

**RICHLAND COUNTY COUNCIL
REGULAR SESSION
COUNCIL CHAMBERS
NOVEMBER 15, 2005
6:00 P.M.**

CALL TO ORDER Honorable Anthony G. Mizzell

INVOCATION Honorable Valerie Hutchinson

PLEDGE OF ALLEGIANCE

Honorable Valerie Hutchinson

PRESENTATION:

**Advanced Supervisory
Certificates-Richland County**

**Richland 101 Graduation
Ceremony**

**Tripp Muldrow of
Arnett, Muldrow & Associates
Southeast Richland
Neighborhood Master Plan**

ADOPTION OF AGENDA

CITIZEN'S INPUT

APPROVAL OF MINUTES

**Regular Session: November 1, 2005
[Pages 6-13]**

**REPORT OF COUNTY ATTORNEY FOR EXECUTIVE
SESSION ITEMS**

a. Personnel Matter

REPORT OF THE COUNTY ADMINISTRATOR

REPORT OF THE CLERK OF COUNCIL

REPORT OF THE CHAIRMAN

- a. December Meeting Schedule
(December 6th, 13th, 20th)**

OPEN/CLOSE PUBLIC HEARING ITEMS

APPROVAL OF CONSENT ITEMS

**1.a., 1.b., 1.c., 1.d., 1.e., 1.f., 2.a., 2.b., 2.c., 2.d., 2.e., 2.f.,
2.g.,**

1. THIRD READING ITEMS

- a. A Budget Ordinance to add \$846,385.00
to the FY 2005-2006 Solid Waste Budget
[CONSENT] [Pages 14-15]**
- b. Sheriff's Request: Increase Victim's
Assistance budget by \$250,471.00
[CONSENT] [Pages 16-17]**
- c. Ordinance amending an agreement between
Richland and Fairfield Counties providing for
the inclusion of additional property within the
I-77 Corridor Regional Industrial Park
[CONSENT][Pages 18-20]**
- d. 05-88MA
Cliff Kinder [Farm at McCords Ferry]
PDD to PDD (Amended) (89.2 acres)
Revise Master Plan Access Point Locations
21800-01-03/14 & 21900-09-08
Rabbit Run Road to Garners Ferry Road
[CONSENT] [Pages 21-24]**
- e. 05-89MA
Cliff Kinder [Barnstormers]
PDD to PDD (Amended) (36.4 acres)**

**Revise Master Plan Access Point Locations
21800-01-04 & 21900-09-17
Rabbit Run Road to Garners Ferry Road
[CONSENT] [Pages 25-28]**

- f. 05-81MA
Tammy H. Barkoot
RU to GC
Retail Car Sales
17400-05-23
Longtown Road [CONSENT] [Pages 29-31]**
- g. Ordinance authorizing infrastructure
financing agreement with AEB Business
Properties, LLC (Buck Enterprises)
[Pages 32-47]**

2. SECOND READING ITEMS

- a. Budget Amendment for the Mental
Health Court [CONSENT]
[Pages 48-49]**
- b. Ordinance creating the Business Service
Center [CONSENT][Pages 50-53]**
- c. Budget Amendment to authorize seven
full-time positions and reallocation of
\$170,071 to provide funding for the
Business Service Center [CONSENT]
[Pages 54-55]**
- d. Budget Amendment establishing the
Hopkins Utility Fund for the operation
of Franklin and Albene Park Utility
Systems [CONSENT] [Page 56-57]**
- e. Ordinance prohibiting through traffic
on Olympia Avenue [CONSENT]
[Pages 58-59]**

- f. Ordinance granting an Easement to the City of Columbia to provide water service to the Heart Center Medical Office Building at Palmetto Richland Memorial Hospital [COSENT][Page 60]**
- g. Ordinance granting a Cable Communication Easement to Time Warner Cable at Palmetto Richland Memorial Hospital [CONSENT] [Page 61]**
- h. Ordinance authorizing Small Business Participation in the Residential Solid Waste Collection Program (under separate cover) [Pages 62-74]**
- i. Redevelopment Plan for the Olympia, Whaley, Granby Tax Increment Financing District Ordinance [Pages 75-84] (deferred from Council Mtg. held 11/01/05)**

3. REPORT OF THE PLANNING COMMISSION

- a. Ordinance to incorporate the “Southeast Richland Neighborhood Master Plan” into the Lower Richland Area Plan of the Imagine Richland 2020 Comprehensive Plan [Pages 85-87]**

4. REPORT OF THE RULES AND APPOINTMENTS COMMITTEE [Pages 88-89]

I. NOTIFICATION OF VACANCIES ON BOARDS, COMMISSIONS AND COMMITTEES

- a. Music Festival Commission-1**

b. Performing Arts Center Board-2

c. Richland Memorial Hospital Board-3

**II. NOTIFICATION OF APPOINTMENTS TO
BOARDS, COMMISSIONS AND COMMITTEES**

a. Planning Commission-2 [Pages 90-105]

5. APPROVAL OF RESOLUTION

**a. Approval of Resolution in support of JEDA
Bonds for Plasti-Line n/k/a ImagePoint
[PUBLIC HEARING] [Pages 106-110]**

6. CITIZEN' S INPUT

7. MOTION PERIOD

8. ADJOURNMENT

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, NOVEMBER 1, 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	Paul Livingston
Member	Joseph McEachern
Member	Mike Montgomery
Member	Bernice G. Scott
Member	Kit Smith
Member	Damon Jeter
Member	Doris M. Corley

OTHERS PRESENT - T. Cary McSwain, Michelle Cannon-Finch, Larry Smith, Milton Pope, Tony McDonald, Ashley Jacobs, Monique Walters, Joe Cronin, Roxanne Matthews, Michelle Onley, Michael Criss, Chief Harrell, Amelia Linder, Stephany Snowden, Kendall Johnson, Anna Almeida, Ralph Pearson, Judge Amy McCulloch, Donny Phipps, Pam Davis, Dale Welch

CALL TO ORDER

The meeting was called to order at approximately 6:13 p.m.

INVOCATION

The Invocation was given by the Honorable Kit Smith

PLEDGE OF ALLEGIANCE

POINT OF PERSONAL PRIVILEGE – Mr. Mizzell recognized that Judge Amy McCulloch was in the audience.

ADOPTION OF AGENDA – Ms. Corley moved, seconded by Mr. McEachern, to adopt the agenda as submitted. The vote in favor was unanimous.

PRESENTATION

There was no presentation.

APPROVAL OF MINUTES

Regular Session: October 18, 2005 – Ms. Corley moved, seconded by Ms. Dickerson, to adopt the minutes as submitted. The vote in favor was unanimous.

Mr. Jeter moved, seconded by Ms. Scott, to reconsider approval of the minutes. The vote in favor was unanimous.

Mr. Jeter moved, seconded by Ms. Scott, to amend the minutes to reflect a TEFRA public hearing was held pursuant to Section 147 of the Internal Revenue Code of 1986. The vote in favor was unanimous.

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

Special Called Meeting: October 25, 2005 – Mr. Pearce moved, seconded by Ms. Dickerson to adopt the minutes as submitted. The vote in favor was unanimous.

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

Mr. Pearce moved, seconded by Ms. Hutchinson, to move these items to after Citizen's Input and reorder the remaining items. The vote in favor was unanimous.

- a. **Personnel Matter**
- b. **Personnel Matter**

REPORT OF THE COUNTY ADMINISTRATOR

Mr. McSwain inquired as to whether Council had received a fax regarding some litigation. The attorneys are reviewing the litigation and this matter will be brought back to Council in the future.

REPORT OF THE CLERK OF COUNCIL

Urban League 2005 Equal Opportunity Day Dinner, Thursday, November 3rd at 6:00 p.m.—Seawells – Ms. Finch informed Council she had and would distribute the tickets for this event.

REPORT OF THE CHAIRMAN

No report given at this time.

PUBLIC HEARING ITEMS

- **Ordinance placing a time limit on refunds of overpaid taxes** [Third Reading] – No one signed up to speak.
- **Sheriff's Request: Increase General Fund budget by \$167,000.00 for purchase of radios and tasers** [Third Reading] – No one signed up to speak.
- **Ordinance authorizing the collection of a special duty administrative service fee** [Third Reading] – No one signed up to speak.
- **Ordinance authorizing easement to Sloan Construction Company** [Third Reading] – No one signed up to speak.
- **Ordinance to authorize a quit-claim deed on Eisenhower Drive** [Third Reading] – Mr. McEachern moved, seconded by Mr. Montgomery, to defer the public hearing. The vote in favor was unanimous.
- **A Budget Ordinance to add \$846,385.00 to FY 2005-2006 Solid Waste Budget** [Second Reading] – No one signed up to speak.
- **Sheriff's Request: Increase Victims Assistance budget by \$250,471.00** [Second Reading] – No one signed up to speak.

CITIZEN'S INPUT

Ms. Karen Irick spoke in reference to the Hopkins Utility Fund for the operation of Franklin and Albene Park Utility Systems.

APPROVAL OF CONSENT ITEMS

Ms. Hutchinson moved, seconded by Mr. McEachern, to approve the following consent items:

- **Ordinance placing a time limit on refunds of overpaid taxes** [Third Reading]
- **Sheriff's Request: Increase General Fund budget by \$167,000.00 for purchase of radios and tasers** [Third Reading]
- **Ordinance authorizing the collection of a special duty administrative service fee** [Third Reading]
- **Ordinance authorizing easement to Sloan Construction Company** [Third Reading]
- **Ordinance authorizing the Palmetto Health Lease Amendment** [Third Reading]
- **A Budget Ordinance to add \$864,385.00 to FY 2005-2006 Solid Waste Budget** [Second Reading]
- **Sheriff's Request: A budget amendment to cover General Fund revenue shortfall in the amount of \$250,471.00** [Second Reading]
- **Sheriff's Request: Increase Victims Assistance budget by \$250,471.00** [Second Reading]
- **05-88MA, Cliff Kinder [Farm at McCords Ferry], PDD to PDD (Amended) (89.2 acres), Revise Master Plan Access Point Locations, 21800-01-03/14 & 21900-09-08, Rabbit Run Road to Garners Ferry Road** [Second Reading]
- **05-89MA, Cliff Kinder [Barnstormers], PDD to PDD (Amended) (36.4 acres), Revise Master Plan Access Point Locations, 21800-01-04 & 21900-09-17, Rabbit Run Road to Garners Ferry Road** [Second Reading]
- **05-81MA, Tammy H. Barkoot, RU to GC, Retail Car Sales, 17400-05-23, Longtown Road** [Second Reading]
- **Ordinance to prohibit through truck traffic on Olympia Avenue** [First Reading]

- **Ordinance granting an Easement to the City of Columbia to provide water service to the Heart Center Medical Office Building at Palmetto Richland Memorial Hospital [First Reading]**
- **Ordinance granting a Cable Communications Easement to Time Warner Cable at Palmetto Richland Memorial Hospital [First Reading]**
- **Resolution authorizing Palmetto Health Memorial Hospital to grant a Cable Communications Easement to Time Warner Cable**
- **Resolution regarding National Association of Counties Prescription Discount Card Program**
- **Budget Amendment for the Mental Health Court**
- **Request for New Department and Budget: Business Service Center**
 1. **Ordinance creating the Business Service Center [First Reading]**
 2. **Budget Amendment to authorize seven full-time positions and reallocation of \$170,071 to provide funding for the Business Service Center [First Reading]**
- **Budget Amendment establishing the Hopkins Utility Fund for the operation of Franklin and Albene Park Utility System [First Reading]**

The vote in favor was unanimous.

THIRD READING ITEMS

Ordinance to authorize a quit-claim deed on Eisenhower Drive

Mr. McEachern moved, seconded by Mr. Montgomery, to defer this item. The vote in favor was unanimous.

Ordinance authorizing infrastructure financing agreement with AEB Business Properties, LLC (Buck Enterprises)

Mr. Livingston moved, seconded by Mr. McEachern, to defer this item. The vote in favor was unanimous.

SECOND READING ITEMS

Redevelopment Plan for the Olympia, Whaley, Granby Tax Increment Financing District Ordinance

Ms. Smith moved, seconded by Ms. Dickerson, to defer this item to the next meeting. The vote in favor was unanimous.

Ordinance amending an agreement between Richland and Fairfield Counties providing for the inclusion of additional property within the I-77 Corridor Regional Industrial Park

Mr. Livingston moved, seconded by Mr. Jeter, to approve this item for Second Reading. A discussion took place. The vote in favor was unanimous.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Legal Settlement of Condemnation Action for Burdell Fuller Road

Mr. Ralph Pearson briefed Council on the three alternatives to resolve this issue. Staff's recommendation was to abandon the project.

Mr. McEachern moved, seconded by Mr. Pearce, to accept staff's recommendation to abandon this project. The vote in favor was unanimous.

Ordinance amending Warranty Requirements for New Roads [Third Reading]

A discussion took place.

Point of Order – Ms. Smith felt it would be difficult to give notice for a public hearing on something that Council had not adopted.

Mr. Livingston moved, seconded by Ms. Dickerson to defer this item and for staff to advertise for a public hearing. The vote in favor was unanimous.

Ordinance authorizing Small Business Participation in the Residential Solid Waste Collection Program

Mr. Tony McDonald briefed Council regarding the discussions that took place with the collectors and their reactions to this item.

A discussion took place. Staff's recommendation was to try this program for a trial period.

Mr. McEachern moved, seconded by Ms. Smith, to give first reading approval to the ordinance and to adopt a pilot program with the trial period terminating by July 1, 2006. A discussion took place regarding the trial period. The vote in favor was unanimous.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

No report given at this time. Ms. Smith stated that the resolution for the prescription discount card program was adopted and an implementation schedule was received under separate cover. The implementation of this program has been triggered by this schedule and adoption.

Mr. Jeter informed the committee that he had some information regarding the Bond Review Committee. Ms. Smith invited him to the committee meeting to present this information.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. ITEMS FOR DISCUSSION

- a. Employee Grievance Committee—Ordinance Amendment – Mr. McEachern stated this item stayed in committee.

- b. **Citizen's Input—Time Allotment** – Mr. McEachern stated that the committee recommended that there not be any change to the rule, but the chair be given flexibility. The vote in favor was unanimous.
- c. **Council Rules—Deadline for Administration & Finance and Development & Services Committee Agendas** – Mr. McEachern stated this item stayed in committee. Mr. McEachern stated that Mr. Montgomery had suggested that consideration be given to receiving the agendas electronically.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Approval of an Industrial Development Revenue Bond for Plasti-Line, n/k/a ImagePoint, Inc. through JEDA – Mr. Livingston stated the committee's recommendation was to approve this item. The vote in favor was unanimous.

Staff was directed to follow-up to make sure a public hearing has been scheduled.

REPORT OF TOWNSHIP AD HOC COMMITTEE

Township Auditorium Renovations – Mr. Livingston briefed Council regarding a meeting that took place between City Councilmen Rickenmann and Cromartie, members of the Township Board, the Township Director, Ms. Smith and himself to discuss the land purchase and renovations of the Township Auditorium.

Mr. Livingston moved, seconded by Mr. McEachern, to approve in concept the outlined renovations and land purchase for the Township Auditorium. A discussion took place. The vote was in favor.

CITIZEN'S INPUT

The following persons signed up to speak in favor of paving Sara Matthews Road:

Rev. Reginald Flynn
Mr. Eugene Davoll

EXECUTIVE SESSION ITEMS

Mr. Pearce moved, seconded by Ms. Dickerson, to go into Executive Session to discuss two personnel matters. The vote in favor was unanimous.

=====
Council went into Executive Session at approximately 7:31 p.m. and came out at approximately 8:09 p.m.
=====

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

Personnel Matter – Mr. Pearce moved, seconded by Ms. Scott, to accept the retirement of Mr. McSwain from the position of County Administrator effective November 1, 2005 and to approve the written consultant agreement with Mr. McSwain as discussed in Executive Session. The vote in favor was unanimous.

Personnel Matter – Mr. Livingston moved, seconded by Ms. Scott, to approve the appointment of Milton Pope as Interim County Administrator and to authorize the Chair to execute a written agreement setting forth the terms of Mr. Pope's appointment as Interim County Administrator. The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE

Mr. Mizzell complimented Mr. McSwain on his work over the years for the County, his devotion to the community, and assembling such a great staff. Mr. Mizzell thanked Mr. McSwain and stated he looked forward to working with him in the future.

MOTION PERIOD

Retirement Celebration and Resolution for Cary McSwain – Mr. Mizzell moved, seconded by Mr. Montgomery, to have Council authorize a retirement celebration and resolution for Mr. McSwain for all of his services and accomplishments during his tenure as County Administrator of Richland County. The vote in favor was unanimous.

Public School Funding – Mr. McEachern moved, seconded by Mr. Montgomery, to have staff bring back a report for discussion at the next A&F Committee meeting on what is being considered in the House and Senate and to work on scheduling a joint meeting with the legislative delegation and school board members. Mr. Pearce suggested contacting the Association of Counties to obtain a copy of all the proposals to be taken up in the legislative committee. The vote in favor was unanimous.

Resolution for Kay Patterson – Mr. McEachern moved, seconded by Ms. Scott, to approve a resolution for Senator Kay Patterson for his service to the community. The vote in favor was unanimous.

Franklin Park/Albene Park – Ms. Scott moved, seconded by Mr. Jeter, to have all paperwork concerning the Franklin Park and Albene Park water issue sent through the County Administrator for approval. The vote in favor was unanimous.

Farmer's Market – Mr. Jeter moved, seconded by Ms. Smith, to have staff bring back a status report and comprehensive plan or outline in regard to the Farmer's Market. The vote in favor was unanimous.

ADJOURNMENT

Mr. Pearce moved, seconded by Ms. Dickerson. The vote in favor was unanimous.

The meeting adjourned at approximately 8:26 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 Michelle M. Orley

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 SOLID WASTE ANNUAL BUDGET TO ADD EIGHT HUNDRED FORTY-SIX THOUSAND THREE HUNDRED EIGHTY-FIVE DOLLARS (\$846,385) TO COVER A FUEL SUBSIDY INCREASE FOR COLLECTION CONTRACTORS.

