

**RICHLAND COUNTY COUNCIL
COUNCIL CHAMBERS
REGULAR SESSION
JANUARY 17, 2006
6:00 P.M.**

**CALL TO ORDER Honorable Anthony G. Mizzell,
Chairman**

INVOCATION Honorable Kit Smith

**PLEDGE OF ALLEGIANCE
 Honorable Kit Smith**

ADOPTION OF AGENDA

CITIZEN'S INPUT

APPROVAL OF MINUTES

Regular Session: January 3, 2006 [Pages 5-12]

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

REPORT OF THE COUNTY ADMINISTRATOR

a. Storm Water Permit Compliance

REPORT OF THE CLERK OF COUNCIL

REPORT OF THE CHAIRMAN

**OPEN/CLOSE PUBLIC HEARING ITEMS
1.d. 1.e., 1.f.,**

APPROVAL OF CONSENT ITEMS

1.a., 1.b., 1.c., 1.e., 1.f.

1. THIRD READING ITEMS

- a. 05-106MA
City of Columbia
RU to HI (120 acres)
Wastewater Treatment Plant
11000-01-03
NW Quadrant of I-77 and Congaree River
[CONSENT] [Pages 13-15]**

- b. 05-107MA
Nick Leventis
RU to RS-E
Single Family Subdivision
17800-04-39
Rimer Pond Road
[CONSENT] [Pages 16-19]**

- c. 05-86MA
Seamon Hunter
RU to GC
Non-identified use
15000-05-06
West side of Farrow Road
[CONSENT] [Pages 20-22]**

- d. Ordinance authorizing General Obligation
Bond Anticipation Notes for Innovista Garage
[PUBLIC HEARING] [Pages 23-39]**

- e. Ordinance authorizing deed to Midlands Fire
Protection (RNE Industrial Park)
[PUBLIC HEARING] [CONSENT] [Page 40]**

- f. Ordinance deed to Forum Development II.
LLC (Richland NE Industrial Park)
[PUBLIC HEARING] [CONSENT] [[Page 41]**

- 2. SECOND READING ITEM**
 - a. An Ordinance establishing a temporary moratorium on approval of floodplain management permits for development or construction within a portion of the Congaree River floodplain [Pages 42-43]**

- 3. REPORT OF RULES AND APPOINTMENTS COMMITTEE [Page 44-45]**
 - I. NOTIFICATION OF VACANCIES ON BOARDS, COMMISSIONS, AND COMMITTEES**
 - a. Accommodations Tax Committee-3**
 - b. Employee Grievance Committee-1**
 - c. Music Festival-2**
 - d. Performing Arts Center Board-2**

 - II. NOTIFICATION OF APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**
 - a. Historic Columbia Foundation-1**
 - b. Performing Arts Center Board-1 [Pages 46-47]**

- 4. REPORT OF ECONOMIC DEVELOPMENT COMMITTEE**

- 5. APPROVAL OF CODE ENFORCEMENT OFFICER RESOLUTIONS-4**

- a. **David Y. Gillespie [Page 48]**
 - b. **Brandon C. Hooker [Page 49]**
 - c. **Christopher James Netherton, Sr. [Page 50]**
 - d. **Richard M. Thompson [Page 51]**
- 6. **CITIZEN'S INPUT**
 - 7. **MOTION PERIOD**
 - 8. **ADJOURNMENT**

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JANUARY 3, 2006 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	Joseph McEachern
Member	Mike Montgomery
Member	Bernice G. Scott
Member	Damon Jeter
Member	Doris Corley
Member	Kit Smith
Member	Paul Livingston

OTHERS PRESENT - Michelle Cannon-Finch, Milton Pope, Tony McDonald, Ashley Jacobs, Monique Walters, Joe Cronin, Michael Criss, Chief Harrell, Anna Almeida, Stephany Snowden, Jennifer Dowden, Michelle Onley, Donny Phipps, Susan Britt, Amelia Linder, Daniel Driggers, Brad Farrar, Roxanne Matthews

CALL TO ORDER

The meeting was called to order at approximately 6:00 p.m.

INVOCATION

The Invocation was given by the Honorable Bernice G. Scott

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Bernice G. Scott

ELECTION OF CHAIRPERSON

Ms. Scott moved, seconded by Ms. Dickerson, to nominate Mr. Tony Mizzell. The vote in favor was unanimous.

ELECTION OF VICE-CHAIRMAN

Ms. Scott moved, seconded by Ms. Dickerson, to nominate Mr. Greg Pearce. The vote in favor was unanimous.

SELECTION OF SEATS

Mr. Mizzell stated the next order of business is the selection of seats.

(The selection of seats were taken up by seniority and continued in alphabetical order.)

The seats were selected from left to right as follows:

1. Montgomery
2. McEachern
3. Corley
4. Jeter
5. Pearce
6. Mizzell
7. Livingston
8. Hutchinson
9. Smith
10. Scott
11. Dickerson

POINT OF PERSONAL PRIVILEGE – Mr. Mizzell recognized that Mayor Chris Campbell from Eastover was in the audience

ADOPTION OF AGENDA

Mr. McEachern moved, seconded by Ms. Scott, to approve the agenda as submitted. The vote in favor was unanimous.

Mr. Livingston moved, seconded by Ms. Scott, to reconsider the adoption of the agenda. The vote in favor was unanimous.

Mr. Livingston stated that the Eau Claire Letter of Support may not be properly before Council because it did not go before committee.

Mr. Livingston moved, seconded by Ms. Scott, to suspend the rules and allow the Eau Claire Letter of Support to be included on the agenda.

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

CITIZEN'S INPUT

Mr. Chris Kueny, Mr. Grady North, Mr. Raymond House, Mr. Dan Tufford, Ms. Bob Wislinski, and Mr. Blan Holman spoke against the Emergency Ordinance establishing a temporary moratorium.

Mr. William P. Vinson, Jr. spoke in regard to the quit-claim deed to William P. Vinson. He asked that staff meet with his parents to get the details ironed out before Third Reading of this item.

Evelyn Bush submitted an amended copy of her statement from the December 20, 2005 meeting.

APPROVAL OF MINUTES

Special Called Meeting: December 20, 2005 – Mr. Pearce moved, seconded by Mr. Montgomery, to include Ms. Evelyn Bush's amended statement and adopt the minutes as amended. The vote in favor was unanimous.

Zoning Public Hearing: December 20, 2005 – Ms. Hutchinson moved, seconded by Ms. Dickerson, to adopt the minutes as submitted. The vote in favor was unanimous.

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Farrar stated there were no Executive Session items listed on the agenda. However, Council may want to receive a legal briefing regarding:

1. **Innovista Garage**
2. **Emergency Ordinance establishing temporary moratorium**

REPORT OF THE COUNTY ADMINISTRATOR

Council Retreat – Mr. Pope confirmed that the dates for Council's Retreat will be January 12-14, 2006 at Wampee. Mr. Pope stated that the agenda for the retreat was e-mailed to Council and if there were any comments or additional information to contact him.

Mr. Pope stated that all the information was submitted to the Auditor to complete the audit of the last fiscal year. Mr. Pope recognized Daniel Driggers, Interim Finance Director, and the Finance Department for doing a tremendous job of getting all of the information together. Council will receive the audit information in the next several weeks.

REPORT OF THE CLERK OF COUNCIL

No report given at this time.

REPORT OF THE CHAIRMAN

Mr. Mizzell stated that he received a letter from Neil McClain, Executive Director of Ingenuity, inviting Council to an interactive discussion at the State Museum by William Harris, General Director of the Science Foundation of Ireland.

PUBLIC HEARING ITEMS

There are no public hearing items.

APPROVAL OF CONSENT ITEMS

Mr. Pearce moved, seconded by Ms. Corley, to approve the following consent items:

- **Ordinance Prohibiting Through Truck Traffic on Olympia Avenue Between Heyward Street and Bluff Road in Richland County** [Third Reading]
- **05-106MA, City of Columbia, RU to HI (120 acres), Wastewater Treatment Plant, 11000-01-03, NW Quadrant of I-77 and Congaree River** [Second Reading]
- **05-107MA, Nick Leventis, RU to RS-E, Single Family Subdivision, 17800-04-39, Rimer Pond Road** [Second Reading]
- **05-86MA, Seamon Hunter, RU to GC, Non-Identified Use, 15000-05-06, West Side of Farrow Road** [Second Reading]
- **Award of Waste Tire Hauling and Recycling Contract to Whitaker Container Service**
- **Disposal Contract Award to Loveless & Loveless Inc. for Construction, Demolition and Land Clearing Debris**

The vote in favor was unanimous.

SECOND READING ITEMS

Ordinance Authorizing a Quit-Claim Deed to William P. Vinson – Mr. McEachern moved, seconded by Ms. Dickerson, to approve this item with a notation that staff contact all interested parties before Third Reading. The vote in favor was unanimous.

Ordinance Authorizing General Obligation Bond Anticipation Notes for Innovista Garage – Mr. Pearce moved, seconded by Ms. Scott, to approve this item. A discussion took place.

