealer. Any prior Ordinance, the terms of which are in conflict herewith, is, only to the extent of such conflict, hereby repealed.

Section 5. Effectiveness. This Ordinance shall be effective after third and final reading.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

(SEAL)

ATTEST THIS THE ____ DAY

OF _____, 2005

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: June 21, 2005
Second Reading: July 12, 2005
Third Reading: July 19, 2005 (tentative)

EXHIBIT A

LEGAL DESCRIPTION OF IP PROPERTY

All that certain piece, parcel or tract of land situate in Richland County, South Carolina bounded and described as follows:

TMS number: _____

DERIVATION: Deed Book _____ at Page _____.

EXHIBIT B

LEGAL DESCRIPTION OF R.C. PROPERTY

All that certain piece, parcel or tract of land situate in Richland County, South Carolina bounded and described as follows:

TMS number: _____

DERIVATION: Deed Book _____ at Page _____.

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

AN ORDINANCE TO REQUIRE ALL RICHLAND COUNTY DEPARTMENTS AND OFFICES, BOTH ELECTED AND APPOINTED, TO RECORD THEIR FINANCIAL TRANSACTIONS IN A SINGLE-UNIFIED GENERAL LEDGER

WHEREAS, the South Carolina Code of Laws, Section 4-9-30, Paragraph (8), *Designation of powers under each alternative form of government except board of commissioners form*, grants a county governing body the power to provide for an accounting and reporting system whereby funds are received, safely kept, allocated and disbursed, and paragraph (14) of the above Code Section grants a county governing body the power to enact ordinances for the implementation and enforcement of the powers granted in this section and provide penalties for violations thereof not to exceed the penalty jurisdiction of magistrates' courts; and

WHEREAS, the Committee of Sponsoring Organizations of the Treadway Commission (COSO) in its 1992 report states, "Internal control systems operate at different levels of effectiveness and can be judged effective in each of three categories, respectively, if the governing board and management have reasonable assurance that (1) they understand the extent to which the entity's operations objectives are being achieved, (2) published financial statements are being prepared reliably, and (3) applicable laws and regulations are being complied with"; and

WHEREAS, the Government Finance Officers Association (GFOA) in its recommended practice on Governmental Accounting, Auditing and Financial Reporting recommends that governmental entities maintain accounting systems that enable the preparation of financial statements in conformity with generally accepted accounting principles (GAAP), and recommends avoiding undue complexity as a way to improve the effectiveness of financial administration; and

WHEREAS, *Government Auditing Standards* (commonly referred to as the "Yellow Book") promulgated by the Comptroller General of the United States on the subject of accountability states in paragraph 1.11, "Legislators, other government officials, and the public want to know whether (1) government resources are managed properly and used in compliance with laws and regulations, (2) government programs are achieving their objectives and desired outcomes, and (3) government services are being provided efficiently, economically, and effectively"; and

WHEREAS, the Yellow Book states management's role is to establish and maintain effective internal control to help ensure that appropriate goals and objectives are met and that resources are used efficiently and economically; and

WHEREAS, an effective accounting and financial reporting system should meet both internal and external requirements, and provide County management with sufficient, accurate, and timely information to manage the County's operations; and

WHEREAS, it is the intent of Richland County Council to establish an effective and efficient accounting and financial reporting system and comply with such standards for accountability in its financial reporting;

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

SECTION I. The County's accounting and financial reporting system, which records (a) the receipt and disbursement of ALL (emphasis added) County funds, (b) the carrying value of ALL (emphasis added) County assets and the claims both current and long term against those and future assets, and (c) the net assets and/or fund balances, shall have at its foundation a single-unified general ledger.

SECTION II. All County departments and offices, both elected and appointed, which use subsidiary recordkeeping systems shall have their respective financial transactions recorded in a timely manner in the County's single-unified general ledger, as established in Section I of this ordinance.

SECTION III. All County departments and offices, both elected and appointed, shall as a normal conduct of their affairs, monitor the data transmitted for inclusion in the County's single-unified general ledger, as established in Section I of this ordinance, for its completeness, accuracy, and proper reporting.

SECTION IV. The County's general ledger and financial reporting system shall be managed by the County's Finance Department, under the supervision of the County Administrator.

SECTION V. From data contained in the general ledger, the County's Finance Department shall prepare and present to County Council, the County Administrator, and the County Treasurer monthly financial reports, which shall include a balance sheets and statements of revenues expenditures and changes in fund balances (or net assets) for each significant fund of the County, or such other financial report(s) as County Council, the County Administrator, or the County Treasurer may request from time to time. The County's General Fund is hereby deemed to be one of the County's significant funds.

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

SECTION VII. 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 VIII. Effective Date. This ordinance shall be effective from and after October 1, 2005.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

ATTEST THIS THE _____ DAY

OF _____, 2005

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: July 12, 2005
Second Reading: July 19, 2005 (tentative)
Third Reading: July 26, 2005 (tentative)

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; ARTICLE VI, ELECTED AND SPECIAL OFFICERS; SECTION 2-262, SALARIES OF CERTAIN ELECTED OFFICIALS; SO AS TO PROVIDE FOR THE SALARIES OF SUCH OFFICIALS AND FOR SUBSEQUENT PAY INCREASES.

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

SECTION I. The Richland County Code of Ordinances, Chapter 2, Administration, Article VI, Elected and Special Officers, Section 2-262, "Salaries of Certain Elected Officials," is hereby amended to read as follows:

Sec. 2-262. Salaries of certain elected officials.

(a) This section shall apply to the following elected officials: auditor, clerk of court, coroner, sheriff, and treasurer. These officials shall be excluded from the County's pay and classification plan.

(b) The salary of the auditor, clerk of court, coroner, sheriff, and treasurer shall be determined through the County's budget process, and does not include any supplemental appropriations from the state of South Carolina or from any other source.

(c) Each year elected officials shall receive a pay increase commensurate with the percentage increase of the Consumer Price Index (CPI) over the previous year, which number established by the State Budget and Control Board for that year is distributed to the County from the State Department of Revenue through the South Carolina Association of Counties for budgetary purposes, but not to exceed 4% for that year; provided, however, elected officials' salaries shall be reviewed at the same time that other County positions are reviewed for market comparisons, but in no event longer than three years. If it is determined that an elected official's salary is higher than others surveyed in similar sized counties, the elected official shall not receive a CPI pay increase for the first year following such review. Pay increases, when applicable, shall take effect starting with the first pay period in July. percentage equal to the CPI increase over the previous year

(d) Upon re-election, the elected official shall receive a 5% pay increase, which shall take effect at the beginning of the new term of office.

(e) A newly elected official, or an individual appointed to fill an existing term of office, shall receive the salary of the previous incumbent, but shall not receive the 5% pay increase that re-elected officials receive.

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 _____, 2005.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

ATTEST this the ____ day of _____, 2005.

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: July 12, 2005
Second Reading:
Public Hearing:
Third Reading:

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

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, AS DEFINED IN SECTION 26-31 OF THE RICHLAND COUNTY CODE OF ORDINANCES, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 20200-03-49 AND TMS # 20200-03-50) FROM RU (RURAL DISTRICT) TO PDD (PLANNED DEVELOPMENT 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 of 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 with 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 Richland County Code of Ordinances, Chapter 26, Zoning; Article 3, Establishment of Districts and Zoning Maps; is hereby amended to change the property (TMS # 20200-03-49 and TMS # 20200-03-50) as described in Exhibit A and shown on Exhibit B, from RU Rural zoning to PDD Planned Development District zoning.