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

SECTION I. That the amount of Eight Hundred Forty-Six Thousand Three Hundred Eighty-Five Dollars (\$846,385.00) be appropriated to the FY 2005-2006 Solid Waste budget. Therefore, the Fiscal Year 2005-2006 Solid Waste Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2005 as amended:	\$17,103,000
Appropriation of Solid Waste unrestricted Fund Balance:	<u> 846,385</u>
Total Solid Waste Revenue as Amended:	\$17,949,385

EXPENDITURES

Expenditures appropriated July 1, 2005 as amended:	\$17,103,000
Add to Solid Waste Special Contracts:	<u> 846,385</u>
Total Solid Waste Expenditures as Amended:	\$17,949,385

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: October 18, 2005
Public Hearing: November 1, 2005
Second Reading: November 1, 2005
Third Reading: November 15, 2005 (tentative)

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 VICTIMS' ASSISTANCE ANNUAL BUDGET TO ADD TWO HUNDRED FIFTY THOUSAND FOUR HUNDRED SEVENTY-ONE DOLLARS (\$250,471.00) TO INCREASE FUNDING FOR SHERIFF VICTIMS' ASSISTANCE PROGRAM.

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

SECTION I. That the amount of Two Hundred Fifty Thousand Four Hundred Seventy-One Dollars (\$250,471.00) be appropriated to the FY 2005-2006 Victims' Assistance budget. Therefore, the Fiscal Year 2005-2006 Victims' Assistance Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2005 as amended:	\$585,000
Transfer of SRO Revenue from General Fund:	<u>250,471</u>
Total Victim's Assistance Revenue As Amended:	\$835,471

EXPENDITURES

Expenditures appropriated July 1, 2005 as amended:	\$585,000
Add to Sheriff Department VA:	<u>250,471</u>
Total General Fund Expenditures As Amended:	\$835,471

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: October 4, 2005
Public Hearing: November 1, 2005
Second Reading: November 1, 2005
Third Reading: November 15, 2005 (tentative)

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

AUTHORIZING AN AMENDMENT TO THAT CERTAIN AGREEMENT BETWEEN RICHLAND COUNTY AND FAIRFIELD COUNTY PROVIDING FOR THE INCLUSION OF ADDITIONAL PROPERTY WITHIN THE I-77 CORRIDOR REGIONAL INDUSTRIAL PARK HERETOFORE FORMED BY THESE COUNTIES; AND OTHER MATTERS THERETO.

WHEREAS, Richland County, South Carolina (“Richland”) and Fairfield County, South Carolina (“Fairfield”) (collectively, “Counties”), as authorized by 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”), previously jointly developed the I-77 Corridor Regional Industrial Park (“Park”); and,

WHEREAS, the Counties have heretofore entered into an agreement by which the Counties created the Park (“Park Agreement”); and

WHEREAS, Wilburn Enterprises, LLC and Carolina Adventure World, LLC, and their corporate affiliates and assigns (collectively, “Company”), have requested the Counties expand the boundaries of the Park to include Company property located in Fairfield and described in the attached **Exhibit A** (“Property”); and

WHEREAS, the Counties now desire to expand the boundaries to include the Property as provided under the Park Agreement.

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 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 Park Agreement, the expansion shall be complete upon the adoption of this Ordinance by the Richland County Council and a companion Ordinance by the Fairfield County Council.

Section 2. Savings Clause. If any portion of this Ordinance shall be deemed unlawful, unconstitutional or otherwise invalid, the validity and binding effect of the remaining portions shall not be affected thereby.

Section 3. General Repealer. Any prior Ordinance, the terms of which are in conflict herewith, is, only to the extent of such conflict, hereby repealed.

Section 4. Effectiveness. This Ordinance shall be effective after third and final reading.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizell, Chair

(SEAL)

ATTEST THIS THE ____ DAY

OF _____, 2006

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: October 18, 2005
Second Reading: November 1, 2005
Third Reading: November 15, 2005 (tentative)

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

**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 THE REAL PROPERTY DESCRIBED HEREIN (TMS # 21800-01-03/14 & 21900-09-08), FROM PDD (PLANNED DEVELOPMENT DISTRICT) TO AN AMENDED 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 Title 6, Chapter 29, of the Code of Laws of South Carolina; and

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

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

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the property (TMS # 21800-01-03/14 & 21900-09-08), described in Exhibit A, which is attached

hereto, from PDD Planned Development District zoning to an amended PDD Planned Development District zoning.

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

- a) The applicant shall comply with the Master Plan, as previously approved on October 19, 2004 by the enactment of Ordinance Number 062-04HR; provided, however, two additional internal connections shall be located on the Northeast portion of the property between The Farms@ McCord's Ferry and Barnstormers PDD, as depicted in Exhibit A, which is attached hereto; and
- b) All site development requirements described above shall apply to the applicant, the developer, and/or their successors in interest.

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

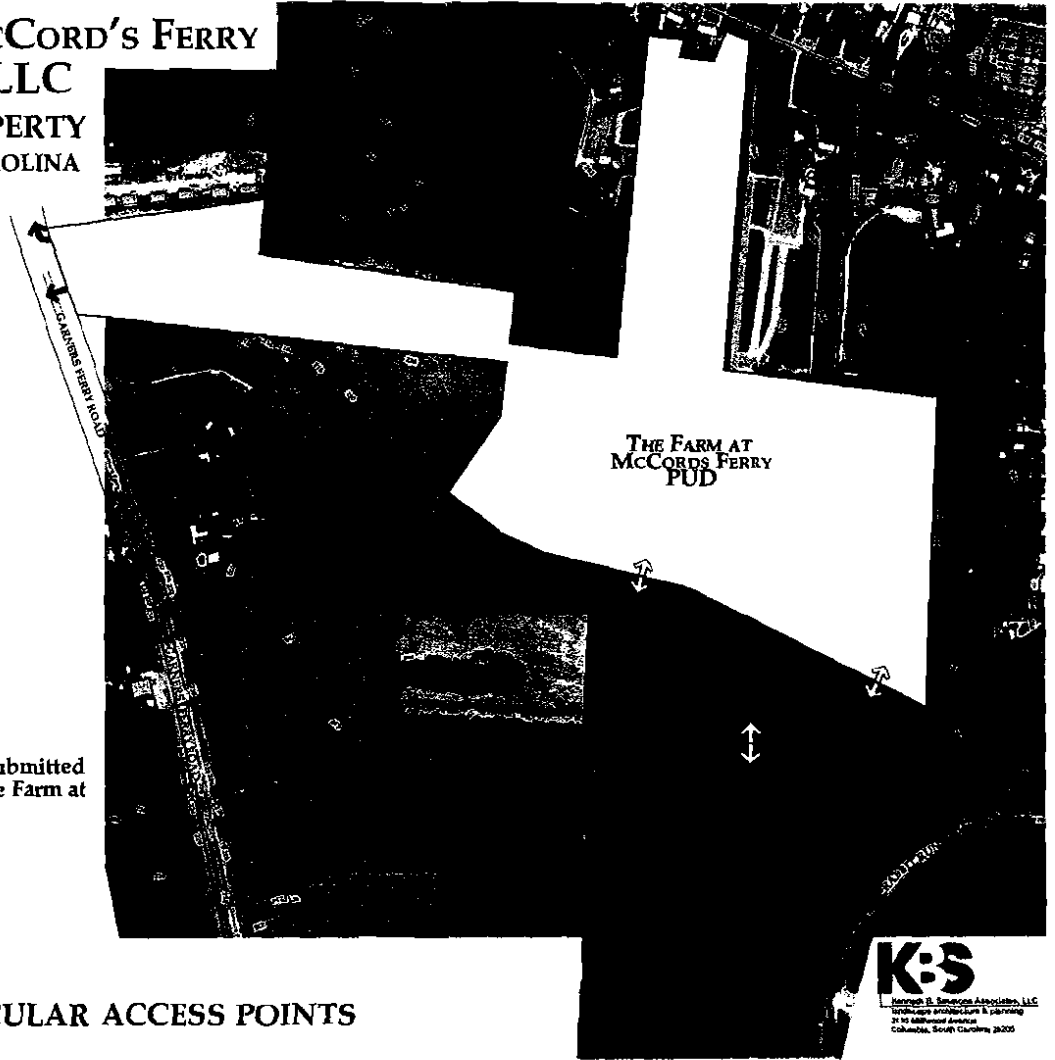
RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: October 25, 2005
First Reading: October 25, 2005
Second Reading: November 1, 2005
Third Reading: November 15, 2005 (tentative)

**Exhibit A
Property Description**

**THE FARM AT McCORD'S FERRY
BARNSTORMERS, LLC
DESCHAMPS PROPERTY
COLUMBIA, SOUTH CAROLINA
AUGUST 25, 2005**



NOTE:
This plan amends previously submitted
PUDs for Barnstormers and The Farm at
McCord's Ferry.

↕ INTERNAL VEHICULAR ACCESS POINTS

K&S
Kathryn B. Simmons Associates, LLC
Architecture, Interiors & Planning
2714 Ashwood Avenue
Columbia, South Carolina 29205

**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 THE REAL PROPERTY DESCRIBED HEREIN (TMS # 21800-01-04 & 21900-09-17), FROM PDD (PLANNED DEVELOPMENT DISTRICT) TO AN AMENDED 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 Title 6, Chapter 29, of the Code of Laws of South Carolina; and

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

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

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the property (TMS # 21800-01-04 & 21900-09-17), described in Exhibit A, which is attached

hereto, from PDD Planned Development District zoning to an amended PDD Planned Development District zoning.

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

- a) The applicant shall comply with the Master Plan, as previously approved on March 15, 2005 by the enactment of Ordinance Number 016-05HR; provided, however, one additional internal connection shall be located on the Northwest portion of the property between Barnstormers and The Farms@ McCord's Ferry PDD, as depicted in Exhibit A, which is attached hereto; and
- b) All site development requirements described above shall apply to the applicant, the developer, and/or their successors in interest.

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

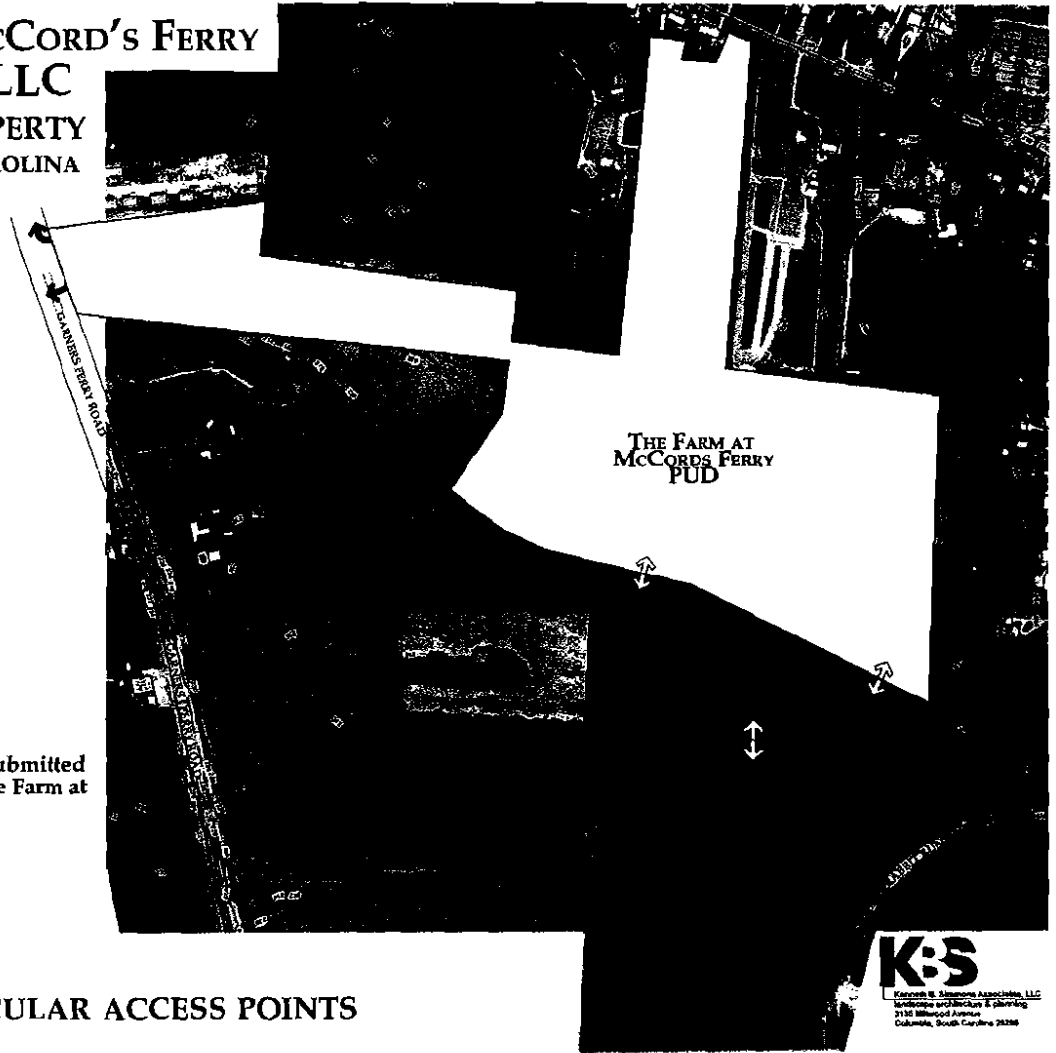
RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: October 25, 2005
First Reading: October 25, 2005
Second Reading: November 1, 2005
Third Reading: November 15, 2005 (tentative)

Exhibit A
Property Description

THE FARM AT McCORD'S FERRY
BARNSTORMERS, LLC
DESCHAMPS PROPERTY
COLUMBIA, SOUTH CAROLINA
AUGUST 25, 2005



NOTE:
This plan amends previously submitted
PUDs for Barnstormers and The Farm at
McCord's Ferry.

↕ INTERNAL VEHICULAR ACCESS POINTS

**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 THE REAL PROPERTY DESCRIBED HEREIN (TMS # 17400-05-23) FROM RU (RURAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

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

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

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

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

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

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the property (TMS # 17400-05-23) described in Exhibit A, which is attached hereto, from RU Rural District zoning to GC General Commercial District zoning.

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

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

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

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of _____, 2005.

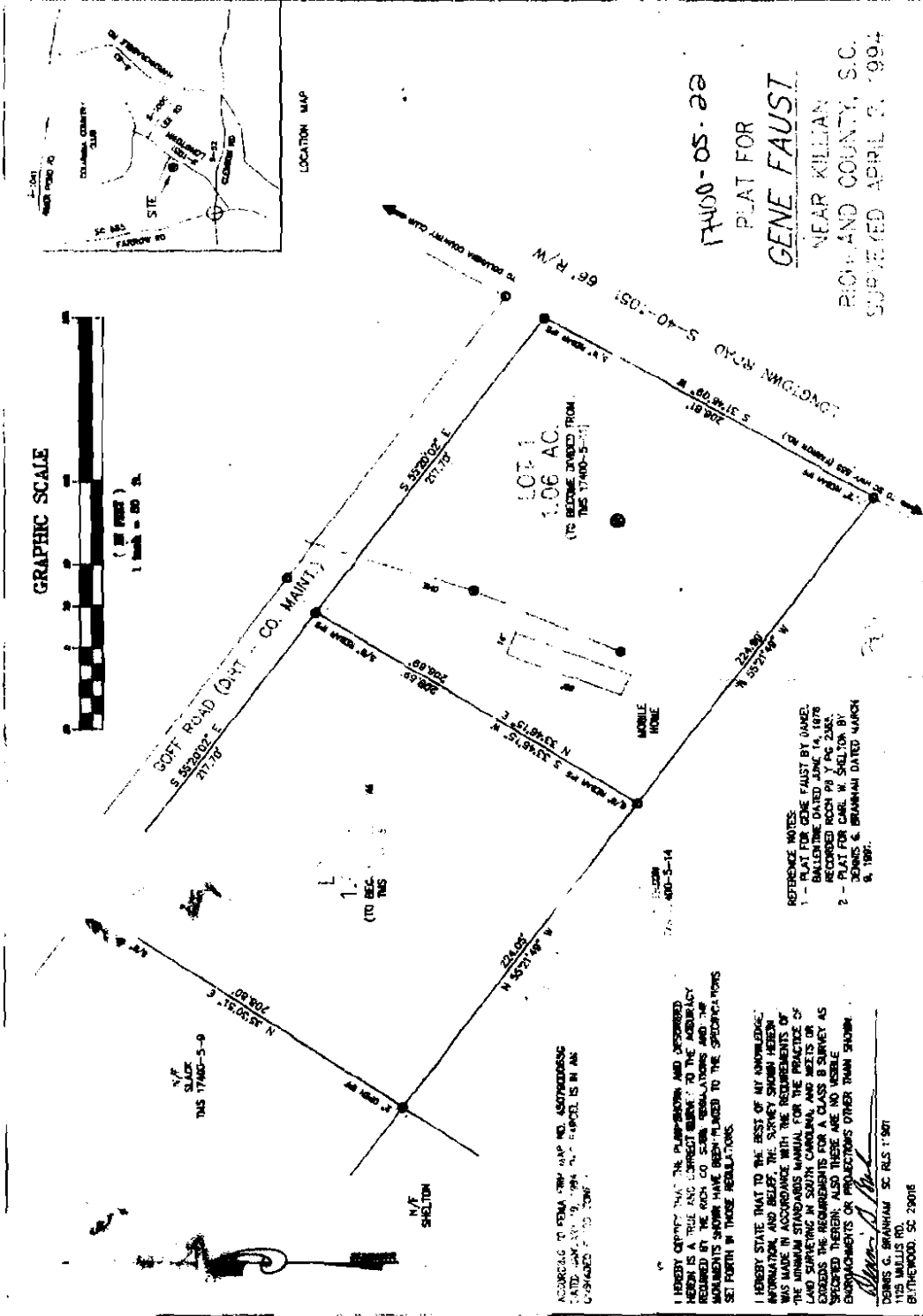
Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: October 25, 2005
First Reading: October 25, 2005
Second Reading: November 1, 2005
Third Reading: November 15, 2005 (tentative)

Exhibit A Property Description



AMENDED 10-13-05

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

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE FINANCING AGREEMENT BETWEEN RICHLAND COUNTY, SOUTH CAROLINA, AND AEB BUSINESS PROPERTIES, LLC, AN AFFILIATE OF BUCK ENTERPRISES, LLC.