Mr. Livingston called for the question, seconded by Ms. Scott.

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

The call for the question failed.

Mr. Jeter moved, seconded by Ms. Hutchinson, to defer this item to after Citizen's Input and take up the item in Executive Session.

Ms. Dawn Hinshaw of The State Newspaper would like for it to be noted for the record that she opposed this item being discussed in Executive Session.

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

The vote was in favor.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Emergency Ordinance Establishing a Temporary Moratorium and Approval of Floodplain Management Permits for Development or Construction within a Portion of the Congaree River Floodplain – A discussion took place regarding the committee's recommendation.

Mr. Montgomery made a substitute motion, seconded by Ms. Hutchinson, to adopt the ordinance striking the amendments noted in the proposed ordinance. A discussion took place.

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

The motion failed.

Ms. Smith made a substitute motion, seconded by Mr. McEachern, to give First Reading approval to an ordinance with the committee amendment stricken. A discussion took place.

Ms. Scott made a substitute motion, seconded by Ms. Dickerson, to send the proposed ordinance back to D&S committee.

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

Ms. Scott's substitute motion failed.

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

The vote was in favor of Ms. Smith's substitute motion.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Acceptance of Hopkins Property (Administrative Recommendation to defer to Committee on January 24th to allow compilation of additional information) – Ms. Scott moved, seconded by Ms. Dickerson, to defer this item. The vote in favor was unanimous.

Eau Claire Letter of Support (Livingston, Scott, Jeter) – Mr. Livingston informed Council that Mr. Dean Slade from the Eau Claire Cooperative Health Center was present and would like a few minutes to inform of what he is asking for in the support letter.

Mr. Dean Slade gave a brief overview of why a letter of support is needed.

Mr. Livingston moved, seconded by Mr. Jeter, to draft a support letter from Council.

CITIZEN'S INPUT

Ms. Evelyn Bush spoke regarding the constitutionality of the City of Columbia's Livability Court.

EXECUTIVE SESSION ITEMS

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

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Council went into Executive Session at approximately 7:00 p.m. and came out at approximately 7:30 p.m.
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Mr. Pearce moved, seconded by Ms. Scott, to come out of Executive Session. The vote in favor was unanimous.

- a. **Innovista Garage** – Mr. Livingston moved, seconded by Ms. Scott, to approve this item. A discussion took place.

Mr. Montgomery made a substitute motion, seconded by Ms. Hutchinson, to defer this item.

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

The substitute motion failed.

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

The vote was in favor.

MOTION PERIOD

Financing Projects for Olympia Community – Ms. Smith moved, seconded by Ms. Scott, to direct staff to prepare a mechanism to finance up to \$2,000,000.00 in projects for the Olympia Community in the unincorporated area of Richland County and send to A&F Committee for discussion. The vote in favor was unanimous.

Appearance Grant for U.S. 21 – Mr. McEachern moved, seconded by Mr. Livingston, to send to the D&S Committee for consideration a state grant dealing with U.S. 21 and U.S. 77. The vote in favor was unanimous.

City of Columbia and Legislative Delegation Meetings – Mr. Mizzell inquired regarding the status of scheduling meetings with the City of Columbia and the Legislative Delegation. Ms. Finch stated that when she communicated with the City of Columbia that they would contact Council when they were ready to meeting with Council. Mr. Mizzell stated that staff needed to follow-up with the City of Columbia.

Ms. Snowden stated that she had not made any headway on scheduling a meeting with the Legislative Delegation. She asked for direction from Council regarding this meeting.

Christmas House – Ms. Scott thanked staff for their contribution to the Christmas House.

ADJOURNMENT

The meeting adjourned at approximately 7:40 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. Onley

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ___-06HR

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 # 11000-01-03) FROM RU (RURAL DISTRICT) TO HI (HEAVY INDUSTRIAL 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 # 11000-01-03) described in Exhibit A, which is attached hereto, from RU Rural District zoning to HI Heavy Industrial 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
_____, 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

Public Hearing:	December 20, 2005
First Reading:	December 20, 2005
Second Reading:	January 3, 2006
Third Reading:	January 17, 2006 (tentative)

Exhibit A
Property Description

All that certain piece, parcel, or tract of land situate, lying and being on the east bank of the Congaree River in Richland County, south of the City of Columbia, South Carolina, containing 10 acres and delineated as Parcel "A" on a plat of property of Burwell D. Manning, Jr. by BP Barber and Associates, dated May 3, 1967 and recorded in Plat Book X at page 261 and having the following metes and bounds, to wit:

Beginning at a point on the east bank of the Congaree River 2,000 feet S 23°46', E of the property line dividing the property between Burwell D. Manning, Jr. and Overlook Inc. formerly Forsythe; thence running N 66°14' E 1,700 feet to a point; thence turning and running S 29°38' E 31,228.83 feet to a point; thence turning and running S 66°14' W 1,721 feet to a point on the eastern bank of the Congaree River to the point of beginning.

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. __-06HR**

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 # 17800-04-39) FROM RU (RURAL DISTRICT) TO RS-E (RESIDENTIAL, SINGLE-FAMILY, ESTATE 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 # 17800-04-39) described in Exhibit A, which is attached hereto, from RU Rural District zoning to RS-E Residential, Single-Family, Estate 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
_____, 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

Public Hearing:	December 20, 2005
First Reading:	December 20, 2005
Second Reading:	January 3, 2006
Third Reading:	January 17, 2006 (tentative)

Exhibit A
Property Description

Tract "A" Beginning at an iron new N 2° 01' 16" E for a distance of 924.34 feet to a old 32" pine stump. Thence continuing N 2° 1' 16" E for a distance of 10.49 feet to the calculated point. Thence continuing S 84° 46' 30" E for a distance of 30.33 feet to a calculated point. Thence continuing N 53° 10' 14" E for a distance of 21.87 feet to a calculated point. Thence continuing N 76° 56' 06" E for a distance of 21.40 feet to a calculated point. Thence continuing N 17° 34' 51" E for a distance of 15.07 feet to a calculated point. Thence continuing N 43° 31' 41" E for a distance of 31.75 feet to a calculated point. Thence continuing S 59° 48' 41" E for a distance of 26.74 feet to a calculated point. Thence continuing N 42° 4' 47" E for a distance of 15.21 feet to a calculated point. Thence continuing N 75° 23' 34" E. for a distance of 14.94 feet to a calculated point. Thence continuing N 7° 4' 22" E. for a distance of 30.87 feet to a calculated point. Thence continuing N 65° 0' 55" E. for a distance of 33.32 feet to a calculated point. Thence continuing N 35° 11' 59" E. for a distance of 12.95 feet to a calculated point. Thence continuing S 42° 16' 29" E for a distance of 17.96 feet to a calculated point. Thence continuing S 49° 17' 10" E for a distance of 32.75 feet to a calculated point. Thence continuing S 85° 26' 3" E for a distance e of 42.14 feet to a calculated point. Thence continuing S 45° 7' 40" E for a distance of 27.29 feet to a calculated point. Thence continuing S 71° 25' 6" E for a distance of 17.25 feet to a calculated point. Thence continuing N 40° 5' 37" E for a distance of 21.71 feet to a calculated point. Thence continuing S 49° 25' 20" E for a distance of 41.65 feet to a calculated point. Thence continuing S 34° 43' 34" E for a distance of 31.25 feet to a calculated point. Thence continuing N 79° 18' 24" E for a distance of 51.82 feet to a calculated point. Thence continuing S 64° 11' 41" E for a distance of 48.72 feet to a calculated point. Thence continuing N 65° 2' 56" E for a distance of 64.41 feet to a calculated point. Thence continuing S 75° 3' 0" E for a distance of 24.10 feet to a calculated point. Thence continuing S 20° 43' 2" E for a distance of 12.52 feet to a calculated point. Thence continuing S 76° 23' 7" E for a distance of 25.87 feet to a calculated point. Thence continuing S 45° 57' 13" E for a distance of 46.60 feet to a calculated point. Thence continuing S 65° 51' 20" E for a distance of 28.90 feet to a calculated point. Thence continuing S 63° 21' 40" E for a distance of 9.34 feet to an old iron. Thence continuing N 65° 42' 29" E for a distance of 11.44 feet to a calculated point. Thence continuing N 46° 43' 8" E for a distance of 36.85 feet to a calculated point. Thence continuing N 82° 57' 47" E for a distance of 30.03 feet to a calculated point. Thence continuing S 74° 16' 1" E for a distance of 37.00 feet to a calculated point. Thence continuing N 72° 59' 37" E for a distance of 38.54 feet to a calculated point. Thence continuing N 33° 12' 10" E for a distance of 34.97 feet to a calculated point. Thence continuing N 18° 40' 18" E for a distance of 20.11 feet to a calculated point. Thence continuing N 78° 15' 30" E for a distance of 15.58 feet to a calculated point. Thence continuing S 76° 7' 46" E for a distance of 21.75 feet to a calculated point. Thence continuing N 74° 52' 57" E for a distance of 55.57 feet to a calculated point. Thence continuing N 45° 5' 55" E for a distance of 53.98 feet to a calculated point. Thence continuing N 60° 15' 7" E for a distance of 36.93 feet to an old iron. Thence continuing S 65° 10' 39" E for a distance of