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

- a) The site development shall be limited to: 1) 119,200 sq. ft. of storage facilities and related office space, 2) 40,000 sq. ft. of principal office building space, 3) 48,500 sq. ft. of small office space, and 4) 1.7 acres of undisturbed wetlands, as depicted in the Preliminary Layout Plan, which is attached hereto as Exhibit B; and
- b) No structure on the site shall exceed ~~fifty (50)~~ thirty-five (35) feet in height above front grade elevation, and no structure within fifty (50) feet of the east, south, or west property line shall exceed ~~thirty-five (35)~~ twenty-five (25) feet in height above front grade elevation; and
- c) The small office buildings along the east, south, and west sides of the site shall have a “residential” design and be of brick construction; and
- d) The only buildings on the site that may be greater than one (1) story in height (but not exceeding a maximum height of thirty-five (35) feet) above front grade elevation, are the proposed 40,000 square-foot multi-tenant office building and the 99,000 square-foot High-End Climate Controlled Storage building; and
- e) The site’s land uses shall be limited to the following:
 - 1) Offices, specifically including physicians, dentists (with commensurate parking requirements), along with two flexible space/office storage buildings, one of which shall not exceed 5,700 square feet and the other one shall not exceed 3,750 square feet; and
 - 2) Photography studios, art studios, interior design studios, craft studios, and establishments for the teaching of music, dancing, or other performing arts;
 - 3) Medical and dental laboratories, including establishments for the fitting and sale of prosthetic devices; and
 - 4) Medical and health-related clinics, including small animal veterinary clinics, provided such small animal veterinary clinics meet the following standards:
 - a. All facilities for treating or boarding of animals shall be totally inside the principal building;
 - b. The building shall be soundproofed;
 - c. No outside activity associated with the animals shall be permitted; and
 - d. All animal refuse must be kept in airtight containers and disposed of on a daily basis; and
 - 5) Day nurseries and kindergartens, subject to the provisions of Section 26-84 of the Richland County Code of Ordinances; and adult day care facilities, provided that the Zoning Administrator shall ensure that the applicant has applied to the South Carolina Department of Health and Environmental Control (SCDHEC) for a license to operate the facility and that all SCDHEC requirements, including, but not limited to, those dealing with the maximum number of persons to be cared for at the facility are satisfied; and
 - 6) One mini-warehouse (High-End Climate Controlled Storage building), without an accessory dwelling, that does not exceed 99,000 square-feet, together with general office space within the building that does not exceed 8,125 square feet; and
- f) Retail commercial land uses are prohibited on the subject site; and

- g) No accessory uses, other than solid waste facilities, gazebos, or small picnic shelters, shall be permitted on the subject site; and
- h) The applicant shall provide a phasing plan to the Richland County Planning and Development Services Department (hereinafter referred to as "PDS") prior to the department's review of any construction plans or site plans; and
- i) Prior to the approval of any site plans or construction plans, the applicant must receive approval from the PDS for the following:
 - 1) A comprehensive signage plan for the entire project;
 - 2) A comprehensive landscaping plan that significantly exceeds the minimum requirements around the perimeter of the subject property, including an eight (8) foot masonry wall, with stucco finish and brick accents, located fifteen (15) feet from the utility easement along the east south side and located seventeen and one-half (17½) feet from the property line on the south side; and along the out parcel, the wall shall be located twelve and one-half (12½) feet from the property line on the south and west sides; and
 - 3) A comprehensive outdoor lighting plan for the entire project, including a plan to contain the light on-site and which minimizes light spillover to adjacent residences; and
- j) 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 PDS; and
- k) Exhibit B constitutes the applicant's Sketch Plan for subdivision purposes, and is hereby approved for such purposes; and
- l) The provisions of Sections 26-72.4, 26-72.5, and 26-72.6 of the Richland County Code of Ordinances shall not apply to this project; and
- m) No Special Exceptions, as defined in Section 26-602 of the Richland County Code of Ordinances, or its relevant successor regulations, shall be permitted; and
- n) Any proposed change to Exhibit B shall conform to the requirements of Section 26-72.12 of the Richland County Code of Ordinances, or its relevant successor regulations; and
- o) No site clearance activity shall begin until the Richland County Public Works Department issues a Grading Permit and the PDS issues a Controlled Clearing letter; and
- p) There shall be no "clear-cutting" of this site; initial installation of roadwork and related infrastructure development shall be undertaken without the clearing of individual building lot sites; and individual lots shall be cleared as necessary for building on a lot-by-lot basis; and
- q) The developer shall install buffer landscaping on all perimeter boundaries of the site (including plantings and wall construction) prior to the conveyance of individual commercial lot sites within the subject property; and
- r) The developer shall be responsible for the permanent maintenance and upkeep of all buffer areas that are adjacent to perimeter boundaries on the East, South, and West of the property, as well as the frontage set-backs on Clemson Road; provided, however, the costs and administration of such matters may be delegated to the Architectural Review Committee, as provided for by the Declaration of Restrictive and Protective Covenants; and

- s) The roadways serving the development on the east side of the site must be named and constructed to County standards prior to the County accepting such roads for maintenance; and
- t) Access to the subject site shall be limited to the three driveways depicted on Exhibit B; and
- u) If the South Carolina Department of Transportation requires turn lanes on Clemson Road as a result of this project, the developer shall construct the turn lanes at his own expense, subject to obtaining all required state and/or county approvals; and
- v) The applicant shall submit a copy of proposed “~~Commercial Association Procedures~~ Declaration of Restrictive and Protective Covenants” for inclusion in the Department’s project records; such covenants shall include the following provisions:
 - 1) An Architectural Review Committee shall be established and appointed pursuant to the Declaration, and shall include a minimum of three (3) and a maximum of seven (7) members appointed by the Developer, one of whom must be a South Carolina Licensed Architect and one of whom must be designated by the Rose Creek Homeowners Association; and
 - 2) Enforcement of violations of the provisions of the Declaration shall be vested in and is the authorized responsibility of the Architectural Review Committee; and
 - 3) All properties within the site shall be subject to the Declaration and its enforcement provisions, including, without exception, applicability to the initial owner and all successors-in-title to all parcels as covenants running with the land; and
 - 4) No amendment of the Declaration shall constitute an amendment or diminution in effect or validity of any of the particulars of the enacting ordinance regarding the perimeter property buffers, the height of buildings, or the allowable uses without first amending the ordinance; and
- w) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest.

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 enforced after the date of an affirmative Third Reading.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2005

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 26, 2005
First Reading: April 26, 2005
Second Reading: June 19, 2005 (tentative)
Third Reading:

EXHIBIT A
Property Description

All that certain piece, parcel and tract of land, situate, lying and being on the South side of Clemson Road in Richland County, South Carolina between Hardscrabble Road and U.S. Hwy 1 (Two Notch Road), shown on that certain plat Boundary Survey prepared for Horse Pasture River Corporation by Civil Engineering of Columbia, Inc., dated April 24, 1997, revised December 12, 2000, more particularly described on said plat as two parcels, designated as 19.46 Acres and 1.75 Acres, N/E Darnall W. Boyd, respectively, and having metes and bounds, to wit:

19.46 Acres:

Beginning at the northwesternmost corner of the parcel at an iron set on the southern R/W boundary of Clemson Road approximately 3,625.00 feet East of Hardscrabble Road and running along the said R/W in an easterly direction N76°04'27"E, 50.33 feet; thence N76°04'25"E, 604.68 feet; thence N79°08'29"E, 205.46 feet to a concrete monument at the northeastern property corner; thence turning and running along Rose Creek Subdivision S15°29'26"E, 224.98 feet; thence S15°30'21"E, 159.98 feet; thence S15°25'22"E, 127.95 feet; thence S15°27'53"E, 100.01 feet; thence S15°30'04"E, 100.00 feet; thence S15°27'13"E, 144.83 feet; thence S15°28'23"E, 195.02 feet to an iron pin at the southeastern property corner; thence turning and running along a creek centerline S36°29'30"E for 163.93 feet to an iron pin on the northern boundary N/F Rose Creek Homeowners Association; thence turning and running in a westerly direction along Rose Creek Subdivision N72°41'06"W, 11.33 feet; thence N73°03'48"W, 110.30 feet; thence N72°50'55"W, 99.96 feet; thence N72°40'58"W, 93.98 feet; thence N72°56'18"W, 127.78 feet; thence N72°49'05"W, 80.82 feet; thence N72°49'43"W, 242.87 feet; thence N72°50'02"W, 64.79 feet; thence N73°04'16"W, 58.45 feet to a concrete monument marking the southwestern property corner at the boundary N/F U.S. Postal Service; thence turning and running N12°59'55"W, 705.89 feet to the point of beginning.

1.75 Acres

Beginning at the northwesternmost corner of the parcel at an iron set on the southern R/W boundary of Clemson Road approximately 2,640 feet (0.5 mi.) east of Hard Scrabble Road and running along the said R/W in an easterly direction N78°29'19"E, approximately 334.95 feet to an iron marking the northeasternmost corner of the parcel at the bonding N/F Sunshine House; thence turning and running S13°00'08"E, 317.96 feet to an iron marking the southeastern corner of the parcel; thence turning and running N72°49'19"W, 410.85 feet to an iron pin marking the southwestern corner of the parcel; thence turning and running N03°22'38"W, 121.85 feet to the point of beginning.

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STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___05HR

AN ORDINANCE AMENDING ORDINANCE NO. 074-04HR (THE RICHLAND COUNTY LAND DEVELOPMENT CODE), ARTICLE IX, SUBDIVISION REGULATIONS, SO AS TO ADD A NEW SECTION THAT PERMITS THE SUBDIVISION OF PROPERTY TO IMMEDIATE FAMILY MEMBERS IN THE RU RURAL ZONING DISTRICTS.

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. Article IX (Subdivision Regulations) of Ordinance No. 074-05HR, which was adopted by the Richland County Council on November 9, 2004, is hereby amended by the addition of a new section, to read as follows:

Sec. 26-224. Private road subdivisions in the RU Rural zoning districts.

- (a) *Purpose.* The purpose of this section is to provide the means for rural property owners to subdivide their property for transfer to immediate family members. Private road subdivisions are subject to the administrative review for subdivisions. This procedure is found at Sec. 26-54.
- (b) *Applicability.* The provisions of this section shall only apply to property zoned RU Rural.
- (c) *Special requirements for private road subdivisions.*
 - (1) *Roads.* Roads in private road subdivisions shall be exempt from the requirements of Sec. 26-181 of this chapter but shall not be exempt from the road design requirements regarding acceptable ingress and egress of emergency vehicles or the requirements of Sec. 26-175(c)(3) of this chapter. Roads in private road subdivisions shall not be accepted for county maintenance until they meet the road construction standards provided in Chapter 21 of the Richland County Code. The roadway shall have a minimum easement width of fifty (50) feet and minimum twenty (20) foot wide passable surface, as determined by the county engineer. The subdivision documents shall include a conspicuous statement stating that improvements to the roadway without the approval of the county engineer are prohibited.
 - (2) *Number of lots.* No more than seven (7) lots, each a minimum of one (1) acre in area, shall be permitted in a private road subdivision.

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- (3) *Number of dwelling units.* Only one (1) dwelling unit shall be permitted on each lot.
 - (4) *E-911 requirements.* The road, and each lot, shall conform to the county's E-911 system addressing and posting requirements.
- (d) *Legal documents required.* An applicant for a private road subdivision shall submit the necessary legal documents that:
- (1) Clearly provide permanent access to each lot.
 - (2) State that the county shall not be responsible for either construction or routine (i.e. recurring) maintenance of the private road.
 - (3) Clearly state that the parcels created by this process shall not be divided again, except in full compliance with all regulations in effect at the time.

All legal documents shall be provided in a form acceptable to the county legal department.

Secs. 26-225 – 26-250. Reserved.

SECTION II. All remaining provisions of Ordinance No. 074-04HR shall remain in full force and effect.

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 _____, 2005.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

Attest this the ____ day of
_____, 2005

Michielle R. Cannon-Finch
Clerk of Council

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RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: March 22, 2005
First Reading: July 19, 2005 (tentative)
Second Reading: July 26, 2005 (tentative)
Third Reading:

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; ARTICLE V, COUNTY DEPARTMENTS; BY ADDING A NEW DIVISION ENTITLED 2A, SPECIAL SERVICES SO THAT A NEW DEPARTMENT WILL BE CREATED AND BY AMENDING DIVISION 1. GENERAL, AND DIVISION 2. PUBLIC WORKS AND UTILITIES, SO THAT UTILITIES WILL BE A SEPARATE DEPARTMENT.

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

SECTION I. The Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; Division 1. General is hereby amended to read as follows:

DIVISION 1. UTILITIES

Sec. 2-185. Creation; director.

There is hereby created the department of utilities and the position of director of utilities. The director shall be appointed by the county administrator and his/her term of office shall be at the pleasure of the county administrator.

Sec. 2-186. Qualifications of director; selection; compensation.

The director of utilities shall possess education, training and experience that are satisfactory to the county administrator.

Sec. 2-187. Responsibilities; powers; duties.

The utilities department shall be responsible for enforcing all the provisions of Chapter 24, Utilities, and Chapter 24.5, Special Sewer Assessment Districts, of the Richland County Code of Ordinances.

Sec. 2-188. Departmental divisions.

The department of utilities shall be divided into the following functional divisions:

- (1) Administration division. This division shall coordinate all department-level administrative support, including personnel management, standardization, finance, budget, payroll, material management and procurement.
- (2) Engineering division. This division shall provide engineering services in support of County utility operations and infrastructure development, including the management and coordination of capital improvement projects funded by both public and private sources. Also develops and maintains the department mapping and geographic information system.

- (3) Maintenance division. This division shall manage, maintain, and improve all County utility systems, including facilities, grounds, water and sewer lines and associated apparatus.
- (4) Operations division. This division shall provide professional operation of County water and wastewater treatment facilities, laboratory facilities and shall administer provisions of the County's pre-treatment program.
- (5) Special project division. This division shall provide administrative functions relating to the design and construction of utility system improvements in various communities as determined by County Council. This division administers the safety and training programs for the department.

Secs. 2-189 – 2-191. Reserved.

SECTION II. The Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; Division 2. Public Works and Utilities is hereby amended to read as follows:

DIVISION 2. PUBLIC WORKS

Sec. 2-192. Creation; director.

There is hereby created the department of public works ~~and utilities~~ and the position of director of public works ~~and utilities~~. The director of public works ~~and utilities~~ shall be appointed by the county administrator and his/her term of office shall be at the pleasure of the county administrator.

Sec. 2-193. Qualifications.

The director of public works ~~and utilities~~ shall be a graduate of an accredited college or university with a major in civil engineering. The director shall possess a certified license as a professional civil engineer and shall have had at least five (5) years of previous experience as a public works director/engineer including supervisory, administrative and engineering experience. Such director shall possess training and/or experience in both public works and engineering which is satisfactory to the county administrator.