WHEREAS, Richland County (the "County"), acting by and through its County Council (the "County Council") is authorized by Sections 4-1-175 and 4-29-68 of the Code of Laws of South Carolina 1976, as amended, to provide special source revenue financing, secured by and payable solely from revenues of the County derived from payments in lieu of taxes pursuant to Article VIII, Section 13 of the South Carolina Constitution, for the purpose of defraying the cost of designing, acquiring, constructing, improving, or expanding the infrastructure serving the County and for improved and unimproved real estate used in the operation of a manufacturing facility or commercial enterprise in order to enhance the economic development of the County; and

WHEREAS, AEB Business Properties, LLC, a South Carolina limited liability company (the "Company") will construct a manufacturing facility (the "Facility") to be located in the North Point Industrial Park in Richland County, South Carolina, and more particularly described on Exhibit A, attached hereto (the "Property"), and

WHEREAS, the Company is an affiliate of Buck Enterprises, LLC ("Buck"), which will lease the Facility and transfer 7 employees from its current facility to the Facility ~~employ approximately 7 employees~~ immediately upon completion of the Facility and anticipates adding 3-4 employees within 2 years of completion of the Facility and possibly an additional 10 employees within 3-5 years of completion of the Facility; and

WHEREAS, in order to operate the Facility, a sewer line extension needs to be constructed (the "Sewer Line") for which Buck has requested financial assistance from the County, and which will allow the further development of other industrial and business parcels in the area, thereby enhancing the tax base of the County and creating additional jobs in the County; and

WHEREAS, the County and Fairfield County have established a joint county industrial business park (the "Park") by entering into an Agreement for Development of Joint County Industrial Park, dated December 11, 1995, pursuant to the provisions of Article VIII, Section 13 of the South Carolina Constitution; and

WHEREAS, the County and Fairfield County have [recently] amended the previously mentioned Agreement for Development for Joint County Industrial Park by including the Property upon which the Facility (including the Project) is located in the Park (as so amended, the "Park Agreement"); and

WHEREAS, pursuant to the provisions of the Park Agreement, the Company and Buck are obligated to make or cause to be made payments in lieu of taxes which will be distributed to Fairfield County (the "Fairfield Fee Payments") and to the County (the "County Fee Payments") in the total amount equivalent to the ad valorem property taxes that would have been due and payable but for the location of the Property and Facility (including the Project) within the Park; and

WHEREAS, the County has agreed to provide special source revenue financing by allowing a credit to be taken by the Company against the Company's fee in lieu of tax payments, to offset the costs of the construction of the Sewer Line by the Company, such credit to be taken after the distribution of the Fairfield Fee Payments by the County; and

WHEREAS, the credit arrangement is set forth in the Infrastructure Improvements Financing Agreement attached hereto as Exhibit B (the "Financing Agreement"); and

WHEREAS, the assistance to the Company will benefit the general public welfare of the County by creating and retaining employment in the County, and provide other public benefits, all of which are proper governmental and public purposes.

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

Section 1. There is hereby authorized the financing of the Sewer Line through incorporation of the Property and the Facility in a multi-county industrial park and a credit against the County Fee Payments in order to reimburse the Company for all or a part of the cost of the Sewer Lines as described in the attached Financing Agreement by the County.

Section 2. The Chairman is hereby authorized and directed, in the name and on behalf of the County, to execute the Financing Agreement in substantially the form attached hereto as Exhibit B, together with any changes or amendments thereto as may be deemed reasonable and necessary in the discretion of the Chairman of County Council and the Clerk of County Council is hereby authorized to attest the same; the Chairman of County Council is further authorized and directed to deliver the executed Financing Agreement and any authorized amendments thereto to the Company.

Section 3. Consummation of all transactions contemplated by the Financing Agreement is hereby approved.

Section 4. This Ordinance shall be construed and interpreted in accordance with laws of the State of South Carolina.

Section 5. This Ordinance shall become effective immediately upon third reading and approval by the County Council.

Section 6. The provisions of this Ordinance are hereby declared to be severable and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, that declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereunder.

Section 7. All orders, resolutions, ordinances and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed.

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: September 20, 2005
Second Reading: October 4, 2005
Public Hearing: October 18, 2005
Third Reading: November 15, 2005 (tentative)

EXHIBIT A (to the Ordinance)

PROPERTY DESCRIPTION – 4 ACRES ON NORTHPOINT BLVD.)

All that piece, parcel, lot or tract of land, situate, lying and being in Richland County, South Carolina, and being shown and designated on a plat by B. P. Barber & Associates, Inc., dated November 25, 2002 entitled in part “Boundary & Topographic Survey” recorded at Plat Book 772, Page 2580 in the ROD Office of Richland County, South Carolina, and having such size, shape, buttings, boundings, dimensions and location as will appear by reference to said plat which is incorporated herein by reference, be all the dimensions and measurements shown thereon a little more or less.

Bounded on the north by land now or formerly of Hueck Foils, LLC, on the east and south by other lands of the Citadel Foundation and on the west by Northpoint Boulevard.

Being the same property conveyed to Buck Enterprises, LLC from The Citadel Foundation, dated March 20, 2003 in Record Book 772, Page 2581 in the ROD Office of Richland County, South Carolina.

Tax Map Parcel Number: 14900-01-34

EXHIBIT B (to the Ordinance)

INFRASTRUCTURE IMPROVEMENTS
FINANCING AGREEMENT

THIS INFRASTRUCTURE IMPROVEMENTS FINANCING AGREEMENT, dated as of _____, 2005 (the "Agreement"), between RICHLAND COUNTY, SOUTH CAROLINA, a body politic and corporate, and a political subdivision of the State of South Carolina (the "County"), and AEB BUSINESS PROPERTIES, LLC a South Carolina limited liability company and an affiliate of BUCK ENTERPRISES, LLC, a South Carolina Limited Liability Company ("Buck").

WITNESSETH:

WHEREAS, the County, acting by and through its County Council (the "County Council") is authorized by Sections 4-1-175 and 4-29-68 of the Code of Laws of South Carolina 1976, as amended, to provide special source revenue financing, secured by and payable solely from revenues of the County derived from payments in lieu of taxes pursuant to Article VIII, Section 13 of the South Carolina Constitution, for the purpose of defraying the cost of designing, acquiring, constructing, improving, or expanding the infrastructure serving the County and for improved and unimproved real estate used in the operation of a manufacturing facility or commercial enterprise in order to enhance the economic development of the County; and

WHEREAS, AEB Business Properties, LLC, a South Carolina limited liability company (the "Company") will construct a manufacturing facility (the "Facility") to be located in the North Point Industrial Park in Richland County, South Carolina, and more particularly described on Exhibit A, attached hereto (the "Property"), and

WHEREAS, the Company is an affiliate of Buck Enterprises, LLC ("Buck"), which will lease the Facility and transfer 7 employees from its current facility to the Facility employ approximately 7 employees immediately upon completion of the Facility and anticipates adding 3-4 employees within 2 years of completion of the Facility and possibly an additional 10 employees within 3-5 years of completion of the Facility; and

WHEREAS, in order to operate the Facility, a sewer line extension needs to be constructed (the "Sewer Line") for which Buck has requested financial assistance from the County, and which will allow the further development of other industrial and business parcels in the area, thereby enhancing the tax base of the County and creating additional jobs in the County; and

WHEREAS, the County and Fairfield County have established a joint county industrial business park (the "Park") by entering into an Agreement for Development of Joint County Industrial Park, dated December 11, 1995, pursuant to the provisions of Article VIII, Section 13 of the South Carolina Constitution; and

WHEREAS, the County and Fairfield County have [recently] amended the previously mentioned Agreement for Development for Joint County Industrial Park by including the Property

upon which the Facility (including the Sewer Line) is located in the Park (as so amended, the "Park Agreement"); and

WHEREAS, pursuant to the provisions of the Park Agreement, the Company and Buck are obligated to make or cause to be made payments in lieu of taxes which will be distributed to Fairfield County (the "Fairfield Fee Payments") and to the County (the "County Fee Payments") in the total amount equivalent to the ad valorem property taxes that would have been due and payable but for the location of the Property and Facility (including the Sewer Line) within the Park; and

WHEREAS, the County has agreed to provide special source revenue financing by allowing a credit to be taken by the Company against the Company's fee in lieu of tax payments, to offset the costs of the construction of the Sewer Line by the Company, such credit to be taken after the distribution of the Fairfield Fee Payments by the County; and

WHEREAS, the assistance to the Company will benefit the general public welfare of the County by creating and retaining employment in the County, and provide other public benefits, all of which are proper governmental and public purposes; and

WHEREAS, the County Council has duly authorized execution and delivery of this Agreement by ordinance duly enacted by the County Council on October 18, 2005, following conducting a public hearing held on October 18, 2005, in compliance with the terms of the Act.

NOW, THEREFORE, in consideration of the respective representations and agreements hereinafter contained, the County and the Company agree as follows:

ARTICLE I

DEFINITIONS

The terms defined in this Article I shall for all purposes of this Agreement have the meanings herein specified, unless the context clearly otherwise requires. Except where the context otherwise requires, words importing the singular number shall include the plural number and *vice versa*.

"Act" shall mean, collectively, Title 4, Chapter 29, and Title 4, Chapter 1 of the Code of Laws of South Carolina 1976, as amended, and all future acts amendatory thereof.

"Agreement" shall mean this Agreement, as the same may be amended, modified or supplemented in accordance with the terms hereof.

"Buck" shall mean Buck Enterprises, LLC, a South Carolina limited liability company, its successors and assigns.

"County Fee Payments" shall mean payments in lieu of taxes made to the County with respect to the Sewer Line as required by the Park Agreement.

"Company" shall mean AEB Business Properties, LLC, a South Carolina limited liability company, its successors and assigns.

"*Cost of the Sewer Line*" shall mean the cost of acquiring, by construction and purchase, the Sewer Line and shall be deemed to include, whether incurred prior to or after the date of the Agreement: (a) obligations incurred for labor, materials, and other expenses to builders and materialmen in connection with the acquisition, construction, and installation of the Sewer Line; (b) the cost of construction bonds and of insurance of all kinds that may be required or necessary during the course of construction and installation of the Sewer Line, which is not paid by the contractor or contractors or otherwise provided for; (c) the expenses for test borings, surveys, test and pilot operations, estimates, plans and specifications and preliminary investigations therefor, and for supervising construction, as well as for the performance of all other duties required by or reasonably necessary in connection with the acquisition, construction, and installation of the Sewer Line; (d) all other costs which shall be required under the terms of any contract for the acquisition, construction, and installation of the Sewer Line; and (e) the costs listed on Exhibit B attached hereto.

"*County*" shall mean Richland County, South Carolina, a body politic and corporate and a political subdivision of the State of South Carolina and its successors and assigns.

"*Fairfield Fee Payments*" shall mean payments in lieu of taxes made to Fairfield County with respect to the Sewer Line as required by the Park Agreement.

"*Ordinance*" shall mean the ordinance enacted by the County Council on October 18, 2005, authorizing the execution and delivery of this Agreement.

"*Park Agreement*" shall mean the Agreement for Development of Joint County Industrial Park, dated _____, between the County and Fairfield County, South Carolina, as amended or supplemented.

"*Park*" shall mean the Joint County Industrial or Business Park established pursuant to the terms of the Park Agreement.

"*Person*" shall mean an individual, a corporation, a partnership, an association, a joint stock company, a trust, any unincorporated organization, or a government or political subdivision.

"*Sewer Line*" shall mean the sewer line, the general location and costs of which are indicated on Exhibit B attached hereto.

"*Special Source Revenue Credits*" shall mean the credit to the Company's fee in lieu of tax payments to reimburse the Company for Cost of the Sewer Line in the amounts set forth in Section 3.02 hereof.

ARTICLE II

REPRESENTATIONS AND WARRANTIES

SECTION 2.01. Representations by the County. The County makes the following representations and covenants as the basis for the undertakings on its part herein contained:

(a) The County is a body politic and corporate and a political subdivision of the State of South Carolina and is authorized and empowered by the provisions of the Act to enter into the transactions contemplated by this Agreement and to carry out its obligations hereunder. By proper action by the County Council, the County has been duly authorized to execute and deliver this Agreement, and any and all agreements collateral thereto.

(b) The County proposes to reimburse the Company for a portion of the Cost of the Sewer Line for the purpose of creation and retention of jobs, increase in the tax base of the County, and promoting the economic development of the County.

(c) The County is not in default under any of the provisions of the laws of the State of South Carolina, where any such default would affect the validity or enforceability of this Agreement.

(d) The authorization, execution and delivery of this Agreement, the enactment of the Ordinance, and performance of the transactions contemplated hereby and thereby do not and will not conflict with, or result in the violation or breach of, or constitute a default or require any consent under, or create any lien, charge or encumbrance under the provisions of (i) the Constitution of the State or any law, rule, or regulation of any governmental authority, (ii) any agreement to which the County is a party, or (iii) any judgment, order, or decree to which the County is a party or by which it is bound. There is no action, suit, proceeding, inquiry, or investigation, at law or in equity, or before or by any court, public body, or public board which is pending or threatened challenging the creation, organization or existence of the County or its governing body or the power of the County to enter into the transactions contemplated hereby or wherein an unfavorable decision, ruling or finding would adversely affect the transactions contemplated hereby or would affect the validity, or adversely affect the enforceability, of this Agreement, or any other agreement or instrument to which the County is a party and which is to be used in connection with or is contemplated by this Agreement, nor, to the best of the knowledge of the County, is there any basis therefor.

SECTION 2.02. Representations by the Company. The Company and Buck (collectively, the "Companies") jointly make the following representations and warranties as the basis for the undertakings on their part herein contained:

(a) The Companies are South Carolina limited liability companies duly organized, validly existing, and in good standing under the laws of the State of South Carolina, are authorized to conduct business in the State of South Carolina, have power to enter into this Agreement, and by proper company action have been duly authorized to execute and deliver this Agreement.

(b) This Agreement has been duly executed and delivered by the Company and Buck and constitutes the legal, valid, and binding obligation of each the Company and Buck, enforceable in accordance with its terms except as enforcement thereof may be limited by bankruptcy, insolvency, or similar laws affecting the enforcement of creditors' rights generally.

(c) Neither the execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, nor the fulfillment of or compliance with the terms and conditions of this Agreement, will result in a material breach of any of the terms, conditions, or provisions of any corporate restriction or any agreement or instrument to which the Company or

Buck is now a party or by which it is bound, or will constitute a default under any of the foregoing, or result in the creation or imposition of any lien, charge, or encumbrance of any nature whatsoever upon any of the property or assets of the Company or Buck, other than as may be created or permitted by this Agreement.

(d) Buck currently employs 7 full-time employees at its location in the County on Fairfield Road.

SECTION 2.03. Covenants of County.

(a) The County will at all times maintain its corporate existence and will use its best efforts to maintain, preserve, and renew all its rights, powers, privileges, and franchises; and it will comply with all valid acts, rules, regulations, orders, and directions of any legislative, executive, administrative, or judicial body applicable to this Agreement.

(b) The County will incorporate the Property and the Facility in the Park Agreement and will maintain such status for the duration of this Agreement.

(c) The County covenants that it will from time to time and at the expense of the Company execute and deliver such further instruments and take such further action as may be reasonable and as may be required to carry out the purpose of this Agreement; provided, however, that such instruments or actions shall never create or constitute an indebtedness of the County within the meaning of any state constitutional provision (other than the provisions of Article X, Section 14(10) of the South Carolina Constitution) or statutory limitation and shall never constitute or give rise to a pecuniary liability of the County or a charge against its general credit or taxing power or pledge the credit or taxing power of the State, or any other political subdivision of the State.

ARTICLE III

SPECIAL SOURCE REVENUE CREDITS

SECTION 3.01. Payment of Costs of Sewer Line. The Company has paid, or agrees to pay, or cause to be paid, all Costs of the Sewer Line as and when due.

SECTION 3.02. Special Source Revenue Credits.

(a) Commencing with the first payment of fee in lieu of taxes pertaining to the Facility, the County hereby promises to provide a credit equal to \$34,860 of the County Fee Payments in order to partially reimburse the Company for the Cost of the Sewer Line as permitted by the Act. Upon the creation of an additional ten (10) new, full time jobs by Buck within three (3) years of completion of the Facility, provided such new jobs shall pay wages at a level commensurate with similar skill level jobs in this area, and the certification of such creation and wage level by Buck to the County, the County shall grant an additional credit of \$33,890 against the fee in lieu of tax payments by the Company in order to reimburse the Company for the remainder of the cost of construction of the Sewer Line, provided, however, that such credits shall not exceed, in the aggregate, the total amount of costs of the Sewer Line. THIS AGREEMENT AND THE SPECIAL SOURCE REVENUE CREDITS BECOMING DUE HEREON ARE LIMITED OBLIGATIONS

OF THE COUNTY PROVIDED BY THE COUNTY SOLELY FROM THE RICHLAND FEE PAYMENTS DERIVED BY THE COUNTY PURSUANT TO THE PARK AGREEMENT, AND DO NOT AND SHALL NEVER CONSTITUTE AN INDEBTEDNESS OF THE COUNTY WITHIN THE MEANING OF ANY CONSTITUTIONAL PROVISION (OTHER THAN THE PROVISIONS OF ARTICLE X, SECTION 14(10) OF THE SOUTH CAROLINA CONSTITUTION) OR STATUTORY LIMITATION AND DO NOT AND SHALL NEVER CONSTITUTE OR GIVE RISE TO A PECUNIARY LIABILITY OF THE COUNTY OR A CHARGE AGAINST ITS GENERAL CREDIT OR TAXING POWER. THE FULL FAITH, CREDIT, AND TAXING POWER OF THE COUNTY ARE NOT PLEDGED FOR THE SPECIAL SOURCE REVENUE CREDITS.

(b) No breach by the County of this Agreement shall result in the imposition of any pecuniary liability upon the County or any charge upon its general credit or against its taxing power. The liability of the County under this Agreement or of any warranty herein included or for any breach or default by the County of any of the foregoing shall be limited solely and exclusively to the County Fee Payments. The County shall not be required to execute or perform any of its duties, obligations, powers, or covenants hereunder except to the extent of the County Fee Payments.

ARTICLE IV

CONDITIONS TO DELIVERY OF AGREEMENT; TITLE TO SEWER LINE

SECTION 4.01. Documents to be Provided by County. (a) Prior to or simultaneously with the execution and delivery of this Agreement, the County shall provide to the Company:

(a) A copy of the Ordinance authorizing this Agreement, duly certified by the Clerk of the County Council under its corporate seal to have been duly enacted by the County and to be in full force and effect on the date of such certification; and

(b) A copy of the Park Amendment Ordinances or Resolutions, as the case may be, duly certified by the Clerk of the County Council under its corporate seal to have been duly enacted by the County and Fairfield County, respectively, and to be in full force and effect on the date of such certification; and

(c) Such additional certificates (including appropriate no-litigation certificates and certified copies of ordinances, resolutions, or other proceedings adopted by the County), instruments or other documents as the Company may reasonably request.