67.15 feet to a calculated point. Thence continuing S 84° 37' 46" E for a distance of 72.78 feet to a calculated point. Thence continuing N 70° 48' 22" E for a distance of 125.23 feet to an old railroad tie. Thence continuing on said plat S 12° 52' 53" E for a distance of 248.07 feet to an old 30" pine stump, 6' tall. Thence continuing on said plat N 54° 10' 6" W for a distance of 344.88 feet to an old iron. Thence continuing on said plat S 85° 38' 28" W for a distance of 315.05 feet to a new iron. Thence continuing S 62° 36' 7" E for a distance of 476.08 feet to an old iron. Thence continuing S 62° 33' 8" E for a distance of 256.27 feet to an old iron. Thence continuing S 11° 52' 42" W for a distance of 475.90 feet to an old iron. Thence continuing N 52° 26' 21" W for a distance of 419.33 feet to a calculated point. Thence continuing N 29° 46' 56" W for a distance of 12.09 feet to a calculated point. Thence continuing N 27° 53' 23" W for a distance of 37.98 feet to a calculated point. Thence continuing N 55° 17' 20" W for a distance of 50.80 feet to a calculated point. Thence continuing on said plat N 24° 32' 11" W for a distance of 566.29 feet to an old iron. Thence continuing N 66° 00' 40" W for a distance of 37.30 feet to an old iron. Thence continuing N 54° 22' 58" E for a distance of 56.32 feet to an old iron. Thence continuing S 59° 18' 42" W for a distance of 125.78 to an old iron. Thence continuing S 61° 13' 48" W for a distance of 52.96 to an old iron. Thence continuing S 38° 26' 37" W for a distance of 34.98 feet to an old iron. Thence continuing S 15° 35' 52" W for a distance of 39.89 feet to an old iron. Thence continuing S 10° 33' 34" W for a distance of 84.05 feet to an old iron. Thence continuing S 19° 41' 08" W for a distance of 121.46 feet to an old iron. Thence continuing S 24° 58' 54" W for a distance of 114.76 feet to an old iron. Thence continuing S 28° 43' 03" W for a distance of 0.93 feet to an old iron. Thence continuing S 28° 56' 34" W for a distance of 5.96 feet to an old iron. Thence continuing on an arc of a curve having a radius of 756.30 feet and bearing N 69° 02' 38" W for a distance of 120.03 feet to a new iron. Thence continuing S 84° 10' 31" W for a distance of 747.78 feet to a new iron. Thence continuing on said plat S 2° 01' 16" W for a distance of 471.6 feet to a new iron. Thence continuing on said plat S 87° 58' 44" E for a distance of 150 feet to a new iron, which is the point of beginning.

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ___-06HR**

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 # 15000-05-06) FROM RU (RURAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

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

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

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

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

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

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the property (TMS # 15000-05-06) described in Exhibit A, which is attached hereto, from RU Rural District zoning to GC General Commercial District zoning.

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

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

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

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ 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

Public Hearing: October 25, 2005
First Reading: December 20, 2005
Second Reading: January 3, 2006
Third Reading: January 17, 2006 (tentative)

Exhibit A
Property Description

PARCEL ONE

All that certain piece, parcel or tract of land situate, with all improvements thereon, lying and being in the County of Richland, State of South Carolina, about fifteen (15) miles North of the City of Columbia, bordering on the New Winnsboro Road and consisting of one (1) acre, more or less, and being more particularly shown on a plat prepared for Carlos W. Bullock and H. Cheryl Bullock by Robert E. Collingwood, Jr., on August 18, 1970, to be recorded, said tract of land being bounded as follows, to wit: Beginning at a marker on S.C. HWY NO. 555, approximately nine hundred fifty (950') feet from U.S. HWY NO. 21, and continuing N 84° E along the property of Annie S. Faust for a distance of three hundred and four-tenths (300.4') feet to a marker; thence, turning and running N 29° W along the property of Annie S. Faust for a distance of one hundred forty-five (145') feet to a marker; thence, turning and running S 84° W along the property of Annie S. Faust for a distance of three hundred and four-tenths (300.4') feet to the right-of-way of S.C. HWY NO. 555; thence, turning and running along said right-of-way S 29° E for a distance of one hundred forty-five (145') feet to the point of beginning. Be all measurements a little more or less.

This property is a portion of fifteen (15) acres heretofore conveyed to Annie S. Faust by D.A. Swygert and S.L. Swygert by deed dated May 1, 1994, revealed from the records of the Clerk of Court for Richland County in Deed Book FQ at Page 203.

This being the same property heretofore conveyed to Seamon H. Hunter and Elaine W. Hunter by deed of Carlos W. Bullock and H. Cheryl Bullock dated November 2, 1979, and recorded in the Office of the Register of Deeds for Richland County in Deed Book 520 at Page 717 on November 2, 1979.

PARCELS TWO AND THREE

All that certain piece, parcel or tract of land, with all improvements thereon, situate, lying and being in the County of Richland, State of South Carolina, about fifteen (15) miles North of the City of Columbia, bordering on S.C HWY NO. 555, being more particularly shown as parcel "B" on a plat prepared for Seamon H. and Elaine W. Hunter by Associated Engineers & Surveyors, Inc., on February 16, 1981, recorded in the Office of the RMC for Richland County in Plat Book "Y" at Page 9877, on March 9, 1981.

AND

All that certain piece, parcel or tract of land, with all improvements thereon, situate, lying and being in the County of Richland, State of South Carolina, about fifteen (15) miles North of the City of Columbia, bordering on S.C HWY NO. 555, being more particularly shown as parcel "C" on a plat prepared for Seamon H. and Elaine W. Hunter by Associated Engineers & Surveyors, Inc., on February 16, 1981, recorded in the Office of the RMC for Richland County in Plat Book "Y" at Page 9877, on March 9, 1981.

This being the identical property heretofore conveyed to Seamon H. Hunter and Elaine W. Hunter by deed from Annie Faust dated March 12, 1981, and recorded in the Office of the Register of Deeds for Richland County in Deed Book 569 at Page 604 on March 12, 1981.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-06HR

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$7,750,000 GENERAL OBLIGATION BOND ANTICIPATION NOTES, SERIES 2006A AND TAXABLE SERIES 2006B, OF RICHLAND COUNTY, SOUTH CAROLINA, FOR THE PURPOSE OF DEFRAYING A PORTION OF THE COSTS OF CONSTRUCTING A PARKING FACILITY; FIXING THE FORM AND DETAILS OF THE NOTES; PROVIDING FOR THE PAYMENT AND DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

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

SECTION 1. Definitions. Unless the context shall clearly indicate some other meaning, the terms defined in this Section shall have, for all purposes of this Ordinance, the meanings hereinafter specified, with the definitions equally applicable to both the singular and plural forms and vice versa. The term:

“2006A Notes” shall mean the General Obligation Bond Anticipation Notes, Series 2006A, authorized to be issued pursuant to Section 4 hereof.

“2006B Notes” shall mean the Taxable General Obligation Bond Anticipation Notes, Series 2006B, authorized to be issued pursuant to Section 4 hereof.

“Beneficial Owner” shall mean any purchaser who acquires beneficial ownership interest in an Initial Note held by the Depository. In determining any Beneficial Owner, the County, the Registrar and the Paying Agent may rely exclusively upon written representations made and information given to the County, the Registrar and the Paying Agent, as the case may be, by the Depository or its Participants with respect to any Series 2006 Notes held by the Depository or its Participants in which a beneficial ownership interest is claimed.

“Book-Entry Form” or “Book-Entry System” shall mean with respect to the Series 2006 Notes, a form or system, as applicable, under which (a) the ownership of beneficial interests in the Series 2006 Notes may be transferred only through a book-entry; and (b) physical Series 2006 Note certificates in fully registered form are registered only in the name of the Depository or its nominees as Holder, with the physical Series 2006 Note certificates “immobilized” in the custody of the Depository. The book-entry maintained by the Depository is the record that identifies the owners of participatory interests in the Series 2006 Notes when subject to the Book-Entry System.

“Books of Registry” shall mean the registration books maintained by the Registrar in accordance with Section 10 hereof.

“Code” shall mean the Internal Revenue Code of 1986, as amended.

“Council” shall mean the County Council of Richland County, South Carolina.

“County” shall mean Richland County, South Carolina.

“Depository” shall mean any securities Depository that is a “clearing corporation” within the meaning of the New York Uniform Commercial Code and a “clearing agency” registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, operating and maintaining, with its Participants or otherwise, a Book-Entry System to record ownership of beneficial interests in the Series 2006 Notes, and to effect transfers of the Series 2006 Notes, in Book-Entry Form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Holder” shall mean the registered owner or owners of any outstanding Series 2006 Note.

“Initial Notes” shall mean the Series 2006 Notes initially issued in Book-Entry Form as provided in Section 7 hereof.

“Letter of Representations” shall mean the Letter of Representations executed and delivered by the County to the Depository.

“Ordinance” shall mean this Ordinance.

“Participant” shall mean any bank, brokerage house or other financial institution for which, from time to time, the Depository effects book-entry transfers and pledges of securities deposited with the Depository.

“Paying Agent” shall mean the paying agent appointed pursuant to this Ordinance.

“Record Date” shall mean the fifteenth (15th) day of the month immediately preceding the maturity date of the Series 2006 Notes.

“Registrar” shall mean the registrar appointed pursuant to this Ordinance.

“S.C. Code” shall mean the Code of Laws of South Carolina 1976, as amended.

“Series 2006 Notes” shall mean, collectively, the 2006A Notes and the 2006B Notes in the aggregate principal amount of not exceeding \$7,750,000 authorized to be issued hereunder.

“State” shall mean the State of South Carolina.

SECTION 2. Findings and Determinations. The County Council hereby finds and determines:

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

(b) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"), provides that general obligation debt may be incurred by the governing body of each County of the State of South Carolina for any public and corporate purpose in an amount not exceeding eight percent of the assessed value of all taxable property of such County.

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

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

(e) The assessed value of all the taxable property in the County as of June 30, 2005, for tax year 2004, the last completed assessment thereof, for purposes of computation of the County's constitutional debt limit, is \$1,027,854,692 which excludes exempt manufacturing property in the amount of \$29,221,654. Eight percent of such sum is \$82,228,375. As of the date hereof, the outstanding general obligation debt of the County subject to the limitation imposed by Article X, Section 14(7) of the Constitution is \$45,224,230. Thus, the County may incur not exceeding \$37,004,145 of additional general obligation debt within its applicable debt limitation.

(f) The County, the City of Columbia and the University of South Carolina (the "University") have entered into a Memorandum of Understanding and Intergovernmental Agreement (the "Agreement") executed on May 31, 2005, June 4, 2005 and June 4, 2005, respectively. Under the terms of the Agreement the County has agreed to provide financing in an amount not to exceed \$7,750,000 to pay a portion of the cost of constructing certain parking facilities to serve occupants in certain buildings to be constructed in conjunction with the University's research campus. One of the parking facilities will provide parking for a University- owned approximately 125,000-square-foot wet/dry lab building and a privately owned approximately 110,000-square-foot office/dry lab building located in the Horizon Center block of the research campus. In order to assist the University in implementing its new research campus, the County will issue its Series 2006 Notes, the proceeds of which shall be applied to defray a portion of the costs of constructing and equipping an approximately 1,000-car parking garage and plaza to facilitate, primarily, parking for the Horizon Center (the "Project").

(g) The Project is necessary and in the best interest of the County. The issuance of the Series 2006 Notes authorized by this Ordinance for such purpose is necessary and such Series 2006 Notes will be issued for a corporate purpose and a public purpose of the County.

(h) Article X, Section 15 of the Constitution further provides that general obligation notes may be issued in anticipation of the proceeds of general obligation bonds which may lawfully be issued under such terms and conditions that the General Assembly may prescribe by law.

(i) Pursuant to the provisions of Title 11, Chapter 17 of the Code of Laws of South Carolina, 1976, as amended, any county, whenever authorized by general or special law to issue bonds, may, pending the sale and issuance thereof, borrow in anticipation of the receipt of the proceeds of the bonds.

(j) Pending the sale and issuance of the aforesaid general obligation bonds, it is in the best interest of the County to provide for the issuance of two series of bond anticipation notes in the aggregate principal amount of not exceeding \$7,750,000 in anticipation of the sale and issuance of such general obligation bonds and the receipt of the proceeds thereof for the purpose set forth above.

SECTION 3. Issuance of Bonds. There is hereby authorized to be issued general obligation bonds (the "Bonds") of the County in the principal amount of not exceeding \$7,750,000. The County irrevocably obligates and binds the County to effect the issuance of a sufficient amount of Bonds prior to the stated maturity of the general obligation bond anticipation notes authorized by Section 4 hereof, the proceeds of which shall be used to meet the payment of principal and interest, if necessary, on

such bond anticipation notes. The full faith, credit and taxing power of the County are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds. Prior to the sale and issuance of the Bonds, the County shall enact an Ordinance setting forth the form and details of such Bonds.

SECTION 4. Authorization and Details of Series 2006 Notes. Pending the issuance and delivery of the Bonds and pursuant to Title 11, Chapter 17 of the Code of Laws of South Carolina 1976, as amended, there is hereby authorized to be issued not exceeding \$7,750,000 general obligation bond anticipation notes of the County to be designated "(\$ principal amount issued) General Obligation Bond Anticipation Notes, Series 2006A/Taxable Series 2006B, of Richland County, South Carolina". The proceeds of the Series 2006 Notes shall be applied for the purposes set forth in Section 2(e) hereof and other costs incidental thereto, including without limitation, engineering, architectural, financial and legal expenses.

The Series 2006 Notes shall be issued in fully registered form; shall be dated as of the date of their initial delivery or as otherwise determined by the Chairman of County Council or the Interim County Administrator; shall be in the denominations of \$5,000 or any integral multiple thereof; shall be numbered R-1 upward; shall be subject to redemption upon such terms as the Chairman of County Council or the Interim County Administrator determines; shall bear interest (calculated on the basis of a 360-day year of twelve 30-day months) from their date at such rates of interest approved by the Chairman of County Council or the Interim County Administrator; and shall mature not more than one year from their respective dates.

Both the principal of and interest on the Series 2006 Notes shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts.

SECTION 5. Delegation of Authority to Determine Certain Matters Relating to the Series 2006 Notes. The Council hereby delegates to the Chairman of County Council and the Interim County Administrator the authority to offer the Series 2006 Notes for sale at such time or times as deemed to be in the best interest of the County. A Notice of Sale shall be distributed in the manner provided in Section 11 hereof. The Chairman of County Council or the Interim County Administrator is hereby authorized and empowered to determine the aggregate principal amount of each series of the Series 2006 Notes and to award the sale of the Series 2006 Notes to the respective lowest bidder therefor in accordance with the terms of the Notice of Sale for the Series 2006 Notes, provided the net interest cost of the 2006A Notes does not exceed 6% per annum and the net interest cost of the 2006B Notes does not exceed 8% per annum.

SECTION 6. [Reserved]

SECTION 7. Book-Entry System; Recording and Transfer of Ownership of the Series 2006 Notes. The Initial Notes will be eligible securities for the purposes of the Book-Entry System of transfer maintained by the Depository, and transfers of beneficial ownership of the Initial Notes shall be made only through the Depository and its participants in accordance with rules specified by the Depository. Such beneficial ownership must be of \$5,000 principal amount of the Series 2006 Notes or any integral multiple of \$5,000.

The Initial Notes will be issued in fully registered form, as a single note (representing the entire respective principal amounts of the 2006A Notes and the 2006B Notes), in the name of Cede & Co., as the nominee of the Depository. When the principal of and interest on the Initial Notes becomes due, the County shall transmit or cause the Paying Agent to transmit to the Depository an amount equal to such principal and interest. Such payments will be made to Cede & Co. or other nominee of the Depository as long as it is owner of record on the Record Date. Cede & Co. or other nominee of the Depository shall be

considered to be the owner of the Initial Notes so registered for all purposes of this Ordinance, including, without limitation, payments as aforesaid and receipt of notices. The Depository shall remit such payments to the Beneficial Owners of the Series 2006 Notes or their nominees in accordance with its rules and regulations.

The Depository is expected to maintain records of the positions of Participants in the Initial Notes, and the Participants and persons acting through Participants are expected to maintain records of the Beneficial Owners in the Initial Notes. The County, the Paying Agent and the Registrar make no assurances that the Depository and its Participants will act in accordance with such rules or expectations on a timely basis, and the County, the Paying Agent and the Registrar shall have no responsibility for any such maintenance of records or transfer of payments by the Depository to its Participants, or by the Participants or persons acting through Participants to the Beneficial Owners.

The County, the Paying Agent and the Registrar may treat the Depository (or its nominee) as the sole and exclusive owner of the Series 2006 Notes registered in its name for the purpose of payment of the principal of, interest or premium, if any, on the Series 2006 Notes, giving any notice permitted or required to be given to Holders under this Ordinance, registering the transfer of Series 2006 Notes, obtaining any consent or other action to be taken by Holders and for all other purposes whatsoever, and shall not be affected by any notice to the contrary. The County, the Paying Agent and the Registrar shall not have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Series 2006 Notes under or through the Depository or any Participant, or any other person which is not shown on the Books of Registry of the County maintained by the Registrar as being a Holder, with respect to: the accuracy of any records maintained by the Depository or any Participant or the maintenance of any records; the payment by the Depository or any Participant of any amount in respect of the principal of or interest, if any, on the Series 2006 Notes or the sending of any transaction statements; any notice which is permitted or required to be given to Holders thereunder; the selection of Holders to receive payments upon any partial redemption of the Series 2006 Notes; or any consent given or other action taken by the Depository as a Holder.

SECTION 8. Successor Depository. If (a) the Depository determines not to continue to act as Depository for the Series 2006 Notes and gives reasonable notice to the Registrar or the County, or (b) the County has advised the Depository of the County's determination that the Depository is incapable of discharging its duties, the County shall attempt to retain another qualified securities depository to replace the Depository. Upon receipt by the County or the Registrar of the Initial Notes together with an assignment duly executed by the Depository, the County shall execute and deliver to the successor Depository the Series 2006 Notes of the same principal amount, interest rate, redemption provisions, if any, and maturity. If the County is unable to retain a qualified successor to the Depository, or the County has determined that it is in its best interest not to continue the Book-Entry System of transfer or that interests of the Beneficial Owners of the Series 2006 Notes might be adversely affected if the Book-Entry System of transfer is continued (the County undertakes no obligation to make any investigation to determine the occurrence of any events that would permit it to make any such determination), and has made provision to so notify Beneficial Owners of the Series 2006 Notes by mailing an appropriate notice to the Depository, upon receipt by the County of the Initial Series 2006 Notes together with an assignment duly executed by the Depository, the County shall execute, authenticate and deliver to the Depository Participants' Series 2006 Notes in fully-registered form, in substantially the form set forth in Exhibit A of this Ordinance in the denomination of \$5,000 or any integral multiple thereof.

SECTION 9. Execution and Form of Series 2006 Notes. The Series 2006 Notes shall be executed in the name of the County with the manual or facsimile signature of the Chairman of County Council attested by the manual or facsimile signature of the Clerk to County Council with the seal of the County impressed or affixed thereon or a facsimile thereof. The Series 2006 Notes shall be issued in substantially the form attached hereto as Exhibit A. The Series 2006 Notes set forth shall not be valid or

become obligatory for any purpose unless there shall have been endorsed thereon a certificate of authentication. Each such Series 2006 Note shall bear a certificate of authentication manually executed by the Registrar in substantially the form set forth in Exhibit A.

SECTION 10. Books of Registry. The County shall cause the Books of Registry to be kept at the offices of the Registrar for the registration and transfer of the Series 2006 Notes. Upon presentation at its office for such purpose, the Registrar shall register or transfer, or cause to be registered or transferred, on such registry books, the Series 2006 Notes under such reasonable regulations as the Registrar may prescribe.

Each Series 2006 Note shall be transferable only upon the Books of Registry of the County, which shall be kept for such purpose at the office of the Registrar, by the registered owner thereof in person or by his duly authorized attorney upon surrender thereof together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any such Series 2006 Note, the Registrar on behalf of the County shall issue in the name of the transferee a new fully registered Series 2006 Note or Series 2006 Note of the same aggregate principal amount, interest rate and maturity as the surrendered Series 2006 Note. Any Series 2006 Note surrendered in exchange for a new registered Series 2006 Note pursuant to this Section 10 shall be canceled by the Registrar.

The County, the Registrar and the Paying Agent may deem or treat the person in whose name any fully registered Series 2006 Note shall be registered upon the registry books as the absolute owner of such Series 2006 Note, whether such Series 2006 Note shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Series 2006 Note and for all other purposes, and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such Series 2006 Note to the extent of the sum or sums so paid, and neither the County nor the Registrar nor the Paying Agent shall be affected by any notice to the contrary.

SECTION 11. Sale of Series 2006 Notes; Form of Notice of Sale. The Series 2006 Notes shall be sold at public sale. A Notice of Sale for the Series 2006 Notes shall be provided to prospective purchasers of the Series 2006 Notes. In the Notice of Sale, the County may either fix the sale date or reserve the right to set the actual sale date by 48 hours notice disseminated by an electronic information service. If a fixed date is set, the County may reserve the right to modify such date by notice disseminated by an electronic information service at least 48 hours prior to the time set for receipt of proposals. The Notice of Sale shall be in substantially the form set forth in Exhibit B hereto. The Chairman of County Council or the Interim County Administrator may provide for proposals to be received in electronic format.

SECTION 12. Deposit and Use of Proceeds. The proceeds derived from the sale of the Series 2006 Notes shall be deposited with the County in a special fund to the credit of the County, and shall be applied solely to the purposes set forth in this Ordinance.

SECTION 13. Pledge of Bond Proceeds. For the payment of the principal of and, if necessary, interest on the Series 2006 Notes as the same respectively mature, there are hereby pledged the proceeds of the Bonds. The County at its option may also utilize any other funds available therefor for the payment of the principal of and interest on the Series 2006 Notes. Upon the delivery of the Bonds in anticipation of which the Series 2006 Notes are issued, sufficient of the proceeds of the Bonds shall be applied by the County to meet the payment of the principal of and, if necessary, interest on the Series 2006 Notes.

SECTION 14. Exemption from State Taxes. Both the principal of and interest on the Series 2006 Notes shall in accordance with the provisions of Section 12-2-50 of the Code of Laws of South Carolina 1976, as amended, be exempt from all State, county, municipal, County, and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

SECTION 15. Preliminary and Final Official Statements. The Council hereby authorizes the Chairman of County Council and the Interim County Administrator to prepare, or cause to be prepared, a Preliminary Official Statement to be distributed to prospective purchasers of the Series 2006 Notes together with a Notice of Sale. The Interim County Administrator is hereby authorized to deem "final" the Preliminary Official Statement for purposes of complying with the requirements set forth in Rule 15c2-12 of the Securities and Exchange Commission, promulgated under the Securities Exchange Act of 1934, as amended.

The Council hereby authorizes the Final Official Statement of the County, to be dated of even date of the sale date of the Series 2006 Notes, substantially in the form of the Preliminary Official Statement, with such modifications as the Chairman of County Council or the Interim County Administrator approves; the Chairman of County Council or the Interim County Administrator is hereby authorized and directed to execute copies of the Final Official Statement and deliver the same to the successful purchaser of the Series 2006 Notes, which execution and delivery shall be conclusive evidence of the approval of any such modifications; and the County hereby authorizes the use of the Preliminary Official Statement, the Final Official Statement, this Ordinance and the information contained herein and therein in connection with the public offering and sale of the Series 2006 Notes.

SECTION 16. Defeasance. The obligations of the County under this Ordinance and the pledges, covenants and agreements of the County herein made or provided for shall be fully discharged and satisfied as to any portion of the Series 2006 Notes, and such Series 2006 Notes shall no longer be deemed to be outstanding hereunder when:

(a) such Series 2006 Notes shall have been purchased by the County and surrendered to the County for cancellation or otherwise surrendered to the County or the Paying Agent and are canceled or subject to cancellation by the County or the Paying Agent; or

(b) payment of the principal of and interest on such Series 2006 Notes either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for by irrevocably depositing with a corporate trustee in trust and irrevocably setting aside exclusively for such payment, (1) moneys sufficient to make such payment, or (2) Government Obligations (hereinafter defined) maturing as to principal and interest in such amounts and at such times as will ensure the availability of sufficient moneys to make such payment and all necessary and proper fees, compensation and expenses of the Paying Agent. At such time as the Series 2006 Notes shall no longer be deemed to be outstanding hereunder, such Series 2006 Notes shall cease to draw interest from the due date thereof and, except for the purposes of any such payment from such moneys or Government Obligations as set forth in (ii) above, shall no longer be secured by or entitled to the benefits of this Ordinance.

"Government Obligations" shall mean any of the following:

(a) direct obligations of the United States of America or agencies thereof or obligations, the payment of principal or interest on which, in the opinion of the Attorney General of the United States, is fully and unconditionally guaranteed by the United States of America; and

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

SECTION 17. Federal Tax Covenants. The County hereby covenants and agrees with the Holders of the 2006A Notes that it will not take any action which will, or fail to take any action which failure will, cause interest on the 2006A Notes to become includable in the gross income of the owners thereof for federal income tax purposes pursuant to the provisions of the Code and regulations promulgated thereunder in effect on the date of original issuance of the 2006A Notes; and that use of the proceeds of the 2006A Notes shall be made which, if such use had been reasonably expected on the date of issue of the 2006A Notes would have caused the 2006A Notes to be "arbitrage bonds", as defined in Section 148 of the Code, and to that end the County hereby shall:

- (a) comply with the applicable provisions of Section 103 and Sections 141 through 150 of the Code and any regulations promulgated thereunder so long as the 2006A Notes are outstanding;
- (b) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in order to comply with the requirements of the Code relating to required rebates of certain amounts to the United States; and
- (c) make such reports of such information at the time and places required by the Code.

SECTION 18. Filings with Central Repository. In compliance with Section 11-1-85 of the Code of Laws of South Carolina 1976, as amended, the County covenants that it will file or cause to be filed with a central repository for further availability in the secondary bond market when requested: (a) a copy of the annual audit of the County within thirty (30) days of the County's receipt thereof; and (b) within thirty days of the occurrence thereof, relevant information of an event which, in the opinion of the County, adversely affects more than five percent (5%) of the County's revenue or its tax base.

SECTION 19. Notice of Initiative and Referendum. The County Council hereby delegates to its Chairman and the Interim County Administrator the authority to determine whether the Notice prescribed under the provisions of Title 11, Chapter 27, relating to the Initiative and Referendum provisions contained in Title 4, Chapter 9 of the Code of Laws of South Carolina 1976, as amended, shall be given with respect to this Ordinance, such notice being in substantially the form attached hereto as Exhibit C. If such notice is given, the Chairman and the Interim County Administrator are authorized to cause such notice to be published in a newspaper of general circulation in the County.

SECTION 20. Notice of Public Hearing. The County Council hereby ratifies and approves the publication of a notice of public hearing regarding the 2006 Notes and this Ordinance, such notice in substantially the form attached hereto as Exhibit D, having been published in The State, a newspaper of general circulation in the County, not less than 15 days prior to the date of such public hearing.

SECTION 21. Authority to Execute Documents. The Council hereby authorizes the Chairman of County Council, the Clerk to County Council, the Interim County Administrator, the Finance Director and the County Attorney to execute such documents and instruments as may be necessary to effect the issuance of the Series 2006 Notes. The Council hereby retains the McNair Law Firm, P.A., as Bond Counsel with regard to the issuance of the Series 2006 Notes and the Bonds.

SECTION 22. Effective Date. This Ordinance shall be effective from and after _____, 2006.

RICHLAND COUNTY, SOUTH CAROLINA

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

(SEAL)

ATTEST THIS ____ DAY OF
_____, 2006:

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: December 20, 2005
Second Reading: January 3, 2006
Public Hearing: January 17, 2006 (tentative)
Third Reading: January 17, 2006 (tentative)

[FORM OF SERIES 2006 NOTES]
 UNITED STATES OF AMERICA
 STATE OF SOUTH CAROLINA
 RICHLAND COUNTY
 GENERAL OBLIGATION BOND ANTICIPATION NOTE, SERIES 2006A/TAXABLE SERIES 2006B
 No. R-__

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

PRINCIPAL AMOUNT: _____ (\$ _____) Dollars

FOR VALUE RECEIVED, Richland County, South Carolina (the "County"), hereby promises to pay to the registered holder named above, or registered assigns, the principal amount shown above on the maturity date shown above, upon presentation and surrender of this Note at the principal office of _____ (the "Paying Agent"), in _____, to pay interest at the rate per annum shown above (based on 30-day month, 360-day year). Both principal of and interest on this Note are payable by check or draft mailed to the person in whose name this Note is registered on the registration books of the County maintained by the registrar, presently _____ (the "Registrar"), in _____, _____. The principal and interest on this Note are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts.

This Note shall not be entitled to any benefit under the Ordinance of the County authorizing the Notes, nor become valid or obligatory for any purpose, until the Certificate of Authentication hereon shall have been duly executed by the Registrar.

This Note is one of an issue of general obligation bond anticipation notes of like date, interest rate, maturity, tenor and effect, except as to number aggregating \$_____ issued pursuant to and in accordance with the Constitution and laws of the State of South Carolina, including Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended; Title 11, Chapter 17 of the Code of Laws of South Carolina 1976, as amended; and Ordinance No. 2005-125 duly enacted by the County Council of the County on November 30, 2005 (the "Ordinance"), in anticipation of the issuance of general obligation bonds (the "Bonds") to be issued by the County pursuant to the Ordinance and an ordinance providing for the form and details of the Bonds to be enacted by the County Council.

This Note is issued in anticipation of the issuance of general obligation bonds to be issued by the County and is payable, both as to principal and, if necessary, interest from the proceeds thereof.

This Note is a general obligation of the County and there is hereby pledged to the payment of the principal hereof and interest hereon, the full faith, credit and taxing power of the County. The County at its option may also utilize any other funds available therefor for the payment of the principal of and interest on this Note.

This Note is not subject to redemption prior to maturity.

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

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

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and laws of the State of South Carolina to exist, to happen and to be performed precedent to or in the issuance of this Note exist, have happened and have been performed in regular and due time, form and manner as required by law; that the County has irrevocably obligated itself to issue and sell, prior to the stated maturity hereof, the general obligation bonds in anticipation of which this Note is issued; and that the amount of this Note, together with all other indebtedness of the County, does not exceed the applicable limitation of indebtedness under the laws of the State of South Carolina.

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

RICHLAND COUNTY, SOUTH CAROLINA

Chair, County Council

(SEAL)
ATTEST:

Clerk, County Council

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

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

_____, as Registrar

Date of Authentication: _____

By: _____
Authorized Officer

CERTIFICATE

IT IS HEREBY CERTIFIED that the following is a true and correct copy of the respective complete final approving opinion of McNair Law Firm, P.A., Columbia, South Carolina, approving the issue of bond anticipation notes of which the within bond anticipation note is one, the original of which opinion was manually executed, dated and issued as of the date of delivery of and payment for the bond anticipation notes, and a copy of which is on file with Richland County, South Carolina.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Clerk, County Council

NOTICE OF SALE

\$ _____ GENERAL OBLIGATION BOND ANTICIPATION NOTES,
SERIES 2006A/TAXABLE SERIES 2006B, OF RICHLAND COUNTY, SOUTH CAROLINA

Bid Date: _____, 2006; 11:00 a.m.

Time and Place of Sale: NOTICE IS HEREBY GIVEN that bids for the purchase of \$ _____ General Obligation Bond Anticipation Notes, Series 2006A/Taxable Series 2006B (the "Notes"), of Richland County, South Carolina (the "County"), will be received by the Interim County Administrator until 11:00 a.m. (South Carolina time) on _____, 2006, in the office of the County Administrator, 2020 Hampton Street, 4th Floor, Columbia, South Carolina.

Sealed Bids: Each hand-delivered proposal shall be enclosed in a sealed envelope marked "Proposal for \$ _____ General Obligation Bond Anticipation Notes, Series 2006A/Series 2006B, of Richland County, South Carolina" and should be directed to the Interim County Administrator in the first paragraph hereof.

Facsimile Bids: The County will accept the facsimile transmission of a manually signed Official Bid Form at the risk of the bidder. The County shall not be responsible for any failure, misdirection, delay or error resulting from the selection by any bidder of any particular means of delivery of bids. The County will take reasonable steps to ensure the confidentiality of all bids transmitted to it by facsimile transmission, but cannot guarantee the confidentiality of information transmitted by such means. Bids by facsimile should be transmitted to the attention of J. Milton Pope, (803) 576-2106.

Electronic Bids: Electronic proposals must be submitted through i-Deal's Parity Electronic Bid Submission System ("Parity"). No electronic bids from any other providers of electronic bidding services will be accepted. Information about the electronic bidding services of Parity may be obtained from i-Deal, 1359 Broadway, 2nd Floor, New York, New York 10018, telephone (212) 849-5000.

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

Good Faith Deposit: No good faith deposit will be required.

Notes: The Notes will be issued in book-entry form in the denomination of [\$100,000] or any integral multiple thereof. The Notes will be dated as of _____, 2006, the expected date of delivery, and will mature on _____, 200___. Interest shall be computed on a 360-day year, 30-day month basis.

Redemption Provisions: The Notes are not subject to optional redemption prior to maturity.

Legal Authority and Security: The Notes are issued pursuant to the Constitution and laws of the State of South Carolina. The Notes are issued in anticipation of the receipt of proceeds of general obligation bonds to be issued by the County and are payable from the proceeds thereof. In addition, the full faith, credit and taxing power of the County will be pledged for the payment of the Notes.

Bid Requirements: Bidders must specify a single, fixed rate of interest per annum which the Notes shall bear according to the following restrictions: (a) the interest rate may not exceed five percent (5%); and (b) the interest rate specified must be a multiple of 1/100th of one percent. NO PROPOSAL FOR THE PURCHASE OF LESS THAN ALL THE NOTES OR AT A PRICE LESS THAN ___% OF THEIR PAR VALUE WILL BE CONSIDERED. Such premium shall be paid in cash as part of the purchase price. For purposes of bid computations, it is assumed the Notes will be dated _____, 2006. The Notes are being sold at par.

The Notes will be awarded to the bidder or bidders offering to purchase the Notes at the lowest net interest cost to the County. Such interest cost will be determined by computing the total dollar interest cost from the date of the Notes to maturity and deducting therefrom the premium offered over and above the principal amount. Any fees or costs to be paid by the County to the bidder will be treated as additional interest cost. In the event two or more bids have the same net interest cost, the Notes will be awarded jointly to such bidders submitting the same bid.

The Interim County Administrator reserves the right to reject any and all bids or waive irregularities in any bid. A bid for less than the face amount of the Notes will not be considered. Bids will be accepted or rejected by 3:00 p.m. on the day of sale.

Bid Form: No good faith check is required. It is requested, but not required, that your bid be submitted on the attached bid form. Each proposal should be enclosed in a sealed envelope marked "Proposal for \$_____ General Obligation Bond Anticipation Notes, Series 2006, of Richland County, South Carolina" and should be directed to the Mayor at the address in the first paragraph hereof.

Interest and Principal Payments: Payment of principal of and interest on the Notes will be made directly by the County to Cede & Co., as the registered owner of the Notes and nominee for The Depository Trust Company ("DTC"), on _____, 2006, in immediately available funds.

CUSIP Numbers: It is anticipated that CUSIP numbers will be printed on the Notes, but neither the failure to print such numbers on the Notes nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery of and pay for the Notes.

Delivery and Payment: Delivery of the properly executed Notes is expected to be made through DTC on _____, 2006. Payment for the Notes shall be made in immediately available funds.

Official Statement: The Preliminary Official Statement dated _____, 2006, has been deemed final by the County for purposes of paragraph (b)(1) of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") but is subject to revision, amendment and completion in a final Official Statement as provided in the Rule. Within seven (7) business days of the bid opening date, the County will deliver the final Official Statement to the successful bidder in sufficient quantity to comply with the Rule.

Legal Opinion: The final approving opinion of McNair Law Firm, P.A., Columbia, South Carolina, Columbia, South Carolina, will be furnished without charge to the purchaser of the Notes at the time of their delivery.

Miscellaneous: Bidders are also requested to indicate whether any commitment fee will be required or whether the County will be requested to reimburse the successful bidder for out-of-pocket expenses and counsel fees.

Financial Advisor: The County has employed Merchant Capital, L.L.C., Atlanta, Georgia, as its Financial Advisor in connection with the issuance of the Notes.

Additional Information: The Preliminary Official Statement of the County with respect to the Notes is available and will be furnished to any person interested in bidding for the Notes upon request to the county's Bond Counsel, Francenia B. Heizer, Esquire, Post Office Box 11390, Columbia, South Carolina 29211, (803) 799-9800, fheizer@mcnair.net. The Preliminary Official Statement shall be reviewed by bidders prior to submitting a bid. Bidders may not rely on this Notice of Sale as to the complete information concerning the Notes. Persons seeking information should communicate with: J. Milton Pope, Interim County Administrator, Richland County, South Carolina, 2020 Hampton Street, Columbia, South Carolina 29205, (803) 576-2054, miltonpope@richlandonline.com or Francenia B. Heizer, Esquire, Post Office Box 11390, Columbia, South Carolina 29211, (803) 799-9800, fheizer@mcnair.net.

s/J. Milton Pope _____
Interim County Administrator, Richland County,
South Carolina

_____, 2006

NOTICE

NOTICE IS HEREBY GIVEN that the County Council (the "County Council") of Richland County, South Carolina (the "County"), on January 17, 2006, enacted Ordinance No. _____ entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$7,750,000 GENERAL OBLIGATION BOND ANTICIPATION NOTES, SERIES 2006A AND TAXABLE SERIES 2006B, OF RICHLAND COUNTY, SOUTH CAROLINA, FOR THE PURPOSE OF DEFRAYING A PORTION OF THE COSTS OF CONSTRUCTING A PARKING FACILITY; FIXING THE FORM AND DETAILS OF THE NOTES; PROVIDING FOR THE PAYMENT AND DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO" (the "Ordinance"). The Ordinance authorizes the issuance and approves the sale of not exceeding \$7,750,000 General Obligation Bond Anticipation Notes, Series 2006A and Taxable Series 2006B (the "Notes") of the County.

The proceeds of the Notes will be used to provide funds for (i) constructing and equipping an approximately 1,000-car parking garage and plaza to facilitate, primarily, parking for the Horizon Center; (ii) legal fees and costs of issuance of the bonds; and (iii) such other lawful corporate and public purposes as the County Council shall determine.

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

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

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the County Council of Richland County, South Carolina (the "County"), in County Council Chambers located at 2020 Hampton Street, Columbia, South Carolina, at 6:00 p.m. on January 17, 2006, or at such other location as proper notice on the main entrance to the said building might specify.

The purpose of the public hearing is to consider an Ordinance providing for the issuance and sale of \$7,750,000 general obligation bond anticipation notes of the County to be designated "(\$principal amount issued) General Obligation Bond Anticipation Notes, Series 2006A/Taxable Series 2006B (the "Notes"), the proceeds of which will be used to provide funds for (i) constructing and equipping an approximately 1,000-car parking garage and plaza to facilitate, primarily, parking for the Horizon Center; (ii) legal fees and costs of issuance of the bonds; and (iii) such other lawful corporate and public purposes as the County Council shall determine.

The full faith, credit and taxing power of the County will be irrevocably pledged for the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor. There shall be levied annually by the Auditor of the County, and collected by the Treasurer of the County, in the same manner as other county taxes are levied and collected, a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

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

COUNTY COUNCIL OF RICHLAND COUNTY,
SOUTH CAROLINA

s/ _____
Chair

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-06HR

AN ORDINANCE AUTHORIZING DEED TO MIDLANDS FIRE PROTECTION FOR A CERTAIN PARCEL OF LAND KNOWN AS LOT 1 (APPROXIMATELY 4.564 ACRES TOTAL) IN THE RICHLAND NORTHEAST INDUSTRIAL PARK, A PORTION OF RICHLAND COUNTY TMS # 25800-04-01.

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 deed to MIDLANDS FIRE PROTECTION for certain real property, as specifically described in the attached Deed, Lot 1 (approximately 4.564 acres) in the Richland Northeast Industrial Park, a portion of Richland County TMS # 25800-04-01, which is attached hereto and incorporated herein.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2006.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ 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: December 6, 2005
Second Reading: December 13, 2005
Public Hearing: January 17, 2006 (tentative)
Third reading: January 17, 2006 (tentative)

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-06HR

AN ORDINANCE AUTHORIZING DEED TO FORUM DEVELOPMENT II, LLC FOR A CERTAIN PARCEL OF LAND KNOWN AS LOT 27 (APPROXIMATELY 2.699 ACRES TOTAL) IN THE RICHLAND NORTHEAST INDUSTRIAL PARK, A PORTION OF RICHLAND COUNTY TMS # 25800-04-01.

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 deed to FORUM DEVELOPMENT II, LLC for certain real property, as specifically described in the attached Deed, Lot 27 (approximately 2.699 acres) in the Richland Northeast Industrial Park, a portion of Richland County TMS # 25800-04-01, which is attached hereto and incorporated herein.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2006.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ 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: December 6, 2005
Second Reading: December 13, 2005
Public Hearing: January 17, 2006 (tentative)
Third reading: January 17, 2006 (tentative)

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-06HR

AN EMERGENCY ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON APPROVAL OF FLOODPLAIN MANAGEMENT PERMITS FOR DEVELOPMENT OR CONSTRUCTION WITHIN A PORTION OF THE CONGAREE RIVER FLOODPLAIN.

WHEREAS, Richland County is a participating community in the National Flood Insurance Program (“NFIP”) administered by the Federal Emergency Management Agency (“FEMA”). Pursuant to 44 C.F.R. § 60.3, FEMA must provide a participating community with data upon which floodplain management regulations shall be based. To be a participating community, Richland County is required by 44 C.F.R. § 60.2(h), to adopt and apply this data for enforcement of floodplain management regulations in unincorporated Richland County; and

WHEREAS, on November 18, 2005, the United States District Court, South Carolina Division, in the case of *Columbia Venture v. Federal Emergency Management Agency*, Case Number 3:01-4100-MBS, entered a written Order vacating the Congaree River base flood elevations as revised by the Federal Emergency Management Agency (“FEMA”) on August 20, 2001 and effective on February 20, 2002; and

WHEREAS, the Court’s Order rendered null and void the Congaree River base flood elevations as promulgated by FEMA on August 20, 2001 and effective February 20, 2002. Consequently, pursuant to 44 C.F.R. § 60.3, FEMA must provide sufficient data upon which Richland County’s floodplain regulations are to be based as they apply to the Congaree River Floodplain. To date, FEMA has not provided the required data; and

~~**WHEREAS**, the absence of sufficient data from FEMA concerning the Congaree River Floodplain constitutes an emergency; and~~

~~**WHEREAS**, an emergency moratorium on construction and development in flood-prone areas of the Congaree River Floodplain is needed to protect public health, safety and welfare, and to allow the County time to determine what actions may be needed to maintain compliance with the NFIP.~~

THEREFORE, BE IT ENACTED THAT:

SECTION I. Richland County Council hereby declares a moratorium on the approval or denial of any permit submitted to Richland County for construction, development, zoning, building, disturbance of land, or for stormwater management purposes, as defined within Chapter 26 of the Richland County Code of Ordinances, on property located in a flood-prone area within the Congaree River Floodplain.

Congaree River Floodplain means the geographic area shown on Flood Insurance Rate Map panels 0091, 0092, 0094, 0160, 0178 and 0190 for Unincorporated Richland County.

Flood-prone means any land area susceptible to being inundated by water from the overflow of inland waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

This moratorium does not apply to permit applications for maintenance of existing structures, levees or buildings.

SECTION II. The Richland County Attorney and Interim Administrator, and/or their designees or agents, shall, before this Ordinance expires, make reasonable efforts to determine from FEMA or by other

reasonable and necessary means, how Richland County will maintain compliance with the NFIP in light of the Order entered by the United States District Court, South Carolina Division, on November 18, 2005, in the case of *Columbia Venture v. Federal Emergency Management Agency*. The Richland County Attorney and Interim County Administrator shall report their findings to Richland County Council as soon as practicable before the expiration of this Ordinance.

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

SECTION IV. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are superseded during the time this Ordinance is effective.

SECTION V. This Ordinance shall be effective immediately upon adoption by Richland County Council.

SECTION VI. This Ordinance shall expire sixty (60) days following the date of adoption of this Ordinance, or until rescinded by Richland County Council, whichever is earlier.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

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: January 3, 2006
Second Reading: January 17, 2006 (tentative)
Public Hearing:
Third Reading:

Richland County Council

Rules and Appointments Committee



**RICHLAND COUNTY COUNCIL
REGULAR SESSION MEETING
DECEMBER 13, 2005**

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

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

A. Accommodation Tax Committee-3

Currently there are two vacancies previously advertised, and one pending on this committee.

Douglas O'Flaherty (Hospitality)	February 17, 2006
Peggy Smith (Lodging)	October 7, 2005
Sarah Watson (At Large)	July 13, 2006

[Ms. Watson has been appointed to Central Midlands COG]

B. Employee Grievance Committee-1

There is one vacancy on this committee for one un-expired term.

Smifeccia "Smiley" Tynes	May 6, 2006
--------------------------	-------------

C. Music Festival-2

There is vacancy previously advertised, and one pending vacancy on this committee.

Mary Ellen Amaker	February 5, 2006*
Lila B. Hopkins	December 4, 2005*

D. Performing Arts Center Board-2

There are two vacancies, previously advertised on this board.

Mettauer L. Carlisle	December 4, 2005*
Anthony E. Morgan	January 8, 2006

*Joseph McEachern
Chairman
District Seven*

*Paul Livingston
District Four*

*Mike Montgomery
District Eight*

Staffed by:

*Monique Walters
Assistant to the Clerk of
Council*

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

A. Historic Columbia Foundation-1

There is one appointment to be made to this board; no applications were received.

B. Performing Arts Center Board-1

There is one appointment to be made to this board, and one application was received from the following:

Henry Counts, Prevention Specialist, LRADAC

* Eligible for reappointment

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



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

APPLICANT MUST RESIDE IN RICHLAND COUNTY

Name: Henry Counts

Home Address: 201 Hidden Pines Rd

Office Address: LRADAC P.O. Box 50597 1800 St. Julian Place Suite 308

Job Title and Employer: Prevention Specialist - LRADAC Columbia, SC 29250

Telephone: (home) 803-865-9780 (work) 803-319-8250

Educational Background: Bachelors of Science Sociology, Master's of Public Health

Professional Background: Administration, Community Development

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

Name of Committee in which interested: Performing Arts Center Board

Reason for interest: I want to become more active in the County I live in

Characteristics/Qualifications which would be an asset to Committee/Board/ Commission: I have an appreciation for the arts, I am a writer and poet, I have also performed in many stage plays

Presently serve on any County Board/Commission/Committee? NA

Any other information you wish to give? I recently completed a session of Richland 101 and I want to use what I have learned

Recommended by Council Member(s):

Received by/Date Applicant's Signature/Date 11-28-05

Return to: Clerk of Council, Post Office Box 192, Columbia, S.C. 29202. For information, call 748-4616.

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 knowledge it is true and complete.

Any person who wilfully files a false or incomplete statement of disclosure or no change of condition, or who wilfully 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 actions of the board?

YES _____ NO ✓ _____

If so, list below:

Signature:

Henry Conz

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

**A RESOLUTION OF THE
RICHLAND COUNTY COUNCIL**

**A RESOLUTION TO APPOINT AND COMMISSION DAVID Y. GILLESPIE
AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY,
GENERAL WELFARE, AND CONVENIENCE OF RICHLAND COUNTY.**

WHEREAS, the Richland County Council, in the exercise of its general police power, is empowered to protect the health and safety of the residents of Richland County; and

WHEREAS, the Richland County Council is further authorized by Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many code enforcement officers as may be necessary for the proper security, general welfare, and convenience of the County;

NOW, THEREFORE, BE IT RESOLVED THAT David Y. Gillespie is hereby appointed and commissioned a Code Enforcement Officer of Richland County for the purpose of providing for the proper security, general welfare, and convenience of the County, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this County, including the enforcement of the County's building regulations and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended. Provided, however, David Y. Gillespie shall not perform any custodial arrests in the exercise of his duties as a code enforcement officer. This appointment shall remain in effect only until such time as David Y. Gillespie is no longer employed by Richland County to enforce the County's building regulations.

ADOPTED THIS THE ____ DAY OF JANUARY, 2006.

Anthony G. Mizzell, Chair
Richland County Council

Attest: _____
Michielle R. Cannon-Finch
Clerk of Council

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

**A RESOLUTION OF THE
RICHLAND COUNTY COUNCIL**

**A RESOLUTION TO APPOINT AND COMMISSION BRANDON C. HOOKER
AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY,
GENERAL WELFARE, AND CONVENIENCE OF RICHLAND COUNTY.**

WHEREAS, the Richland County Council, in the exercise of its general police power, is empowered to protect the health and safety of the residents of Richland County; and

WHEREAS, the Richland County Council is further authorized by Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many code enforcement officers as may be necessary for the proper security, general welfare, and convenience of the County;

NOW, THEREFORE, BE IT RESOLVED THAT Brandon C. Hooker is hereby appointed and commissioned a Code Enforcement Officer of Richland County for the purpose of providing for the proper security, general welfare, and convenience of the County, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this County, including the enforcement of the County's building regulations and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended. Provided, however, Brandon C. Hooker shall not perform any custodial arrests in the exercise of his duties as a code enforcement officer. This appointment shall remain in effect only until such time as Brandon C. Hooker is no longer employed by Richland County to enforce the County's building regulations.

ADOPTED THIS THE ____ DAY OF JANUARY, 2006.

Anthony G. Mizzell, Chair
Richland County Council

Attest: _____
Michielle R. Cannon-Finch
Clerk of Council

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

**A RESOLUTION OF THE
RICHLAND COUNTY COUNCIL**

A RESOLUTION TO APPOINT AND COMMISSION CHRISTOPHER JAMES NETHERTON, SR. AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY, GENERAL WELFARE, AND CONVENIENCE OF RICHLAND COUNTY.

WHEREAS, the Richland County Council, in the exercise of its general police power, is empowered to protect the health and safety of the residents of Richland County; and

WHEREAS, the Richland County Council is further authorized by Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many code enforcement officers as may be necessary for the proper security, general welfare, and convenience of the County;

NOW, THEREFORE, BE IT RESOLVED THAT Christopher James Netherton, Sr. is hereby appointed and commissioned a Code Enforcement Officer of Richland County for the purpose of providing for the proper security, general welfare, and convenience of the County, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this County, including the enforcement of the County's building regulations and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended. Provided, however, Christopher James Netherton, Sr. shall not perform any custodial arrests in the exercise of his duties as a code enforcement officer. This appointment shall remain in effect only until such time as Christopher James Netherton, Sr. is no longer employed by Richland County to enforce the County's building regulations.

ADOPTED THIS THE ____ DAY OF JANUARY, 2006.

Anthony G. Mizzell, Chair
Richland County Council

Attest: _____
Michielle R. Cannon-Finch
Clerk of Council

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

**A RESOLUTION OF THE
RICHLAND COUNTY COUNCIL**

A RESOLUTION TO APPOINT AND COMMISSION RICHARD M. THOMPSON AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY, GENERAL WELFARE, AND CONVENIENCE OF RICHLAND COUNTY.

WHEREAS, the Richland County Council, in the exercise of its general police power, is empowered to protect the health and safety of the residents of Richland County; and

WHEREAS, the Richland County Council is further authorized by Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many code enforcement officers as may be necessary for the proper security, general welfare, and convenience of the County;

NOW, THEREFORE, BE IT RESOLVED THAT Richard M. Thompson is hereby appointed and commissioned a Code Enforcement Officer of Richland County for the purpose of providing for the proper security, general welfare, and convenience of the County, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this County, including the enforcement of the County's building regulations and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended. Provided, however, Richard M. Thompson shall not perform any custodial arrests in the exercise of his duties as a code enforcement officer. This appointment shall remain in effect only until such time as Richard M. Thompson is no longer employed by Richland County to enforce the County's building regulations.

ADOPTED THIS THE _____ DAY OF JANUARY, 2006.

Anthony G. Mizzell, Chair
Richland County Council

Attest: _____
Michielle R. Cannon-Finch
Clerk of Council