Sec. 2-194. Responsibilities; powers; duties.

The director of public works ~~and utilities~~ shall be responsible for the custody, security and maintenance of public works and physical properties of the County and shall be responsible to and under the supervision of the county administrator in the performance of his/her duties.

Sec. 2-195. Staff; personnel.

The staff and assistants of the director of public works ~~and utilities~~ shall be subject to the county personnel system and their compensation determined accordingly.

Sec. 2-196. Departmental divisions.

The department of public works and utilities shall be divided under the director of public works and utilities into the following functional divisions:

- (1) Administration division. This division shall coordinate all department-level administrative support, including personnel management, safety, training, standardization, finance, budget, payroll, material management, procurement, and geographic information services (GIS).
- (12) Engineering division. The engineering division shall be the primary support unit for the physical activities and functions of the public works department. The engineering division shall be headed by an engineer. The division shall be responsible for construction inspection, subdivision review, right-of-way acquisition and negotiation, drainage inspection, street names, housing, drafting, surveying, road design where appropriate, and other general engineering activities. This division, which shall be headed by a registered professional engineer, shall provide engineering services in support of County operations and infrastructure development, including the management and coordination of capital improvement projects.
- (2) ~~Reserved.~~
- (3) ~~Utilities and services division.~~ The utilities management division shall be responsible for the administration and operation of the county's utilities systems; coordination with developers and private utility companies; administration of the county's solid waste collection, disposal and regulatory programs; monitoring and regulating the activities of private solid waste collection contractors; and administration and operation of the county's animal, litter and refuse control programs.
- (43) Facilities maintenance and grounds division. The facilities maintenance division shall be responsible for administration of the county's exterior building and grounds preventive maintenance program for all county owned/leased facilities utilized in support of county operations. This division shall manage, maintain, and improve all County real property, including facilities and grounds; and shall manage facility related capital improvement projects and coordinate utilities usage on behalf of the County.
- (54) Roads construction and drainage maintenance division. The road construction and maintenance division shall be responsible for road maintenance, county farm-to-market construction, and storm drainage. This division shall maintain and improve the County road maintenance network and drainage infrastructure.
- (65) Solid waste and recycling division. The solid waste division shall carry out the county's solid waste plan, a copy of which is attached hereto and incorporated herein. This division shall provide residential collection of municipal solid waste (MSW) and recyclable materials within the unincorporated County, provide limited construction & demolition (C&D) landfill services, manage the Solid Waste stream within the County, and promote cost-effective recycling.

(6) Central garage division. This division shall provide fleet management and maintenance services, and manage fueling sites to support the County vehicle and equipment fleet.

(7) Stormwater management division. This division shall provide stormwater management services in support of positive public drainage and “receiving water” quality.

Sec. 2-197. Work performed for public agencies.

~~The work performed by the department of public works and utilities for any public agency shall be done on a cost-plus basis with the costs to be charged against the budget of any such agency that is a political subdivision of the county. Public agencies which are not subdivisions of the county shall be billed for such costs. In no event shall work performed for public agencies interfere with normal maintenance work.~~

Sec. 2-198. Use of county equipment by private parties and during public emergencies.

(a) *Use and operation of county equipment.* Only authorized employees of the county shall be allowed to use and operate equipment owned by the county. No such equipment may be used at any time on private property or for private purposes except for public emergencies as hereinafter defined and as duly authorized by the director of public works and utilities and/or the county administrator.

(b) *Public emergency.* A public emergency is hereby defined as a flood, earthquake, tornado, hurricane, commercial plane crash, passenger train wreck, vehicular wrecks involving five (5) or more vehicles and/or ten (10) or more persons, forest fires and other occurrences, natural or man-made, where the public health is threatened or the potential of extensive damage to private property exists and immediate, emergency steps are necessary to protect life and health and prevent substantial property loss.

(c) *Records.* In the event of such public emergency, the department of public works and utilities must, as soon thereafter as possible, make a record of the nature of the emergency, the property and/or owner involved, the operator of the equipment, the names of county employees utilized, the date(s) thereof, and the man-hours involved.

(d) *Reimbursement.* The director of public works and utilities and/or the county administrator may apply for reimbursement for the services rendered by county employees and equipment where the private party has insurance available for such services or where federal or state funds are available, such as disaster aid.

(e) *Violation.* The failure to comply with this section shall be grounds for suspension, removal or termination.

Sec. 2-199. Disposal of dumps on private property.

~~An easement shall be obtained from the land owner by the utilities and services division of the public works and utilities department prior to the burying of dump on the owner's land.~~

Sec. 2-200. Towing.

~~(a) The public works and utilities wrecker may be used for towing vehicles upon which the county has a tax lien when such towing is requested by the tax collector and/or treasurer for the county.~~

~~(b) No such vehicle shall be towed until levy has been made upon such vehicle by the tax collector for the county pursuant to lawful authority.~~

~~(c) Subsequent to the levy by the tax collector, as specified in (b), the department of public works and utilities may tow such vehicle; provided, however, that a work order or request for towing has been submitted by the office of the treasurer or tax collector, over the authorized signature of the responsible official in that office.~~

~~(d) The department of public works and utilities shall charge against the vehicle, and the treasurer and/or tax collector shall collect as a cost in any public sale of such vehicle or out of redemption of such vehicle, a reasonable wrecker fee which shall be established by the department of public works and utilities, and one dollar (\$1.00) per day charge for storage of such vehicle during the time it is stored on county property.~~

~~(e) For purposes of implementation of this section, the department of public works and utilities may establish a storage area, properly secured, at the county maintenance shop; provided, however, that, such storage area does not in any way interfere with the operation of the maintenance shop.~~

Sec. 2-201198. Burial of paupers and cremains.

The public works and utilities department shall bury paupers at a site designated for that purpose when directed to do so by the county administrator. Further, cremains originating from medical schools may be buried within the county cemetery by appropriately authorized personnel of such schools. Medical schools wishing to enter into these arrangements shall provide a list of names of authorized personnel and shall execute appropriate releases and hold-harmless agreements prior to any burials.

Sec. 2-202199. Reserved.

SECTION III. The Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; is hereby amended to create a new division to read as follows:

DIVISION 2A. SPECIAL SERVICES

Sec. 2-200. Creation; director.

There is hereby created the department of special services and the position of director of special services. The director shall be appointed by the county administrator and his/her term of office shall be at the pleasure of the county administrator.

Sec. 2-201. Qualifications of director; selection; compensation.

The director of special services shall possess education, training and experience that are satisfactory to the county administrator.

Sec. 2-202. Responsibilities; powers; duties.

The special services department shall be responsible for:

- (1) Effectively managing a labor pool of community service and inmate labor personnel in support of County operations, such as picking up trash along the road right-of-ways and beautifying the community through a clean sweep program; and
- (2) Helping communities become self sufficient through sponsoring community cleanups; and
- (3) Holding community forums to address participants' questions about the clean sweep program and neighborhood cleanups.

Secs. 2-203 – 2-204. Reserved.

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

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

SECTION VI. Effective Date. This ordinance shall be effective from and after _____, 2005.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

ATTEST THIS THE ____ DAY

OF _____, 2005

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: July 19, 2005 (tentative)
Second Reading: July 26, 2005 (tentative)
Third Reading:

RICHLAND COUNTY COUNCIL ADMINISTRATION AND FINANCE COMMITTEE

Kit Smith, Chair Mike Montgomery Paul Livingston Joseph McEachern Valerie Hutchinson
District 5 District 8 District 4 District 7 District 9

*Tuesday, June 28, 2005
5:00 pm*

Recommendations (Addendum)

ITEMS FOR ACTION

- Consent** **A. Citizen's Request: Assessment Ratio Refund** – The committee unanimously recommended that Council deny the request of Andrew J. Jones of 814 Motley Road for the refunding of \$365 in county property taxes paid between 1987 and 2000.