SECTION 4.02. Transfers of Sewer Line. The County hereby acknowledges that the Company may from time to time and in accordance with applicable law, sell, transfer, lease, convey, or grant the right to occupy and use the Sewer Line, in whole or in part, to others. No sale, lease, conveyance, or grant shall relieve the County from the County's obligations to provide Special Source Revenue Credits to the Company, or its assignee of such payments, under this Agreement.

SECTION 4.03. Assignment by County. The County shall not attempt to assign, transfer, or convey its obligations to provide Special Source Revenue Credits hereunder to any other Person.

ARTICLE V

DEFAULTS AND REMEDIES

SECTION 5.01. Events of Default. If the County or the Company, as the case may be, shall fail duly and punctually to perform any covenant, condition, agreement or provision contained in this Agreement on the part of the County or the Company, as the case may be, to be performed, which failure shall continue for a period of 30 days after written notice by the Company or the County, as the case may be, specifying the failure and requesting that it be remedied is given to the County or the Company, as the case may be, by first-class mail, the County or the Company, as the case may be, shall be in default under this Agreement (an "Event of Default").

SECTION 5.02. Legal Proceedings by Company. Upon the happening and continuance of any Event of Default, then and in every such case the Company in its discretion may:

(a) by mandamus, or other suit, action, or proceeding at law or in equity, enforce all of its rights and require the County to carry out any agreements with or for its benefit and to perform its or their duties under the Act and this Agreement;

(b) bring suit upon this Agreement;

(c) pay only as much as is not in dispute under this Agreement;

(d) by action or suit in equity require the County to account as if it were the trustee of an express trust for the Company;

(e) exercise any or all rights and remedies provided by the laws in effect in the State of South Carolina, or other applicable law, as well as all other rights and remedies possessed by the Company; or

(f) by action or suit in equity enjoin any acts or things which may be unlawful or in violation of its rights.

SECTION 5.03. Legal Proceedings by the County. Upon the happening and continuance of any Event of Default, then and in every such case the County in its discretion may:

(a) by mandamus, or other suit, action, or proceeding at law or in equity, enforce all of the rights of the County and require the Company to carry out any agreements with or for its benefit and to perform its or their duties under the Act and this Agreement;

(b) bring suit upon this Agreement;

(c) to audit the books of the Company with regard to Sewer Line expenses, or to otherwise require the Company to submit proof to the County, to verify that the Company is entitled to the credits provided under this Agreement;

(d) to exercise any and all statutory remedies to collect the fee-in-lieu payments to the extent that such remain unpaid;

(e) to require the Company to promptly pay any amounts that are not the subject of a bona fide dispute; or

(f) by action or suit in equity to enjoin any acts or things which may be unlawful or in violation of the rights of the County.

SECTION 5.04. Remedies Not Exclusive. No remedy in this Agreement conferred upon or reserved to the Company is intended to be exclusive of any other remedy or remedies, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity or by statute.

SECTION 5.05. Nonwaiver. No delay or omission of the Company or the County to exercise any right or power accruing upon any default or Event of Default shall impair any such right or power or shall be construed to be a waiver of any such default or Event of Default, or an acquiescence therein; and every power and remedy given by this Article V to the Company may be exercised from time to time and as often as may be deemed expedient.

ARTICLE VI

MISCELLANEOUS

SECTION 6.01. Successors and Assigns. All the covenants, stipulations, promises, and agreements in this Agreement contained, by or on behalf of, or for the benefit of, the County, shall bind or inure to the benefit of the successors of the County from time to time and any officer, board, commission, agency, or instrumentality to whom or to which any power or duty of the County, shall be transferred.

SECTION 6.02. Provisions of Agreement for Sole Benefit of County and Company. Except as in this Agreement otherwise specifically provided, nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any Person other than the County and the Company any right, remedy, or claim under or by reason of this Agreement, this Agreement being intended to be for the sole and exclusive benefit of the County and the Company.

SECTION 6.03. Severability. In case any one or more of the provisions of this Agreement shall, for any reason, be held to be illegal or invalid, the illegality or invalidity shall not affect any other provision of this Agreement, and this Agreement and the Credits shall be construed and enforced as if the illegal or invalid provisions had not been contained herein or therein.

SECTION 6.04. No Liability for Personnel of County or Company. No covenant or agreement contained in this Agreement shall be deemed to be the covenant or agreement of any member, agent, or employee of the County or its governing body or the Company or any of its officers, employees, or agents in his individual capacity, and neither the members of the governing body of the County nor any official executing this Agreement shall be liable personally on the

Credits or the Agreement or be subject to any personal liability of accountability by reason of the issuance thereof.

SECTION 6.05. Notices. All notices, certificates, requests, or other communications under this Agreement shall be sufficiently given and shall be deemed given, unless otherwise required by this Agreement, when (i) delivered or (ii) sent by facsimile and confirmed by United States certified mail, return-receipt requested, restricted delivery, postage prepaid, addressed as follows or by mailing such notice to its Registered Agent for Service of Process at its Registered Office in South Carolina:

(a) if to the County: T. Cary McSwain
Richland County
2020 Hampton Street, Suite 4058
Columbia, South Carolina 29204

(b) if to the Company: AEB Business Properties, LLC
Attn: Managing Partner

with a copy to: Haynsworth Sinkler Boyd, P.A.
Attn: Edward G. Kluiters
1201 Main Street, Suite 2200
P.O. Box 11889
Columbia, South Carolina 29211-1889

A duplicate copy of each notice, certificate, request or other communication given under this Agreement to the County or to the Company shall also be given to the others. The County and the Company may, by notice given under this Section 6.05, designate any further or different addresses to which subsequent notices, certificates, requests or other communications shall be sent.

SECTION 6.06. Applicable Law. The laws of the State of South Carolina shall govern the construction of this Agreement.

SECTION 6.07. Counterparts. This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original; but such counterparts shall together constitute but one and the same instrument.

SECTION 6.08. Amendments. This Agreement may be amended only by written agreement of the parties hereto.

SECTION 6.09. Waiver. Either party may waive compliance by the other party with any term or condition of this Agreement only in a writing signed by the waiving party.

IN WITNESS WHEREOF, Richland County, South Carolina, has caused this Agreement to be executed by the Chairman of its County Council and its corporate seal to be hereunto affixed and

attested by the Clerk of its County Council and AEB Business Properties, LLC has caused this Agreement to be executed by its authorized officer, all as of the day and year first above written.

RICHLAND COUNTY,
SOUTH CAROLINA

(SEAL)

By: _____
Chairman, County Council of
Richland County, South Carolina

ATTEST:

Clerk to County Council of
Richland County, South Carolina

AEB BUSINESS PROPERTIES, LLC

By: _____
Name: _____
Title: _____

Acknowledged and Agreed to:
BUCK ENTERPRISES, LLC

By: _____
Name: _____
Title: _____

EXHIBIT A (to the Financing Agreement)

PROPERTY DESCRIPTION – 4 ACRES ON NORTHPOINT BLVD.)

All that piece, parcel, lot or tract of land, situate, lying and being in Richland County, South Carolina, and being shown and designated on a plat by B. P. Barber & Associates, Inc., dated November 25, 2002 entitled in part “Boundary & Topographic Survey” recorded at Plat Book 772, Page 2580 in the ROD Office of Richland County, South Carolina, and having such size, shape, buttings, boundings, dimensions and location as will appear by reference to said plat which is incorporated herein by reference, be all the dimensions and measurements shown thereon a little more or less.

Bounded on the north by land now or formerly of Hueck Foils, LLC, on the east and south by other lands of the Citadel Foundation and on the west by Northpoint Boulevard.

Being the same property conveyed to Buck Enterprises, LLC from The Citadel Foundation, dated March 20, 2003 in Record Book 772, Page 2581 in the ROD Office of Richland County, South Carolina.

Tax Map Parcel Number: 14900-01-34

EXHIBIT B (to the Financing Agreement)

GENERAL LOCATION AND COSTS OF SEWER LINE

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 GENERAL FUND ANNUAL BUDGET TO REALLOCATE TWENTY-THREE THOUSAND SIX HUNDRED NINETY-NINE DOLLARS (\$23,699.00) TO INCREASE THE PROBATE COURT BUDGET TO PROVIDE FUNDS FOR THE MENTAL HEALTH COURT.

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

SECTION I. That the amount of Twenty-Three Thousand Six Hundred Ninety-Nine Dollars (\$23,699.00) be appropriated to the FY 2005-2006 Probate Court budget. Therefore, the Fiscal Year 2005-2006 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2005 as amended:	\$107,470,524
Revenue change due to ordinance:	<u>-0-</u>
Total General Fund Revenue As Amended:	\$107,470,524

EXPENDITURES

Expenditures appropriated July 1, 2005 as amended:	\$107,470,524
Transfer from Non-Departmental Grant Match:	(23,699)
Transfer to Probate Court Budget:	<u>23,699</u>
Total General Fund Expenditures As Amended:	\$107,470,524

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: November 1, 2005
Second Reading: November 15, 2005 (tentative)
Public Hearing:
Third Reading:

AMENDED DRAFT

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 7A, BUSINESS SERVICE CENTER, SO THAT A NEW COUNTY DEPARTMENT WILL BE CREATED.

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

SECTION 1. 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 7A. BUSINESS SERVICE CENTER

Sec. 2-252. Creation; director.

There is hereby created the department of the Business Service Center and the position of director of the Business Service Center. 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. 2-253. Qualifications of director.

The director of the Business Service Center shall be a person with education, training, skills, and/or experience that is satisfactory to the county administrator.

Sec. 2-254. Staff; personnel.

The director of the Business Service Center shall have such staff and assistants as are necessary to the operation of the department and the performance of his/her duties. They shall be subject to the county personnel system and their compensation determined accordingly.

Sec. 2-255. Responsibilities; powers; duties.

The director of the Business Service Center shall be responsible to the county administrator for the performance of the duties and responsibilities of the department, which shall be to:

AMENDED DRAFT

- (1) Issue licenses and permits for businesses needing these licenses and permits by County ordinance to operate lawfully, including, but not limited to (unless otherwise preempted and/or prohibited by federal or state law):
 - a. Business licenses,
 - b. Fireworks licenses, and/or
 - c. Hazardous Materials permits.
- (2) Collect the payments, via the Internet and/or other convenient methods, for the aforementioned licenses and permits in subsection (1) above, as well as for other business fees and taxes (not otherwise preempted and/or prohibited by federal or state law), including, but not limited to:
 - a. Hospitality Taxes,
 - b. Sewer Fees,
 - f. Sewer Tap Fees,
 - e. Water Fees,
 - d. Landfill Fees, and/or
 - g. Solid Waste Fees.
- (3) Make business forms and information available in many diverse and convenient ways to assist businesses operate as required by applicable County ordinances.
- (4) Inspect and audit businesses for compliance with applicable County ordinances regarding these licenses, permits, fees, and taxes.
- (5) Serve as a liaison to the business community on behalf of Richland County on issues relating to issuances and collections of the Business Service Center.
- (6) Serve as the single point of contact for businesses required to comply with applicable County ordinances.
- (7) Serve as the catalyst for integrating Business Service Center services with other County departments, State agencies, and other groups or organizations.

Sec. 2-256. Bond required.

The director of the Business Service Center – and every employee therein – shall give to the county a surety bond in an appropriate amount for the faithful performance of his/her duties as such officers; such bond shall be filed in the office of the clerk of court.

Sec. 2-257. Reserved.

AMENDED DRAFT

SECTION II. The Richland County Code of Ordinances, Chapter 13, Hazardous Materials; Section 13-5. Registration and Fees Required; Subsection (g); is hereby amended to read as follows:

(g) Any person, firm, or corporation applying for a permit to store, handle, and/or use hazardous chemicals as required by Sec. 13-4 shall make application to the ~~Hazardous Materials Division of the Emergency Services Department~~ Business Service Center of Richland County on such forms as the deputy director of hazardous materials shall supply. Each applicant shall be required to furnish information concerning his business, including but not limited to the following: A Hazardous Materials Inventory Statement and a Hazardous Materials Management Plan as defined in either Appendix C, Standard Fire Prevention Code/1991 and/or Tier II, Hazardous Chemical Inventory Facility information as required by the State of South Carolina.

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 _____.

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

AMENDED DRAFT

First Reading: November 1, 2005
Second Reading: November 15, 2005 (tentative)
Public Hearing:
Third Reading:

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 GENERAL FUND ANNUAL BUDGET TO AUTHORIZE THE ADDITION OF SEVEN (7) FULL-TIME POSITIONS AND REALLOCATE ONE HUNDRED SEVENTY THOUSAND SEVENTY-ONE DOLLARS (\$170,071.00) TO PROVIDE FUNDING FOR THE BUSINESS SERVICE CENTER.

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

SECTION I. That the amount of One Hundred Seventy Thousand Seventy-One Dollars (\$170,071.00) be appropriated to the FY 2005-2006 Business Service Center budget. Therefore, the Fiscal Year 2005-2006 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2005 as amended:	\$107,470,524
Revenue change due to ordinance:	<u> -0-</u>
Total General Fund Revenue As Amended:	\$107,470,524

EXPENDITURES

Expenditures appropriated July 1, 2005 as amended:	\$107,470,524
Authorize the addition of seven (7) FT Positions for Business Service Center:	-0-
Transfer from Special Contracts, City Business License:	(170,071)
Transfer to Business Service Center:	<u> 170,071</u>
Total General Fund Expenditures As Amended:	\$107,470,524

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: November 1, 2005
Second Reading: November 15, 2005 (tentative)
Public Hearing:
Third Reading:

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 RICHLAND COUNTY ANNUAL BUDGET TO ESTABLISH THE HOPKINS UTILITY FUND AND APPROPRIATE FORTY-NINE THOUSAND FOUR DOLLARS (\$49,004.00) AND AUTHORIZE THE ADDITION OF ONE FULL-TIME POSITION TO FUND THE HOPKINS UTILITY SYSTEM.

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

SECTION I. That the amount of Forty-Nine Thousand Four Dollars (\$49,004.00) be appropriated to the FY 2005-2006 Hopkins Utility budget. Therefore, the Fiscal Year 2005-2006 Hopkins Utility Budget is hereby amended as follows:

REVENUE

Pond Drive Revenue appropriated July 1, 2005 as amended:	\$ 6,820
Appropriation of Franklin and Albene Park Water and Sewer Fee Revenue:	<u>49,004</u>
Total Hopkins Water System Revenue As Amended:	\$ 55,824

EXPENDITURES

Pond Drive Expenditures appropriated July 1, 2005 as amended:	\$ 6,820
Appropriation to Hopkins Water System:	<u>49,004</u>
Total Solid Waste Expenditures As Amended:	\$ 55,824

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: November 1, 2005
Second Reading: November 15, 2005 (tentative)
Public Hearing:
Third Reading:

DRAFT

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 17, MOTOR VEHICLES AND TRAFFIC; ARTICLE II, GENERAL TRAFFIC AND PARKING REGULATIONS; SECTION 17-9, THROUGH TRUCK TRAFFIC PROHIBITED; SO AS TO PROHIBIT THROUGH TRUCK TRAFFIC ON OLYMPIA AVENUE BETWEEN HEYWARD STREET AND BLUFF ROAD IN RICHLAND COUNTY, SOUTH CAROLINA.

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

SECTION I. The Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article II. General Traffic and Parking Regulations; Section 17-9, Through Truck Traffic Prohibited; is hereby amended by the deletion of the language contained therein and the substitution of the following language:

Section 17-9. Through truck traffic prohibited.

a. All through truck traffic is prohibited on Sparkleberry Lane in Richland County, South Carolina.

b. All through truck traffic is prohibited on Congress Road between Leesburg Road and Garners Ferry Road in Richland County, South Carolina.

c. All through truck traffic is prohibited on Bynum Road in Richland County, South Carolina.

d. All through truck traffic is prohibited on Summit Parkway in Richland County, South Carolina.

e. All through truck traffic is prohibited on Valhalla Drive in Richland County, South Carolina.

f. All through truck traffic is prohibited on Olympia Avenue between Heyward Street and Bluff Road in Richland County, South Carolina.

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

DRAFT

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: November 1, 2005
Second Reading: November 15, 2005 (tentative)
Public Hearing:
Third Reading:

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

AN ORDINANCE AUTHORIZING THE GRANTING OF A WATER LINE RIGHT-OF-WAY EASEMENT TO THE CITY OF COLUMBIA ACROSS PROPERTY IDENTIFIED AS A PORTION OF TMS NUMBER I1503-01-04A, TO SERVE THE PALMETTO HEART MEDICAL OFFICE BUILDING.

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

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant a water line right-of-way easement to the City of Columbia across property identified as a portion of TMS# I1503-01-04A to serve the Palmetto Heart Medical Building, as specifically described in the Easement, a copy of which is attached hereto and incorporated herein.

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

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

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

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

First Reading: November 1, 2005
Second Reading: November 15, 2005 (tentative)
Public Hearing:
Third reading:

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

AN ORDINANCE AUTHORIZING A CABLE COMMUNICATIONS EASEMENT TO TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP, THROUGH ITS TIME WARNER CABLE SOUTH CAROLINA DIVISION, D/B/A TIME WARNER CABLE ON PROPERTIES IDENTIFIED AS TMS NUMBER R11503-01-01 AND TMS NUMBER R11503-01-04A (ALSO KNOWN AS 5 MEDICAL PARK DRIVE, COLUMBIA, SOUTH CAROLINA).

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

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant a cable communications easement to Time Warner Entertainment-Advance/Newhouse Partnership, through its Time Warner Cable South Carolina Division, d/b/a Time Warner Cable on properties identified as TMS Number R11503-01-01 and TMS Number R11503-01-04A (also known as 5 Medical Park Drive, Columbia, South Carolina, as specifically described in the Cable Communications Easement, a copy of which is attached hereto and incorporated herein.

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

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

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

First Reading: November 1, 2005
Second Reading: November 15, 2005 (tentative)
Public Hearing:
Third reading:

1st DRAFT

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 12, GARBAGE, TRASH AND REFUSE; ARTICLE II, COLLECTION AND DISPOSAL; SO AS TO PROVIDE COLLECTION AND DISPOSAL SERVICES TO SMALL BUSINESSES, AS DEFINED HEREIN.

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 12, Garbage, Trash and Refuse; Article II, Collection and Disposal; is hereby amended to read as follows:

ARTICLE II. COLLECTION AND DISPOSAL

Sec. 12-11. Applicability.