Staffed by Joe Cronin

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-05

AN ORDINANCE AUTHORIZING THE FIRST AMENDMENT OF THAT CERTAIN LEASE AGREEMENT BETWEEN RICHLAND COUNTY, SOUTH CAROLINA (THE "COUNTY") AND BLUE CROSS AND BLUE SHIELD OF SOUTH CAROLINA (THE "TENANT") TO (1) EXTEND THE COMPLETION DATE; (2) ADD ADDITIONAL ASSETS AT A SECOND LOCATION; AND (3) OTHER MATTERS RELATING TO THE FOREGOING, ALL IN CONSIDERATION OF ADDITIONAL INVESTMENT IN THE COUNTY BY THE TENANT; AND AUTHORIZING THE FIRST AMENDMENT OF THE SECURITY AGREEMENT BETWEEN THE COUNTY AND THE TENANT

WHEREAS, Richland County, South Carolina (the "County"), acting by and through its County Council (the "County Council") and pursuant to the provisions of the Code of Laws of South Carolina, 1976, as amended (the "Code"), and specifically Title 4, Chapter 12 of the Code (the "Streamlined FILOT Act") and pursuant to an Ordinance duly enacted on July 11, 2000 (the "Original Ordinance"), did heretofore enter into a Lease Agreement (the "Original Lease Agreement"), dated as of July 11, 2000, with Blue Cross and Blue Shield of South Carolina, a South Carolina business corporation pursuant to Section 38-19-30(C) of the Code, as Tenant (the "Tenant"), pursuant to which the County acquired title to certain real and personal property located within the County for lease to the Tenant to be used primarily as a corporate office facility (the "Original Project") and pursuant to which the Tenant agreed to make certain fee in lieu of tax payments ("FILOT") to the County with respect to the Original Project, all in accordance with the Streamlined FILOT Act; and

WHEREAS, the Tenant proposes to expand its existing facilities at a second location in the County by the addition of a data center and other facilities requiring approximately \$10,000,000 in additional investment within the County (the "Expansion Project"); and

WHEREAS, in order to induce the Tenant to increase its investment within the County, the County has agreed, in accordance with Section 4-12-30(C)(2) of the Streamlined FILOT Act, to (1) extend the Completion Date (as defined in the Original Lease Agreement to encompass approximately seven years) to December 31, 2010 for a Completion Date of approximately ten years, and (2) extend the FILOT benefits to the personal property portion of the Expansion Project, all as set forth more particularly in the form of the First Amendment to Lease Agreement presented to this meeting (the "First Amendment to Lease") and the First Amendment to Security Agreement presented to this meeting (the "First Amendment to Security Agreement"); and

WHEREAS, it appears that the First Amendment to Lease and First Amendment to Security Agreement now before this meeting are in appropriate form and are appropriate instruments to be executed and delivered by the County for the purposes intended.

NOW, THEREFORE, BE IT ORDAINED, by the County Council as follows:

Section 1. The form, terms and provisions of the First Amendment to Lease and First Amendment to Security Agreement presented to this meeting and filed with the Clerk of the County Council be and they are hereby approved, and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if the First Amendment to Lease and First Amendment to Security Agreement were set out in this Ordinance in their entirety. As provided in the First Amendment to Lease, the Completion Date, as defined in the Original Lease Agreement, shall be extended to December 31, 2010 and the benefits of the FILOT shall be extended to the personal property portion of the Expansion Project, all in consideration of the Tenant's investment in the Expansion Project.

Section 2. The Chairman of the County Council is hereby authorized and directed to execute and deliver the First Amendment to Lease and First Amendment to Security Agreement in the name and on behalf of the County; the Clerk to Council is hereby authorized and directed to attest the same; and the Chairman of the Council is further authorized and directed to deliver the First Amendment to Lease and First Amendment to Security Agreement to the Tenant. The First Amendment to Lease and First Amendment to Security Agreement are to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of the County thereunder and as shall be approved by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the forms of the First Amendment to Lease and First Amendment to Security Agreement now before this meeting.

Section 3. The Chairman of the County Council, the Clerk to the County Council and any other proper officer of the County, for and on behalf of the County, be and each of them are hereby authorized and directed to execute and deliver any and all documents and instruments, and to do and to cause to be done any and all acts and things, as may be necessary or proper for carrying out the transactions contemplated by this Ordinance.

Section 4. The provisions of this Ordinance are hereby declared to be separable and, if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereunder.

Section 5. All orders, resolutions, ordinances and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

Enacted this ____ day of _____, 2005.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Anthony G. Mizzell, Chair
Richland County Council

(SEAL)

ATTEST THIS _____ DAY OF

_____, 2005:

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

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

**FIRST AMENDMENT TO
LEASE AGREEMENT**

between

RICHLAND COUNTY, SOUTH CAROLINA

and

BLUE CROSS AND BLUE SHIELD OF SOUTH CAROLINA

Amended as of _____, 2005

FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO LEASE AGREEMENT (the "First Amendment to Lease Agreement"), dated as of _____, 2005, by and between RICHLAND COUNTY, SOUTH CAROLINA (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina, and BLUE CROSS AND BLUE SHIELD OF SOUTH CAROLINA, a South Carolina business corporation pursuant to Section 38-19-30(C) of the Code (the "Tenant");

WITNESSETH:

WHEREAS, the County and the Tenant did heretofore enter into that certain Lease Agreement dated as of July 11, 2000 (the "Original Lease Agreement"), pursuant to which the Tenant agreed to make, and the County agreed to accept, negotiated fee in lieu of tax payments with respect to the Project (as defined in the Original Lease Agreement); and

WHEREAS, the Tenant anticipates investing approximately \$10,000,000 in additional investment within the County to expand its existing facilities at a second location in the County by the addition of a data center and other facilities (the "Expansion Project"); and

WHEREAS, in order to induce the Tenant to increase its investment within the County, the County has agreed, in accordance with Section 4-12-30(C)(2) of the Code (as defined in the Original Lease Agreement), to (1) extend the Completion Date to December 31, 2010 for a Completion Date of approximately ten years, and (2) extend the FILOT benefits to the personal property portion of the Expansion Project, all as set forth more particularly herein; and

WHEREAS, the County authorized the foregoing actions to be taken for the benefit of the Tenant pursuant to that certain amendatory Ordinance enacted by the Council with respect to this First Amendment to Lease Agreement on _____, 2005; and

NOW, THEREFORE, in consideration of the premises, and respective representations and agreements hereinafter contained, and the sum of \$10.00 in hand, duly paid by the Tenant to the County, the receipt and sufficiency of which are hereby acknowledged, the County and the Tenant agree as follows:

Section 1. Additional Definitions. In addition to the words and terms elsewhere defined in the Original Lease Agreement, the following words and terms as used herein and in the preambles hereto shall have the following meanings unless the context or use indicates another or different meaning or intent.

"Expansion Project" shall mean the addition of a data center and other facilities at the Tenant's existing facilities within the County at 2501 Faraway Drive, Columbia, South Carolina."

"First Amendment to Lease Agreement" shall mean this First Amendment to Lease Agreement, as originally executed and from time to time supplemented or

amended as permitted herein.

Section 2. Amendment of Original Lease Agreement.

(a) The Original Lease Agreement shall be amended as follows:

(i) The definition of "Completion Date" is hereby revised to read as follows:

"Completion Date" shall mean December 31, 2010.

(ii) The definition of "Project" is hereby revised to read as follows:

*"Project" shall mean (i) the Premises; (ii) the building and improvements on the Premises; (iii) all items described in **Exhibit A-1** attached thereto, as amended or supplemented from time to time; (iv) all other office equipment, furnishings, other fixtures and personal property (excluding supplies and inventory and cash or cash equivalents) of a character subject to South Carolina property taxes, title to which is transferred to the County now or in the future and which are installed or placed in the buildings or improvements (including water, sewage treatment, and disposal facilities, air pollution and control facilities) on the Premises and (v) all equipment, furnishings, fixtures and other personal property installed or utilized by Tenant on or about the site of the Expansion Project. The real property portion of the Expansion Project shall not be deemed to be part of the Project for purposes of calculating the payments in lieu of taxes under Section 6.03 hereof."*

(iii) The final sentence of Section 5.01 is hereby amended to read as follows:

"Upon expiration of the Term, this Lease shall terminate."

(iv) The second sentence of Section 6.03(a) is hereby amended to read as follows:

*"In accordance with the provisions of the Act, the Tenant shall make with respect to the Project (1) twenty annual payments in lieu of taxes for each Completed Segment of the Project; and (2) thereafter the Tenant shall make the statutory payments in lieu of *ad valorem* taxes required by section 4-12-20 of the Act for Completed Segments of the Project during the Term of the Lease."*

(v) Section 10.03 is hereby amended to read as follows:

"Section 10.03. Purchase Price. The purchase price for any purchase by the Tenant pursuant to the Lease shall be \$1.00. Should an Event of Default occur under this Lease, the purchase price for any purchase by the Tenant hereunder shall be \$1.00 plus any outstanding payments in lieu of taxes and any penalties or

interest imposed by the Act with respect to such outstanding payments.”

(vi) Section 11.02 is hereby amended to read as follows:

“Section 11.02. Remedies on Event of Default of Tenant. Upon the occurrence of any Event of Default the County at its option may, subject to the Tenant’s right to repurchase the Project pursuant to Article X hereof, terminate this Lease by 30 days’ notice in writing specifying the termination date and/or pursue any other remedies as may be available under the laws of the State.”

(vii) Section 12.03(b) shall be amended by adding after the address:

“and to:
April C. Lucas, Esquire
Nexsen Pruet, LLC
1441 Main Street, Suite 1500
Columbia, SC 29201”.

(viii) Exhibit A-1 is hereby amended to read as follows:

“All machinery, equipment, fixtures, goods, furniture, and office equipment and all other personal property and fixtures located on, or acquired in connection with, the construction of improvements on the land described on Exhibit A attached hereto or, to the extent acquired by the Tenant between January 1, 2005 and December 31, 2010, at the property of the Tenant at 2501 Faraway Drive, Columbia, South Carolina 29219, TMS # 19809-01-01.”

(b) Except as expressly amended hereby, the terms and provisions of the Original Lease Agreement shall remain unchanged and in full force and effect.

Section 3. Entire Understanding. The Original Lease Agreement, as amended by this First Amendment to Lease Agreement, expresses the entire understanding and all agreements of the parties hereto pertaining to the matters set forth herein and therein.

Section 4. Severability. In the event that any clause or provision of this First Amendment to Lease Agreement shall be held to be invalid by any court of competent jurisdiction, the invalidity of such clause or provision shall not affect any of the remaining provisions hereof.

Section 5. Multiple Counterparts. This First Amendment to Lease Agreement may be executed in multiple counterparts, each of which shall be an original but all of which shall constitute but one and the same instrument.

[End of First Amendment to Lease Agreement]

IN WITNESS THEREOF, the parties hereto, each after due authorization, have executed this First Amendment to Lease Agreement to be effective as of _____, 2005.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Anthony G. Mizzell, Chairman, County Council
Richland County, South Carolina

[SEAL]

ATTEST:

By: _____
Michielle Cannon-Finch, Clerk to Council
Richland County, South Carolina

**BLUE CROSS AND BLUE SHIELD OF SOUTH
CAROLINA**

By: _____
Name: _____
Title: _____

**FIRST AMENDMENT TO
SECURITY AGREEMENT**

between

RICHLAND COUNTY, SOUTH CAROLINA

and

BLUE CROSS AND BLUE SHIELD OF SOUTH CAROLINA

Amended as of _____ 1, 2005

FIRST AMENDMENT TO SECURITY AGREEMENT

THIS FIRST AMENDMENT TO SECURITY AGREEMENT (the "First Amendment to Security Agreement"), dated as of _____, 2005, by and between RICHLAND COUNTY, SOUTH CAROLINA (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina, and BLUE CROSS AND BLUE SHIELD OF SOUTH CAROLINA, a South Carolina business corporation pursuant to Section 38-19-30(C) of the Code (the "Tenant");

WITNESSETH:

WHEREAS, the County and the Tenant did heretofore enter into that certain Lease Agreement dated as of July 11, 2000 (the "Original Lease Agreement"), pursuant to which the Tenant agreed to make, and the County agreed to accept, negotiated fee in lieu of tax payments with respect to the Project (as defined in the Original Lease Agreement); and

WHEREAS, pursuant to the terms of the Original Lease Agreement, the County granted to the Tenant an option to purchase all or a part of the Project ("Option to Purchase"); and

WHEREAS, as security for its obligations under the Option to Purchase, the County and the Tenant entered into a Security Agreement dated as of July 11, 2000 (the "Original Security Agreement"), thereby granting a security interest in the Project to the Tenant; and

WHEREAS, the County authorized the foregoing actions to be taken for the benefit of the Tenant pursuant to that certain amendatory Ordinance enacted by the Council with respect to this First Amendment to Security Agreement on _____, 2005; and

NOW, THEREFORE, in consideration of the premises, and respective representations and agreements hereinafter contained, and the sum of \$10.00 in hand, duly paid by the Tenant to the County, the receipt and sufficiency of which are hereby acknowledged, the County and the Tenant agree as follows:

Section 1. Amendment of the Security Agreement.

Section 1(a) of the Original Security Agreement shall be amended as follows:

"Section 1. Security Interest.

(a) all machinery, equipment, fixtures, accessions, office equipment, personal property and fixtures, and all other personal property of a character subject to South Carolina property taxes, as further described on the Exhibit A-1 to the First Amendment to Lease Agreement, as amended or supplemented from time to time pursuant to the terms of the Lease, and any replacements thereof or additions thereto, all of which items are located on or acquired in connection with the construction and operation of the improvements on the Land on which the Project is located or at the property of the Tenant at 2501 Faraway Drive,

Columbia, South Carolina 29219, TMS # 19809-01-01.”

Section 2. Entire Understanding. The Original Security Agreement, as amended by this First Amendment to Security Agreement, expresses the entire understanding and all agreements of the parties hereto pertaining to the matters set forth herein and therein.

Section 3. Severability. In the event that any clause or provision of this First Amendment to Security Agreement shall be held to be invalid by any court of competent jurisdiction, the invalidity of such clause or provision shall not affect any of the remaining provisions hereof.

Section 4. Multiple Counterparts. This First Amendment to Security Agreement may be executed in multiple counterparts, each of which shall be an original but all of which shall constitute but one and the same instrument.