This article shall apply to the preparation, storage, collection, transportation and disposal of all refuse in the area under jurisdiction of the county council as presently or hereafter established. It shall prescribe rules and regulations relating to collection and disposal of solid waste; prescribing rules and regulations for hauling garbage, refuse and other waste material within and through the county; providing for the proper disposal of solid waste; prohibiting littering and illegal dumping within the unincorporated area of the county, and providing penalties for violation thereof. This article provides for the assessment of service charges to finance the cost of solid waste collection.

Sec. 12-12. Definitions.

For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them in this section. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely discretionary.

Apartment: Any building containing more than four (4) contiguous dwelling units or any group of buildings or mobile homes located on a single lot which contains a total of six (6) or more dwelling units.

Bulk container: A manufacturing container suitable for emptying by mechanical equipment and approved by the director of public works ~~and engineering~~.

Code: The Code of Richland County, South Carolina.

1st DRAFT

Commercial establishment: Any hotel, apartment, rooming house, business, industrial, public or semi-public establishment of any nature.

Commercial refuse: Trash and garbage generated by apartments, operation of stores, offices, restaurants and other places of business and industrial establishments (excluding industrial waste as defined herein).

Contractor: The person or persons, partnership, or corporation which has entered into a contract with the county to perform solid waste collection.

County: Richland County, South Carolina.

County administrator: The county administrator or his designated agent.

Disposal facility: Any facility or location where any treatment, utilization, processing or disposition of solid waste occurs.

Dwelling unit: One or more habitable rooms which are intended to be occupied by one (1) family with facilities for living, sleeping, cooking and eating and from which the county would collect refuse; excludes commercial, industrial and manufacturing establishments.

Franchise collector: The person or persons, partnership or corporation which has entered into a franchise agreement with the county to perform solid waste collection.

Garbage: All accumulations of animal, fruit or vegetable matter that attend the preparation, use, cooking and dealing in, or storage of meats, fish, fowl, fruit, vegetables and any other matter of any nature whatsoever which is subject to decay, putrefaction and the generation of noxious and offensive smells or odors, or which during and after decay may serve as breeding or feeding material for flies and/or germ-carrying insects or vermin; bottles, cans or food containers which due to their ability to retain water can serve as a breeding place for mosquitoes and other water-breeding insects.

Garden and yard trash: Any and all accumulations of grass, leaves, small trees and branches (not exceeding four (4) inches in diameter), shrubs, vines and other similar items generated by the maintenance of lawns, shrubs, gardens and trees from residential properties.

Hazardous materials: Wastes that are defined as hazardous by state law and the state department of health and environmental control regulations.

Health officer: The county health officer or his authorized deputy, agent or representative or other person as the county council may designate in lieu of such health officer.

Household trash: Any and all accumulations of materials from the operation of a home which are not included within the definition of garbage. Household trash shall include all bulky appliances, furniture, boxes and yard toys.

1st DRAFT

Industrial waste: Any and all debris and waste products generated by canning, manufacturing, food processing (excluding restaurants), land clearing, building construction or alteration and public works type construction projects whether performed by a governmental agency or by contract.

Refuse: Includes both garbage and trash as defined in this section.

Residential property: Property which contains residential dwelling units other than those defined in this section as apartments.

Residential refuse: Refuse generated by residential property as defined in this section.

Roll cart: Garbage containers, mounted on wheels, which are issued to citizens by the county. Containers are used to store garbage between collections by franchise collectors.

Sanitary landfill: The method of disposing of refuse by placing an earth cover thereon which meets the regulations of the state department of health and environmental control.

Small business: Any business entity registered with the Secretary of State that produces no more solid waste during any County defined solid waste collection cycle than will fill two (2) County-issued roll-carts.

Special material: These are bulky materials or other special wastes that are not stored in roll carts and cannot be picked up by a normally used collection vehicle.

Trash: Unless specifically provided to the contrary, shall include and mean household trash and garden and yard trash as defined herein.

Sec. 12-13. Administration and enforcement.

(a) The director of public works ~~and engineering~~ shall be responsible for the administration and enforcement of the provisions of this article. He or she may request assistance from the various departments and other officials of the county as may be necessary for the orderly implementation of this article. Regulations promulgated to carry out this article shall be subject to prior review and approval of county council.

(b) Proof of means used for disposal of solid wastes by businesses and commercial enterprises shall be presented to the refuse control officers when requested by them.

Sec. 12-14. General conditions for granting contracts for residential and small business solid waste collection.

(a) The entire unincorporated area of the county shall be designated as a roll cart service area and shall be divided into ~~six~~ seven ~~(6)~~ (7) service areas with these areas to be plainly outlined on a map of the county. Such maps shall be made a part of the contract with the collectors and shall be available for public inspection.

(b) Contracts shall be obtained as follows:

- (1) After the initial awarding of the service areas, the option to bid on any or all of the service areas shall be open to all contractors, or subcontractors, who are garbage collectors for the county, or said areas may be awarded through open, competitive bidding.
- (2) If all service areas are not successfully awarded through the above method, areas shall be awarded pursuant to the Richland County Code of Ordinances, Chapter 2, Article X, Division 2, Competitive purchasing policy. Anyone submitting a bid or proposal must meet all qualifications and criteria set forth for collectors.
- (3) A lone bid or proposal for a specific service area shall not warrant automatic award of the franchise to the lone bidder or proposer.
- (4) Should any contractor, or subcontractor, be found to be involved in collusion, in any way, through his or her own acts or those of any agent, said contractor or subcontractor, shall be disqualified from bidding or proposing.
- (5) Successful contractors shall offer to purchase existing solid waste collection vehicles from current contractors within the respective service areas who were unsuccessful in renewing or renegotiating a contract. The value of the equipment will be determined by an independent appraiser.
- (6) Successful contractors will be encouraged to hire employees of current contractors, within the respective service area, who were unsuccessful in renewing or renegotiating a contract.
- (7) a. In the event that a contractor shall lose his or her contract through the expiration of his the contract or otherwise, or in the event that he or she subcontracts his or her area, then county council may, at its option, do any of the following:
 1. Contract with the subcontractor without competitive bidding, pursuant to section 2-612(c) (3) and (10);
 2. Open the area to competitive bidding by the contractors authorized to operate in Richland County; or
 3. Open the area to competitive public bidding.
- b. In the event that a contractor is a partnership, corporation, or entity other than an individual, and such contractor anticipates a sale or transfer of the ownership and/or management of the business to a third party, then the county administrator shall, at his or her discretion, give written approval or

1st DRAFT

denial of the assignment of the contractor's contract rights under the contractor's franchise to the third party. Written approval of the county administrator shall be obtained prior to the third party's assumption of the contractor's duties in the service area.

- c. In the event that a contractor who is a partnership, corporation, or entity other than an individual fails to obtain the prior written approval of the county administrator as required by section 12-14(b)(7)b. above, the county may competitively bid such contractor's service area.

(c) Monthly payments shall be made by the director of finance ~~and budget~~ to the contractors. The contractors shall be allowed to petition county council for payment increase, based upon significant change of circumstances in the cost of delivering collection services.

(d) Collectors shall not be permitted to change boundaries of collection areas or to enter into agreements with subcontractors without prior written approval of the county administrator.

(e) All collectors under contract with the county shall continue service to customers as outlined in the contract.

(f) All bonds, insurance, and other contractual obligations shall be adhered to by all contractors. Such contract requirements shall be reviewed and/or evaluated on a routine basis, and if, at any time, a collector is found to be in violation of any contract requirement, the collector shall be given fifteen (15) days to correct the violation. Should the collector fail to show compliance with the contract after the fifteen-day grace period, he or she shall automatically forfeit his or her franchise.

(g) The county administrator shall make available to the contractors any information gathered by the county which might assist the collector in submitting his or her cost and/or bid.

(h) Contractors shall not be required to pay the standard landfill dumping fees for residential solid waste or for small business solid waste delivered to the Richland County landfill.

(i) Contracts with the franchise shall be for a period not to exceed five (5) years.

(j) Any contract may be extended at the option of county council and the contractor for a period not to exceed five (5) years, notwithstanding any contract language to the contrary. Any subcontractor who has assumed the duties and responsibilities of another contractor may, at the option of county council, be substituted as the original contractor of the service area.

Sec. 12-15. Conditions for residential and small business solid waste collection--Garbage.

(a) Garbage shall be collected only by collectors who are franchised by the county.

1st DRAFT

(b) Garbage shall be collected in the entire unincorporated portion of the county by roll cart service under the following conditions:

- (1) One (1) roll cart shall be issued to each household in the unincorporated area of the county. The roll carts remain the property of the county for use by the household to which they are issued. Residents who damage roll carts issued to them shall pay for repairing the carts or purchase replacement carts from the county. Carts that are damaged through normal use as a result of being emptied by contractors will be repaired at county's expense. Collection will be suspended at any location at which a roll cart is missing or at which a roll cart is damaged to such an extent as to interfere with normal collection methods.
- (2) A small business may request up to two (2) county-issued roll-carts for use in scheduled solid waste collection by the franchise collector. The roll carts remain the property of the county for use by the small business to which they are issued. Anyone who damages a roll cart that is issued to them shall pay for repairing the carts or purchase replacement carts from the county. Carts that are damaged through normal use as a result of being emptied by contractors will be repaired at county's expense. Collection will be suspended at any location at which a roll cart is missing or at which a roll cart is damaged to such an extent as to interfere with normal collection methods.
- (23) Except as described in section 12-17(b) and (c), infra, roll carts shall be placed at curbside of the nearest public road, no later than 7:00 a.m. on the day of collection. Carts shall be removed from the curbside by the residents or business owners no later than 7:30 p.m. on the day of collection.
- (34) For residential collection, ~~g~~Garbage in excess of the capacity of the roll cart will be collected if placed in plastic bags and placed at curbside along with the roll cart.

Sec. 12-16. Same Conditions for residential and small business solid waste collection – Yard trash and other household/business articles.

- (a) Refuse shall be collected only by collectors who are franchised by the county.
- (b) Yard trash and other household/business articles shall be collected in the entire unincorporated portion of the county under the following conditions:
 - (1) Yard trash, including all bagged or boxed trash and the equivalent of two (2) roll carts of loose trash, placed at curbside of the nearest public road, shall be collected once each week. This article does not intend to require that yard trash be bagged, boxed or bundled; however, such practice will be encouraged.
 - (2) Yard trash and other household/business articles not suitable for placement in a roll cart, plastic bag or trash container sack may be placed for collection as follows:

1st DRAFT

- a. Tree branches and heavy brush which do not exceed four (4) inches in diameter shall be cut in lengths not exceeding four (4) feet in length and stacked in a compact pile in front of the residence adjacent to the curb, but such piles shall not extend into the streets;
 - b. Sticks, hedge clippings, small brush and leaves shall be placed in neat piles at curbside.
- (3) Within one (1) week of each month, contractors shall remove all household/business furnishings, appliances, large yard toys and other large household/business articles, when placed in front of the residence or business at the nearest public road. All large appliances shall have doors removed prior to placement at the curb.

Sec. 12-17. Additional levels of residential solid waste collection.

(a) Citizens living more than three hundred (300) feet from a public road may use either roll carts or other suitable containers to place solid waste awaiting collection. If a roll cart is not used by the property owner, payment for the cart will not be assessed.

(b) Handicapped citizens may receive backyard service for garbage collection. This special exception may be granted when the appropriate county official determines that there is no person living in the house who is physically capable of rolling the cart to and from the curb. In such instances, the cart will be dumped only once per week, on the second day of collection (Thursday or Friday). Provided, however, that yard trash will be collected only from the nearest public road, as set forth hereinabove.

(c) Subdivisions desiring a higher level of service may request backyard pick-up pursuant to the following conditions:

- (1) The subdivision must have a duly organized homeowners' association and such request shall be made by said association.
- (2) At the time that the homeowners' association requests the higher level of service, said association shall provide either a certified true copy of the results of a certified ballot mailed to each homeowner and tallied by a certified public accountant, or a certified true copy of the minutes of the meeting where the decision was made by majority vote to request said higher level of service. Said minutes shall be signed and attested by the president and secretary of the homeowners' association; the association must also certify that all homeowners were notified of the meeting at least ten (10) days in advance and must furnish a copy of the notice.
- (3) At the time that the homeowners' association makes the request, said association shall clearly define the geographic boundaries of the area encompassed in the request, including tax map sheet references.

- (4) The cost of the higher level of roll cart service (backyard pick-up) shall be placed on the tax bills of all residents in the subdivision, however, said cost shall not exceed 1.8 times the basic curb service charge. In addition to the garbage collection charge, the county shall be entitled to collect the total cost of administering this program, which shall be divided among the individual homeowners on an equitable basis by the finance department annually.
- (5) All requests for the higher level of service (backyard pick-up) shall be made to and approved by the county administrator.
- (6) Under no circumstances shall the county provide the higher level of roll cart service (backyard pick-up) to any subdivision which does not have deed restrictions which prohibit curbside pick-up.

Sec. 12-18. Preparation and storage of residential and small business solid waste for collection.

(a) It shall be the duty of the occupant or owner of any residential premises, or the owner or operator of any small business, to store all refuse properly, including garbage and trash, pending collection and disposal. Excess garbage beyond that which can be placed in the roll cart shall be placed in plastic bags alongside carts on collection days.

(b) All garbage receptacles except single-use paper or plastic bags and cardboard boxes shall be kept clean and free of accumulated waste and shall be treated with an effective insecticide, if necessary, to prevent nuisance.

(c) Each owner shall prevent the continued, excessive and unsightly accumulation of refuse upon the property occupied by him (or her) or a public thoroughfare adjoining his or her property. Unlicensed automobiles and other vehicles shall not be permitted to be kept except at appropriate commercial establishments. Removal and disposal of unlicensed vehicles shall be the responsibility of property owners where such vehicles are located.

(d) It shall be a violation of this article to place or cause to be placed in any refuse can or bulk container for collection any acid, explosive material, inflammable liquids or dangerous or corrosive material of any kind, or any other hazardous waste.

(e) No person other than the owner thereof, his or her agents or employees, or employees of contractors of the county for the collection of refuse shall tamper or meddle with any garbage container or the contents thereof, or remove the contents of the container from the location where the same shall have been placed by the owner thereof or his agents.

(f) Property owners shall be prohibited from receiving for deposit in their refuse containers any type refuse that originates outside their designated collection area.

1st DRAFT

(g) Property owners shall be responsible for policing any strewn refuse resulting from broken bags, garbage not properly prepared for collection or from any other cause other than contractor mishandling.

Sec. 12-18.1. Exemption from roll cart service and fees for handicapped homeowners.

There is hereby provided an exemption from roll cart service and fees for handicapped homeowners in the unincorporated areas of the county. Such handicapped homeowners shall apply for said exemption at the solid waste division of the public works department ~~animal, litter and refuse control office~~. Such applicant must be handicapped and ~~thereby be rendered~~ housebound and must live next to a relative or caretaker who shall agree to assume responsibility for the handicapped homeowner's garbage disposal.

~~Refuse control officers~~ The director of public works shall recommend approval or denial of the handicapped homeowners application for exemption from roll cart service and fees. Final approval or denial of exemption from roll cart service and fees shall be made by the county administrator.

Sec. 12-19. Transportation of refuse.

(a) It shall be unlawful for any person to haul, convey or cause to be conveyed any refuse upon or along the public streets and roadways except when the material transported is adequately secured in such a manner as to prevent it from falling, leaking, or being blown from transporting vehicles. The owner or driver of the offending vehicle shall be personally responsible for any violation of this section.

(b) It shall be a violation of this article for any person not authorized by the county to collect and haul any refuse other than that arising from his or her own accumulation within any area of the county in which refuse collection service is maintained by the county.

Sec. 12-20. Items not covered in residential or small business solid waste collection service.

(a) *Dead animals.* Dead animals, other than household pets, shall not be collected. Dead household pets shall be collected by the county animal control division care department if placed in plastic bags at curbside and if that ~~office~~ department is notified. All other dead animals shall be the responsibility of property owners.

(b) *Building materials.* The county shall not be responsible for collecting or hauling discarded building material, dirt, rock or industrial and hazardous waste.

Sec. 12-21. Unlawful disposal generally.

(a) It shall be unlawful for any person, firm, or corporation to dump or cause to be dumped any garbage, trash, litter, junk, appliances, equipment, cans, bottles, paper, lumber, trees, tree limbs, brush or parts thereof, anywhere in the unincorporated area of the county except at approved sanitary landfills.

(b) The above provisions shall not apply to the dumping on private property, with the owner's written permission, of sand, dirt, broken brick, blocks, or broken pavement or other suitable material for use as a fill to raise the elevation of land; provided, the same is not maintained in an unsightly condition and, further provided, the owner of the property on which such material is dumped agrees to level such dumped material with appropriate grading equipment.

Sec. 12-22. Collected refuse is county property.

All refuse collected by county forces or collectors under contract with the county shall be disposed of and/or delivered to such places and used for such purposes as may be ordered by the county.

Sec. 12-23. Assessment for residential solid waste collection and small business solid waste collection.

(a) *Residential.* Owners of residential property in the unincorporated area of the county, as currently or may hereinafter exist, shall be assessed a service charge for the purpose of financing the collection of solid waste. The assessment for solid waste collection shall reflect a level of service and benefit provided to the owner and shall be determined by the county council. The procedures for collecting the assessment for solid waste collection for new houses shall be as follows:

- (1) Before issuing a certificate of occupancy pursuant to section 6-57 of this Code, the director, solid waste management department shall collect from the applicant an amount of money equivalent to the pro rata portion of solid waste assessment for the year in which the applicant is seeking the certificate.
- (2) Beginning with the first calendar year after which the certificate of occupancy pursuant to section 6-57 of this Code applied for, the assessment for such services shall be collected through a uniform service charge added to the annual real property tax bill. Furthermore, all penalties applicable to delinquent payment of property taxes shall apply to the uniform service charge for solid waste collection.

(b) *Businesses and commercial enterprises.* Businesses and commercial enterprises (other than small businesses) shall not be provided garbage collection service by the county; therefore, they shall not be assessed a charge. These activities shall be responsible for the disposal of their garbage, refuse and industrial waste.

(c) *Small businesses.* Owners of small business in the unincorporated area of the county, as currently or may hereinafter exist, shall be assessed a service charge two (2) times the residential rate per roll-cart for the purpose of financing the collection of solid waste.