[End of First Amendment to Security Agreement]

IN WITNESS THEREOF, the parties hereto, each after due authorization, have executed this First Amendment to Security Agreement to be effective as of _____, 2005.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Anthony G. Mizzell, Chairman, County Council
Richland County, South Carolina

[SEAL]

ATTEST:

By: _____
Michielle Cannon-Finch, Clerk to Council
Richland County, South Carolina

**BLUE CROSS AND BLUE SHIELD OF SOUTH
CAROLINA**

By: _____
Name: _____
Title: _____

**APPLICATION FOR LOCATING A COMMUNITY RESIDENTIAL
CARE FACILITY IN AN UNINCORPORATED AREA OF
RICHLAND COUNTY**

To the Chairperson of Richland County Council:

The undersigned hereby respectfully requests that the Richland County Council approve the location of a community care home in Richland County, South Carolina, pursuant to Chapter 7 of Title 44 of the 1976 State Code of Laws, as described below. (Be advised that final approval of all community care homes rests with licensing by the State Department of Health and Human Services.)

Applicant must be the director of the proposed facility.

1. Applicant Name: SARAH LONG
2. Applicant Address: 424 CALVARY DR.
Columbia S.C. 29203.
3. Applicant Telephone: Home (302) 377-9072 Office _____

4. Location of proposed community care home:

Street address: 424 CALVARY DR. City, zip: Columbia: 29203

Tax Map Number: _____

5. Do you own the building that will house the proposed community care home?

YES

NO

If "No," do you have an option to buy the property or, if renting, do you have a lease agreement with the owner? Please state which arrangement you currently have and the name, address and phone number of the current owner and/or lessor.

6. If you are leasing the property, has the lessor granted authority to establish a community care home on the property? YES NO

7. Will the proposed community care home be established in your current permanent residence? YES NO

8. How many bedrooms and bathrooms does the proposed community care home

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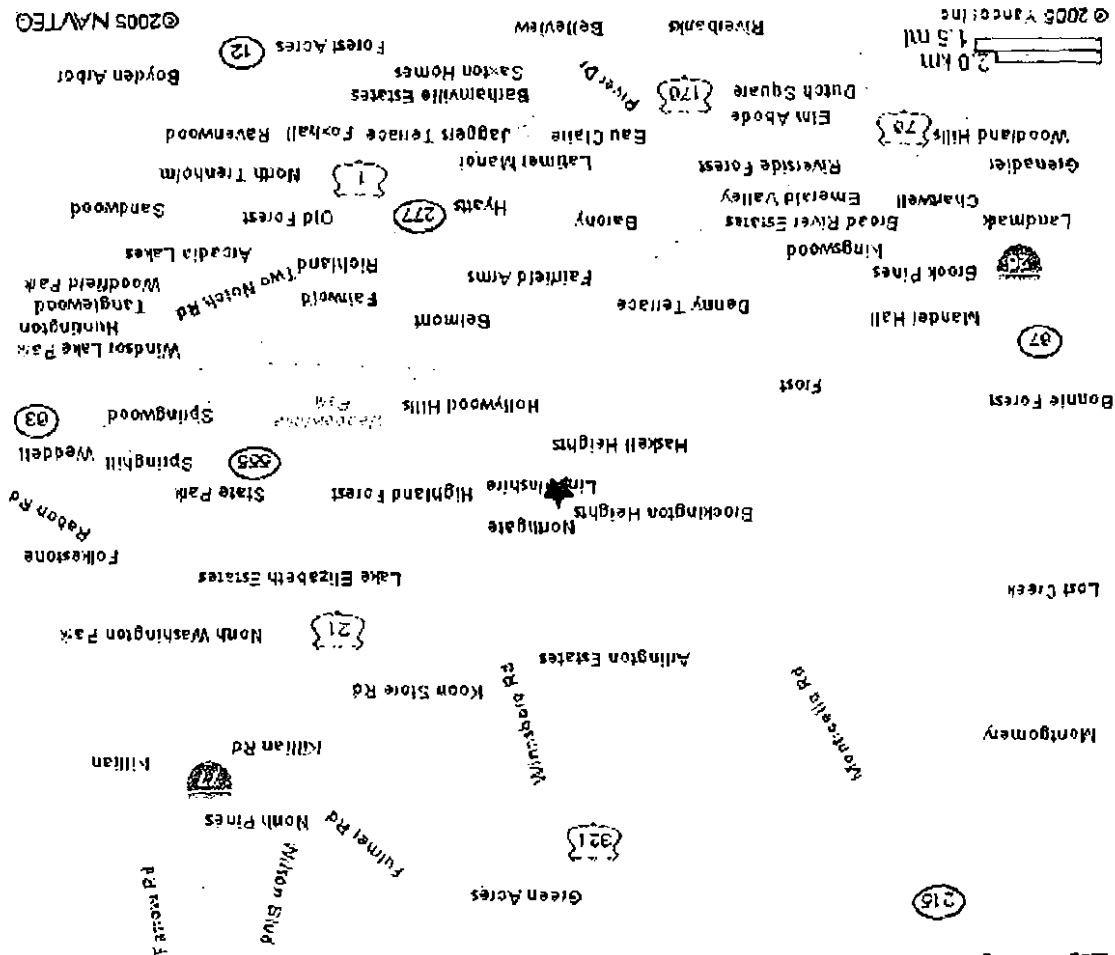
« Back to Map

★ 424 Calvary Dr Columbia, SC 29203-1407

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When using any driving directions or map, it's a good idea to do a reality check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning.

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Richland County Council

Rules and Appointments Committee



**RICHLAND COUNTY COUNCIL
REGULAR SESSION MEETING
JULY 19, 2005**

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

Joseph McEachern
Chairman
District Seven

Paul Livingston
District Four

Mike Montgomery
District Eight

Staffed by:

Monique Walters
*Assistant to the Clerk of
Council*

I. NOTIFICATION OF APPOINTMENTS ON BOARDS, COMMISSIONS, AND COMMITTEES

A. Central Midlands Council of Governments-1

There is one appointment to be made to this board. One application was received from the following person:

Sarah B. Watson, Property Casualty Ins. Claims, Financial Services

B. Community Relations Council-3

There are two appointments to be made to this council one Application was received from the following person:

Sarah Watson, Property Casualty Ins. Claims, Financial Services

C. Employee Grievance Committee-1

There is one appointment to be made to this committee for one un-expired term. An application was received from the following person:

Melody Miranda Gold, Richland County EMS

II. ITEMS PENDING

A. Council Services Travel

Draft of Travel Procedures

B. Appearance Commission

Ordinance Amendment, Draft

* Eligible for reappointment

Report prepared and submitted by:
Monique Walters
Assistant to the Clerk of Council



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Sarah B. Watson
 Home Address: 1701 Chadford Rd. Teme, S.C. 29063
 Telephone: (home) 781-0899 (work) 771-4377
 Office Address: 3101 Carlisle St. Columbia, S.C. 29250
 Educational Background: Graduate - Furman Univ. B.A. - Sociology June 1979.
 Professional Background: 20 yrs. Property Casualty Ins. Claims, Financial Services currently
 Male Female Age: 18-25 26-50 Over 50
 Name of Committee in which interested: Central Midlands Council of Governments
 Reason for interest: Very interested in improving (helping) life in Richland Co. Willing to serve in any capacity necessary to promote the growth of Rich. Co.
 Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:
Strong communication skills, extensive training in working with people at all levels, ability to reason and strong problem solving skills (by profession)
 Presently serve on any County Board/Commission/Committee? yes - Accommodations Tax Com.
 Any other information you wish to give? Current Employer - L.G. Goldstein & Assoc.
 Recommended by Council Member(s): Encouraged by all to apply for other committees.
 Hours willing to commit each month: 5-8 hours per month

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the board for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all boards shall be required to abstain from voting or influencing through discussion or debate or any other way, decisions of the board affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Board or Commission, as the County Council, by majority vote of the council, shall elect.