Sec. 12-24. Determination of assessments; inclusion in tax notice.

1st DRAFT

The county council shall annually determine the assessments to be levied for garbage services, based upon, among other things, the level of services provided the property, the amount of funds required to finance solid waste collection, and the benefit received by the property and advise the auditor of the assessment to be collected. It shall be the duty of the auditor to include the assessment with the annual property tax notices. The county director of finance and budget shall establish a solid waste collection fund and all receipts collected by the treasurer from the assessments for the purpose of solid waste collection shall be credited to the fund.

Sec. 12-25. Lien; hearing required to raise lien amount of charge.

(a) If the notice or notices prescribed by subsection (b) shall have been given and the hearing required pursuant thereto shall have been held, all solid waste collection service charges imposed by the county pursuant to this article and not paid when due and payable shall constitute a lien upon the real estate to which the solid waste collection service concerned relates so long as the charges remain unpaid. It is the intention of the county that in addition to such other rights and remedies as may be available to the governing body in law or in equity for the collection of such charges, the lien may be enforced by the governing body in the same manner and fashion as the lien of property taxes on real estate.

(b) Prior to the furnishing of any solid waste collection service for which the prescribed service charge shall, pursuant to subsection (a), become a lien on the property affected and prior to any subsequent increase in any solid waste collection service charge, county council shall hold a hearing on the proposed charges providing property owners an opportunity, if desired, to appear and be heard in person or by counsel before the county council. Not less than ten (10) days' published notice of this public hearing shall be given in a newspaper of general circulation in the county. Such notice shall state the time and place of the public hearing and shall notify property owners of the nature and quantum of the proposed service charges. Following such hearing, action shall be taken by the county council and published notice of its decision shall be given in a newspaper of general circulation in the county, not less than ten (10) days prior to the effective date of the charges. This notice shall set forth the charges being imposed in such a manner as to notify property owners thereof. Any property owner aggrieved by the action of the county council may proceed by appeal in the court of common pleas for the county, to have such court review the action taken by the county council at which time the court will determine the validity and reasonableness of the solid waste service charge. Solid waste collection service charges not intended to become liens in the case of nonpayment may be imposed and subsequently increased upon any user without such notice and hearing. The appeal provided for herein shall be pursuant to the provisions of chapter 7 of Title 18, of the South Carolina Code of Laws, 1976, providing for appeals to the court of common pleas.

Sec. 12-26. County landfill fees.

The following fees shall be charged for all materials dumped in a county landfill:

- (a) Normal garbage and trash: Twenty four dollars (\$24.00) per ton.
- (b) Tires: Thirty dollars (\$30.00) per ton.

- (c) DHEC-controlled waste: Thirty dollars (\$30.00) per ton.
- (d) Baled nylon filament: Twenty dollars (\$20.00) per ton.
- (e) Waste containing nylon filament: One hundred dollars (\$100.00) per ton.

Sec. 12-27. Corrugated cardboard banned from all landfills.

(a) Corrugated cardboard shall be banned from all county operated landfills located in the unincorporated areas of Richland County. This ban does not apply to any construction and demolition landfill.

(b) The ~~director~~ manager of the solid waste ~~management~~ division of the public works department, and/or his or her designees, are hereby authorized to implement such programs and procedures as deemed necessary to further implement this program; to inspect all loads designated for any county operated landfill located in the unincorporated areas of the county to insure compliance with this section; to inspect such loads for corrugated cardboard content; and to impose such surcharges as set forth herein for violations of this section.

(c) ~~Six (6) months after the passage of this section,~~ The director manager of the solid waste management division of the public works department, and/or his or her designees, shall issue a warning for any first occurrence where a load is found to consist of more than ten percent (10%) corrugated cardboard. Upon a second occurrence, the Director and/or his or her designees, shall impose a charge of forty-eight dollars (\$48.00) per ton for loads that consist of more than ten percent (10%) corrugated cardboard. This amount will be the entire tipping fee charged for such loads. For any third or subsequent occurrence, a charge of seventy two dollars (\$72.00) per ton shall be collected.

(d) The ~~director~~ manager of the solid waste ~~management~~ division of the public works department, and/or his or her designees, shall be authorized to establish recycling centers throughout the county to accept corrugated cardboard and other recyclable materials.

Sec. 12-28. Out-of-county waste banned from all county landfills.

(a) All solid and other wastes generated from outside the boundaries of the county are banned from being dumped in any county operated landfill.

(b) The ~~director~~ manager of the solid waste ~~management~~ division of the public works department, and/or his or her designees, are hereby authorized to implement such programs and procedures as deemed necessary to further implement this ban; to inspect all loads designated for the county landfill(s) for any violations thereof; and to issue warrants according to law for any violations of this section.

(c) Any residential and/or small business solid waste collector found in violation of this section by the county council shall forfeit their contract with the county.

1st DRAFT

(d) The ~~director~~ manager of the solid waste ~~management~~ division of the public works department may seek an injunction to enforce the provisions of this section.

(e) Violations of this section shall be deemed to be a misdemeanor, and any shall subject the violator to a fine not exceeding one thousand dollars (\$1,000.00), imprisonment not exceeding thirty (30) days, or both.

Sec. 12-29 – 12-40. 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 _____, 2005 through June 30, 2006.

SECTION VII. Expiration Date. This ordinance shall expire of its own accord on July 1, 2006, and no further action of the Richland County Council shall be necessary to effectuate the expiry thereof.

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: November 1, 2005
Second Reading: November 15, 2005 (tentative)
Public Hearing:
Third Reading:

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

AN ORDINANCE ESTABLISHING AND APPROVING A PLAN FOR THE REDEVELOPMENT OF A PORTION OF RICHLAND COUNTY, SOUTH CAROLINA, PURSUANT TO A REDEVELOPMENT PLAN; DESIGNATING A REDEVELOPMENT PROJECT AREA; MAKING FINDINGS REGARDING THE REDEVELOPMENT PROJECT AREA; DESIGNATING REDEVELOPMENT PROJECTS; APPROVING A TAX INCREMENT FINANCING PLAN FOR SUCH REDEVELOPMENT PROJECTS; AND OTHER MATTERS RELATING THERETO.

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

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

(a) Pursuant to Section 4-9-10, Code of Laws of South Carolina 1976, as amended (the "Code") and the result of a referendum held in accordance therewith, the Council-Administrator form of government was adopted and the County Council constitutes the governing body of the County.

(b) Article 10, Section 14(10) of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution") provides that the General Assembly may authorize by general law that indebtedness for the purpose of redevelopment within counties may be incurred and that debt service of such indebtedness be provided from the added increments of tax revenue to result from any such redevelopment.

(c) Pursuant to Title 6, Chapter 33 of the Code, the Tax Increment Financing Act for Counties (the same hereinafter referred to as the "Act"); the governing bodies of the several counties of the State may adopt redevelopment plans, establish redevelopment project areas and undertake tax increment financing for redevelopment project costs.

(d) Pursuant to the Act, the County is vested with all powers consistent with the Constitution necessary, useful and desirable to enable it to accomplish redevelopment in areas which are or threaten to become blighted.

(e) The County has caused to be prepared a redevelopment plan entitled "Tax Increment Financing Plan for the Redevelopment of the Olympia Whaley Granby Community" dated _____, 2005 (the "Redevelopment Plan") which contains a statement of the County's objectives with regard to the Redevelopment Plan. A copy of the Redevelopment Plan is attached and incorporated herein as Exhibit A to this Ordinance.

(f) The Redevelopment Plan provides a comprehensive program of the County for the redevelopment of the areas of the County described therein and as described and designated in Section 3 hereof (such areas being hereinafter referred to as the "Redevelopment Project Area").

(g) The Redevelopment Plan and other matters and information presented to the Council exhibit that the Redevelopment Project Area is a conservation area (as defined in the Act) and that conditions therein are detrimental to the public safety, health and general welfare; and the private initiatives are unlikely to

alleviate these conditions without substantial public assistance. Property values in the Redevelopment Project Area would remain static or decline without public intervention. The eradication of the conditions within the Redevelopment Project Area and the improvement of such area by the Redevelopment Projects described in the Redevelopment Plan and herein are essential to the public interest and the public safety, health, and general welfare of the citizens of the County.

(h) The Redevelopment Project Area includes approximately 1,200 parcels of real property comprising approximately 813 acres. The Redevelopment Project Area, together with all other redevelopment project areas of the County, does not exceed five percent of the total acreage of the County.

(i) In order to promote the health, public safety, and general welfare of the public, such conditions must be eliminated, and redevelopment of the Redevelopment Project Area must be undertaken. It is unlikely that private initiatives will alleviate these conditions without substantial public assistance. To remove and alleviate such conditions, it is necessary to encourage private investment and enhance the tax base of the taxing entities by the redevelopment of the Redevelopment Project Area, and the improvement of the area by the Redevelopment Projects herein authorized, which objectives are herein declared to be essential to the public interest of the County and its citizens.

(j) The Council is advised of the opportunity to attract significant new investment within the Redevelopment Project Area. The tax increment district is created with the intent of providing the opportunity for appropriate redevelopment in the Redevelopment Project Area. In part, a tax increment financing plan has been conceived to assist in the sequence of redevelopment and planned development in order to provide balanced growth to meet a variety of community and neighborhood needs. It will assist in the development of public facilities and services for residential and commercial land uses. The County intends to complete a combination of projects including road construction and enhancements, storm and urban stream restoration, water and sewer line extensions, improvement of fire suppression capabilities, public parking, and public park and recreational facilities. The Redevelopment Projects will be developed in phases over the course of the next decade. A listing of all real property in the Redevelopment Project Area is included herein as a portion of Exhibit A. A description of the boundaries of the Redevelopment Project Area is included herein as Exhibit B.

(k) The amount of indebtedness to be supported by tax increment financing will include up to \$7,500,000 Tax Increment Bonds of the County to be issued from time to time as permitted by the Act (the "Bonds"), which will be used to finance public improvements in the Redevelopment Project Area. The term of the Bonds issued to finance such improvements set forth in the Redevelopment Plan will not exceed 15 years from the date of their respective issuance. The Redevelopment Plan will have no effect on the existing revenues of the affected taxing districts, the City of Columbia and School District No. 1 of Richland County, South Carolina (the "Taxing Districts"). Such Taxing Districts will forego an incremental portion of their future revenue growth for the period of the Redevelopment Plan. Tax increment financing undertaken pursuant to the Redevelopment Plan will have no impact on personal property taxes collected within the Redevelopment Project Area.

(l) The use of incremental tax revenues to provide for the payment of redevelopment project costs as defined in the Act incurred by the County, including debt service on the Bonds, for public improvements is of benefit to the Taxing District, inasmuch as such Taxing Districts would not likely derive the benefits of an increased assessment base without the implementation of the Redevelopment Plan, and each Taxing District benefits from the implementation of the Redevelopment Plan.

(m) The Redevelopment Projects will not include any residential development. The private investment contemplated in the Redevelopment Plan is primarily residential which will include age

restricted communities and housing opportunities for current residents of the County. The estimated impact on public school enrollment is nominal.

(n) (A) Pursuant to Section 6-33-80, Code of Laws of South Carolina 1976, as amended, if a Taxing District does not file an objection to the Redevelopment Plan at or prior to the date of the public hearing, the Taxing District is considered to have consented to the Redevelopment Plan and the issuance of obligations under the terms of Section 6-33-80, Code of Laws of South Carolina 1976, as amended, to finance the Redevelopment Project, provided that the actual term of obligations issued is equal to or less than the term stated in the notice of public hearing. The County may issue obligations to finance the Redevelopment Project to the extent that each affected Taxing District consents to the Redevelopment Plan. The tax increment for a Taxing District that does not consent to the Redevelopment Plan must not be included in a Special Tax Allocation Fund (the "Special Tax Allocation Fund").

(B) Negotiations with the School District are ongoing and may result in an agreement between the County and the School District setting forth certain terms and conditions upon which the School District would consent to participation in the Redevelopment Plan. The Chairman of County Council and the County Administrator are authorized to enter into such agreements provided that the revenue expected to be available for deposit into the Special Tax Allocation Fund is increased as a result of the operation of said agreements.

(o) The total expenditures for public improvements which will not exceed \$36,300,000, some of which will be funded with proceeds of tax increment bonds for the Redevelopment Projects, to include:

Villages Streetscaping and Traffic Calming. \$1.2M. Streetscaping project on Heyward Street, Whaley Street, and Olympia Avenues that includes ADA access, sidewalks, pedestrian crossings, street lighting, and landscaping. Provides sidewalks connections to Olympia School, the Three Rivers Greenway, Olympia Park, the Proposed Mill Town Commons Park, Pacific Park, and the University of South Carolina.

Mill Town Commons Park: \$.95M. Creates a public park among the grand trees at the intersection of Whaley Street and Olympia Avenue. Serves as high quality public space adjacent to the Mill Town Commons, a private sector development site that will serve as a village center. This project is immediately north of the Olympia Granby Mills.

Three Rivers Greenway Extension along Rocky Branch: \$.9M. Extends the Three Rivers Greenway project along Rocky Branch and integrates this section into the regional Greenway system. This Extension within the Redevelopment Project Area connects the Olympia Park and Granby Olympia Mills area to the east toward the main University of South Carolina campus and to the west to the rivers. It will provide recreational capacity, ADA, and alternative transportation access within the core of the District.

Rocky Branch Stream Restoration: \$1.5M: Currently major portions of the Redevelopment Project Area are impacted by flooding along the course of Rocky Branch. This condition restricts both the development and recreational potential of the area bordering the Rocky Branch. This project opens the stream for efficient storm water discharge, restores a natural environment, and makes possible the addition of the Three Rivers Greenway Extension along Rocky Branch.

Olympia Sewer \$.5M. Extends sanitary sewer to areas of Olympia outside the city limits that do not have City sewer service.

Contingency \$1.01M.

(p) The Council intends to fund the debt service of indebtedness to be incurred for such purposes from the added increment of tax revenues to result from such redevelopment as authorized in Article X, Section 14 (10) of the South Carolina Constitution and the Act.

(q) The Redevelopment Plan will afford maximum opportunity for the redevelopment of the Redevelopment Project Area by private enterprise in a manner consistent with the needs of the County.

(r) All prerequisites having been accomplished, it is now necessary and in the best interest of the County in order to proceed further that (i) a Redevelopment Project Area be designated, and (ii) a Redevelopment Plan and a Tax Increment Financing Plan be approved. Such redevelopment is in the interest of the health, safety, and general welfare of the citizens of the County.

SECTION 2. Existence of Conservation Areas. The County Council does hereby expressly find that the redevelopment project area is a "conservation area" as defined in Section 6-33-30 of the Code. Specific conditions are set forth in Section 1(h) hereof and in the Redevelopment Plan.

SECTION 3. Determination of and Description of Redevelopment Project Area. For the purpose of this Ordinance, "Redevelopment Projects" and "Redevelopment Project Area" as used subsequently herein are defined in Section 36-33-30 of the Code. For the purpose of this Ordinance and any Redevelopment Projects to be undertaken pursuant hereto, the "Redevelopment Project Area" shall be that area described in Exhibit B hereto.

SECTION 4. Approval of Redevelopment Plan. The Council does hereby expressly approve and adopt the "Tax Increment Financing Plan for the Redevelopment of the Olympia Whaley Granby Community" dated August ____, 2005, for the redevelopment of the Redevelopment Project Area, which Redevelopment Plan includes reference to statements of objectives of the County with regard to the Redevelopment Plan, sets forth the need for the proposed use of the proceeds of the obligations in relationship to the Redevelopment Plan, sets forth the cost estimates of the redevelopment program and the project sources of revenue to be used to meet the costs, including estimates of tax increments and the total amount of indebtedness to be incurred, all as set forth in the Redevelopment Plan.

SECTION 5. Approval of List of Real Property in Redevelopment Project Area. The Council does hereby expressly approve the list of all real property as fully set forth in a portion of Exhibit A hereto.

SECTION 6. Approval of Designation of Real Property in Redevelopment Project Area. The Council does hereby expressly approve the designation of all property included in the Redevelopment Project Area as set forth in Section 3 above.

SECTION 7. Duration of Redevelopment Plan; Impact of Redevelopment Plan on Taxing Districts. The Council hereby determines that the duration of the Redevelopment Plan shall be 15 years from the date of enactment of this Ordinance. The Council determines that any adverse impact caused by the Redevelopment Plan upon the revenues of the Taxing Districts, resulting from taxes attributable to the increase in the then current assessed value over and above the initial assessed value used to retire the Bonds is minimal. The Council furthermore determines that the long-term impact will be beneficial following the inducement by the County of substantial private investment in the Redevelopment Project Area as a result of the initiatives undertaken pursuant to the Redevelopment Plan.

SECTION 8. Findings. The Council specifically finds that (a) the Redevelopment Project Area above defined is a "conservation area" and that private initiatives are unlikely to alleviate these conditions without substantial public assistance, (b) property values in the area would remain static or decline without public intervention, and (c) redevelopment is in the interest of the health, safety, and general welfare of the County's citizens.

SECTION 9. Notice of Public Hearing. The Council hereby ratifies and approves the publication of a notice of public hearing regarding the Redevelopment Plan and this Ordinance, such notice being in the form attached hereto as Exhibit C, having been published in The State, a newspaper of general circulation in Richland County, not less than 15 days prior to the date of such public hearing.

SECTION 10. Notice. Pursuant to Section 6-33-80 of the Code, a notice of the enactment of this Ordinance shall be published in The State, a newspaper of general circulation in Richland County. Such notice shall be in substantially the form set forth in Exhibit D hereof.

SECTION 11. Repeal of Conflicting Ordinances. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 12. Ordinance in Full Force and Effect. This entire Ordinance shall be and become finally binding immediately after same shall have received first and second readings, given in the manner required by law.

[Signature page to follow]

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: October 18, 2005
Second Reading: November 15, 2005 (tentative)
Public Hearing: December 13, 2005 (tentative)
Third Reading

EXHIBIT A

REDEVELOPMENT PLAN
(INCLUDING A LIST OF ALL PROPERTY IN THE
REDEVELOPMENT PROJECT AREA)

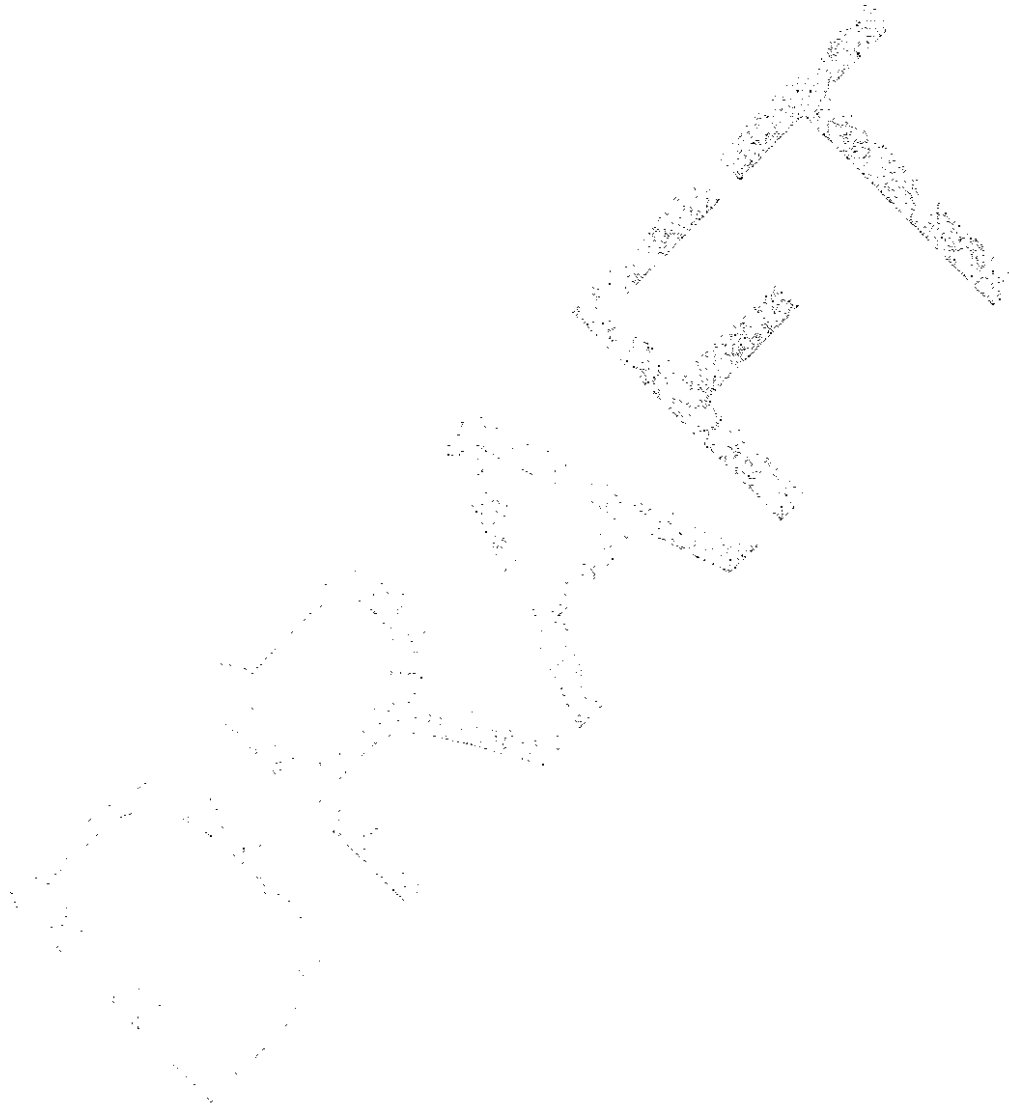


EXHIBIT B

PARCELS WITHIN THE
REDEVELOPMENT PROJECT AREA



EXHIBIT C

NOTICE OF PUBLIC HEARING

TAX INCREMENT FINANCING PLAN
FOR THE REDEVELOPMENT OF AREAS IN
THE COUNTY OF RICHLAND

Notice is hereby given to all taxing districts that on _____, at _____ p.m. in County Council Chambers, 2020 Hampton Street, 1st Floor, Columbia, South Carolina, the County Council will hold a Public Hearing.

The purpose of the hearing is to consider the Tax Increment Financing Redevelopment Plan and adoption of an ordinance creating a tax increment financing district within the incorporated boundaries of the County of Richland, South Carolina. All interested persons will be given an opportunity to be heard at this public hearing.

Each taxing district affected by the tax increment financing district is welcome to submit written comments to the County of Richland, South Carolina, concerning the subject of the hearing. Comments should be submitted on or by _____ to _____, _____, Columbia, South Carolina 29204.

Redevelopment projects and improvements will include but not be limited to: traffic intersections and lights; pedestrian crosswalks; road construction and re-routing; park construction; and any other public works, which may be purchased or constructed pursuant to section 6-21-50 of the Code of Laws of South Carolina. The enclosed Redevelopment Plan describes the type of projects with the estimated cost.

The enclosed map and description give boundaries of the proposed Tax Increment Financing Districts. The boundaries of the redevelopment project area as set forth in the Redevelopment Plan are attached as Exhibit A.

The County of Richland will incur indebtedness for the purpose of redevelopment and that debt service will be provided from the added increments of tax revenues that result from the redevelopment projects. The estimated maximum term of obligations to be issued under the redevelopment plan is _____ years. The total estimated cost of the project is \$ _____ to be funded initially with timed issues not to exceed \$7,500,000 of tax increment financing bonds and/or the use of current TIF cash revenues.

A copy of the Redevelopment Plan is available at the County Administrator's Office, 2020 Hampton Street, 4th Floor, Columbia, South Carolina.

This notice is pursuant to Title 31, Chapter 6, TAX INCREMENT FINANCING FOR REDEVELOPMENT PROJECTS, South Carolina Code of Laws.

EXHIBIT D

NOTICE OF ADOPTION BY THE RICHLAND COUNTY COUNCIL
OF AN ORDINANCE APPROVING THE
TAX INCREMENT FINANCING PLAN FOR THE REDEVELOPMENT OF
THE OLYMPIA WHALEY GRANBY COMMUNITY

NOTICE IS HEREBY GIVEN that the County Council of Richland County, South Carolina, on _____, 2005 enacted an Ordinance, entitled:

AN ORDINANCE ESTABLISHING AND APPROVING A PLAN FOR THE REDEVELOPMENT OF A PORTION OF RICHLAND COUNTY, SOUTH CAROLINA, PURSUANT TO A REDEVELOPMENT PLAN; DESIGNATING A REDEVELOPMENT PROJECT AREA; MAKING FINDINGS REGARDING THE REDEVELOPMENT PROJECT AREA; DESIGNATING REDEVELOPMENT PROJECTS; APPROVING A TAX INCREMENT FINANCING PLAN FOR SUCH REDEVELOPMENT PROJECTS; AND OTHER MATTERS RELATING THERETO.

The Ordinance approved the Tax Increment Financing Plan for the Redevelopment of the Olympia Whaley Granby Community dated _____, and designated certain areas of the County as a "redevelopment project area" as described in the Ordinance and the Redevelopment Plan. Copies of the Ordinance and the Redevelopment Plan are available during normal business hours in the offices of the County Administrator, 2020 Hampton Street, 4th Floor, Columbia, South Carolina 29801.

This notice is given pursuant to the provisions of Act No. 452 (1984 Acts) known as the Tax Increment Financing Law, now contained as Sections 6-33-10 to 6-33-120, South Carolina Code of Laws 1976, as amended.

Notice is further given that any interested party may, within 20 days after the publication of the Notice of Adoption of the Ordinance Approving the Redevelopment Plan, but not afterwards, challenge the validity of the adoption of such Redevelopment Plan by action de novo in the Court of Common Pleas in Richland County.

RICHLAND COUNTY, SOUTH CAROLINA

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

A RESOLUTION OF THE
RICHLAND COUNTY PLANNING COMMISSION

A RESOLUTION TO RECOMMEND THAT RICHLAND COUNTY COUNCIL ENACT AN ORDINANCE TO AMEND THE IMAGINE RICHLAND 2020 COMPREHENSIVE PLAN TO INCORPORATE THE "SOUTHEAST RICHLAND NEIGHBORHOOD MASTER PLAN" INTO THE LOWER RICHLAND AREA PLAN.

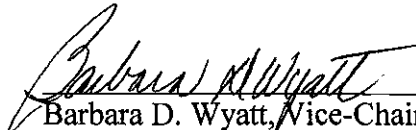
WHEREAS, Section 6-29-520 (b) of the South Carolina Code of Ordinances 1976, as amended (South Carolina Local Government Comprehensive Planning Enabling Act of 1994, as amended), requires that recommendations for amendments to the Comprehensive Plan must be by resolution of the Planning Commission; and

WHEREAS, the Richland County Planning Commission was appointed by County Council and is the duly authorized body to prepare a Comprehensive Plan that conforms to the 1994 Act, and to carry out a continuing planning program for the physical, social, and economic growth, development and redevelopment of Richland County; and

WHEREAS, the Richland County Planning Commission endorses the incorporation of the "Southeast Richland Neighborhood Master Plan" (attached hereto) into the Lower Richland Area Plan of the Imagine Richland 2020 Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED that the Richland County Planning Commission does hereby recommend the attached "Southeast Richland Neighborhood Master Plan", dated November 3, 2005, to the Richland County Council for adoption and use as a guide for the orderly development of the Lower Richland planning area and for the application of zoning and development regulations.

ADOPTED this 3rd day of November, 2005.



Barbara D. Wyatt, Vice-Chair
Richland County Planning Commission

Attested by:



M. Donny Phipps, Interim Director
Planning & Development Services Department

DRAFT

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

AN ORDINANCE AMENDING THE IMAGINE RICHLAND 2020 COMPREHENSIVE PLAN, ADOPTED ON MAY 3, 1999, BY INCORPORATING THE "SOUTHEAST RICHLAND NEIGHBORHOOD MASTER PLAN" INTO THE LOWER RICHLAND AREA PLAN.

WHEREAS, on May 3, 1999, Richland County Council adopted the Imagine Richland 2020 Comprehensive Plan pursuant to S.C. Code Section 6-29- 310, et al. (Ordinance No. 013-99HR); and

WHEREAS, Section 6-29-520 (B) of the South Carolina Code of Ordinances 1976, as amended (South Carolina Local Government Comprehensive Planning and Enabling Act of 1994, as amended), requires that recommendations for amendments to the Comprehensive Plan must be by Resolution of the Planning Commission; and

WHEREAS, the Richland County Planning Commission has unanimously approved a Resolution recommending that County Council adopt the "Southeast Richland Neighborhood Master Plan", dated November 3, 2005; and

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 Imagine Richland 2020 Comprehensive Plan is hereby amended by the incorporation of the "Southeast Richland Neighborhood Master Plan", dated November 3, 2005, and which is attached hereto, into the Lower Richland Area Plan.

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

DRAFT

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: November 15, 2005 (tentative)
Second Reading:
Public Hearing:
Third Reading:

Richland County Council
Rules and Appointments Committee



**RICHLAND COUNTY COUNCIL
REGULAR SESSION MEETING
NOVEMBER 15, 2005**

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

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

A. Music Festival Commission-1

There will be one vacancy on this commission in December.

Lila B. Hopkins December 4, 2005*

B. Performing Arts Center Board-2

There will be two vacancies on this board in December.

Mettauer L. Carlisle December 4, 2005*
Sarah B. Watson December 4, 2005

C. Richland Memorial Hospital Board-3

There will be three vacancies on this board in December.

Richard Laughridge December 31, 2005
James H. Suddeth December 31, 2005
Ann Pringle Washington December 31, 2005*

II. NOTIFICATION OF APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

A. PLANNING COMMISSION-2

There are two vacancies on this commission. Applications were received from the following persons:

Joseph McEachern
Chairman
District Seven

Paul Livingston
District Four

Mike Montgomery
District Eight

Staffed by:

Monique Walters
Assistant to the Clerk of
Council

John Hackett Culbertson Adams, Real Estate Agent
Christopher David Anderson, Mortgage Industry
Eddie Ruth Brawley, Project Manager
A. Reginald Brown, Business Banker, Branch Banking & Trust Co.
Leanne Johnson, Affordable Housing Industry
James Lawracy, Landscape Architect
Virginia S. Sanders, Financing & Management Analyst Industry

*** Eligible for re-appointment**

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: JOHN HACKETT CULBERTSON ADAMS

Home Address: 5 VERA CIRCLE

Telephone: (home) 803-790-7374 (work) 803-401-1240

Office Address: 2309 DEVINE ST. COLUMBIA SC 29205

Educational Background: HIGH SCHOOL DIPLOMA, ATTENDED COLLEGE OF CHARLESTON.

Professional Background: REAL ESTATE AGENT - 6 YRS. RE CO. OWNER 6 MONTHS

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

Name of Committee in which interested: RICHLAND COUNTY PLANNING COMMISSION

Reason for interest: PRESENTLY WORRIED ABOUT STABILIZING A FAST MOVING HOUSING MARKET IN THE NEW HOME INDUSTRY.

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

ACTIVE IN THE REAL ESTATE INDUSTRY ON A DAILY BASIS. BORN IN RICHLAND COUNTY AND WANT IT TO PROSPER.

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

Any other information you wish to give?

Recommended by Council Member(s): GREG PEARCE

Hours willing to commit each month: 40 HOURS

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the 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: _____

[Signature]
Applicant's Signature

8-22-05
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 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: Christopher David Anderson
Home Address: 4714 Cedar Springs Rd. Col. SC 29206
Telephone: (home) 803-361-7664 (work) 803-791-7699
Office Address: 2318-D Sunset Blvd. W.Cola. SC 29169
Educational Background: Bachelor degree in Mass Communications
Professional Background: Mortgage Industry
Male Female Age: 18-25 26-50 Over 50
Name of Committee in which interested: Richland County Planning Commission
Reason for interest: Giving back to my community,

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

Young, ambitious, willing to learn, open-minded. I have been active in the real estate community for several years and had the knowledge

I have gained could benefit the committee.

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

Any other information you wish to give?

Recommended by Council Member(s): Pat Palmer

Hours willing to commit each month: 20 hrs.

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.

Dist. 8

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.

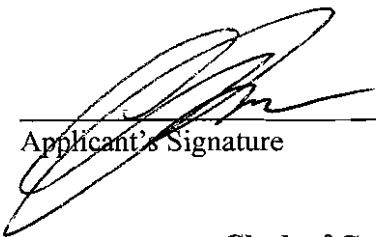
Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Board or Commission, as the County Council,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



Applicant's Signature

5-16-05
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 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: Eddie Ruth Brawley

Home Address: 1100 Crossing Creek Road

Telephone: (home) 803-783-2453 (work)

Office Address:

Educational Background: M. Ed

Professional Background: Project Mgr

Male Female

Age: 18-25 26-50 Over 50

Name of Committee in which interested: Planning Commission

Reason for interest: Being a lifelong resident of RC I have shown interest in seeing RC grow in a positive way for a better quality of life.

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

Organizational Skills; Project Mgt Skills; excellent Communication Skills; Community Oriented

Presently serve on any County Board/Commission/Committee?

Any other information you wish to give? Past Comm - Rich - Lex Airport

Recommended by Council Member(s): Bernice Scott Tony Mizell

Hours willing to commit each month: 16-20

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the 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: _____

Eddie Ruth Brawley 11/7/05
Applicant's Signature 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: A. Reginald Brown "Alvin"

Home Address: 115 Sandpine Creek

Telephone: (home) 736-8725 (work) 462-3592

Office Address: 8920 Farrow Road, Columbia, SC 29223

Educational Background: B.S. Finance, Entrepreneurship, Mgt. Info. Systems & Sport Mgt.; MBA

Professional Background: Regular Army - Enlisted, NG - Officer Const. & Facilities Mgt.; Commercial Loan Office - BB&T

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

Name of Committee in which interested: Planning Commission

Reason for interest: Richland County native interested in helping ensure the economic prosperity of Richland County families through community development.

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

Myers-Briggs Personality Type - ENTJ; Quickly see illogical and inefficient procedures and policies. I also enjoy long-term planning & goal setting.

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

Any other information you wish to give? See attached

Recommended by Council Member(s):

Hours willing to commit each month: 10-12 Whatever it takes to get the job done.

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 No

If so, describe: _____


Applicant's Signature

11/07/05
Date

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

Michelle Canon-Finch 576-20400
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

A. Reginald Brown:
Business Banker-Branch Banking and Trust Co.
Midlands Region, Columbia, South Carolina



Background:

A. Reginald Brown is a native of Columbia, South Carolina. He left Columbia in 1991 to join the Armed Forces. Shortly, after serving in the United States Army as an "All-American Soldier" in the elite 82nd Airborne Division, Allen, as he is affectionately called returned to his native home to attend college at the University of South Carolina. However, after serving his country, he was denied re-admittance to the university on the day before his twenty-fourth birthday. Delayed but not

denied, Allen diligently pursued his dream of becoming a college graduate and was admitted two-weeks later in a probationary status. He went on to graduate from USC Columbia in 2000 with a BS in Sport and Entertainment Management, and again in 2002 with BS degrees in Finance, Management Science and Management with a concentration in entrepreneurship, later receiving his MBA from Webster University. While at USC he participated in the ROTC program and was commissioned a Second Lieutenant in December of 2000, and thereafter-joined Alpha Company (S &T), 163d Support Battalion as a Platoon Leader. He served his State and Country in this capacity for approximately 5 years, receiving numerous awards and decorations. During this time he also worked for the South Carolina Military Department (National Guard) in Columbia for three and half (3 ½) years, where he served as the Administrative Officer for the Construction & Facilities Management Office. His tenure with that National Guard Directorate concluded when he was accepted into Branch Banking and Trust (BB&T) Company's Management Development Program. At the completion of this program in June of 2005, he was placed back in Columbia's rapidly growing Northeast community as a small business commercial lender. Allen believes and states, "**Leaders are not born, they are developed through their habits and a test of fire. Those that have a servant's heart, survive the test & lead best!**"

Allen is married to the lovely Darlene Brown and they have a 9 year-old daughter Destiny.

It is with his "Servant's Heart" that he wishes to serve his community by helping them to address these three areas:

- 1) Family Development-Educational and Recreation**
- 2) Economic Development-Entrepreneurial Enhancement**
- 3) Community Development-Reinvestment (Regional Community Attraction Development)**

Community Activities:

- University of South Carolina, Columbia, SC**
- Community Service Chair, Minority Assistance Peer Program 1997-1998
 - Counselor, Minority Assistance Peer Program 1996, 1997, 1998
 - Participant, City Year 1996, 1998
 - Member, Pan-Hellenic Council 1998
 - Fashion Show Coordinator, Association of African American Students 1997
 - Diversity Panelist, Office of Multicultural Student Affairs 1997
 - Resident Advisor, Columbia Hall-Department of Housing 1997, 1998
 - Public Relations Chair, Kappa Alpha Psi Fraternity, Inc. 1997
 - Campus Cleanup Committee, International Fraternity of Delta Sigma Pi 2000

Columbia, SC

- Board of Directors, Daily Living Ministries Christian Fellowship 2004, 2005
 - Adult Sunday School Teacher, Daily Living Ministries Christian Fellowship 2004, 2005
 - Finance Committee, Daily Living Ministries Christian Fellowship 2002, 2003, 2004, Chair in 2005
 - Volunteer, The 3 Rivers Music Festival, Young Men of Character 2003
 - VIP Parking Coordinator, Columbia Veteran's Day Parade 2002, 2003, 2004
 - Leadership Columbia Class of 2006
 - SC Banker's Association-Richland County "PEP" Director
- Atlanta, GA**
- Volunteer, Super Bowl XXXVI
 - Volunteer, All Star Weekend 2000

Name Allen Raymond Brown

Reported Type ENTJ

Each type, or combination of preferences, tends to be characterized by its own interests, values, and unique gifts. On this page you will find a brief description of each type. Find your reported type and see whether the description fits you. If not, the person who administered the MBTI® instrument to you can help you identify a better-fitting type. Whatever your preferences, you may still use some behaviors that are characteristic of contrasting preferences. For a more complete discussion of the sixteen types and applications such as career choice, relationships, and problem solving, see *Introduction to Type®*, Sixth Edition (Myers, I. B., 1998, Palo Alto, CA: CPP, Inc.), or *Gifts Differing* (Myers, I. B., with Myers, J. B., 1995, Palo Alto, CA: Davies-Black Publishing).

<p>E Extraversion People who prefer Extraversion tend to focus on the outer world of people and things.</p>	<p>I Introversion People who prefer Introversion tend to focus on the inner world of ideas and impressions.</p>
<p>S Sensing People who prefer Sensing tend to focus on the present and on concrete information gained from their senses.</p>	<p>N Intuition People who prefer Intuition tend to focus on the future, with a view toward patterns and possibilities.</p>
<p>T Thinking People who prefer Thinking tend to base their decisions primarily on logic and on objective analysis of cause and effect.</p>	<p>F Feeling People who prefer Feeling tend to base their decisions primarily on values and on subjective evaluation of person-centered concerns.</p>
<p>J Judging People who prefer Judging tend to like a planned and organized approach to life and prefer to have things settled.</p>	<p>P Perceiving People who prefer Perceiving tend to like a flexible and spontaneous approach to life and prefer to keep their options open.</p>

Characteristics Frequently Associated with Each Type

Sensing Types		Intuitive Types	
<p>ISTJ Quiet, serious, earn success by thoroughness and dependability. Practical, matter-of-fact, realistic, and responsible. Decide logically what should be done and work toward it readily, regardless of distractions. Take a pleasure in making everything orderly and organized—their work, their home, their life. Value traditions and loyalty.</p>	<p>ISFJ Quiet, friendly, responsible, and conscientious. Committed and steady in meeting their obligations. Thorough, painstaking, and accurate. Loyal, considerate, notice and remember specifics about people who are important to them, concerned with how others feel. Strive to create an orderly and harmonious environment at work and at home.</p>	<p>INFJ Seek meaning and connection in ideas, relationships, and material possessions. Want to understand what motivates people and are insightful about others. Conscientious and committed to their firm values. Develop a clear vision about how best to serve the common good. Organized and decisive in implementing their vision.</p>	<p>INTJ Have original minds and great drive for implementing their ideas and achieving their goals. Quickly see patterns in external events and develop long-range explanatory perspectives. When committed, organize a job and carry it through. Skeptical and independent; have high standards of competence and performance—for themselves and others.</p>
<p>ISTP Tolerant and flexible, quiet observers until a problem appears, then act quickly to find workable solutions. Analyze what makes things work and readily get through large amounts of data to isolate the core of practical problems. Interested in cause and effect, organize facts using logical principles, value efficiency.</p>	<p>ISFP Quiet, friendly, sensitive, and kind. Enjoy the present moment, what's going on around them. Like to have their own space and to work within their own time frame. Loyal and committed to their values and to people who are important to them. Dislike disagreements and conflicts, do not force their opinions or values on others.</p>	<p>INFP Idealistic, loyal to their values and to people who are important to them. Want an external life that is congruent with their values. Curious, quick to see possibilities, can be catalysts for implementing ideas. Seek to understand people and to help them fulfill their potential. Adaptable, flexible, and accepting unless a value is threatened.</p>	<p>INTP Seek to develop logical explanations for everything that interests them. Theoretical and abstract, interested more in ideas than in social interaction. Quiet, contained, flexible, and adaptable. Have unusual ability to focus in depth to solve problems in their area of interest. Skeptical, sometimes critical, always analytical.</p>
<p>ESTP Flexible and tolerant, they take a pragmatic approach focused on immediate results. Theories and conceptual explanations bore them—they want to act energetically to solve the problem. Focus on the here-and-now, spontaneous, enjoy each moment that they can be active with others. Enjoy material comforts and style. Learn best through doing.</p>	<p>ESFP Outgoing, friendly, and accepting. Exuberant lovers of life, people, and material comforts. Enjoy working with others to make things happen. Bring common sense and a realistic approach to their work, and make work fun. Flexible and spontaneous, adapt readily to new people and environments. Learn best by trying a new skill with other people.</p>	<p>ENFP Warmly enthusiastic and imaginative. See life as full of possibilities. Make connections between events and information very quickly, and confidently proceed based on the patterns they see. Want a lot of affirmation from others, and readily give appreciation and support. Spontaneous and flexible, often rely on their ability to improvise and their verbal fluency.</p>	<p>ENTP Quick, ingenious, stimulating, alert, and outspoken. Resourceful in solving new and challenging problems. Adept at generating conceptual possibilities and then analyzing them strategically. Good at reading other people. Bored by routine, will seldom do the same thing the same way, apt to turn to one new interest after another.</p>
<p>ESTJ Practical, realistic, matter-of-fact. Decisive, quickly move to implement decisions. Organize projects and people to get things done, focus on getting results in the most efficient way possible. Take care of routine details. Have a clear set of logical standards, systematically follow them and want others to also. Forceful in implementing their plans.</p>	<p>ESFJ Warmhearted, conscientious, and cooperative. Want harmony in their environment, work with determination to establish it. Like to work with others to complete tasks accurately and on time. Loyal, follow through even in small matters. Notice what others need in their day-by-day lives and try to provide it. Want to be appreciated for who they are and for what they contribute.</p>	<p>ENFJ Warm, empathetic, responsive, and responsible. Highly attuned to the emotions, needs, and motivations of others. Find potential in everyone, want to help others fulfill their potential. May act as catalysts for individual and group growth. Loyal, responsive to praise and criticism. Sociable, facilitate others in a group, and provide inspiring leadership.</p>	<p>ENTJ Frank, decisive, assume leadership readily. Quickly see illogical and inefficient procedures and policies, develop and implement comprehensive systems to solve organizational problems. Enjoy long-term planning and goal setting. Usually well informed, well read, enjoy expanding their knowledge and presenting their ideas.</p>



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Leanne Johnson
Home Address: 119 Tiger Paw Lane Irmo 29063
Telephone: (home) 781-7847 (work) 896-9194
Office Address: 300-C Outlet Pointe Blvd
Educational Background: BA in Journalism - USC
Professional Background: the bulk of my professional experience is in affordable housing
Male Female
Age: 18-25 26-50 Over 50
Name of Committee in which interested: Planning Commission
Reason for interest: Growing Pains the County has been experiencing - I'd like to be part of the solution
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission: My professional experience coupled with my personal experiences from involvement in rezoning issues will
Presently serve on any County Board/Commission/Committee? NO
Any other information you wish to give? I believe someone from the NW should be on this Commission.
Recommended by Council Member(s): Doris Corley
Hours willing to commit each month: as many as necessary to do the job right

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.

be helpful, I think. In addition, I have spent a good deal of time reviewing the new land code and reading books on growth. Although some may find me assertive, I believe a characteristic such as that will be helpful in a Planning Commission. 100 of 110

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: _____

Shanne Johnson
Applicant's Signature

10-17-2005
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: JAMES LAWTRACY

Home Address: 209 VALHALLA DR COLA. SC

Telephone: (home) 699 1047 (work) 422 6297

Office Address: 1932 CALHOUN ST. COLA. SC

Educational Background: BACHELOR + 20 CI

Professional Background: LANDSCAPE ARCHITECT & LICENSED GENERAL CONT.

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

Name of Committee in which interested: PLANNING COMMISSION

Reason for interest: I HAVE BEEN INVOLVED IN PLANNING & ZONING

SINCE 1974. WOULD LIKE TO PUT MY EXPERIENCE TO WORK FOR THE
CITIZENS OF
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission: THE COUNTY

MEMBER OF COUNTY APPEARANCE COM. FROM INCEPTION TIL 6/05; ZONING & PLANNING & LAND
ADMINISTRATOR FOR CITY OF COLUMBIA '90-'92; ZONING & PLANNING REVIEWER FO:
1 COUNTY & 5 TOWNS & VILLAGES ON LONG ISLAND '73-'76

Presently serve on any County Board/Commission/Committee? NO, CELESTINLY RESIGNED FROM APPEARANCE
COM.

Any other information you wish to give? PARK PLANNER FOR THE CITY OF COLUMBIA

Recommended by Council Member(s): VAL HUTCHINSON

Hours willing to commit each month: WHATEVER IT TAKES

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.

Dist. 9

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: _____

James Lowrey
Applicant's Signature

17 Oct '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 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: Virginia S. Sanders
Home Address: 7049 Blewberry Dr. Columbia, SC 29209
Telephone: (home) 803-783-2428 (work) 361-4855-cell
Office Address: _____
Educational Background: 3yrs college (Biology) Degree BUSINESS COLLEGE
Professional Background: 15yrs Finance + credit 18yrs Maint AVALON 4yrs org. Sierra
2yrs Richland County Vol. Land Plan 5yrs Vol. Planning + Dev. Dept. Forest Club
Male Female Age: 18-25 26-50 Over 50
Name of Committee in which interested: PLANNING
Reason for interest: HAVE WORKED AS A VOLUNTEER ON COMMUNITY ISSUES TO INCLUDE
PLANNING AND DEVELOPMENT IN RICHLAND COUNTY BECAUSE I HAVE
LIVED TO PLACE WHERE IT HAS IMPROVED THE QUALITY OF LIFE AND
I KNOW IT CAN WORK HERE.
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:
1. HAVE ATTENDED NUMEROUS CLASSES AND TRAININGS ON LAND PLANNING + DEV.
2. WORKED FOR SERVA CLUB FOR 4 YRS. 2 MONTHS. MY EDUC. WAS (SPANNED).
3. VOL. FOR RICHLAND COUNTY TO EDUCATE RESIDENTS ON LAND PLANNING
4. LIVED AND DID VOL. WORK FOR THE 1ST PLANNED COMMUNITY IN
US. MY VOL. WORK WAS WITH THE PLANNING + DEV. DEPT. CONSERVATION
Presently serve on any County Board/Commission/Committee? _____
Any other information you wish to give? Will resign from CONSERVATION COMMITTEE
IF APPOINTED TO PLANNING
Recommended by Council Member(s): _____
Hours willing to commit each month: AS MANY AS NEEDED.

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the 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: _____

Applicant's Signature

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

MCNAIR LAW FIRM, P.A.

ATTORNEYS AND COUNSELORS AT LAW

www.mcnaik.net

THE TOWER AT 1301 GERVAIS
1301 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201

POST OFFICE BOX 11380
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE (803)788-8800
FACSIMILE (803)788-8804

MEMORANDUM

TO: T. Cary McSwain, Administrator
Michelle Cannon-Finch, Clerk to Council
Larry C. Smith, Esquire

FROM: Francenia B. Heizer, Esquire

DATE: October 20, 2005

RE: Industrial Development Revenue Bond

In 1997, Plasti-Line, Inc. now ImagePoint, Inc. (the "Company") issued an industrial development revenue bond through the South Carolina Jobs-Economic Development Authority ("JEDA"). The Company is now undertaking to refund the transaction. Federal and State law require that a public hearing be held in the jurisdiction in which the Company is located and that the governing body within that jurisdiction adopt a resolution in support of the bonds. In an effort to assist the Company, we would ask that a public hearing be held on November 15, 2005, and such a resolution be adopted by the County at that time. The forms of these documents along with a Certificate to be executed by the Clerk to Council are attached. The Company will be responsible for publishing the Notice. A representative will be available, if requested, to attend the meeting to answer any questions.

As the financing is through JEDA, the County has no responsibility whatsoever for the debt.

FBH:laf

Attachments

cc: F. Mitchell Johnson, Jr., Esquire

PUBLIC NOTICE

Notice is hereby given by the South Carolina Jobs - Economic Development Authority ("**JEDA**") and Richland County Council ("**County Council**") that a joint public hearing relating to the proposed issuance and delivery by JEDA of not exceeding \$5,000,000 in aggregate principal amount of its Tax-Exempt Adjustable Mode Industrial Development Revenue Refunding Bonds (ImagePoint, Inc. Project) Series 2005 (the "**Bonds**") pursuant to Title 41, Chapter 43, Code of Laws of South Carolina 1976, as amended, which Bonds are to be issued to refinance the acquisition, construction, installation, and equipping of a facility for the manufacture of specialty signage and automatic teller machine surround products (the "**Project**") owned and operated by ImagePoint, Inc., a Tennessee corporation, will be held at the Council Chambers of Richland County Council, 2020 Hampton Street, Columbia, South Carolina, at 6:00 p.m. on November 15, 2005. The Project is located at 2050 American Italian Way approximately one mile south of the intersection of Pineview Road and Garners Ferry Road in Richland County, South Carolina.

RICHLAND COUNTY COUNCIL

A RESOLUTION

IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS - ECONOMIC DEVELOPMENT AUTHORITY OF ITS TAX-EXEMPT ADJUSTABLE MODE INDUSTRIAL DEVELOPMENT REVENUE REFUNDING BONDS (IMAGEPOINT, INC. PROJECT) SERIES 2005 PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$5,000,000.

WHEREAS, the South Carolina Jobs - Economic Development Authority (the "Authority") is authorized and empowered under and pursuant to the provisions of Title 41, Chapter 43, Code of Laws of South Carolina 1976, as amended (the "Act"), to utilize any of its program funds to establish loan programs to be utilized to acquire, by construction or purchase, properties and for other purposes described in §41-43-160 of the Act in order to promote and develop the business and economic welfare of the State of South Carolina (the "State"), encourage and assist in the location of new business enterprises in the State and in rehabilitation and assistance of existing business enterprises and in the promotion of the export of goods, services, commodities, and capital equipment produced within the State, and thus provide maximum opportunities for the creation and retention of jobs and improvement of the standard of living of the citizens of the State and in the promotion and advancement of industrial, commercial, agricultural, and recreational development in the State; and

WHEREAS, the Authority is further authorized by §41-43-110 of the Act to issue bonds to provide funds for any program authorized by the Act; and

WHEREAS, on July 17, 1997, and in accordance with the Act, the Authority issued its South Carolina Jobs - Economic Development Authority, Industrial Development Revenue Bonds (Plasti-Line, Inc. Project) Series 1997 (the "Prior Bonds") to defray the costs of the acquisition, construction, installation, and equipping of certain land, buildings, fixtures, machinery, and equipment constituting a facility for the manufacture of specialty signage and automatic teller machine surround products (the "Project") to be located in Richland County, South Carolina (the "County"); and

WHEREAS, ImagePoint, Inc. f/k/a Plasti-Line, Inc. (the "Company"), a Tennessee corporation and the owner of the Project, has requested that the Authority issue its "South Carolina Jobs - Economic Development Authority Tax-Exempt Adjustable Mode Industrial Revenue Refunding Bonds (ImagePoint, Inc. Project) Series 2005" in an amount not exceeding \$5,000,000 (the "Series 2005 Bonds") for the purpose of providing funds to finance a portion of the cost of refunding and defeasing the Prior Bonds; and

WHEREAS, the Authority and the County have this day jointly held a public hearing, duly noticed by publication in a newspaper having general circulation in the County not less than fifteen (15) days prior to the date hereof, at which all interested persons were given a reasonable opportunity to express their views,

NOW, THEREFORE, BE IT RESOLVED by Richland County Council as follows:

Section 1. It is hereby found, determined, and declared, that the Project and the refinancing thereof is anticipated to benefit the general public welfare of the County by continuing to provide services, employment, recreation, or other public benefits not otherwise provided locally.

Section 2. The County supports the Authority in its determination to issue the Series 2005 Bonds to defray a portion of the cost of refunding and defeasing the Prior Bonds.

Section 3. All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this Resolution shall take effect and be in full force from and after its adoption.

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

I, the undersigned, Clerk of Richland County Council, do hereby certify that the foregoing is a true, correct, and verbatim copy of a Resolution duly adopted by Richland County Council on November 15, 2005.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of November, 2005.

Clerk, Richland County Council

CERTIFICATE AS TO PUBLIC HEARING

I, the undersigned, Michelle Cannon-Finch, Clerk of Richland County Council ("*County Council*"), DO HEREBY CERTIFY as follows:

1. Attached hereto is an Affidavit of Publication of Notice of Public Hearing (the "*Notice*") published in *The State*, a newspaper of general circulation in Richland County, South Carolina (the "*County*") on October ____, 2005.

2. The public hearing was conducted by County Council and the South Carolina Jobs - Economic Development Authority (the "*Authority*"), at the time and place specified in the Notice, in connection with the issuance by the Authority of its Tax-Exempt Adjustable Rate Industrial Development Revenue Refunding Bonds (ImagePoint, Inc. Project) Series 2005 in an amount not to exceed \$5,000,000 (the "*Bonds*") for the purpose of refinancing the acquisition, construction, installation, and equipping of a facility for the manufacture of specialty signage and automatic teller machine surround products (the "*Project*") located in Richland County, South Carolina (the "*County*"), and owned and operated by ImagePoint, Inc. f/k/a Plasti-Line, Inc., a Tennessee corporation.

3. At the public hearing, all persons desiring to do so were given reasonable opportunity to speak and, if requested, to present their opinions in writing regarding the issuance by the Authority of the Bonds and the use of the proceeds for the above-described purposes. There were no written comments received nor were there persons in attendance at the public hearing to speak in opposition to the issuance of the Bonds.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of November, 2005.

Michelle Cannon-Finch, Clerk, Richland County Council