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes _____

No _____

If so, describe: _____

Frank B. Watson
Applicant's Signature

7/7/2005
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-5060.

One form must be submitted for each committee on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Sarah B. Watson

Home Address: 1701 Chadford Rd. Teme, S.C. 29063

Telephone: (home) 781-0899 (work) 771-4377

Office Address: 3101 Carlisle St. Columbia, S.C. 29250

Educational Background: Graduate - Furman Univ. BA - Sociology June 1979.

Professional Background: 20 yrs. Property Casualty Ins. Claims, Financial Services currently

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

Name of Committee in which interested: Community Relations Council

Reason for interest: Very interested in improving (helping) life in Richland Co. Willing to serve in any capacity necessary to promote the growth of Rich. Co.

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

Strong communication skills, extensive training in working with people at all levels; ability to reason and strong problem solving skills. (by profession)

Presently serve on any County Board/Commission/Committee? yes - Accommodations Tax Com.

Any other information you wish to give? Current Employer - L.G. Goldstein + Assoc.

Recommended by Council Member(s): Encouraged by all to apply for other committees.

Hours willing to commit each month: 5-8 hours per month

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the board for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all boards shall be required to abstain from voting or influencing through discussion or debate or any other way, decisions of the board affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Board or Commission, as the County Council, by majority vote of the council, shall elect.

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes _____

No ✓ _____

If so, describe: _____

Frank B. Watson
Applicant's Signature

7/7/2005
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-5060.

One form must be submitted for each committee on which you wish to serve.

Applications are current for one year.

Staff Use Only			
Date Received:	_____	Received by:	_____
Date Sent to Council:	_____		
Status of Application:	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> On file



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

Applicant must reside in Richland County.

Name: Melondy Miranda Gold

Home Address: 718 Westridge Rd. Columbia, SC 29229

Telephone: (home) 462-9598 (work) 576-3405

Office Address: 1410 Laurens St. Columbia, SC 29204

Educational Background: B.A./Masters in Criminal Justice

Professional Background: Division Manager, Fire and Enforcement

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

Name of Committee in which interested: Grievance Committee

Reason for interest: I believe that positive work relationships and communication are essential to the overall success of our organization and I'd like to be a part of a committee that strives to resolve conflict and improve relationships between employee and employer.

Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission: I feel that I can offer objectivity and insightful views to discussion. My ability to reason is an equally important asset during the decision making process.

Presently serve on any County Board/Commission/Committee? Richland County Treasurer's Board of Trustees

Any other information you wish to give? No.

Recommended by Council Member(s): No.

Hours willing to commit each month: 5

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the board for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The

Clerk of Council shall be notified of any change on an annual basis and members of all boards shall be required to abstain from voting or influencing through discussion or debate or any other way, decisions of the board affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Board or Commission, as the County Council, by majority vote of the council, shall elect.

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes _____ No X

If so, describe: _____

Melinda Bell
Applicant's Signature

2/03/05
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-5060.

One form must be submitted for each committee on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file

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TRAVEL PROCEDURES FOR COUNCIL

Mileage

In Revenue Procedure 2004-64, they set the 2005 standard rate at 40.5 cents per mile, 3 cents per mile higher than the 2004 rate. The new rate will become effective on Jan. 1, 2005. This is the largest one-year increase ever, and the IRS says it is primarily due to higher prices for vehicles and fuel during the year ending in September 2004.

The standard mileage rate is the rate at which employers may reimburse employees who use personal vehicles for company business.

The IRS also has announced the 2005 rate of: (1) 14 cents a mile in connection with providing services to a charitable organization; and (2) 15 cents per mile for using an automobile: (a) to obtain medical care described in Code Section 213, and (b) as part of a move for which the expenses are deductible under Section 217.

The IRS also has said that for 2005, the standard automobile cost cannot exceed \$27,600.

The standard mileage rates are discussed in **the Employer's Guide to Fringe Benefit Rules**. To learn more about the Guide, click here: <http://www.thompson.com/libraries/benefits/perk/index.html>

Procedures

- A *requisition* for all travel advances should be submitted to Finance for registration fees, lodging, meal allowances and mileage allowances.
- County council members shall be reimbursed for the amount of their actual expenses for out-of-town travel. A *travel reimbursement voucher* should be submitted to Finance within seven (7) days after return.
- Michielle Cannon-Finch shall inform Council of the remaining travel balance each month.

IRS

Depending upon the type of plan the employer has, the reimbursement for business travel may or may not be taxable.

There are two types of plans:

1. **Accountable Plans**- An accountable plan is not taxable to your employee. Amounts paid under an accountable plan are not wages and are not subject to income tax withholding and payment of social security, Medicare, and Federal Unemployment (FUTA) Taxes.
2. **Nonaccountable Plans**- A nonaccountable plan is taxable to your employee and is subject to all employment taxes and withholding.

Accountable Plans – (Nontaxable to your employee) In order to qualify as an accountable plan, your reimbursement or allowance arrangement must require that your employees meet all **three** of the rules:

1. There must be a business connection to the expenditure. This means that the expense must be a deductible business expense incurred in connection with services performed as an employee. If not reimbursed by the employer, the expense would be deductible by the employee on his/her 1040 income tax return.

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2. There must be "adequate" accounting by the recipient within a reasonable period of time. This means that your employees must verify the date, time, place, amount and the business purpose of the expense. Receipts are required unless the reimbursement is made under a per diem plan.
3. Excess reimbursements or advances must be returned within a reasonable period of time. Reasonable spends upon facts and circumstances.

Amounts paid under an accountable plan are not wages and are not subject to income tax withholding and payment of social security, Unemployment (FUTA) taxes.

If the expenses covered by this arrangement are not substantiated or amounts in excess of expense are not returned within a reasonable period of time, the amount is treated as paid under a nonaccountable plan. This amount is then subject to income tax withholding and payment of social security, Medicare, and FUTA taxes for the first period following the end of the reasonable period.

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; ARTICLE VII, BOARDS, COMMISSIONS AND COMMITTEES; SECTION 2-326, BOARDS AND COMMISSIONS CREATED AND RECOGNIZED; SUBSECTION (I), RICHLAND COUNTY APPEARANCE COMMISSION; SO AS TO AMEND THE REQUIRED QUALIFICATIONS FOR AT LEAST TWO (2) OF THE MEMBERS.

SECTION I. The Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; Section 2-326, Boards and commissions created and recognized; Subsection (i), Richland County Appearance Commission; Paragraph (2), Membership; to read as follows:

(2) *Membership.* The Richland County Appearance Commission shall consist of eleven (11) members who are individually appointed by the representing Councilperson to represent each Council district. Additionally, two members shall be appointed at-large by majority vote of the full Council, for a maximum number of thirteen (13) Commission members. At least one at-large member of the Commission must be either a landscape architect or must demonstrate prior landscaping knowledge and experience, and one at-large member must be either a horticulturist or a master gardener; and the other members being interested citizens residing in the County. Appropriate representatives from the South Carolina Department of Transportation, City of Columbia, and Richland County will serve as ex-officio members.

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. 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 _____, 2005.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

ATTEST THIS THE _____ DAY
OF _____, 2005.

Michielle R. Cannon-Finch
Clerk of Council

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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: