



**RICHLAND COUNTY COUNCIL
REGULAR SESSION AGENDA**

**SEPTEMBER 20, 2011
6:00 PM**

CALL TO ORDER

HONORABLE PAUL LIVINGSTON, CHAIR

INVOCATION

THE HONORABLE BILL MALINOWSKI

PLEDGE OF ALLEGIANCE

THE HONORABLE BILL MALINOWSKI

Approval Of Minutes

1. September 6, 2011 [PAGES 6-18]

Adoption Of The Agenda

Report Of The Attorney For Executive Session Items

2. a. Eastover Water - Contractual Matter
b. Personnel Matter

Citizen's Input

3. Must Pertain to Items Not on the Agenda

Report Of The County Administrator

4. a. Business Friendly Task Force
b. Decker Center Update
c. Employee Grievance [ACTION]

Report Of The Clerk Of Council

5. a. Fall Meeting of the County Council Coalition, Friday, October 14, 2011, Embassy Suites Hotel

- b. Reminder: Strategic Plan Retreat, September 22nd, 4 p.m., Council Chambers

Report Of The Chairman

- 6. a. Budget Amendment for Sheriff Department's Rank Structure Program [**ACTION**] [**PAGES 24-25**]
- b. Recreation Commission Meet & Greet
- c. CMRTA IGA
- d. Strategic Plan Retreat

Open/Close Public Hearings

- 7. a. An Ordinance Authorizing Easement to the City of Columbia for Sanitary Sewer Main to serve the Brookhaven Subdivision; Richland County TMS #17500-03-67
- b. An Ordinance Authorizing Easement to the City of Columbia for a water main to serve the Brookhaven Subdivision; Richland County TMS# 17500-03-67
- c. Adoption of Analysis of Impediments (AI) to Fair Housing Choice

Approval Of Consent Items

- 8. 11-08MA
Larry H. Sharp
RU to RC (3.26 Acres)
8308 Winnsboro Road
10100-05-01, 02 [**THIRD READING**] [**PAGE 28**]
- 9. 11-09MA
Joseph E. Sharp
RU to RC (3.49 Acres)
8105 Winnsboro Road
09900-03-04, 05 [**THIRD READING**] [**PAGE 30**]
- 10. 11-10MA
Vulcan Lands, Inc.
RU to HI (292.43 Acres)
Caughman Road
06500-01-03, 06500-01-11(p) [**THIRD READING**] [**PAGES 32-33**]
- 11. An Ordinance Authorizing Easement to the City of Columbia for Sanitary Sewer Main to serve the Brookhaven Subdivision; Richland County TMS #17500-03-67 [**THIRD READING**] [**PAGES 35-43**]
- 12. An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article X, Subdivision Regulations; so as to add a new section that permits private road subdivisions in the RU (Rural) Zoning Districts [**THIRD READING**] [**PAGES 45-47**]

13. An Ordinance Authorizing Easement to the City of Columbia for a water main to serve the Brookhaven Subdivision; Richland County TMS #17500-03-67 [**THIRD READING**] [**PAGES 49-58**]

Report Of Economic Development Committee

14. a. Shop Grove Commerce Park Multi-County Industrial Park Designation - Ordinance to designate Shop Grove Commerce Park as a Multi-County Industrial Park [**FIRST READING BY TITLE ONLY**] [**PAGE 60**]
- b. Project Atlas - Inducement Resolution [**PAGES 61-64**]
- c. Project Atlas - Ordinance authorizing a Fee in Lieu of Tax Agreement between Richland County and Project Atlas [**FIRST READING BY TITLE ONLY**] [**PAGE 65**]
- d. Village at Sandhill Improvement District - Resolution Approving the 20111 Assessment Roll for the Village at Sandhill Improvement District [**PAGES 66-81**]

Report Of Rules And Appointments Committee

1. Discussion From Rules And Appointments Committee

15. Employee Grievance Committee Process [**PAGES 83-87**]
16. County Council will consider a rule change that states any Special Called Meeting will only have the item(s) the meeting was called for on the agenda. A complete agenda with Administrator, Attorney and Clerk of Council report will not be required nor will approval of previous meeting minutes or any citizen's input be on the agenda unless it relates to the matter the meeting is called for [**MALINOWSKI**][**PAGE 89**]
17. When speaking during the citizen's input portion of council meetings, persons currently serving on Richland County Commissions of any kind are not allowed to use their title or the commission name unless they have received unanimous consent from the commission to do so [**MALINOWSKI**]
18. Interview appointments for applicants meeting with the Rules and Appointments Committee will be scheduled at least one week in advance. [**MANNING**]

Other Items

19. Adoption of Analysis of Impediments (AI) to Fair Housing Choice [**PAGES 93-173**]

Citizen's Input

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

Executive Session

Motion Period

21. a. Motion that Council and Council Staff develop and implement a plan that will enable us to achieve the SC State goal of a 35% solid waste diversion rate within 5 years and long term goal of "zero waste." **[ROSE]**
- b. Decker Boulevard Commercial Corridor District Ordinance Change **[DICKERSON & MANNING]**
- c. Resolution honoring Gadsden Elementary on being designated a "National Blue Ribbon School" **[WASHINGTON]**

Adjournment



Richland County Council Request of Action

Subject

September 6, 2011 [**PAGES 6-18**]

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, SEPTEMBER 6, 2011 6:00 p.m.

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

MEMBERS PRESENT:

Chair	Paul Livingston
Member	Joyce Dickerson
Member	Gwendolyn Davis Kennedy
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Bill Malinowski
Member	Jim Manning
Member	L. Gregory Pearce, Jr.
Member	Seth Rose
Member	Kelvin Washington
Absent	Damon Jeter

OTHERS PRESENT – Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Larry Smith, Randy Cherry, Stephany Snowden, Melinda Edwards, Anna Fonseca, Donny Phipps, Dr. James Atkins, Daniel Driggers, David Hoops, John Hixson, Ronaldo Myers, Quinton Epps, Pam Davis, Sara Salley, Dale Welch, Nancy Stone-Collum, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at 6:03 p.m.

INVOCATION

The Invocation was given by the Honorable Gwendolyn Davis Kennedy

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Gwendolyn Davis Kennedy

APPROVAL OF MINUTES

Zoning Public Hearing: July 26, 2011 – Ms. Hutchinson moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Livingston stated that the lease portion of the Report of the Decker Mall Allocation Committee, which was deferred at the July 26th Special Called Meeting, needed to be added to the agenda.

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

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

- a. **Splash vs. Richland County**
- b. **Manufacturing vs. Richland County**
- c. **McEntire vs. Richland County**
- d. **Potential Claim – Legal Advice**
- e. **Lexington-Richland School District Five – Legal Advice**
- f. **Employee Grievances – 2**
- g. **Personnel Matter**
- h. **Jackson Creek Mitigation**

CITIZENS' INPUT

Ms. Diane Scott spoke in opposition and Ms. Audrey Smith spoken in favor of the "Application for Locating a Community Residential Care Facility in an Unincorporated Area of Richland County: 429 Rockhaven Drive, Columbia, SC 29223".

REPORT OF THE COUNTY ADMINISTRATOR

- a. **Employee Grievances –2** – This item was taken up in Executive Session.
- b. **Caughman Property** – Mr. Pope stated that the matter will be on the September A&F Committee agenda.
- c. **Community Development National Award** – Mr. Pope stated that Richland County Community Development was selected as a recipient of the 2011 John A. Sasso Community Development Week Award. The national award

recognizes communities that exemplify the spirit of the Community Development Block Grant (CDBG) program by showcasing its good works through the activities and events during National Community Development Week. The award was presented during the National Community Development Association's Annual Conference on Friday, June 24, 2011 in Cincinnati, Ohio. Richland County was one of nine recipients in the United States.

- d. **Development Review Process** – Mr. Hammett stated that the Development Review Process Analysis Executive Summary was e-mailed to Council on Friday, September 2nd. Staff is in the process of finalizing the full report. The mission of the Task Force was to completely revamp the development review process. Completion of the study was the first major step in what will likely be an 18-month process. In November a symposium will be held with the development community to introduce the process changes. The symposium will be the forum for conveying information from completion of many of the recommendations outlined in the report. This will be a major accomplishment and serve as the basis for revamping the development review process.
- e. **Personnel Matter** – This item was taken up in Executive Session.
- f. **Appointment Authority for Assessor's Office** – Mr. Pope stated that the County Attorney's Office has drafted legislation that will be forwarded to the Legislative Delegation and have the County's lobbyist work on having the legislation pre-filed in the fall. The Assessor will be notified of this action.
- g. **Jackson Creek Mitigation** – Mr. Atkins made a brief presentation regarding this item.

Mr. Manning moved, seconded by Mr. Washington, to establish an internal Richland County mitigation banking team. A discussion took place.

Mr. Manning withdrew the motion until after Executive Session.

- h. **SCE&G Right-of-Way** – Mr. Atkins made a brief presentation explaining the SCE&G application.

Ms. Hutchinson moved, seconded by Ms. Dickerson, to direct the Administrator to prepare a letter of intervention to be delivered to the Public Service Commission by September 8th. A discussion took place.

Ms. Kennedy moved, seconded by Ms. Dickerson, to call for the question. The vote was in favor.

The vote in favor was unanimous to direct the Administrator to prepare a letter of intervention.

REPORT OF THE CLERK OF COUNCIL

Councilwoman Joyce Dickerson's appointment at the Annual NACo Conference to Chair the Telecommunications and Technology Steering Committee – Ms. Onley

congratulated Ms. Dickerson on her appointment as Chair of the Telecommunications and Technology Steering Committee at the Annual NACo Conference.

REPORT OF THE CHAIRMAN

911 Monument Funding – Mr. Washington moved, seconded by Mr. Manning, to move forward with the donation of \$25,000. A discussion took place.

Mr. Pearce made a substitute motion, seconded by Mr. Washington, to appropriate \$25,000 from the Hospitality Tax Fund. A discussion took place.

Ms. Dickerson moved, seconded by Mr. Washington, to call for the question. The vote was in favor.

The vote in favor was unanimous to appropriate \$25,000 from the Hospitality Tax Fund.

PUBLIC HEARING

- **An Ordinance Amending the FY11-12 General Fund Annual Budget to appropriate \$91,754 of General Fund Undesignated Fund Balance to the Solicitor for Grant Match Funds** – No one signed up to speak.
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-6, Smoking of Tobacco Products; Subparagraph (G), Reasonable Distance; so as to prohibit smoking within fifteen (15) feet of a door used as an entrance to or exit from an enclosed area where smoking is prohibited** – No one signed up to speak.
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 6, Buildings and Regulations; Article II, Administration; Division 3, Permits, Inspection and Certificate of Approval; Section 6-52, Inspection Required; so as to not require inspection of occupied structures unless there are safety concerns** – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

- An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 3, Permits, Inspection and Certificate of Approval; Section 6-52, Inspections Required; so as to not require inspection of occupied structures unless there are safety concerns [THIRD READING]
- An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$91,754 of General Fund Undesignated Fund Balance to the Solicitor for Grant Match Funds [THIRD READING]
- 11-08MA, Larry H. Sharp, RU to RC (3.26 Acres), 8308 Winnsboro Road, 10100-05-01,02 [SECOND READING]
- 11-09MA, Joseph E. Sharp, RU to RC (3.49 Acres), 8105 Winnsboro Road, 09900-03-04, 05 [SECOND READING]
- 11-10MA, Vulcan Lands, Inc., RU to HI (292.43 Acres), Caughman Road, 06500-01-03, 06500-01-11(p) [SECOND READING]
- An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article X, Subdivision Regulations; so as to add a new section that permits private road subdivisions in the RU (Rural) Zoning Districts [SECOND READING]
- An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$44,250 of General Fund Undesignated Fund Balance to the Sheriff's Department for the Laboratory Technician position previously funded by grant funds [SECOND READING]
- An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$71,250 of General Fund Undesignated Fund Balance to the Sheriff's Department for two Deputy Sheriff's Motorcycle Safety Education and Enforcement positions previously funded by grant funds [SECOND READING]

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

POINT OF PERSONAL PRIVILEGE – Council recognized the South Carolina Combat Veterans Group.

THIRD READING

An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-6, Smoking of Tobacco Products; Subparagraph (G), Reasonable Distance; so as to prohibit smoking within fifteen (15) feet of a door used as an entrance to or exit from an enclosed area where smoking is prohibited – Mr. Manning moved, seconded by Ms. Hutchinson, to approve this item. The vote was in favor.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Clerk of Council Office Analysis – Mr. Manning moved, seconded by Mr. Livingston, to proceed with hiring the Executive Clerk of Council with the job description distributed to Council and the other two staff consists of the Assistant Clerk of Council and the Assistant to Clerk of Council, as outlined in Mr. Tomes materials. A discussion took place.

Ms. Dickerson made a substitute motion, seconded by Mr. Pearce, that the Clerk's Office remain with the two clerks, based on the performance that they need to perform at this particular point and time, and that a third person is not hired at this time.

Ms. Kennedy made a second substitute motion, seconded by Mr. Washington, to hire a third person and have a committee to revamp the entire office. A discussion took place.

Ms. Dickerson withdrew her substitute motion.

Mr. Manning withdrew the main motion.

Mr. Rose made a substitute motion to outline specific duties for the present employees. The motion died for lack of a second.

The vote was in favor of the motion to hire a third person and have a committee to revamp the entire office.

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson recognized Mr. Paul Moscati from the Town of Blythewood.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES

- a. **Board of Zoning Appeals—4** – Mr. Malinowski stated that the committee recommended advertising for these positions. The vote in favor was unanimous.

- b. **Hospitality Tax Committee—1** – Mr. Malinowski stated that the committee recommended advertising for this position. The vote in favor was unanimous.

II. NOTIFICATION OF APPOINTMENTS

- a. **Accommodations Tax Committee—4** – Mr. Malinowski stated that the committee recommended re-advertising for these positions. The vote in favor was unanimous.
- b. **Appearance Commission—2** – Mr. Malinowski stated that the committee recommended re-advertising for these positions. The vote in favor was unanimous.
- c. **Board of Assessment Control—1** – Mr. Malinowski stated that the committee recommended re-advertising for this position. The vote in favor was unanimous.
- d. **Building Codes Board of Adjustments and Appeals—3** – Mr. Malinowski stated that the committee recommended re-advertising for these positions. The vote in favor was unanimous.
- e. **Business Service Center Appeals Board—1** – Mr. Malinowski stated that the committee recommended re-advertising for this position. The vote in favor was unanimous.
- f. **Central Midlands Council of Governments—2**

Mr. Jackson, Mr. Manning, Mr. Pearce, Mr. Livingston, Ms. Dickerson, Ms. Kennedy, Mr. Rose, and Mr. Washington voted for Clarence W. Hill, PhD.

Mr. Pearce, Ms. Hutchinson, Mr. Livingston, Ms. Dickerson and Mr. Washington voted for Ms. Moryah Jackson.

Mr. Malinowski, Mr. Jackson, Ms. Hutchinson, Ms. Kennedy and Mr. Rose voted for Mr. Michael Allan Letts.

Dr. Clarence W. Hill was appointed and a re-vote was taken on Ms. Moryah Jackson and Mr. Michael Allan Letts.

Mr. Pearce, Mr. Livingston, Ms. Dickerson, Mr. Manning and Mr. Washington voted for Ms. Moryah Jackson.

Mr. Malinowski, Mr. Jackson, Ms. Hutchinson, Ms. Kennedy and Mr. Rose voted for Mr. Michael Allan Letts.

Mr. Pearce moved, seconded by Ms. Dickerson, to defer the remaining appointment until the September 20th meeting. The vote in favor was unanimous.

- g. Community Relations Council—3** – Mr. Malinowski stated that the committee recommended re-appointing Ms. Karen Jenkins and appointing Mr. Roscoe E. Wilson, Jr. The committee further recommended re-advertising for the remaining position. The vote in favor was unanimous.
- h. Internal Audit Committee—1** – Mr. Malinowski stated that the committee recommended re-advertising for this position. The vote in favor was unanimous.
- i. Midlands Workforce Development Board—1** – Mr. Malinowski stated that the committee recommended appointing Mr. Nelson Lindsay. The vote in favor was unanimous.
- j. Music Festival Board—1** – Mr. Malinowski stated that the committee recommended re-advertising for this position. The vote in favor was unanimous.

III. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. Electronic Participation** – Mr. Malinowski stated that the committee recommended that this item be placed in the Council Rules under Section I.5(b)(1). The vote in favor was unanimous.
- b. Employee Grievance Committee Process** – This item remained in committee.

OTHER ITEMS

Decker Center Leases – Mr. Manning moved, seconded by Mr. Washington, to reduce the current tenants' leases by 50% for the remainder of their occupancy. A discussion took place.

Ms. Hutchinson made a friendly amendment that a reduction is given only to the tenants that are current on their rent.

Mr. Pearce made a substitute motion, seconded by Mr. Malinowski, to continue to collect the rent at the tenants' current rate, and if at the end of the lease extension period a surplus has been collected the overage will be rebated to the tenants on a prorated basis.

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

The vote was in favor of the substitute motion.

Application for Locating a Community Residential Care Facility in an Unincorporated Area of Richland County: 429 Rockhaven Drive, Columbia, SC 29223 – Mr. Pearce moved, seconded by Ms. Hutchinson, to call for the question. The vote in favor was unanimous.

Ms. Kennedy moved, seconded by Ms. Hutchinson, to deny the application. The vote in favor was unanimous.

CITIZEN'S INPUT

No one signed up to speak.

EXECUTIVE SESSION

=====
Council went into Executive Session at approximately 8:29 p.m. and came out at approximately 10:16 p.m.
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- a. **Splash vs. Richland County** – Ms. Hutchinson moved, seconded by Mr. Manning, to proceed as directed in Executive Session.

Mr. Washington made a substitute motion, seconded by Mr. Jackson, to maintain the current locations. The motion failed.

The vote was in favor of proceeding as directed in Executive Session.

- b. **Manufacturing vs. Richland County** – Mr. Pearce moved, seconded by Mr. Jackson, to enter into mediation. The vote in favor was unanimous.
- c. **McEntire vs. Richland County** – Mr. Pearce moved, seconded by Mr. Jackson, to enter into mediation. The vote in favor was unanimous.
- d. **Potential Claim – Legal Advice** – No action was taken.

- e. **Lexington-Richland School District Five – Legal Advice** – Mr. Malinowski moved, seconded by Ms. Dickerson, to place the school district's current construction be placed on the Planning Commission agenda for review and comment. The vote in favor was unanimous.
- f. **Employee Grievances – 2** – Mr. Malinowski moved, seconded by Ms. Hutchinson, to uphold the Administrator's recommendations. The vote was in favor.
- g. **Personnel Matter** – No action was taken.
- h. **Jackson Creek Mitigation** – Mr. Manning moved, seconded by Mr. Malinowski, that a Richland County Mitigation Banking team be established with authority to meet with the landowners to discuss future interest. The vote in favor was unanimous.

MOTION PERIOD

To review Richland County's plan for responding to a natural disaster or emergency such as a flood, earthquake, hurricane, etc. [ROSE] – This item was referred to the D&S Committee.

I move that we get nice shirts like I see other County Council members wear at SCAC [MANNING] – This item was referred to the A&F Committee.

Motion by Manning - I move that Council hires an Independent Internal Auditor. RATIONAL - The instructor for the Level II class on Financial Management for the Institute of Government for County Officials held in conjunction with the South Carolina Association of Counties'44th Annual Conference stated that every County should have an Internal Auditor. Richland County does not have one. Furthermore, notes from a 2005 Richland County Internal Audit Committee lists 15 "potential IA projects." My understanding is that item #3 and item #4 have had audits completed. However, I am greatly concerned about two items in particular that in 2005 (over 6 years ago) were identified as "a high risk area for potential fraud and/or abuse." These items are still some way on down the "list." Item # 7 on the list for consideration for internal auditing is Procurement Audit. The corresponding information for this item reads as follows: – Within any county government, procurement is a high risk area for potential fraud and abuse. Periodic audits of procurement transactions can help reduce the likelihood of fraud. After Richland County implements procurement cards, the potential risk will increase. Item #8 on the list is Timekeeping Audit. The corresponding information for this item reads as follows: – Fraud related to timekeeping is also a potential concern for county government. Controls over timekeeping have improved in Richland County since 2001, however there is still potential for abuse. [MANNING] – This item was referred to the A&F Committee.

Motion for a resolution in honor of Mrs. Donella Brown Wilson and her extraordinary life [ROSE] – Mr. Pearce moved, seconded by Mr. Manning, to adopt a resolution in honor of Mrs. Donella Brown Wilson's extraordinary life. The vote in favor was unanimous.

Motion for a resolution in honor of Bishop C. M. Bailey [ROSE] – Mr. Manning moved, seconded by Mr. Pearce, to unanimously add Mr. Rose's motion to the motion agenda. The vote in favor was unanimous.

Ms. Hutchinson moved, seconded by Mr. Manning, to adopt a resolution in honor of Bishop C. M. Bailey. The vote in favor was unanimous.

Motion for a resolution in support of Trinity Baptist Church, a church with historical significance in our community and one celebrating its 90th birthday in September 2011 [ROSE] – Mr. Manning moved, seconded by Mr. Pearce, to adopt a resolution in support of Trinity Baptist Church's 90th birthday in September 2011. The vote in favor was unanimous.

Motion that Council direct the County Attorney to develop a protocol for outsourcing County legal matters to Richland County law firms. For each area of law the County Attorney is to have a list of competent Richland based law firms in that field and the County legal business is to be given out on a rotational basis working off that particular list designated for each specific area of law. The purpose of this motion is to divvy out the County legal business to competent Richland law firms in the most fair and equitable manner [ROSE & JETER] – This item was referred to the A&F Committee.

When speaking during the citizen's input portion of council meetings persons currently serving on Richland County Commissions of any kind are not allowed to use their title or the commission name unless they have received unanimous consent from the commission to do so [MALINOWSKI] – This item was referred to the Rules & Appointments Committee.

Staff in conjunction with the Conservation Commission will consider an ordinance change to prevent the crossing of any portion of a conservation easement with utilities unless by special exception and with specific requirements in place [MALINOWSKI] – This item was referred to the D&S Committee.

County Council will consider a rule change that states any Special Called Meetings will only have the item(s) the meeting was called for on the agenda. A complete agenda with Administrator, Attorney and Clerk of Council reports will not be required nor will approval of previous meeting minutes or any citizen's input be on the agenda unless it relates to the matter the meeting is called for [MALINOWSKI] – This item was referred to the Rules & Appointments Committee.

Council will have specific language relating to CMRTA board appointees stating that at least one citizen appointee will be from the unincorporated portion of Richland County and at least one county council appointee will have a majority of unincorporated Richland County in their District [MALINOWSKI] – This item will be taken up in the upcoming Intergovernmental Agreement.

To have staff determine the legalities of an ordinance change that would allow for public/private business partnerships to be operated on school property, specifically in the sports medicine field, and create the necessary wording [MALINOWSKI] – This item was referred to the D&S Committee.

Overtime compensation shall not be calculated towards retirement salary [JACKSON] – This item was referred to the A&F Committee.

Reform the Hospitality Tax policies. Example, priorities to County projects, rank projects on tourism impact, etc. [JACKSON] – This item was forwarded to the Hospitality Tax Committee.

ADJOURNMENT

The meeting adjourned at approximately 10:30 p.m.

Paul Livingston, Chair

Damon Jeter, Vice-Chair

Gwendolyn Davis Kennedy

Joyce Dickerson

Valerie Hutchinson

Norman Jackson

Bill Malinowski

Jim Manning

L. Gregory Pearce, Jr.

Seth Rose

Kelvin E. Washington, Sr.

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

- a. Eastover Water - Contractual Matter
- b. Personnel Matter

Richland County Council Request of Action

Subject

Must Pertain to Items Not on the Agenda

Richland County Council Request of Action

Subject

- a. Business Friendly Task Force
- b. Decker Center Update
- c. Employee Grievance [**ACTION**]

Richland County Council Request of Action

Subject

- a. Fall Meeting of the County Council Coalition, Friday, October 14, 2011, Embassy Suites Hotel
- b. Reminder: Strategic Plan Retreat, September 22nd, 4 p.m., Council Chambers

Richland County Council Request of Action

Subject

- a. Budget Amendment for Sheriff Department's Rank Structure Program **[ACTION] [PAGES 24-25]**
- b. Recreation Commission Meet & Greet
- c. CMRTA IGA
- d. Strategic Plan Retreat

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. __-11HR

AN ORDINANCE AMENDING SECTION 12 OF THE FISCAL YEAR 2011-2012
ANNUAL BUDGET ORDINANCE.

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

SECTION I. That the following change be made to the budget ordinance:

SECTION 12. Richland County hereby enacts the implementation of an Administrative Service Fee of up to \$15.00 per hour, to be collected by the Sheriff from parties who request special duty services, and which are authorized by the Sheriff for the duration of fiscal year 2011-2012 only. Funds collected by the Sheriff that are derived from the up to \$15.00 per hour administrative fee for special duty services shall be deposited as follows: \$5 into the General Fund to cover administrative costs of operating the plan; \$5 into the General Fund to cover the rank structure increases for the Sheriff's Office (~~this will be incorporated as a bonus payment and not add to the base salary of the employee~~); \$5 to deposited into the Victim's Assistance program to cover additional program cost. This revenue will be to offset the cost of the additional use of petrol oil and lubricants, and for the cost of administrative management of special duty assignments. The Sheriff and Finance Director will assess the status of fees collected through the Special Duty Program prior to the end of fiscal year 2012. All excess funds collected for the administrative cost over cost incurred shall reflect as a designation of fund balance and shall be brought forward in the following fiscal year as budgeted fund balance. This automatic re-budgeting shall not require a supplemental budget ordinance. Continuation of the Special Duty Program and associated fees shall be evaluated each year during the budget process.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2011

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2011

Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

Richland County Council Request of Action

Subject

- a. An Ordinance Authorizing Easement to the City of Columbia for Sanitary Sewer Main to serve the Brookhaven Subdivision; Richland County TMS #17500-03-67
- b. An Ordinance Authorizing Easement to the City of Columbia for a water main to serve the Brookhaven Subdivision; Richland County TMS# 17500-03-67
- c. Adoption of Analysis of Impediments (AI) to Fair Housing Choice

Richland County Council Request of Action

Subject

11-08MA
Larry H. Sharp
RU to RC (3.26 Acres)
8308 Winnsboro Road
10100-05-01, 02 **[THIRD READING] [PAGE 28]**

Notes

First Reading: July 26, 2011
Second Reading: September 6, 2011
Third Reading:
Public Hearing: July 26, 2011

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-11HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # 10100-05-01/02 FROM RU (RURAL DISTRICTS) TO RC (RURAL COMMERCIAL DISTRICTS); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 10100-05-01/02 from RU (Rural District) zoning to RC (Rural Commercial District) zoning.

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

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

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2011.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2011.

Michelle M. Onley
Assistant Clerk of Council

Public Hearing: July 26, 2011
First Reading: July 26, 2011
Second Reading: September 6, 2011 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

11-09MA
Joseph E. Sharp
RU to RC (3.49 Acres)
8105 Winnsboro Road
09900-03-04, 05 **[THIRD READING] [PAGE 30]**

Notes

First Reading: July 26, 2011
Second Reading: September 6, 2011
Third Reading:
Public Hearing: July 26, 2011

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-11HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # 09900-03-04/05 FROM RU (RURAL DISTRICTS) TO RC (RURAL COMMERCIAL DISTRICTS); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 09900-03-04/05 from RU (Rural District) zoning to RC (Rural Commercial District) zoning.

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

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

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2011.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2011.

Michelle M. Onley
Assistant Clerk of Council

Public Hearing: July 26, 2011
First Reading: July 26, 2011
Second Reading: September 6, 2011 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

11-10MA
Vulcan Lands, Inc.
RU to HI (292.43 Acres)
Caughman Road
06500-01-03, 06500-01-11(p) **[THIRD READING] [PAGES 32-33]**

Notes

First Reading: July 26, 2011
Second Reading: September 6, 2011
Third Reading:
Public Hearing: July 26, 2011

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-11HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # 06500-01-03 AND AS A PORTION OF TMS # 06500-01-11 FROM RU (RURAL DISTRICTS) TO HI (HEAVY INDUSTRIAL DISTRICTS); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 06500-01-03 and as a portion of TMS # 06500-01-11 from RU (Rural District) zoning to HI (Heavy Industrial District) zoning, (all as described in Exhibit A, which is attached hereto).

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

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

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2011.

RICHLAND COUNTY COUNCIL

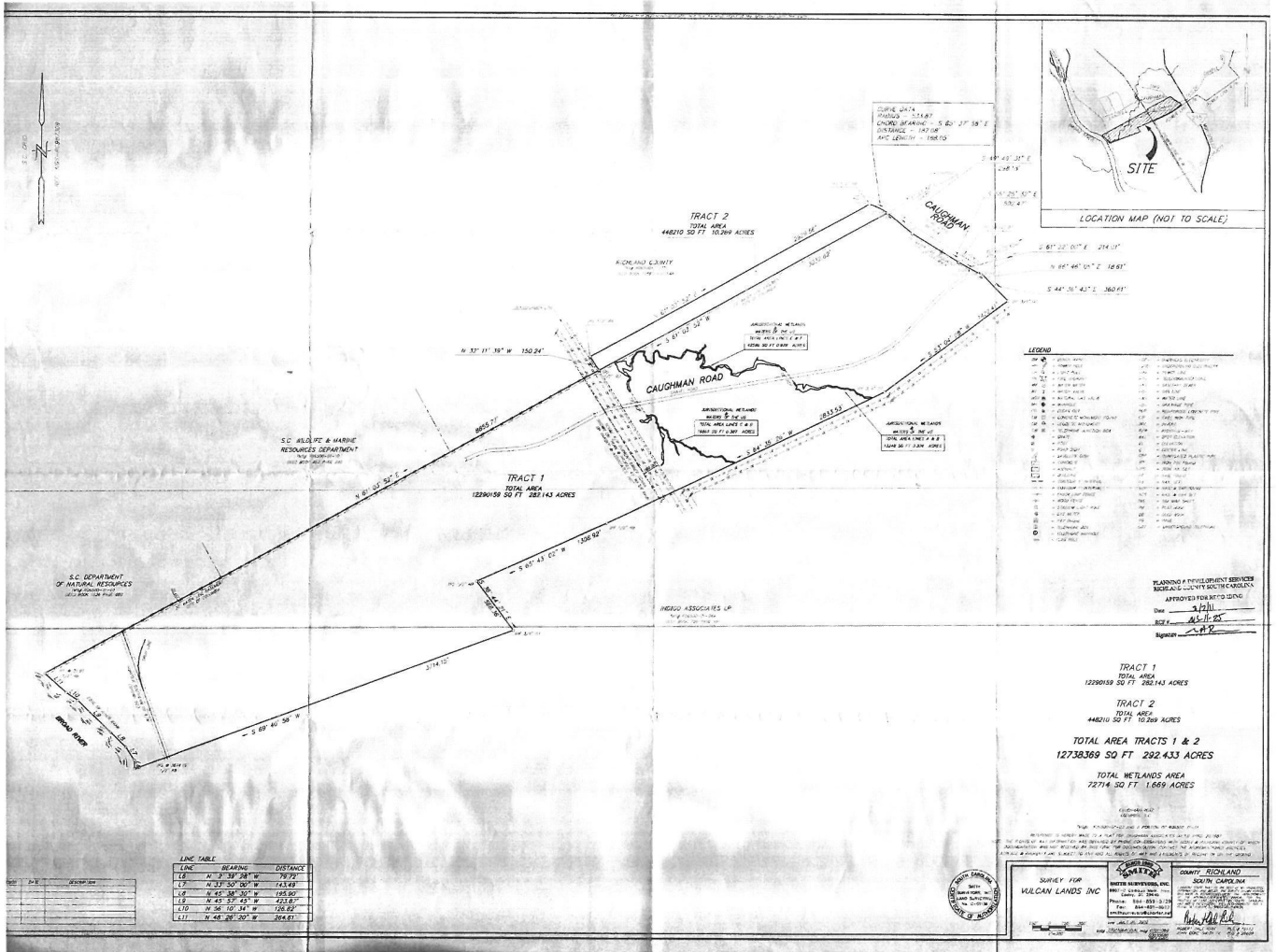
By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2011.

Michelle M. Onley
Assistant Clerk of Council

Public Hearing: July 26, 2011
First Reading: July 26, 2011
Second Reading: September 6, 2011 (tentative)
Third Reading:

Exhibit A



Richland County Council Request of Action

Subject

An Ordinance Authorizing Easement to the City of Columbia for Sanitary Sewer Main to serve the Brookhaven Subdivision; Richland County TMS #17500-03-67 **[THIRD READING] [PAGES 35-43]**

Notes

June 28, 2011 - The D&S Committee recommended that Council grant the sewer easement to the City of Columbia. The vote in favor was unanimous.

First Reading: July 5, 2011

Second Reading: July 19, 2011

Third Reading:

Public Hearing:

Richland County Council Request of Action

Subject: Sanitary Sewer Main Easement to the City of Columbia (northern side of Cogburn Road)

A. Purpose

County Council is requested to approve a Sanitary Sewer Main easement to the City of Columbia on property owned by Richland County (northern side of Cogburn Road).

B. Background / Discussion

In 2010, Brickyard-Longtown, LLC (Stewart Mungo) donated a parcel of land to the County for conservation purposes. The land is titled in the Richland County Conservation Commission, but as the Commission is not a separate legal entity, title lies with Richland County. The Commission was approached by the City of Columbia requesting a sanitary sewer main easement over the subject property.

Please see the attached easement and plat to further identify the location of the requested easement. It appears from the plat that the sewer line is going to service the Brookhaven Subdivision.

C. Financial Impact

There is no known financial impact with this request.

D. Alternatives

1. Grant the easement to the City of Columbia (approve the attached ordinance)
2. Do not grant the easement to the City of Columbia (do not approve the attached ordinance)

E. Recommendation

Council discretion.

Recommended by: Elizabeth McLean

Department: Legal

Date: 6/14/11

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 6/16/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommendation is based on no financial impact to the County as indicated in the ROA.

Conservation Commission

Reviewed by: James Atkins

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: The sewer main was installed previously by the Mungo Company. The easement is needed to transfer the main to the City of Columbia.

Public Works

Reviewed by: David Hoops

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Sewer main is in place, no further disruption will occur. Easement is needed for future maintenance.

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Administration

Reviewed by: Sparty Hammett

Date: 6/20/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval of granting the sewer easement to the City of Columbia. The sewer main is already in place, and the easement is needed for maintenance.

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

EASEMENT

For and in consideration of the sum of One (\$1.00) Dollar, each to the other paid, the receipt of which is hereby acknowledged, Richland County Conservation Commission (also hereinafter referred to as "Grantor") does hereby grant unto the said City of Columbia (also hereinafter referred to as "Grantee"), its successors and assigns, an easement and right-of-way variable (0' to 11.51') feet in width, together with the right of ingress and egress at all times for the purpose of constructing, operating, reconstructing, and maintaining a sanitary sewer main and with the right to remove shrubbery, trees and other growth from the right-of-way and construction area, provided that the property will be restored as nearly as practicable to its original condition upon completion of the construction and any trees which must be removed shall be moved from the premises, and any damaged shrubbery will be replaced with the same variety from nursery stock, said easement and right-of-way to run through property which the Grantor owns or in which the Grantor has an interest, situate, lying and being:

In the State of South Carolina, County of Richland, located along the northern side of Cogburn Road, Columbia, South Carolina 29229, and being further identified as a portion of Richland County tax map number 17500-03-67, as shown on tax maps prepared by the office of the Richland County Tax Assessor, 2010 Edition.

A permanent, exclusive easement for a sanitary sewer main, variable feet in width, the perimeter measurements of said easement beginning at a point along the common boundary of the subject property and the northwestern property line of Richland County TMS#17511-02-52, n/f Kodali, fourteen and nineteen hundredths (14.19) feet S26°50'46"W of the northern property corner of said TMS#17511-02-52; thence extending therefrom N26°50'46"E along the common boundary of the subject property and the northwestern property lines of Richland County TMS#17511-02-52, 53 (n/f Powell), 54 (n/f Jennings) and 55 (n/f Remelus), for a distance of two hundred thirty-six and six tenths (236.6) feet to a point along the northwestern property line of said TMS#17511-02-55, fifty-five and eight hundredths (55.08) feet N26°50'46"E of the western property corner of said TMS#17511-02-55; thence turning and extending therefrom S29°15'42"W along the subject property, for a distance of two hundred thirty and sixty-three hundredths (230.63) feet; thence turning and extending therefrom S30°45'18"E crossing the subject property, for a distance of eleven and fifty-one hundredths (11.51) feet to a point along the common boundary of the subject property and the northwestern property line of said TMS#17511-02-52, also being the point of beginning; thence terminating.

Be all measurements a little more or less.

This easement being more clearly shown and delineated on an easement plat for Sewer Easement to Serve Brookhaven Phase 10, sheet 6 of 6, dated January 13, 2011, prepared by Civil Engineering of Columbia, Inc., for the City of Columbia, South Carolina and being on file in the Office of the Department of

APPROVED BY
CITY OF COLUMBIA
LEGAL DEPT.

Utilities and Engineering, City of Columbia, South Carolina under file reference #276-02L.

A copy of said easement plat being attached hereto and made a part hereof as Exhibit "A".

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

TO HAVE AND TO HOLD the aforesaid rights to the Grantee, its successors and assigns, as aforesaid, forever.

And the Grantor does hereby bind the Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the said premises unto Grantee, its successors and assigns against the Grantor and Grantor's successors and assigns and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof through the Grantor or Grantor's successors or assigns.

WITNESS the hand and seal of the Grantor by the undersigned this _____ day of _____, 2011.

WITNESSES:

RICHLAND COUNTY CONSERVATION COMMISSION

(1st witness)

By: _____
(Signature)

(2nd witness)

Name: _____
(Print Name)

Title: _____
(Print Title)

STATE OF SOUTH CAROLINA)
COUNTY OF _____)

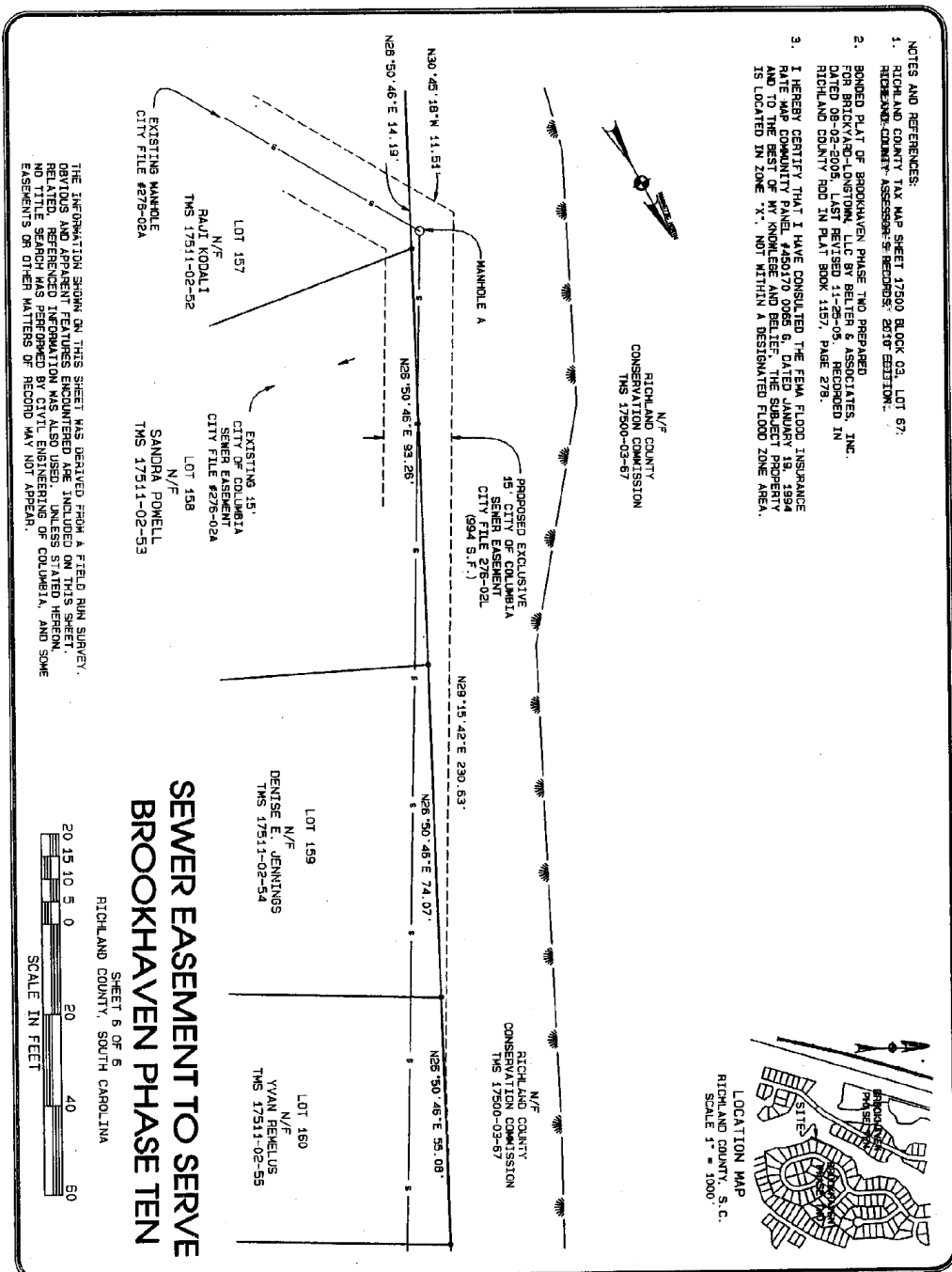
ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this _____ day of _____, 2011 by _____ of _____ on behalf of the within-named Grantor.
Name & Title of Officer City & State

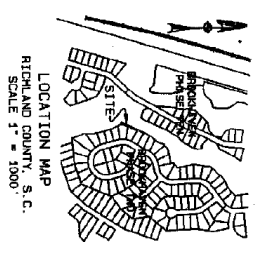
(Notary's Signature)

NOTARY PUBLIC FOR: _____
(State)

MY COMMISSION EXPIRES: _____
(Date)

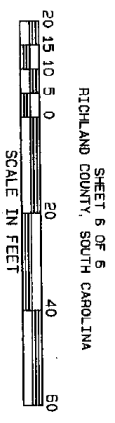


- NOTES AND REFERENCES:
1. RICHLAND COUNTY MAP SHEET 17500 BLOCK 03, LOT 67, RICHLAND COUNTY ASSESSOR'S RECORDS, 2010 EDITION.
 2. BOUNDED PLAT OF BROOKHAVEN PHASE TWO PREPARED FOR BRICKYARD-LONGTOWN, LLC BY BELTER & ASSOCIATES, INC. DATED 05-02-2008, LAST REVISED 11-25-09, RECORDED IN RICHLAND COUNTY BOB IN PLAT BOOK 1157, PAGE 279.
 3. I HEREBY CERTIFY THAT I HAVE CONSULTED THE FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL #450170 0085 G, DATED JANUARY 19, 1994 AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SUBJECT PROPERTY IS LOCATED IN ZONE 'X', NOT WITHIN A DESIGNATED FLOOD ZONE AREA.



THE INFORMATION SHOWN ON THIS SHEET WAS DERIVED FROM A FIELD SURVEY. OBVIOUS AND APPARENT FEATURES ENCOUNTERED ARE INCLUDED ON THIS SHEET. RELATED REFERENCED INFORMATION WAS ALSO USED. UNLESS STATED HEREIN, NO TITLE SEARCH WAS PERFORMED. RECORD MAY NOT APPEAR. EASEMENTS OR OTHER MATTERS OF RECORD MAY NOT APPEAR.

**SEWER EASEMENT TO SERVE
BROOKHAVEN PHASE TEN**



PREPARED FOR
CITY OF COLUMBIA UTILITIES & ENGINEERING
COLUMBIA, SOUTH CAROLINA

CIVIL ENGINEERING OF COLUMBIA
CONSULTING ENGINEERING SURVEYING AND PLANNING
3608 FERNANDINA ROAD COLUMBIA, SOUTH CAROLINA 29210
TELEPHONE (803) 798-2820 FAX (803) 798-2820

ANY CERTIFICATIONS, WARRANTIES, OR GUARANTEES SIGNED BY THE ENGINEER OR SURVEYOR OF RECORD FOR THIS PROJECT ARE INTENDED TO EXPRESS THAT STANDARD AND REASONABLE CARE WERE USED IN PREPARATION OF THIS DOCUMENT.

CIVIL ENGINEERING OF COLUMBIA, INC.
No. 000296
SOUTH CAROLINA NOTARY PUBLIC
CERTIFICATE OF AUTHORITY

1	01-13-11	REV PER CITY E-MAIL 1-13	HDE
NO.	DATE	REVISION DESCRIPTION	BY
DATE:	DEC. 16, 2010	JOB NUMBER	05089
DRAWN:	HDE		

SCALE: 1" = 20'

Revid Copy 01/13/11

276-02L

ATTORNEY CERTIFICATION

I, _____, an attorney licensed to practice in the State of _____, do hereby certify that I supervised the execution of the attached Easement with Richland County Conservation Commission as grantor and the City of Columbia, as grantee, this _____ day of _____, 2011.

State Bar or License Number: _____

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. _____-11HR

AN ORDINANCE AUTHORIZING EASEMENT TO THE CITY OF COLUMBIA FOR SANITARY SEWER MAIN TO SERVE THE BROOKHAVEN SUBDIVISION; RICHLAND COUNTY TMS #17500-03-67.

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 an easement to a sanitary sewer main to The City of Columbia for a portion of Richland County TMS #17500-03-67, as specifically described in the Easement, 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 _____.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2011.

Michelle Onley
Assistant Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

Richland County Council Request of Action

Subject

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article X, Subdivision Regulations; so as to add a new section that permits private road subdivisions in the RU (Rural) Zoning Districts **[THIRD READING] [PAGES 45-47]**

Notes

First Reading: July 26, 2011

Second Reading: September 6, 2011

Third Reading:

Public Hearing: July 26, 2011

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-11HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE X, SUBDIVISION REGULATIONS; SO AS TO ADD A NEW SECTION THAT PERMITS PRIVATE ROAD SUBDIVISIONS IN THE RU (RURAL) ZONING DISTRICTS.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article X, Subdivision Regulations; is hereby amended by the addition of a new section; to read as follows:

Sec. 26-225. Private road subdivisions.

- (a) Purpose. It is the intent and purpose of this section to furnish a means of subdividing property in the RU zoning district of the county without incurring the costs associated with major subdivisions.
- (b) Applicability. The provisions of this section shall only apply to the RU (Rural) zoning district.
- (c) Special requirements for private road subdivisions.

 - (1) Review. Subdivision of property for a private road subdivision is subject to the minor subdivision review procedure found at Sec. 26-54(c)(2). All Planning Department subdivision plan review fees shall be waived; provided, however, all fees charged by DHEC (and collected by the Richland County Public Works Department) shall be paid by the applicant.
 - (2) Roads. Roads within a private road subdivision shall be exempt from the road paving requirements of Sec. 26-181 of this chapter, but shall not be exempt from any other road design requirement. Roads within a private road subdivision shall not be eligible or accepted for county maintenance, which is otherwise provided pursuant to Section 21-5 of the Richland County Code of Ordinances, until they meet the road construction standards provided in Chapter 21 of the Richland County Code. The roadway shall have a minimum right-of-way width of sixty-six (66) feet and minimum twenty (20) foot wide passable surface, which meets the standards established and set forth by the county engineer. The subdivision documents shall include a conspicuous statement stating that

improvements to the roadway without the approval of the county engineer are prohibited.

(3) Sidewalks. Private road subdivisions shall be exempt from the sidewalk requirements of Sec. 26-179 of this chapter.

(4) Size of lots. Any and all lots created in a private road subdivision shall conform to the RU zoning district's requirements.

(5) Number of lots. An owner of land may subdivide a tract of land pursuant to this section provided that no more than seven (7) lots result from the subdivision.

(6) Number of dwelling units. Only one (1) dwelling unit shall be permitted on each lot.

(7) E-911 requirements. The road, and each lot, shall conform to the county's E-911 system addressing and posting requirements.

(d) Legal documents required. An applicant for a private road subdivision shall submit:

(1) The necessary legal documents that:

a. Clearly provide permanent access to each lot.

b. State that the county shall not be responsible for either construction or routine (i.e. recurring) maintenance of the private road.

c. Clearly state that the parcels created by this process shall not be divided again, except in full compliance with all regulations in effect at the time.

(2) A "Hold Harmless Agreement" as to Richland County.

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

Secs. 26-226 – 26-250. Reserved.

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

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

SECTION IV. Effective Date. This ordinance shall be effective from and after _____, 2011.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

Attest this the _____ day of
_____, 2011

Michelle M. Onley
Assistant Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: July 26, 2011
First Reading: July 26, 2011
Second Reading: September 6, 2011 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance Authorizing Easement to the City of Columbia for a water main to serve the Brookhaven Subdivision;
Richland County TMS #17500-03-67 **[THIRD READING] [PAGES 49-58]**

Notes

June 28, 2011 - The D&S Committee recommended that Council grant the water main easement to the City of Columbia. The vote in favor was unanimous.

First Reading: July 5, 2011

Second Reading: July 19, 2011

Third Reading:

Public Hearing:

Richland County Council Request of Action

Subject: Water Main Easement to the City of Columbia (n/w side of Westmorland Road)

A. Purpose

County Council is requested to approve a Water Main easement to the City of Columbia on property owned by Richland County (n/w side of Westmorland Road).

B. Background / Discussion

In 2010, Brickyard-Longtown, LLC (Stewart Mungo) donated a parcel of land to the County for conservation purposes. The land is titled in the Richland County Conservation Commission, but as the Commission is not a separate legal entity, title lies with Richland County. The Commission was approached by the City of Columbia requesting a water main easement over the subject property.

Please see the attached easement and plat to further identify the location of the requested easement. It appears from the plat that the water line is going to service the Brookhaven Subdivision.

C. Financial Impact

There is no known financial impact with this request.

D. Alternatives

1. Grant the easement to the City of Columbia (approve the attached ordinance)
2. Do not grant the easement to the City of Columbia (do not approve the attached ordinance)

E. Recommendation

Council discretion.

Recommended by: Elizabeth McLean

Department: Legal

Date: 6/14/11

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 6/16/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommendation is based on no financial impact to the County as stated in the ROA.

Conservation Commission

Reviewed by: James Atkins

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Water main was installed previously by the Mungo Company. The easement is needed to transfer the line to the City of Columbia.

Public Works

Reviewed by: David Hoops

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Watermain is already in place, no further disruption will occur.

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Administration

Reviewed by: Sparty Hammett

Date: 6/20/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend granting the water main easement to the City of Columbia. The water main is already installed.

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

EASEMENT

For and in consideration of the sum of One (\$1.00) Dollar, each to the other paid, the receipt of which is hereby acknowledged, Richland County Conservation Commission (also hereinafter referred to as "Grantor") does hereby grant unto the said City of Columbia (also hereinafter referred to as "Grantee"), its successors and assigns, an easement and right-of-way (I) variable feet in width (0' to .83') and (II) variable feet in width (33.03'x29.9'x62.65'), together with the right of ingress and egress at all times for the purpose of constructing, operating, reconstructing, and maintaining a water main and with the right to remove shrubbery, trees and other growth from the right-of-way and construction area, provided that the property will be restored as nearly as practicable to its original condition upon completion of the construction and any trees which must be removed shall be moved from the premises, and any damaged shrubbery will be replaced with the same variety from nursery stock, said easement and right-of-way to run through property which the Grantor owns or in which the Grantor has an interest, situate, lying and being:

In the State of South Carolina, County of Richland, northeast of the City of Columbia, located along the northwestern side of Westmoreland Road, Columbia, South Carolina 29229, and being further identified as a portion of Richland County tax map number 17500-03-67, as shown on tax maps prepared by the office of the Richland County Tax Assessor, 2011 Edition.

(I) A permanent, exclusive easement for a water main, variable feet in width, the perimeter measurements of said easement beginning at a point along the common boundary of the northwestern right-of-way of Westmoreland Road and the subject property at a point fourteen and four tenths (14.4) feet S32°42'11"W of an iron pin along the common boundary of Westmoreland Road and subject property and approximately two hundred (200) feet southwest of the western property corner of Lot 818, Brookhaven, Phase 10 as shown on water record drawings for Brookhaven, Phase 10, on file in the Office of the Department of Utilities and Engineering, City of Columbia under City File reference #276-02L; thence extending therefrom N48°07'17"W along the subject property, for a distance of eighty-three hundredths (0.83) feet; thence turning and extending therefrom N41°27'19"E crossing the subject property, for a distance of twenty-six and sixteen hundredths (26.16) feet to intersect the common boundary of the northwestern right-of-way of Westmoreland Road and the subject property and gradually decreasing to zero (0) feet in width; thence turning and extending therefrom S38°26'40"W along the common boundary of the northwestern right-of-way of Westmoreland Road and the subject property, for a chord distance of fifteen and sixty-five hundredths (15.65) feet; thence turning and extending therefrom S41°26'07"W along the common boundary of the northwestern right-of-way of Westmoreland Road and the subject property, for a distance of ten and fifty-three hundredths (10.53) feet to the point of beginning; thence terminating.

(II) Also, a permanent, exclusive easement for a water main, variable feet in width, the perimeter measurements of said easement beginning at a point along

APPROVED BY
CITY OF COLUMBIA
LEGAL DEPT. *13/25/11*

the common boundary of the northwestern right-of-way of Westmoreland Road and the subject property fifty-seven and two hundredths (57.02) feet N29°57'08"E of said iron pin along the common boundary of the northwestern right-of-way of Westmoreland Road and the subject property; thence extending therefrom N24°46'21"E along the subject property, for a distance of thirty-three and three hundredths (33.03) feet; thence turning and extending therefrom N35°40'33"E crossing the subject property, for a distance of twenty-nine and nine tenths (29.9) feet to intersect the common boundary of the northwestern right-of-way of Westmoreland Road and the subject property; thence turning and extending therefrom S29°57'08"W along the common boundary of the northwestern right-of-way of Westmoreland Road and the subject property, for a distance of sixty-two and sixty-five hundredths (62.65) feet to the point of beginning; thence terminating.

Be all measurements a little more or less.

This easement being more clearly shown and delineated on an easement plat for Water Line Easement for Brookhaven, Phase 10, sheet 1 of 1, dated March 7, 2011, prepared by Civil Engineering of Columbia, Inc., for the City of Columbia, South Carolina and being on file in the Office of the Department of Utilities and Engineering, City of Columbia, South Carolina under file reference #276-02L.

A copy of said easement plat being attached hereto and made a part hereof as Exhibit "A".

A partial copy of record drawings for Brookhaven, Phase 10, City File reference #276-02L referenced herein and being attached hereto and made a part hereof as Exhibit "B".

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

TO HAVE AND TO HOLD the aforesaid rights to the Grantee, its successors and assigns, as aforesaid, forever.

And the Grantor does hereby bind the Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the said premises unto Grantee, its successors and assigns against the Grantor and Grantor's successors and assigns and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof through the Grantor or Grantor's successors or assigns.

WITNESS the hand and seal of the Grantor by the undersigned this _____ day of _____, 2011.

WITNESSES: RICHLAND COUNTY CONSERVATION COMMISSION

(1st witness) By: _____
(Signature)

(2nd witness) Name: _____
(Print Name)
Title: _____
(Print Title)

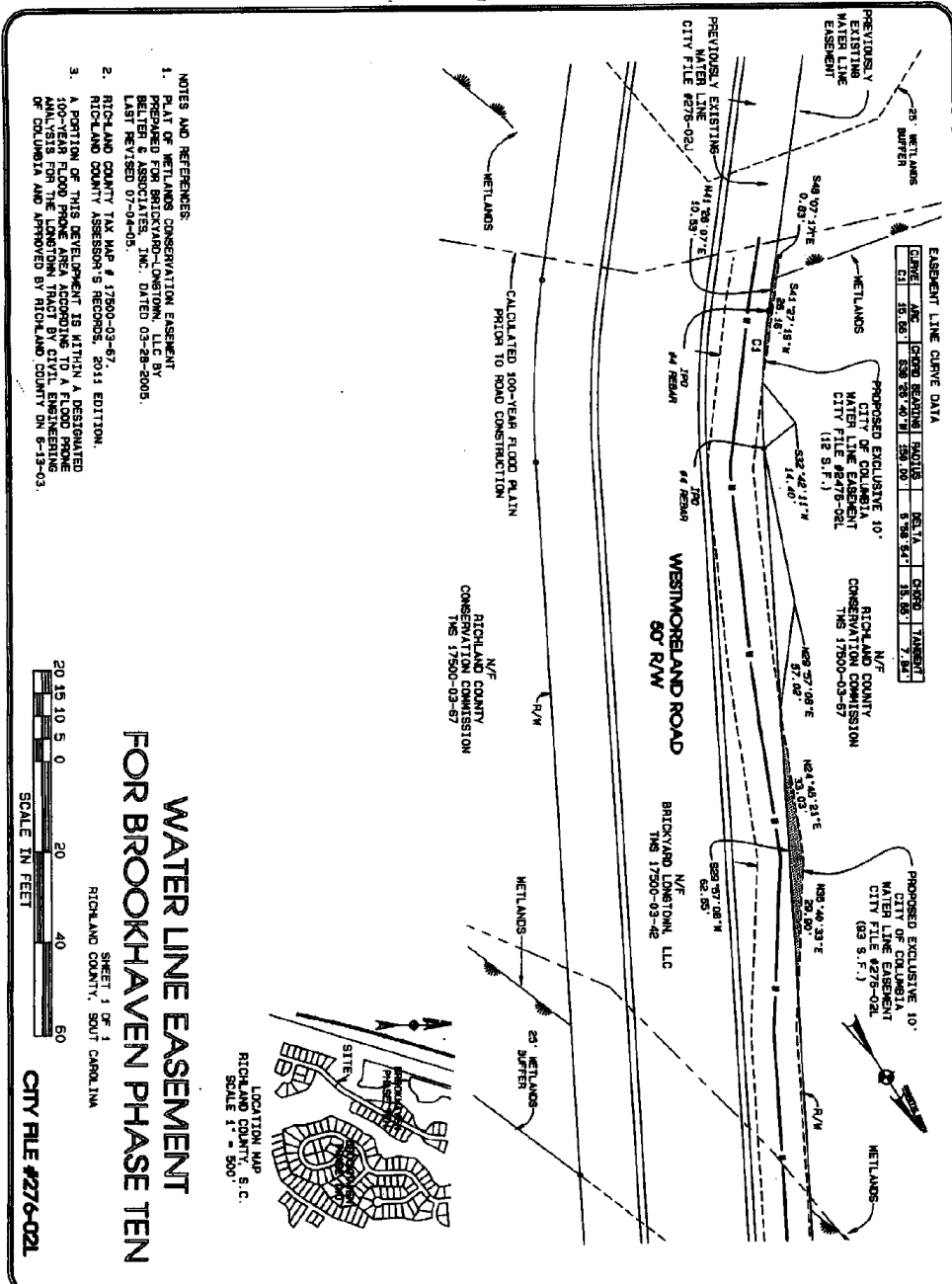
STATE OF SOUTH CAROLINA) ACKNOWLEDGEMENT
COUNTY OF)

The foregoing instrument was acknowledged before me this _____ day of _____, 2011 by _____ of _____
Name & Title of Officer City & State
on behalf of the within-named Grantor.

(Notary's Signature)
NOTARY PUBLIC FOR: _____
(State)
MY COMMISSION EXPIRES: _____
(Date)

EASEMENT 1 of 1.doc

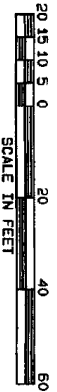
EXHIBIT A



EASEMENT LINE CURVE DATA

CURVE	ARC	CHORD BEARING	ANGLE	DELTA	CHORD	TANGENT
C1	59.06'	S39°58'40\"	109.00'	5.98°34'	18.05'	7.84'

- NOTES AND REFERENCES:**
1. PLAN OF WETLANDS CONSERVATION EASEMENT PREPARED FOR BRICKYARD-LONGTON, LLC BY BELTZER & ASSOCIATES, INC. DATED 03-28-2005. LAST REVISED 07-04-05.
 2. RICHLAND COUNTY TAX MAP # 17500-03-57.
 3. RICHLAND COUNTY ASSESSOR'S RECORDS, 2011 EDITION.
- A PORTION OF THIS DEVELOPMENT IS WITHIN A DESIGNATED 100-YEAR FLOOD PRONE AREA ACCORDING TO A FLOOD PRONE ANALYSIS FOR THE LONGTON TRACT BY G. COLLETT, ENGINEER OF COLUMBIA AND APPROVED BY RICHLAND COUNTY ON 04-19-03.

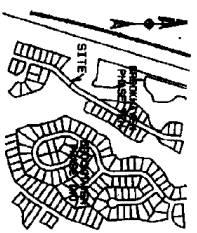


WATER LINE EASEMENT FOR BROOKHAVEN PHASE TEN

SHEET 1 OF 1
RICHLAND COUNTY, SOUTH CAROLINA

CITY FILE #276-021

LOCATION MAP
RICHLAND COUNTY
SCALE 1" = 500'



NO.	DATE	REVISION DESCRIPTION	BY

DATE: MARCH 7, 2011
JOB NUMBER: 05089
DRAWN: HDE
SCALE: 1" = 20'

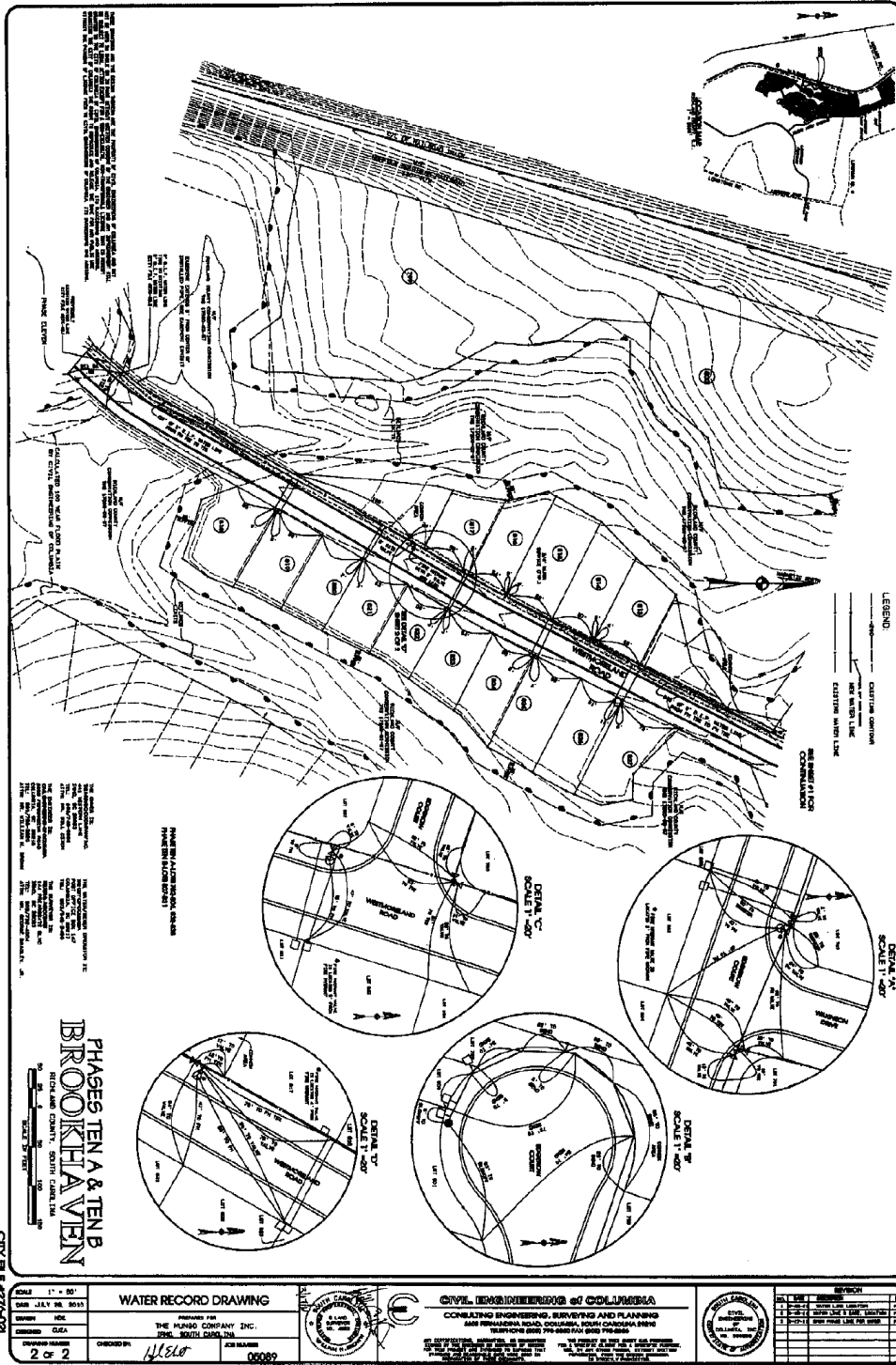


PREPARED FOR
CITY OF COLUMBIA
COLUMBIA, SOUTH CAROLINA



CIVIL ENGINEERING OF COLUMBIA
CONSULTING ENGINEERING SURVEYING AND PLANNING
3408 FERNANDINA ROAD COLUMBIA, SOUTH CAROLINA 29210
TELEPHONE (803) 796-0820 FAX (803) 796-0826

EXHIBIT B



ATTORNEY CERTIFICATION

I, _____, an attorney licensed to practice in the State of South Carolina do hereby certify that I supervised the execution of the attached Easement with Richland County Conservation Commission as Grantor and the City of Columbia, as Grantee, this _____ day of _____, 2011.

State Bar Number: _____

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. _____-11HR

AN ORDINANCE AUTHORIZING EASEMENT TO THE CITY OF COLUMBIA
FOR A WATER MAIN TO SERVE THE BROOKHAVEN SUBDIVISION;
RICHLAND COUNTY TMS #17500-03-67.

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 an easement to a water main to The City of Columbia for a portion of Richland County TMS #17500-03-67, as specifically described in the Easement, 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 _____.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2011.

Michelle Onley
Assistant Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

Richland County Council Request of Action

Subject

- a. Shop Grove Commerce Park Multi-County Industrial Park Designation - Ordinance to designate Shop Grove Commerce Park as a Multi-County Industrial Park **[FIRST READING BY TITLE ONLY] [PAGE 60]**
- b. Project Atlas - Inducement Resolution **[PAGES 61-64]**
- c. Project Atlas - Ordinance authorizing a Fee in Lieu of Tax Agreement between Richland County and Project Atlas **[FIRST READING BY TITLE ONLY] [PAGE 65]**
- d. Village at Sandhill Improvement District - Resolution Approving the 20111 Assessment Roll for the Village at Sandhill Improvement District **[PAGES 66-81]**

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. []

AUTHORIZING AN AMENDMENT TO THE MASTER AGREEMENT GOVERNING THE I-77 CORRIDOR REGIONAL INDUSTRIAL PARK BY AND BETWEEN RICHLAND COUNTY, SOUTH CAROLINA, AND FAIRFIELD COUNTY, SOUTH CAROLINA, TO EXPAND THE BOUNDARIES OF THE PARK TO INCLUDE CERTAIN REAL PROPERTY LOCATED IN RICHLAND COUNTY; AND RELATED MATTERS.

**A RESOLUTION
(RICHLAND COUNTY)**

IDENTIFYING A CERTAIN ECONOMIC DEVELOPMENT PROJECT TO BE LOCATED AND CONSTRUCTED IN RICHLAND COUNTY, SOUTH CAROLINA BY PROJECT ATLAS, AND AUTHORIZING A FEE AGREEMENT BY AND BETWEEN PROJECT ATLAS AND RICHLAND COUNTY, SOUTH CAROLINA WHEREBY, UNDER CERTAIN CONDITIONS, RICHLAND COUNTY WILL PROVIDE CERTAIN ECONOMIC DEVELOPMENT INCENTIVES TO PROJECT ATLAS TO INDUCE PROJECT ATLAS TO LOCATE AN EXPANDED MANUFACTURING FACILITY IN RICHLAND COUNTY, SOUTH CAROLINA.

WHEREAS, Richland County, South Carolina (the "County"), acting by and through its County Council (the "County Council"), is authorized and empowered under and pursuant to the provisions of the South Carolina Constitution (the "Constitution") and the Code of Laws of South Carolina, 1976, as amended, (the "Code") and the case law of the courts of the State of South Carolina, to offer and provide certain privileges, benefits, and incentives to prospective industries as inducements for economic development within the County; is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44 of the Code, as amended, also known as the Fee in Lieu of Tax Simplification Act (the "Act"), to acquire, or cause to be acquired, properties (which such properties constitute "projects" as defined in the Act) and to enter into agreements with any industry to construct, operate, maintain and improve such projects; to enter into or allow financing agreements with respect to such projects; and, to accept any grants for such projects through which powers the industrial development of the State of South Carolina (the "State") will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in the State and thus utilize and employ the manpower, agricultural products and natural resources of the State and benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise provided locally that provide for the exemption of such project from property taxes and provide for the payment of a fee in lieu of property taxes (a "fee agreement" as defined in the Act); and

WHEREAS, Project Atlas (the "Company") is considering an expanded manufacturing facility investment to be located within the County (the "Project"); and

WHEREAS, based on the information provided by the Company, the County has determined that the Project would directly and substantially benefit the general public welfare of the County by providing the creation of jobs and employment, the increase of ad valorem tax base, service, employment, or other public benefits not otherwise provided locally; that the Project gives rise to no pecuniary liability of the County or incorporated municipality or a charge against the general credit or taxing power of either; that the purposes to be accomplished by the Project, i.e., economic development, creation of jobs, and addition to the tax base of the County, are proper governmental and public purposes; and that the benefits of the Project will be greater than the costs; and

WHEREAS, the County Council, having heard the particulars of the Project, wishes to reflect and identify the Project for purposes of §12-44-40(D), and other relevant provisions, of the Act.

NOW, THEREFORE, BE IT RESOLVED, by the County Council of Richland County, South Carolina (the "County Council") as follows:

Section 1. Identification of Project. The Project, on the terms and conditions set forth on the record and as heard by the County Council, is hereby reflected and identified for purposes of the Act.

Section 2. Fee-in-Lieu-of-Tax Arrangement. The County shall consider granting the Company a fee-in-lieu-of-tax arrangement.

Section 3. Fee Agreement. The provisions, terms, and conditions of a fee agreement (the "Fee Agreement"), under and pursuant to the Act by and between the County and the Company, shall be prescribed and authorized by subsequent ordinance of the County Council which shall be consistent with the terms of this Resolution.

Section 4. Procedural Requirements. The County Council will comply with the provisions of the Home Rule Act and the Code and Constitution regarding the procedural requirements for adopting all required ordinances and resolutions.

Section 5. Effectiveness of Resolution. All orders, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This resolution shall take effect and be in full force from and after its passage by the County Council.

Section 6. Official Action. It is the intention of the County Council that this Resolution and the related Fee Agreement, the content, terms, and provisions of which are hereby incorporated by reference herein as fully as set forth verbatim, shall constitute an official action on the part of the County within the meaning of any statute or other legislative enactment relating to the provision of incentives including, without limitation, the approval of a fee-in-lieu-of-tax agreement for the inducement of economic development projects.

Adopted in meeting duly assembled this ____ day of _____ 2011.

RICHLAND COUNTY, SOUTH CAROLINA

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

(SEAL)

ATTEST:

By: _____
Clerk to County Council of Richland County,
South Carolina

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND) CERTIFIED COPY OF RESOLUTION

I, the undersigned, hereby certify that I am the duly appointed and acting Clerk to County Council of Richland County, South Carolina (the "County"), and as such official I further certify that attached hereto is a true and correct copy of a Resolution to commit the County to a fee-in-lieu-of-tax transaction under the Simplified Fee Act with Project Atlas, adopted by the County Council at a meeting duly called and held on _____, 2011, at which a quorum was present and acting throughout, which Resolution has been compared by me with the original thereof, and that such copy is a true, correct and complete copy thereof, and that such Resolution has been duly adopted and has not been modified, amended or repealed and is as of the date hereof in the form attached hereto.

Witness my official signature this ___ day of _____, 2011.

Clerk to County Council, Richland County,
South Carolina

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

AN ORDINANCE AUTHORIZING CERTAIN ECONOMIC INCENTIVES, INCLUDING PAYMENT OF A FEE IN LIEU OF PROPERTY TAXES AND OTHER RELATED MATTERS, PURSUANT TO A FEE AGREEMENT BETWEEN RICHLAND COUNTY, SOUTH CAROLINA, AND PROJECT ATLAS, PURSUANT TO TITLE 12, CHAPTER 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; AND OTHER RELATED MATTERS.

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

RESOLUTION

A RESOLUTION APPROVING THE 2011 ASSESSMENT ROLL FOR THE VILLAGE AT SANDHILL IMPROVEMENT DISTRICT, RICHLAND COUNTY, SOUTH CAROLINA.

WHEREAS, the County Council (“County Council”) of Richland County, South Carolina (“County”) by Ordinance No. 002-04HR enacted on March 2, 2004, authorized the creation of the Village at Sandhill Improvement District (“District”); and

WHEREAS, the County Council by Ordinance No. 003-04HR enacted on March 2, 2004, authorized and provided for the issuance and sale of not exceeding \$25,000,000 principal amount Village at Sandhill Improvement District Assessment Revenue Bonds, Series 2004, and approved the Assessment Report and the Rate and Method of Apportionment of Assessments (“Rate and Method of Apportionment”) including the Assessment Roll for the District; and

WHEREAS, the Rate and Method of Apportionment provides in Section F:

The County Council shall amend the Assessment Roll each year to reflect (i) the current Parcels in the District, (ii) the names of the owners of the Parcels, (iii) the Assessment for each Parcel, including any adjustments to the Assessments as provided for in Section C, (iv) the Annual Payment to be collected from each Parcel for the current year, (v) any changes in the Annual Assessments, (vi) prepayments of the Assessments as provided for in Section I and J, and (vii) any other changes to the Assessment Roll; and

WHEREAS, MuniCap, Inc. has prepared an Annual Assessment Report and Amendment of the Assessment Roll for Imposition of Assessments in 2011 and Collection in 2012 dated August 26, 2011 (“2011 Assessment Roll”).

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

1. The County hereby approves, confirms, and adopts the 2011 Assessment Roll as attached hereto.

THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY UPON ADOPTION.

ADOPTED IN A MEETING DULY ASSEMBLED THIS ___ DAY OF _____, ____.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

(Seal)

ATTEST this the ___ day of _____, ____.

Michielle R. Cannon-Finch
Clerk of Council

**VILLAGE AT SANDHILL IMPROVEMENT DISTRICT
RICHLAND COUNTY, SOUTH CAROLINA**

**ANNUAL ASSESSMENT REPORT AND
AMENDMENT OF THE ASSESSMENT ROLL FOR
IMPOSITION OF ASSESSMENTS IN 2011 AND COLLECTION IN 2012**

Prepared By:

MUNICAP, INC.

August 26, 2011

Item# 14

Attachment number 5
Page 1 of 14

**Village at Sandhill Improvement District
Richland County, South Carolina**

**Annual Assessment Report and
Amendment of the Assessment Roll for
Imposition of Assessments in 2011 and Collection in 2012**

INTRODUCTION

The Village at Sandhill Improvement District was created pursuant to an Assessment Ordinance that was adopted by the Richland County Council on March 2, 2004, wherein the district was created and the Annual Assessments were authorized to be imposed and collected. The Village at Sandhill Improvement District Assessment Revenue Bonds, Series 2004, in the amount of \$25,000,000 were issued pursuant to the Bond Ordinance, which was enacted by the Richland County Council on March 2, 2004, and the Richland County Public Works Improvement Act, codified as Chapter 35 of Title 4, Code of Laws of South Carolina 1976, as amended. The bonds are to be repaid from Assessments levied on each parcel of assessed property in the district.

The Assessments have been imposed on the assessed property within the Village at Sandhill Improvement District pursuant to the Assessment Ordinance. The Assessments are equal to the interest and principal on the bonds and estimated administrative expenses related to the bonds. The Assessments are due and payable each year as the Annual Assessment. The Annual Assessments for each year are shown in the Assessment Roll, attached hereto as Appendices A-1 and A-2. An Annual Credit may be applied to the Annual Assessment each year. The resulting amount is equal to the Annual Payment, which is to be collected from the assessed property in the district.

The Assessment Roll is to be amended each year to reflect “(i) the current parcels in the district, (ii) the names of the owners of the parcels, (iii) the Assessment for each parcel (including any adjustments to the Assessments), (iv) the Annual Payment to be collected from each parcel for the current year, (v) any changes in the Annual Assessments, (vi) prepayments of the Assessments, and (vii) any other changes to the Assessment Roll.” This report has been prepared to show the calculation of the Annual Payment and the amendment of the Annual Assessment Roll for the imposition of assessments in 2011 and collected in 2012.

ANNUAL ASSESSMENT

The Annual Assessment is the assessment due and payable each year on the assessed property. The Annual Assessment imposed in 2011 for collection in 2012 is equal to \$1,839,762.00.

ANNUAL PAYMENT

The Annual Payment each year is equal to the Annual Assessment less the Annual Credit. The Annual Payment is the amount due and payable from the assessed property each year. The Annual Credit is described in the next section.

ANNUAL CREDIT

The Annual Credit for each year is equal to the Annual Assessment less the Annual Revenue Requirement.

Annual Revenue Requirement

The Annual Revenue Requirement is defined as follows:

For any given year, the sum of the following, (1) regularly scheduled debt service on the bonds to be paid from the Annual Payments; (2) periodic costs associated with such bonds, including but not limited to rebate payments and credit enhancements on the bonds; and (3) administrative expenses; less (a) any credits applied under the bond indenture, such as interest earnings on any account balances, and (b) any other funds available to the district that may be applied to the Annual Revenue Requirement.

Table A provides a summary of the Annual Revenue Requirement for fiscal year 2012. Each of these numbers is explained in the following sections.

Table A
Annual Revenue Requirement

	Total
Interest payment on May 1, 2012	\$677,381
Interest payment on November 1, 2012	\$677,381
Principal payment on November 1, 2012	\$385,000
Subtotal annual payments	\$1,739,762
Administrative expenses	\$41,616
Contingency	\$58,384
<i>Subtotal Expenses</i>	\$1,839,762
Reserve Fund investment income	\$0
<i>Subtotal funds available</i>	\$0
Annual Revenue Requirement	\$1,839,762

Debt Service

Debt service includes the semi-annual interest payments due on May 1, 2012 and November 1, 2012. The outstanding Series 2004 Bonds were reduced by \$1,510,000.00 on November 1, 2005, as a result of the prepayment on the parcel sold to Home Depot. The outstanding Series 2004 Bonds were reduced by an additional \$15,000.00 on May 1, 2006 as a result of the interest earned on the remaining principal portion of the prepayment on the parcel sold to Home Depot that was held in the Redemption Fund Prepayment Account. The outstanding Series 2004 Bonds have been reduced by an additional \$1,258,000.00 as a result of regularly scheduled principal payments through November 1, 2010. The outstanding Series 2004 Bonds will be reduced by an additional \$366,000.00 as a result of a regularly scheduled principal payment on November 1, 2011. Accordingly, each semi-annual interest payment on the bonds is \$677,381.00 and represents interest at an annual coupon of 6.20 percent on the outstanding bonds of \$21,851,000.00. There is a principal payment of \$385,000.00 on the bonds on November 1, 2012. As a result, total debt service is \$1,739,762.00.

Administrative Expenses

Administrative expenses generally include the fees of the trustee, the administrator, annual charges of the county and miscellaneous legal expenses. The annual fee of the trustee is estimated to be \$2,675.00. The cost of the administrator for 2012 is estimated to be \$17,686.00. The charges of the county are estimated to be \$10,590.00. Miscellaneous legal fees to be paid in 2012 are estimated to be \$10,665.00. As a result, total administrative expenses for 2012 are estimated to be \$41,616.00.

Contingency

A contingency, equal to approximately three percent of annual debt service, has been added in the event of special assessment delinquencies, unanticipated expenses or if investment income is less than estimated.

Reserve Fund Investment Income

As of July 31, 2011, the Reserve Fund balance was \$872,218.40, which is equal to the reserve requirement of \$872,200.00 and investment income posted to the fund in the amount of \$18.40. The investment income currently held in the Reserve Fund will be used to pay debt service on November 1, 2011. Proceeds in the Reserve Fund are invested in Federated U.S. Treasury Securities currently earning less than 0.01 percent per annum. Estimated investment income in the amount of \$26.17 is expected to be earned through October 31, 2012. It is anticipated that there will be an unscheduled draw on the Reserve Fund in the amount of \$223,395.68 to pay debt service on November 1, 2011, which will reduce the balance in the Reserve Fund below the requirement. As a result, any investment income earned on the Reserve Fund through October 1, 2012 will be used to replenish the Reserve Fund.

Deficit from the Prior Year

The estimated deficit from the prior year is shown in Table B below. Special taxes in the amount of \$1,825,000.00 were to be collected in 2011. As of July 31, 2011, the Richland County Treasurer's Office reports that special assessments in the amount \$1,531,624.97 have been collected, representing 83.9 percent of the special assessments due in 2011. Of this amount, \$1,531,624.97 has been remitted to the trustee. According to the Treasurer's Office, if the outstanding assessments remain unpaid, a tax sale is scheduled to occur on December 5, 2011.

As of July 31, 2011, the balances in the Series 2004 Interest Account and the Series 2004 Principal Account were \$0.11 and \$0.10, respectively. As of the same date, the balance in the Series 2004 Redemption Fund Prepayment Account was \$44.04. As of July 31, 2011, the balance in the Revenue Fund was \$857,652.13. These funds will be used to pay a portion of debt service on November 1, 2011.

As mentioned above, as of July 31, 2011, the current balance in the Reserve Fund consists of \$18.40 in investment income previously posted to the account. At the current interest rate of less than 0.01 percent, an additional \$6.54 in investment income is estimated to be earned by the next scheduled debt service payment on November 1, 2011. The investment income in excess of the reserve requirement will be used to pay a portion of debt service on November 1, 2011.

Table B
Surplus from Prior Year

Series 2004 Interest Account balance at July 31, 2011	(\$0)
Series 2004 Principal Account balance at July 31, 2011	(\$0)
Available Series 2004 Redemption Fund Prepayment Account at July 31, 2011	(\$44)
Revenue Fund balance at July 31, 2011	(\$857,652)
Special assessments to be remitted in September 2011	\$0
Available Reserve Fund investment income at July 31, 2011	(\$18)
Estimated Reserve Fund investment income at October 31, 2011	(\$7)
<i>Available funds</i>	(\$857,721)
Interest payment on November 1, 2011	\$688,727
Principal payment on November 1, 2011	\$366,000
<i>Subtotal debt service</i>	\$1,054,727
Balance of administrative expenses for 2011	\$26,390
<i>Total expenses</i>	\$1,081,117
Deficit from prior year	\$223,396

The November 1, 2011 debt service payment includes a semi-annual interest payment of \$688,727.00, representing interest at an annual coupon of 6.20 percent on the outstanding bonds of \$22,217,000.00, and a principal payment of \$366,000.00. As a result, total debt service is equal to \$1,054,727.00. The budget for administrative expenses for 2011 was \$40,800.00. As of July 31, 2011, administrative expenses totaling \$19,750.00 have been paid by the trustee. There is an estimated \$26,390.00 in unpaid administrative expenses to be funded with special assessments collected in 2011. Accordingly, total expenses are equal to \$1,081,117.00. The estimated remaining expenses are expected to exceed the available funds by \$223,395.68 ($\$857,721.32 - \$1,081,117.00 = -\$223,395.68$).

The deficit from the prior year is provided for information purposes only and is not included in the calculation of the Annual Revenue Requirement.

Summary Annual Credit

The Annual Credit for each year is equal to the Annual Assessment less the Annual Revenue Requirement. A summary of the Annual Credit is shown below.

Table C
Summary Annual Credit

	Annual Assessment
Annual Assessment	\$1,839,762
Annual Revenue Requirement	\$1,839,762
Annual Credit	\$0

Summary Annual Payment

The Annual Payment each year is equal to the Annual Assessment less the Annual Credit. A summary of the Annual Payment is shown on the following page.

Table D
Summary Annual Payment

	Annual Assessment
Annual Assessment	\$1,839,762
Annual Credit	\$0
Annual Payment	\$1,839,762

AMENDMENT OF THE ASSESSMENT ROLL

The County Council shall amend the Assessment Roll each year to reflect (i) the current parcels in the district, (ii) the names of the owners of the parcels, (iii) the Assessment for each parcel (including any adjustments to the Assessments), (iv) the Annual Payment to be collected from each parcel for the current year, (v) any changes in the Annual Assessments, (vi) prepayments of the Assessments, and (vii) any other changes to the Assessment Roll.”

According to the Rate and Method of Apportionment (RMA), “the County Council may reapportion the Assessments on some or all of the Parcels upon the unanimous request of the owners of the Parcels for which the Assessments are to be reapportioned if there has been a change in the estimate for the Equivalent Acres applicable to one of the Parcels.” According to the RMA, the computation of the Equivalent Acreage as to a parcel shall be based on the information available regarding the use of the Parcel as long as there is a reasonable basis for such determination. According to the Property Owner, the Equivalent Acreage of Parcel R22900-02-09B was overestimated at the time the parcel was created. The Equivalent Acreage of Parcel R22900-02-09A was underestimated. As a result, and as shown in Tables E and F, the Equivalent Acreage of the parcels has been corrected in accordance with the RMA.

Table E
Assessments Prior to Correction
Parcels R22900-02-09A and R22900-02-09B

Tax Parcel Number	Property Class	Equivalent Acre Factor	Estimated Net Acreage	Equivalent Acreage	Principal Portion of Assessments
R22900-02-09A	Two	0.58	40.00	23.20	\$2,968,750
R22900-02-09A	Three	0.55	60.00	33.00	\$4,222,791
R22900-02-09B	One	1.00	11.78	11.78	\$1,507,408
Total			111.78	67.98	\$8,698,950

Table F
Assessments after Correction
Parcels R22900-02-09A and R22900-02-09B

Tax Parcel Number	Property Class	Equivalent Acre Factor	Estimated Net Acreage	Equivalent Acreage	Principal Portion of Assessments
R22900-02-09A	Two	0.58	40.00	23.20	\$2,968,750
R22900-02-09A	Three	0.55	60.00	33.00	\$4,222,791
R22900-02-09A	One	1.00	9.03	9.03	\$1,155,509
R22900-02-09B	One	1.00	2.75	2.75	\$351,899
Total			111.78	67.98	\$8,698,950

Reapportionment of Assessments upon the Subdivision of a Parcel

According to the RMA, “upon the subdivision of any parcel, the Assessment for the parcel prior to the subdivision shall be allocated to each new parcel in proportion to the Equivalent Acres of each parcel and the Assessment for the undivided parcel prior to the subdivision.” The allocation of the Assessment shall be made pursuant to the following formula:

$$A = B \times (C \div D)$$

Where the terms have the following meanings:

- A = the Assessment of the new parcel
- B = the Assessment of the subdivided parcel prior to the subdivision
- C = the Equivalent Acres of the new parcel
- D = the sum of the Equivalent Acres for all of the new parcels that result from the subdivision

According to the developer, Parcels R22911-01-01, R22911-01-02 and R22900-02-35 were subdivided from a portion of Parcel R22900-02-09A. Tables G and H show the principal portion of the assessment allocated to the new parcels in proportion to the Equivalent Acres of each parcel and the Assessment for the undivided parcel prior to the subdivision.

Table G
Assessments Prior to Subdivision
Parcel R22900-02-09A

Tax Parcel Number	Property Class	Equivalent Acre Factor	Estimated Net Acreage	Equivalent Acreage	Principal Portion of Assessments
R22900-02-09A	One	1.00	9.03	9.03	\$2,968,750
R22900-02-09A	Two	0.58	40.00	23.20	\$4,222,791
R22900-02-09A	Three	0.55	60.00	33.00	\$1,155,509
Total			109.03	65.23	\$8,347,051

Table H
Assessments after Subdivision
Parcel R22900-02-09A

Tax Parcel Number	Property Class	Equivalent Acre Factor	Estimated Net Acreage	Equivalent Acreage	Principal Portion of Assessments
R22911-01-01	One	1.00	1.48	1.48	\$189,386
R22911-01-02	One	1.00	1.43	1.43	\$182,988
R22900-02-35	One	1.00	6.12	6.12	\$783,136
R22900-02-09A	Two	0.58	40.00	23.20	\$2,968,750
R22900-02-09A	Three	0.55	60.00	33.00	\$4,222,791
Total			109.03	65.23	\$8,347,051

According to the developer, Parcel R22900-02-05 was subdivided in December 2010 for the sale of a 0.59 acre lot to Providential Real Estate, LLC. As shown in Tables I and J below, the principal portion of the assessment has been allocated to the new parcels in proportion to the Equivalent Acres of each parcel and the Assessment for the undivided parcel prior to the subdivision.

Table I
Assessments Prior to Subdivision
Parcel R22900-02-05

Tax Parcel Number	Property Class	Equivalent Acre Factor	Estimated Net Acreage	Equivalent Acreage	Principal Portion of Assessments
R22900-02-05	One	1.00	8.80	8.80	\$1,126,078
Total			8.80	8.80	\$1,126,078

Table J
Assessments after Subdivision
Parcel R22900-02-05

Tax Parcel Number	Property Class	Equivalent Acre Factor	Estimated Net Acreage	Equivalent Acreage	Principal Portion of Assessments
R22900-02-05	One	1.00	8.21	8.21	\$1,050,579
R22900-02-34	One	1.00	0.59	0.59	\$75,498
Total			8.80	8.80	\$1,126,078

There are currently 206 parcels within the district. Of these, three parcels are tax exempt. As per the lease agreement, assessments are not to be levied on building parcel R22900-02-21B, which is owned by the J.C. Penney Corporation. As a result, the net developable acreage for this parcel is zero and assessments have not been allocated to this parcel. Parcel numbers R22900-02-07 and R22900-02-26 are owned by Richland County and have been designated to be developed as stormwater detention pond areas. As a result, the estimated net developable acreage of these parcels is zero and assessments have not been allocated to these parcels. Parcel number R22900-02-10 is the Home Depot parcel, which was prepaid in 2006. As a result, the assessments on this parcel are equal to zero. (Please note the special assessments shown in the Tables above have not been reduced as a result of bonds redeemed from principal payments through November 1, 2011.)

Summary

The current parcels in the district, the names of the owners of those parcels, the Assessment for each parcel (including the adjustments to the Assessments), the Annual Payment to be collected from each parcel in 2012, the changes in the Annual Assessments, the prepayments of the Assessments and the resulting reduction in principal and interest, are shown in the Annual Assessment Roll, as amended, in Appendices A-1 and A-2 attached hereto. As previously mentioned, assessments are not to be levied on building parcel R22900-02-21B, which is owned by the J.C. Penney Corporation. As a result, the net developable acreage for this parcel is zero and assessments have not been reallocated to this parcel. Parcel numbers R22900-02-07 and R22900-02-26 are owned by Richland County and have been designated to be developed as stormwater detention pond areas. As a result, the estimated net developable acreage of these parcels is zero and assessments have not been reallocated to these parcels. Parcel number R22900-02-10 is the Home Depot parcel, which was prepaid in 2006. As a result, the assessments on this parcel are equal to zero.

Appendix A-1

**Village at Sandhill Improvement District
Richland County, South Carolina**

**Assessment Roll
Annual Assessments**

Year	Principal	Interest & Administrative Expenses	Annual Assessment	Annual Credit	Annual Payment
2004	\$0	\$1,008,472	\$1,008,472	\$1,008,472	\$0
2005	\$0	\$1,650,000	\$1,650,000	\$1,595,000	\$55,000
2006	\$0	\$1,555,450	\$1,555,450	\$95,450	\$1,460,000
2007	\$286,000	\$1,555,450	\$1,841,450	\$141,450	\$1,700,000
2008	\$305,000	\$1,537,718	\$1,842,718	\$142,718	\$1,700,000
2009	\$324,000	\$1,518,808	\$1,842,808	\$92,808	\$1,750,000
2010	\$343,000	\$1,498,720	\$1,841,720	\$51,720	\$1,790,000
2011	\$366,000	\$1,477,454	\$1,843,454	\$18,454	\$1,825,000
2012	\$385,000	\$1,454,762	\$1,839,762	\$0	\$1,839,762
2013	\$413,000	\$1,430,892	\$1,843,892		
2014	\$437,000	\$1,405,286	\$1,842,286		
2015	\$465,000	\$1,378,192	\$1,843,192		
2016	\$493,000	\$1,349,362	\$1,842,362		
2017	\$521,000	\$1,318,796	\$1,839,796		
2018	\$554,000	\$1,286,494	\$1,840,494		
2019	\$592,000	\$1,252,146	\$1,844,146		
2020	\$624,000	\$1,215,442	\$1,839,442		
2021	\$667,000	\$1,176,754	\$1,843,754		
2022	\$709,000	\$1,135,400	\$1,844,400		
2023	\$751,000	\$1,091,442	\$1,842,442		
2024	\$798,000	\$1,044,880	\$1,842,880		
2025	\$845,000	\$995,404	\$1,840,404		
2026	\$897,000	\$943,014	\$1,840,014		
2027	\$953,000	\$887,400	\$1,840,400		
2028	\$1,014,000	\$828,314	\$1,842,314		
2029	\$1,075,000	\$765,446	\$1,840,446		
2030	\$1,141,000	\$698,796	\$1,839,796		
2031	\$1,216,000	\$628,054	\$1,844,054		
2032	\$1,291,000	\$552,662	\$1,843,662		
2033	\$1,371,000	\$472,620	\$1,843,620		
2034	\$1,455,000	\$387,618	\$1,842,618		
2035	\$1,545,000	\$297,408	\$1,842,408		
2036	\$1,639,000	\$201,618	\$1,840,618		
Total	\$23,475,000	\$36,000,274	\$59,475,274	\$3,146,072	\$12,119,762

Appendix A-2

**Village at Sandhill Improvement District
Richland County, South Carolina**

**Assessment Roll
Total Assessments**

(The per parcel Assessments are subject to revision prior to billing)

Tax Parcel Number	Owner	Total Assessments	Principal Portion of Assessment	Annual Assessment	Annual Payment
R22900-02-05	Village at Sandhill, LLC	\$2,177,536.85	\$1,033,272.15	\$86,997.15	\$86,997.15
R22900-02-34	Providential Real Estate LLC	\$156,485.60	\$74,254.64	\$6,251.93	\$6,251.93
R22900-02-33	Vas Outparcels II, LLC	\$567,591.82	\$269,330.38	\$22,676.48	\$22,676.48
R22900-02-27	Vas Outparcels, LLC	\$456,195.30	\$216,471.14	\$18,225.96	\$18,225.96
R22900-02-28	Vas Outparcels, LLC	\$366,017.16	\$173,680.34	\$14,623.15	\$14,623.15
R22900-02-15	Vas Town Center I, LLC	\$1,015,830.22	\$482,025.86	\$40,584.54	\$40,584.54
R22900-02-16	Vas Town Center I, LLC	\$1,623,206.52	\$770,234.54	\$64,850.50	\$64,850.50
R22900-02-17	Vas Town Center I, LLC	\$543,721.14	\$258,003.40	\$21,722.80	\$21,722.80
R22900-02-18	Vas Town Center I, LLC	\$604,724.00	\$286,950.12	\$24,159.99	\$24,159.99
R22900-02-19	Vas Town Center, LLC	\$1,087,442.28	\$516,006.80	\$43,445.59	\$43,445.59
R22900-02-20	Vas Town Center, LLC	\$204,226.96	\$96,908.59	\$8,159.29	\$8,159.29
R22900-02-21A	Village at Sandhill, LLC	\$2,111,229.40	\$1,001,808.32	\$84,348.03	\$84,348.03
R22900-02-21B	JC Penney Corporation	\$0.00	\$0.00	\$0.00	\$0.00
R22900-02-22	Village at Sandhill, LLC	\$212,183.86	\$100,684.25	\$8,477.19	\$8,477.19
R22900-02-13	Vas Forum, LLC	\$2,867,134.39	\$1,360,495.97	\$114,548.02	\$114,548.02
R22900-02-14	Vas Forum, LLC	\$1,286,364.65	\$610,398.28	\$51,392.96	\$51,392.96
R22900-02-11	Vas Outparcels, LLC	\$517,198.16	\$245,417.87	\$20,663.15	\$20,663.15
R22900-02-12	Vas Outparcels, LLC	\$495,979.77	\$235,349.44	\$19,815.43	\$19,815.43
R23000-05-03	Village at Sandhill, LLC	\$328,884.98	\$156,060.59	\$13,139.64	\$13,139.64
R23000-05-04	Village at Sandhill, LLC	\$98,135.03	\$46,566.47	\$3,920.70	\$3,920.70
R23000-05-05	Vas Outparcels, LLC	\$610,028.59	\$289,467.23	\$24,371.92	\$24,371.92
R23000-05-06	Vas Outparcels, LLC	\$328,884.98	\$156,060.59	\$13,139.64	\$13,139.64
R23000-05-02	Vas Marketplace, LLC	\$3,230,499.25	\$1,532,917.75	\$129,065.21	\$129,065.21
R22900-02-10	HD Development of Maryland, Inc.	Prepaid	Prepaid	Prepaid	Prepaid
R22900-02-06	Plex Indoor Sports, LLC	\$1,705,427.77	\$809,249.68	\$68,135.41	\$68,135.41
R22900-02-07	Village at Sandhill, LLC	\$0.00	\$0.00	\$0.00	\$0.00
R22900-02-08	Regal Cinemas, Inc.	\$1,753,169.14	\$831,903.64	\$70,042.78	\$70,042.78
R22900-02-23	Vas Forum II, LLC	\$954,827.37	\$453,079.14	\$38,147.35	\$38,147.35
R22900-02-24	Vas Forum II, LLC	\$1,662,990.99	\$789,112.83	\$66,439.97	\$66,439.97
R22900-02-26	Richland County	\$0.00	\$0.00	\$0.00	\$0.00
R22911-01-01	VAS Forum III, LLC	\$392,540.14	\$186,265.87	\$15,682.80	\$15,682.80
R22911-01-02	VAS Forum III, LLC	\$379,278.65	\$179,973.10	\$15,152.98	\$15,152.98
R22900-02-35	Academy Sports	\$1,623,206.52	\$770,234.54	\$64,850.50	\$64,850.50
R22982-01-01	Vas Retail Condominium, LLC	\$28,654.71	\$13,597.07	\$1,144.82	\$1,144.82

R22982-01-02	Vas Retail Condominium, LLC	\$29,654.23	\$14,071.35	\$1,184.75	\$1,184.75
R22982-02-01	Opted Out	\$3,180.02	\$1,508.96	\$127.05	\$127.05
R22982-02-02	Vas Condominium, LLC	\$3,180.02	\$1,508.96	\$127.05	\$127.05
R22982-02-03	Vas Condominium, LLC	\$2,647.13	\$1,256.10	\$105.76	\$105.76
R22982-02-04	Vas Condominium, LLC	\$2,912.13	\$1,381.85	\$116.35	\$116.35
R22982-02-05	Vas Condominium, LLC	\$2,912.13	\$1,381.85	\$116.35	\$116.35
R22982-02-06	Vas Condominium, LLC	\$2,615.45	\$1,241.07	\$104.49	\$104.49
R22982-02-07	Vas Condominium, LLC	\$3,177.14	\$1,507.60	\$126.93	\$126.93
R22982-02-08	Vas Condominium, LLC	\$3,266.43	\$1,549.97	\$130.50	\$130.50
R22982-02-09	Vas Condominium, LLC	\$4,274.59	\$2,028.35	\$170.78	\$170.78
R22982-02-10	Vas Condominium, LLC	\$3,177.14	\$1,507.60	\$126.93	\$126.93
R22982-02-11	Vas Condominium, LLC	\$2,615.45	\$1,241.07	\$104.49	\$104.49
R22982-02-12	Patterson, Vance M	\$2,912.13	\$1,381.85	\$116.35	\$116.35
R22982-02-13	Vas Condominium, LLC	\$2,912.13	\$1,381.85	\$116.35	\$116.35
R22982-02-14	Barrett, Raymond A	\$2,644.25	\$1,254.74	\$105.64	\$105.64
R22982-02-15	Vas Condominium, LLC	\$3,180.02	\$1,508.96	\$127.05	\$127.05
R22982-02-16	Vas Condominium, LLC	\$2,154.58	\$1,022.38	\$86.08	\$86.08
R22982-03-01	Vas Condominium, LLC	\$3,180.02	\$1,508.96	\$127.05	\$127.05
R22982-03-02	Vas Condominium, LLC	\$3,180.02	\$1,508.96	\$127.05	\$127.05
R22982-03-03	Vas Condominium, LLC	\$2,647.13	\$1,256.10	\$105.76	\$105.76
R22982-03-04	Vas Condominium, LLC	\$2,912.13	\$1,381.85	\$116.35	\$116.35
R22982-03-05	Vas Condominium, LLC	\$2,912.13	\$1,381.85	\$116.35	\$116.35
R22982-03-06	Vas Condominium, LLC	\$2,615.45	\$1,241.07	\$104.49	\$104.49
R22982-03-07	Vas Condominium, LLC	\$3,177.14	\$1,507.60	\$126.93	\$126.93
R22982-03-08	Federal Home Loan Mortgage	\$3,266.43	\$1,549.97	\$130.50	\$130.50
R22982-03-09	Vas Condominium, LLC	\$4,274.59	\$2,028.35	\$170.78	\$170.78
R22982-03-10	Vas Condominium, LLC	\$3,177.14	\$1,507.60	\$126.93	\$126.93
R22982-03-11	FV-1 Inc.	\$2,615.45	\$1,241.07	\$104.49	\$104.49
R22982-03-12	Vas Condominium, LLC	\$2,912.13	\$1,381.85	\$116.35	\$116.35
R22982-03-13	Vas Condominium, LLC	\$2,912.13	\$1,381.85	\$116.35	\$116.35
R22982-03-14	Vas Condominium, LLC	\$2,647.13	\$1,256.10	\$105.76	\$105.76
R22982-03-15	Vas Condominium, LLC	\$3,180.02	\$1,508.96	\$127.05	\$127.05
R22982-03-16	Baker, Dennis O	\$2,154.58	\$1,022.38	\$86.08	\$86.08
R22982-04-01	Vas Retail Condominium, LLC	\$29,845.04	\$14,161.90	\$1,192.37	\$1,192.37
R22982-04-02	Vas Retail Condominium, LLC	\$26,308.75	\$12,483.87	\$1,051.09	\$1,051.09
R22982-05-01	Vas Condominium, LLC	\$3,250.68	\$1,542.50	\$129.87	\$129.87
R22982-05-02	Vas Condominium, LLC	\$3,250.68	\$1,542.50	\$129.87	\$129.87
R22982-05-03	Vas Condominium, LLC	\$2,705.96	\$1,284.02	\$108.11	\$108.11
R22982-05-04	Vas Condominium, LLC	\$2,976.85	\$1,412.56	\$118.93	\$118.93
R22982-05-05	Vas Condominium, LLC	\$2,976.85	\$1,412.56	\$118.93	\$118.93
R22982-05-06	Vas Condominium, LLC	\$2,673.57	\$1,268.65	\$106.81	\$106.81
R22982-05-07	Vas Condominium, LLC	\$3,247.74	\$1,541.10	\$129.75	\$129.75
R22982-05-08	Vas Condominium, LLC	\$3,339.02	\$1,584.41	\$133.40	\$133.40
R22982-05-09	Vas Condominium, LLC	\$4,399.02	\$2,087.40	\$175.75	\$175.75
R22982-05-10	Vas Condominium, LLC	\$3,247.74	\$1,541.10	\$129.75	\$129.75

R22982-05-11	Vas Condominium, LLC	\$2,673.57	\$1,268.65	\$106.81	\$106.81
R22982-05-12	Vas Condominium, LLC	\$2,976.85	\$1,412.56	\$118.93	\$118.93
R22982-05-13	Vas Condominium, LLC	\$2,976.85	\$1,412.56	\$118.93	\$118.93
R22982-05-14	Vas Condominium, LLC	\$2,705.96	\$1,284.02	\$108.11	\$108.11
R22982-05-15	Vas Condominium, LLC	\$3,250.68	\$1,542.50	\$129.87	\$129.87
R22982-05-16	Vas Condominium, LLC	\$2,202.46	\$1,045.10	\$87.99	\$87.99
R22982-06-01	Vas Condominium, LLC	\$3,250.68	\$1,542.50	\$129.87	\$129.87
R22982-06-02	Vas Condominium, LLC	\$3,250.68	\$1,542.50	\$129.87	\$129.87
R22982-06-03	Vas Condominium, LLC	\$2,705.96	\$1,284.02	\$108.11	\$108.11
R22982-06-04	Vas Condominium, LLC	\$2,976.85	\$1,412.56	\$118.93	\$118.93
R22982-06-05	Vas Condominium, LLC	\$2,976.85	\$1,412.56	\$118.93	\$118.93
R22982-06-06	Vas Condominium, LLC	\$2,673.57	\$1,268.65	\$106.81	\$106.81
R22982-06-07	Vas Condominium, LLC	\$3,247.74	\$1,541.10	\$129.75	\$129.75
R22982-06-08	Vas Condominium, LLC	\$3,339.02	\$1,584.41	\$133.40	\$133.40
R22982-06-09	Vas Condominium, LLC	\$4,369.58	\$2,073.43	\$174.57	\$174.57
R22982-06-10	Vas Condominium, LLC	\$3,247.74	\$1,541.10	\$129.75	\$129.75
R22982-06-11	Vas Condominium, LLC	\$2,673.57	\$1,268.65	\$106.81	\$106.81
R22982-06-12	Vas Condominium, LLC	\$2,976.85	\$1,412.56	\$118.93	\$118.93
R22982-06-13	Vas Condominium, LLC	\$2,976.85	\$1,412.56	\$118.93	\$118.93
R22982-06-14	Vas Condominium, LLC	\$2,705.96	\$1,284.02	\$108.11	\$108.11
R22982-06-15	Vas Condominium, LLC	\$3,250.68	\$1,542.50	\$129.87	\$129.87
R22982-06-16	Vas Condominium, LLC	\$2,202.46	\$1,045.10	\$87.99	\$87.99
R22982-11-01	Vas Retail Condominium, LLC	\$18,442.69	\$8,751.32	\$736.82	\$736.82
R22982-11-02	Vas Retail Condominium, LLC	\$18,192.89	\$8,632.78	\$726.84	\$726.84
R22982-12-01	Vas Condominium, LLC	\$2,443.18	\$1,159.33	\$97.61	\$97.61
R22982-12-02	Vas Condominium, LLC	\$2,457.40	\$1,166.07	\$98.18	\$98.18
R22982-12-03	Vas Condominium, LLC	\$2,081.68	\$987.79	\$83.17	\$83.17
R22982-12-04	Vas Condominium, LLC	\$2,268.53	\$1,076.45	\$90.63	\$90.63
R22982-12-05	Vas Condominium, LLC	\$2,268.53	\$1,076.45	\$90.63	\$90.63
R22982-12-06	Vas Condominium, LLC	\$2,055.28	\$975.26	\$82.11	\$82.11
R22982-12-07	Vas Condominium, LLC	\$2,443.18	\$1,159.33	\$97.61	\$97.61
R22982-12-08	Vas Condominium, LLC	\$2,510.20	\$1,191.13	\$100.29	\$100.29
R22982-12-09	Vas Condominium, LLC	\$3,273.83	\$1,553.48	\$130.80	\$130.80
R22982-12-10	Vas Condominium, LLC	\$2,443.18	\$1,159.33	\$97.61	\$97.61
R22982-12-11	Vas Condominium, LLC	\$2,055.28	\$975.26	\$82.11	\$82.11
R22982-12-12	Vas Condominium, LLC	\$2,268.53	\$1,076.45	\$90.63	\$90.63
R22982-12-13	Vas Condominium, LLC	\$2,268.53	\$1,076.45	\$90.63	\$90.63
R22982-12-14	Vas Condominium, LLC	\$2,081.68	\$987.79	\$83.17	\$83.17
R22982-12-15	Vas Condominium, LLC	\$2,443.18	\$1,159.33	\$97.61	\$97.61
R22982-12-16	Vas Condominium, LLC	\$1,732.37	\$822.03	\$69.21	\$69.21
R22982-13-01	Vas Condominium, LLC	\$2,443.18	\$1,159.33	\$97.61	\$97.61
R22982-13-02	Vas Condominium, LLC	\$2,457.40	\$1,166.07	\$98.18	\$98.18
R22982-13-03	Vas Condominium, LLC	\$2,081.68	\$987.79	\$83.17	\$83.17
R22982-13-04	Vas Condominium, LLC	\$2,268.53	\$1,076.45	\$90.63	\$90.63
R22982-13-05	Vas Condominium, LLC	\$2,268.53	\$1,076.45	\$90.63	\$90.63

R22982-13-06	Vas Condominium, LLC	\$2,055.28	\$975.26	\$82.11	\$82.11
R22982-13-07	Vas Condominium, LLC	\$2,443.18	\$1,159.33	\$97.61	\$97.61
R22982-13-08	Vas Condominium, LLC	\$2,510.20	\$1,191.13	\$100.29	\$100.29
R22982-13-09	Vas Condominium, LLC	\$3,273.83	\$1,553.48	\$130.80	\$130.80
R22982-13-10	Vas Condominium, LLC	\$2,443.18	\$1,159.33	\$97.61	\$97.61
R22982-13-11	Vas Condominium, LLC	\$2,055.28	\$975.26	\$82.11	\$82.11
R22982-13-12	Vas Condominium, LLC	\$2,268.53	\$1,076.45	\$90.63	\$90.63
R22982-13-13	Vas Condominium, LLC	\$2,268.53	\$1,076.45	\$90.63	\$90.63
R22982-13-14	Vas Condominium, LLC	\$2,081.68	\$987.79	\$83.17	\$83.17
R22982-13-15	Vas Condominium, LLC	\$2,443.18	\$1,159.33	\$97.61	\$97.61
R22982-13-16	Vas Condominium, LLC	\$1,732.37	\$822.03	\$69.21	\$69.21
R22982-14-01	Vas Condominium, LLC	\$2,441.15	\$1,158.36	\$97.53	\$97.53
R22982-14-02	Vas Condominium, LLC	\$2,443.18	\$1,159.33	\$97.61	\$97.61
R22982-14-03	Vas Condominium, LLC	\$2,081.68	\$987.79	\$83.17	\$83.17
R22982-14-04	Vas Condominium, LLC	\$3,172.28	\$1,505.29	\$126.74	\$126.74
R22982-14-05	Vas Condominium, LLC	\$3,172.28	\$1,505.29	\$126.74	\$126.74
R22982-14-06	Vas Condominium, LLC	\$2,055.28	\$975.26	\$82.11	\$82.11
R22982-14-07	Vas Condominium, LLC	\$2,443.18	\$1,159.33	\$97.61	\$97.61
R22982-14-08	Vas Condominium, LLC	\$3,590.65	\$1,703.81	\$143.45	\$143.45
R22982-14-09	Vas Condominium, LLC	\$4,532.99	\$2,150.97	\$181.10	\$181.10
R22982-14-10	Vas Condominium, LLC	\$2,441.15	\$1,158.36	\$97.53	\$97.53
R22982-14-11	Vas Condominium, LLC	\$2,055.28	\$975.26	\$82.11	\$82.11
R22982-14-12	Vas Condominium, LLC	\$3,162.13	\$1,500.47	\$126.33	\$126.33
R22982-14-13	Vas Condominium, LLC	\$3,162.13	\$1,500.47	\$126.33	\$126.33
R22982-14-14	Vas Condominium, LLC	\$2,081.68	\$987.79	\$83.17	\$83.17
R22982-14-15	Vas Condominium, LLC	\$2,443.18	\$1,159.33	\$97.61	\$97.61
R22982-14-16	Vas Condominium, LLC	\$1,730.34	\$821.07	\$69.13	\$69.13
R22982-07-01	Vas Retail Condominium, LLC	\$19,355.24	\$9,184.34	\$773.28	\$773.28
R22982-07-02	Vas Retail Condominium, LLC	\$18,070.27	\$8,574.60	\$721.95	\$721.95
R22982-08-01	Vas Condominium, LLC	\$2,426.72	\$1,151.51	\$96.95	\$96.95
R22982-08-02	Vas Condominium, LLC	\$2,440.84	\$1,158.21	\$97.52	\$97.52
R22982-08-03	Vas Condominium, LLC	\$2,067.65	\$981.13	\$82.61	\$82.61
R22982-08-04	Vas Condominium, LLC	\$2,253.24	\$1,069.19	\$90.02	\$90.02
R22982-08-05	Vas Condominium, LLC	\$2,253.24	\$1,069.19	\$90.02	\$90.02
R22982-08-06	Vas Condominium, LLC	\$2,041.43	\$968.69	\$81.56	\$81.56
R22982-08-07	Vas Condominium, LLC	\$2,426.72	\$1,151.51	\$96.95	\$96.95
R22982-08-08	Vas Condominium, LLC	\$2,493.29	\$1,183.10	\$99.61	\$99.61
R22982-08-09	Vas Condominium, LLC	\$3,251.76	\$1,543.01	\$129.91	\$129.91
R22982-08-10	Vas Condominium, LLC	\$2,426.72	\$1,151.51	\$96.95	\$96.95
R22982-08-11	Vas Condominium, LLC	\$2,041.43	\$968.69	\$81.56	\$81.56
R22982-08-12	Vas Condominium, LLC	\$2,253.24	\$1,069.19	\$90.02	\$90.02
R22982-08-13	Vas Condominium, LLC	\$2,253.24	\$1,069.19	\$90.02	\$90.02
R22982-08-14	Vas Condominium, LLC	\$2,067.65	\$981.13	\$82.61	\$82.61
R22982-08-15	Vas Condominium, LLC	\$2,426.72	\$1,151.51	\$96.95	\$96.95
R22982-08-16	Vas Condominium, LLC	\$1,720.69	\$816.49	\$68.75	\$68.75

R22982-09-01	Vas Condominium, LLC	\$2,426.72	\$1,151.51	\$96.95	\$96.95
R22982-09-02	Vas Condominium, LLC	\$2,440.84	\$1,158.21	\$97.52	\$97.52
R22982-09-03	Vas Condominium, LLC	\$2,067.65	\$981.13	\$82.61	\$82.61
R22982-09-04	Vas Condominium, LLC	\$2,253.24	\$1,069.19	\$90.02	\$90.02
R22982-09-05	Vas Condominium, LLC	\$2,253.24	\$1,069.19	\$90.02	\$90.02
R22982-09-06	Vas Condominium, LLC	\$2,041.43	\$968.69	\$81.56	\$81.56
R22982-09-07	Vas Condominium, LLC	\$2,426.72	\$1,151.51	\$96.95	\$96.95
R22982-09-08	Vas Condominium, LLC	\$2,493.29	\$1,183.10	\$99.61	\$99.61
R22982-09-09	Vas Condominium, LLC	\$3,251.76	\$1,543.01	\$129.91	\$129.91
R22982-09-10	Vas Condominium, LLC	\$2,426.72	\$1,151.51	\$96.95	\$96.95
R22982-09-11	Vas Condominium, LLC	\$2,041.43	\$968.69	\$81.56	\$81.56
R22982-09-12	Vas Condominium, LLC	\$2,253.24	\$1,069.19	\$90.02	\$90.02
R22982-09-13	Vas Condominium, LLC	\$2,253.24	\$1,069.19	\$90.02	\$90.02
R22982-09-14	Vas Condominium, LLC	\$2,067.65	\$981.13	\$82.61	\$82.61
R22982-09-15	Vas Condominium, LLC	\$2,426.72	\$1,151.51	\$96.95	\$96.95
R22982-09-16	Vas Condominium, LLC	\$1,720.69	\$816.49	\$68.75	\$68.75
R22982-10-01	Vas Condominium, LLC	\$2,424.70	\$1,150.55	\$96.87	\$96.87
R22982-10-02	Vas Condominium, LLC	\$2,426.72	\$1,151.51	\$96.95	\$96.95
R22982-10-03	Vas Condominium, LLC	\$2,067.65	\$981.13	\$82.61	\$82.61
R22982-10-04	Vas Condominium, LLC	\$3,150.90	\$1,495.15	\$125.89	\$125.89
R22982-10-05	Vas Condominium, LLC	\$3,150.90	\$1,495.15	\$125.89	\$125.89
R22982-10-06	Vas Condominium, LLC	\$2,041.43	\$968.69	\$81.56	\$81.56
R22982-10-07	Vas Condominium, LLC	\$2,426.72	\$1,151.51	\$96.95	\$96.95
R22982-10-08	Vas Condominium, LLC	\$3,566.45	\$1,692.33	\$142.49	\$142.49
R22982-10-09	Vas Condominium, LLC	\$4,502.44	\$2,136.47	\$179.88	\$179.88
R22982-10-10	Vas Condominium, LLC	\$2,424.70	\$1,150.55	\$96.87	\$96.87
R22982-10-11	Vas Condominium, LLC	\$2,041.43	\$968.69	\$81.56	\$81.56
R22982-10-12	Vas Condominium, LLC	\$3,140.81	\$1,490.36	\$125.48	\$125.48
R22982-10-13	Vas Condominium, LLC	\$3,140.81	\$1,490.36	\$125.48	\$125.48
R22982-10-14	Vas Condominium, LLC	\$2,067.65	\$981.13	\$82.61	\$82.61
R22982-10-15	Vas Condominium, LLC	\$2,426.72	\$1,151.51	\$96.95	\$96.95
R22982-10-16	Vas Condominium, LLC	\$1,718.67	\$815.53	\$68.66	\$68.66
R22900-02-09B	Village at Sandhill, LLC	\$729,382.02	\$346,102.12	\$29,140.34	\$29,140.34
R22900-02-09A	Village at Sandhill, LLC	\$6,153,331.92	\$2,919,843.34	\$245,838.49	\$245,838.49
R22900-02-09A	Village at Sandhill, LLC	\$8,752,584.17	\$4,153,225.43	\$349,684.06	\$349,684.06
Total R22900-02-09		\$15,635,298.11	\$7,419,170.89	\$624,662.88	\$624,662.88
Total		\$46,049,202.00	\$21,851,000.00	\$1,839,762.00	\$1,839,762.00

Richland County Council Request of Action

Subject

Employee Grievance Committee Process [**PAGES 83-87**]

RICHLAND COUNTY HUMAN RESOURCES GUIDELINES

TITLE: Grievance Procedure

Number: 6.02

EFFECTIVE DATE: 8/1/2009

Page: 1 of 5

REVISION DATE: 8/1/2009

REVISION #:

PREPARED BY: Human Resources Department

AUTHORIZED BY: Council & Administration

PURPOSE:

This procedure is adopted in accordance with the County and Municipal Employees Grievance Procedures Act, sections 8-17-110, et seq., Code of Laws of South Carolina, 1976, as amended.

DEFINITIONS:

- A. Grievance – Any complaint by a Regular employee that s/he has been treated unlawfully or in violation of his/her rights under county policies, with regard to any matter pertaining to his/her employment by the County. Matters involving compensation are not subjects for consideration under the grievance procedure except as they may apply to alleged inequities within a department of the County. Employee performance appraisal ratings may not be the subject of a grievance. This definition includes, but is not limited to, discharge, suspension, involuntary transfer, promotion and demotion. If a Regular employee believes that s/he has not received or been credited with or has otherwise lost benefits to which s/he is entitled, s/he must present his/her grievance in accordance with this procedure, or such wages or benefits may be forfeited.

PROCEDURE:

1. Only Regular employees may appeal their grievance to the Richland County Grievance Committee. Employees in their initial probationary period may appeal only up to the level of Department Head and no further in the process. Department Heads may appeal up to the Assistant County Administrator responsible for their area of operations.
 - 1.1. Employees that voluntarily leave the County before their grievance is heard by the Grievance Committee, will not be eligible to complete the grievance process.
2. The following are not considerable grievable by Richland County, unless relating to discrimination:
 - 2.1. Performance appraisal ratings
 - 2.2. Employee Compensation except as it may apply to alleged inequities within a department of the County.
3. An employee who feels that s/he has a grievance must follow the following procedure:

Step 1: Attempt to discuss the grievance with his/her immediate Supervisor. If his/her Supervisor is unable or unwilling to adjust the grievance to the satisfaction of the employee, the employee must take Step 2.

RICHLAND COUNTY HUMAN RESOURCES GUIDELINES

TITLE: Grievance Procedure

Number: 6.02

EFFECTIVE DATE: 8/1/2009

Page: 2 of 5

REVISION DATE: 8/1/2009

REVISION #:

PREPARED BY: Human Resources Department

AUTHORIZED BY: Council & Administration

Step 2: Follow the chain of command, appealing to each successive level of supervision. At each level each Supervisor shall have two (2) calendar days to render a decision. If no decision is made within this time, the grievance is considered denied. If a Supervisor at a particular level is unavailable to consider the grievance, it is considered denied and the employee may appeal to the next level of supervision.

Step 3: If the department head in which the employee is employed denies the grievance, this decision is final as to any grievance brought by a probationary employee. A new employee is considered probationary until the completion of at least six months of service and his/her probationary appraisal is "fully-proficient", completed, approved by his/her department head and received in HRD.

4. An employee, other than one serving an initial new-employee probationary period, may appeal to the employee grievance committee the denial of his/her grievance by the Department Head, by filing a written request for appeal with HRD. This must be received in HRD within fourteen (14) calendar days of the date that the facts on which the grievance are based become known to the employee. The written request for appeal must include the purpose of the appeal and what recommendation is requested of the grievance committee and a statement that the chain of command has been followed in the appeal as is required by the grievance procedure.
5. HRD will assist the employee in preparing the Grievance Form if requested.
6. Within ten (10) days of receipt of the employee's request, the Chair of the Grievance Committee shall schedule the requested hearing and notify the Grievance Committee, the employee requesting the hearing, the affected department and HRD.
7. The Employee Grievance Committee
 - 7.1. The County Council shall appoint a committee composed of seven (7) employees to serve for terms of three (3) years, except that the members appointed initially shall be appointed so that their terms will be staggered, and approximately one-third (1/3) of the terms shall expire each year.
 - 7.2. A member shall continue to serve after the expiration of his term until a successor is appointed.
 - 7.3. Any interim appointment to fill a vacancy for any cause prior to the completion of a member's term, shall be for the unexpired term.
 - 7.4. Any member may be appointed for succeeding terms at the discretion of the County Council.
 - 7.5. All members shall be selected on a broadly representative basis from among County employees.

RICHLAND COUNTY HUMAN RESOURCES GUIDELINES

TITLE: Grievance Procedure

Number: 6.02

EFFECTIVE DATE: 8/1/2009

Page: 3 of 5

REVISION DATE: 8/1/2009

REVISION #:

PREPARED BY: Human Resources Department

AUTHORIZED BY: Council & Administration

- 7.6. Members employed in the same department as the grieving employee and/or members who have formed an opinion on the issues prior to the hearing, shall not participate in that employee's hearing.
- 7.7. The Council shall qualify and appoint no fewer than one (1) and no more than four (4) employees to serve for a term of three (3) years as alternate members of the Employee Grievance Committee. In the event three (3) or more permanent members of the committee are disqualified or otherwise unable to participate in a grievance proceeding, such that a quorum of the committee as required by this section would otherwise be unavailable, a sufficient number of alternate members should be called to constitute a quorum so that the grievance may be heard.
- 7.8. Alternate members may seek appointment as interim or permanent committee members as vacancies shall occur, in which event the County Council shall designate replacement for such alternate members so chosen for full membership on the committee.
- 7.9. The committee annually shall select its own chair from among its members. The chair shall serve as the presiding officer at all hearings which s/he attends, but may designate some other member to serve as presiding officer in his/her absence. The chair shall have authority to schedule and to re-schedule all hearings.
- 7.10. A quorum consists of at least five (5) members, and no hearings may be held without a quorum.
- 7.11. The presiding officer will have control of the proceedings. S/he shall take whatever action is necessary to ensure an equitable, orderly and expeditious hearing. Parties shall abide by his/her decisions, except when a committee member objects to a decision to accept or reject evidence, in which case the majority vote of the committee will govern.
- 7.12. The committee shall have the authority to call for files, records and papers which are pertinent to the investigation and which are subject to the control of the County Council; to call for or consider affidavits of witnesses; to request and hear the testimony of witnesses; to consider the results of polygraph examinations; and to secure the service of a recording secretary at its discretion. The committee shall have no authority to subpoena witnesses, documents or other evidence, nor shall any County employee be compelled to attend any hearing. All proceedings shall be tape-recorded. Witnesses, other than the grieving employee and the department representative, shall be sequestered when not testifying. All witnesses shall testify under oath.

RICHLAND COUNTY HUMAN RESOURCES GUIDELINES	
TITLE: Grievance Procedure	Number: 6.02
EFFECTIVE DATE: 8/1/2009	Page: 4 of 5
REVISION DATE: 8/1/2009	REVISION #:
PREPARED BY: Human Resources Department	AUTHORIZED BY: Council & Administration

8. All hearings shall be held in executive session unless the grieving employee requests at the beginning of the hearing that it be held in open session. The official tape recording of all hearings shall be subject to the control and disposition of County Council.
9. Neither the grieving employee nor the department may be assisted by advisors or by attorneys during the hearing itself. The Committee may, in its discretion, request the assistance of counsel to advise the committee in dealing with any legal issues that arise in the course of considering a grievance. HRD shall provide assistance in reading written materials to the committee at the request of a grieving employee.
10. When a grievance involves disciplinary action, the employee must receive a Disciplinary Action Form stating the nature of the acts or omissions that are the basis for the disciplinary action. The grieving employee shall make the first presentation.
11. In non-disciplinary grievances, the employee must establish to the Grievance Committee that a right existed and that it was denied him/her unfairly, illegally or in violation of a County policy. The employee shall make the first presentation.
12. In all grievances, the grieving employee and the department shall each be limited to one (1) hour of initial presentation. The party required to make the first presentation shall be entitled to a ten (10) minute rebuttal of the other party's presentation. The chair shall appoint him/herself or someone on the committee as timekeeper.
13. In all grievances, presentations may be oral or in writing or both and may be supported by affidavits or unsworn signed statements from witnesses, by records, other documentary evidence, photographs and other physical evidence. Presentations shall be made by the grieving employee (with reading assistance from HRD, if the employee desires) and by a managerial employee of the affected department. Neither party may call witnesses or question the other party, or question any witness called by the committee.
14. Except as provided below, within twenty (20) days after hearing an appeal, the Committee will make its findings and recommendation and report such findings and recommendation in writing to the County Administrator. The Administrator will within twenty (20) days forward to the County Council both the committee's findings and recommendations and his evaluation and recommendation. If the Council approves the recommendation of the committee, a copy of the decision shall be transmitted to the employee and to the head of the particular department involved along with notice that Council approved the decision. If, however, the Council disagrees in any respect with the findings or recommendation, the Council shall make its own decision without further hearing, and that decision shall be final. Copies of the Council decision will be transmitted to the employee and to the head of the particular department involved.

RICHLAND COUNTY HUMAN RESOURCES GUIDELINES

TITLE: Grievance Procedure

Number: 6.02

EFFECTIVE DATE: 8/1/2009

Page: 5 of 5

REVISION DATE: 8/1/2009

REVISION #:

PREPARED BY: Human Resources Department

AUTHORIZED BY: Council & Administration

- 14.1. If the Administrator, in his/her sole discretion, believes that s/he is unable to give Council an objective recommendation and evaluation of the grievance, s/he will forward the committee's findings and recommendations without adding his/her own evaluation and recommendation.
- 14.2. In grievances involving the failure to promote or transfer, or the discipline or discharge of personnel employed in or seeking assignment to departments under the direction of an elected official or an official appointed by an authority outside County government, the committee shall, within twenty (20) days after hearing an appeal, make its findings and recommendation and report such findings and recommendation to such official. If the official approves, the recommendation of the committee shall be his/her decision and a copy of the decision shall be communicated by the official to the employee and a copy of the final decision forwarded to HRD. If, however, the official rejects the recommendation of the committee, the official shall make his/her own decision without further hearing, and that decision shall be final. A copy of the Official's decision should be communicated to the employee.
15. Nothing in this grievance procedure creates a property interest in employment or a contract of employment, nor does this procedure limit the authority of the County or an elected or appointed official to terminate any employee when the County or respective elected or appointed official considers such action to be necessary for the good of the County.
16. These guidelines will be communicated to employees and may be posted in a conspicuous place within each department. HRD will provide employees with information about and assistance in utilizing the County grievance procedure.

RESPONSIBILITIES:

1. Employee
 - 1.1. Follow the chain of command in reporting grievances.
2. Supervisor / Department Head
 - 2.1. Follow the grievance procedure and ensure timely consideration of grievances.
3. Human Resources Department
 - 3.1. Support employee grievance requests for assistance in using procedures and publicize grievance procedure.

Richland County Council Request of Action

Subject

County Council will consider a rule change that states any Special Called Meeting will only have the item(s) the meeting was called for on the agenda. A complete agenda with Administrator, Attorney and Clerk of Council report will not be required nor will approval of previous meeting minutes or any citizen's input be on the agenda unless it relates to the matter the meeting is called for **[MALINOWSKI][PAGE 89]**



RICHLAND COUNTY COUNCIL
Special Called Meeting Agenda

DECEMBER 27, 2011
6:00 PM

Call to Order

Invocation

Pledge of Allegiance

Adoption of the Agenda

Report of the Attorney For Executive Session Items

Citizen's Input

Report of the County Administrator

Report of the Clerk of Council

Report of the Chairman

Citizen's Input

Executive Session

Motion Period

Adjournment



Richland County Council Request of Action

Subject

When speaking during the citizen's input portion of council meetings, persons currently serving on Richland County Commissions of any kind are not allowed to use their title or the commission name unless they have received unanimous consent from the commission to do so **[MALINOWSKI]**

Richland County Council Request of Action

Subject

Interview appointments for applicants meeting with the Rules and Appointments Committee will be scheduled at least one week in advance. **[MANNING]**

Richland County Council Request of Action

Subject

Adoption of Analysis of Impediments (AI) to Fair Housing Choice **[PAGES 93-173]**

Richland County Council Request of Action

Subject: The Adoption of Analysis of Impediments (AI) to Fair Housing Choice

A. Purpose

County Council is requested to adopt the 2011 Analysis of Impediments (AI) to Fair Housing. The AI is a civil rights related program requirement and complies with The Federal Fair Housing Act of 1968 and Fair Housing Amendments Act of 1988 that prohibit discrimination in all aspects of housing such as the sale, rental, lease or negotiation for real property. As an Entitlement jurisdiction, the County is required to further fair housing choice and fair housing planning as a condition of receiving HUD funding. This is done in part by conducting an analysis to identify impediments that prohibit fair and equal access to housing for residents within our jurisdiction and for all HUD funded grant recipients. The draft Analysis of Impediments reflects Richland County's study of existing trends, laws and practices and a plan of action to eliminate identified impediments. The Community Development Department will also present at a later time the following companion pieces of: Section 504 Plan to comply with the Americans with Disability Act (ADA); Section 3 Plan; Marketing Plan and a Limited English Proficiency (LEP) Plan all to comply with Title VII of the Civil Rights Act of 1964.

B. Background / Discussion

The County's first AI was completed in 2004 and it is a Federal requirement that the document be updated in five years increments. There were impediments identified and since that time Community Development has taken steps to address those impediments. Among the actions taken is Council's adoption of a Fair Housing Resolution annually where Richland County consistently supports fair housing for residents without regard to race, color, religion, sex, national origin, handicap or familial status. There is also ongoing fair housing education in all programs and services offered or programs and events where Community Development staff participates. The County reports progress and actions taken annually in the Consolidated Annual Performance and Evaluation Report (CAPER). The CAPER is reviewed each year and must be formally accepted by the local HUD. In 2010, HUD conducted an on-site Limited Civil Rights Monitoring Review to determine if Richland County is administering its HUD grant assisted projects in compliance with the Fair Housing and Equal Opportunity standards and regulations. It was determined that we are administering our HUD funded programs in acceptable compliance.

C. Financial Impact

There is no financial impact associated with this request. However, compliance with the completion and subsequent adoption of the AI is required to continue to receive HOME Partnership Program and Community Development Block Grand funding.

D. Alternatives

The alternatives are to:

1. Approve the request to adopt the 2011 Analysis of Impediments as presented.

2. Not approve the 2011 Analysis of Impediments as presented. However, the document has a deadline of September 30th for completion and HUD submission.

E. Recommendation

It is recommended that Council approve the request to adopt the Analysis of Impediments to Fair Housing at this time.

Recommended by: Valeria Jackson Department: Community Development Date: July 11, 2011

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 7/13/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood

Date: 7/13/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Grants

Reviewed by: Sara Salley

Date: 7/14/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Administration

Reviewed by: Sparty Hammett

Date: 7/18/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval of the request to adopt the 2011 Analysis of Impediments as presented.

Draft 7-7-11

**RICHLAND COUNTY
SOUTH CAROLINA**

**ANALYSIS OF IMPEDIMENTS
TO
FAIR HOUSING CHOICE**

Prepared by the
Richland County Department of Community Development
with the assistance of
Ernest Swiger Consulting, Inc.

July 7, 2011

Draft 7-7-11

TABLE OF CONTENTS

- 1) Introduction
- 2) Community Participation
- 3) Community Profile
- 4) Fair Housing Practices
- 5) Complaint and Lending Data
- 6) Public Policies
- 7) Fair Housing Actions
- 8) Identified Impediments and Recommendations
- 9) Signature Page
- 10) Resolution
- 11) Appendices

1) INTRODUCTION

PURPOSE OF REPORT

The Fair Housing Act of 1968 states that it is the policy of the United States to provide for fair housing throughout the country and the Act prohibits any person from discriminating in the sale or rental of housing, the financing of housing, or the provision of brokerage services, including or otherwise making unavailable or denying a dwelling to any person because of race, color, religion, sex, national origin, handicap, or familial status. The State of South Carolina echoes such goal and has also adopted legislation protecting equal access to housing.

Nationally, fair housing and impediments to fair housing are monitored by the United States Department of Housing and Urban Development (HUD) through the use of Community Block Development Grant (CDBG) funding for fair housing advocacy groups. This role of HUD to act as an administrator of fair housing programs originated in 1968 with the passage of the Civil Rights Act, described below. As a qualified county, Richland County also receives HOME Investment Partnership Program (HOME) funds from HUD.

Each grantee that receives CDBG funding under Title I of the Housing and Community Development Act is required to further fair housing and fair housing planning by conducting an analysis to identify impediments to fair housing choice within those cities/communities within its jurisdiction. The grantee will also take appropriate actions to overcome the effects of any impediments identified and will maintain records, which reflect the analysis and actions taken in this regard.

Richland County has consistently supported the concept of the provision of fair housing for its residents without regard to race, color, religion, sex, national origin, handicap, or familial status. To that end, the County has used a portion of its CDBG funding to support programs of fair housing services for low- and-moderate income households.

Draft 7-7-11

The fundamental fair housing goal is to make housing choice a reality through fair housing planning, which includes the following:

- Preparing an Analysis of Impediments to Fair Housing Choice (AI);
- Acting to eliminate identified impediments; and
- Providing fair housing records.

This report represents Richland County's efforts in making an objective assessment of the nature and extent of fair housing concerns in the County, and the potential impediments to making fair housing choice available to its residents.

The County's first AI was completed in 2004. This AI considered the significant changes that occurred in the County including the effects of population growth, an increasingly diverse population, economic change with regard to jobs and the housing market, and the continued need for awareness, education and outreach about fair housing.

DEFINING FAIR HOUSING

Federal Laws

The federal Fair Housing Act of 1968 and Fair Housing Amendments Act of 1988 (42 U.S. Code §§ 3601-3619, 3631) are federal fair housing laws that prohibit discrimination in all aspects of housing, such as the sale, rental, lease or negotiation for real property. The Fair Housing Act prohibits discrimination based on race, religion, and national origin. In 1988, the Fair Housing Act was amended to extend protection to familial status and people with disabilities (mental or physical). In addition, the Amendment Act provides for "reasonable accommodations", allowing structural modifications for persons with disabilities if requested, at their own expense, and sets housing code standards for new multi-family dwellings to accommodate the physically disabled. A number of Executive Orders and other legislation also address other aspects of Fair Housing (see http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/program_desc/title8).

Draft 7-7-11

South Carolina Laws

The State of South Carolina, through the South Carolina Fair Housing Law (SC Code of Laws, Title 31, Chapter 21), echoes this goal of achieving fair housing for all citizens. This law is included in full in Appendix A. The Law describes unlawful activities, assigns administration of the law to the Human Affairs Commission, and defines the protected classes to include race, color, national origin; sex; religion; disability; and familial status (families with children). In addition, the South Carolina Residential Landlord and Tenant Act of 1986 (SC Code of Laws Title 27, Chapter 40), and the housing protections of the Violence Against Women Act (SC Public Law 109-162 – see <http://www.schousing.com/VAWA>) further define the ability of individuals and families to obtain and maintain stable, decent, and safe housing.

Fair Housing Defined

In light of the various pieces of fair housing legislation passed at the federal and state levels, fair housing throughout this report is defined as follows:

Fair housing is a condition in which individuals of similar income levels in the same housing market having a like range of housing choice available to them regardless of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, source of income, sexual orientation, or any other arbitrary factor.

Impediments Defined

Within the legal framework of federal and state laws and based on the guidance provided by the U.S. Department of Housing and Urban Development (HUD) Fair Housing Planning Guide, impediments to fair housing choice are defined as:

Any actions, omissions, or decisions taken because of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, source of income, sexual orientation, or any other arbitrary factor which restrict housing choices or the availability of housing choices; or

Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, ancestry, national origin, religion, sex, disability, marital status,

Draft 7-7-11

familial status, source of income, sexual orientation, or any other arbitrary factor.

To affirmatively promote equal housing opportunity, a community must work to remove impediments to fair housing choice.

Fair Housing and Affordable Housing

When talking about “fair housing” and “affordable housing” the two phrases are often used interchangeably. The concepts are distinct, but intertwined. However, it is important to distinguish between the two in order to clearly identify issues and reduce fair housing discrimination. The phrase “fair housing,” in the context of preparation of an Analysis of Impediments to Fair Housing Choice (AI), refers to persons (families, seniors, individuals, and special needs populations) who are members of protected classes, as specified by federal statutes. It is illegal to discriminate against person on the basis of their membership in a protected class in the sale, rental, financing, and insuring of housing. On the other hand, “affordable housing” generally refers to the ability of households to afford, based on income, to buy or rent housing. Specifically, most federal, state, and local funding programs to support the increase in the supply of affordable ownership and rental housing are targeted to low- and moderate-income households. Low-income households are defined by most of those publicly funded programs as earning less than 50 percent of the HUD determined area median income (AMI), with moderate-income households earning 50 to 80 percent of the AMI. In certain instances, affordable housing programs address households with greater incomes. The recently adopted Neighborhood Stabilization Program, for example, which focuses on foreclosed housing, has an income limit set at 120% AMI.

Because the two concepts are different, tools to address fair housing are distinguished from tools to increase the supply of affordable housing. One difference is that issues of discrimination regarding fair housing can apply to all income levels, because protected classes are represented in all income groups.

Draft 7-7-11

Clearly, there are many actions that can and should be taken that are directly aimed at elimination of discrimination against federally and locally protected groups in the selling, renting, financing, and insuring of housing, as recommended in this AI report. Those actions include: education of prospective homebuyers and tenants as to their rights to access to housing; and, enhancement of the system to study, receive complaints, investigate complaints, resolve complaints, and/or bring charges and prosecute violations of federal and local fair housing laws. While robust implementation of these actions will decrease discrimination in housing, it is not likely that such actions taken alone will eliminate housing discrimination.

Yet it is difficult to talk about addressing impediments to fair housing, and actions to eliminate discrimination in housing, without simultaneously talking about development of policies, plans, programs, and projects to increase the supply of affordable housing. Discrimination in housing will, in part, be reduced by the provision of housing opportunities and choices made affordable to all income groups in all communities, especially low- and moderate-income households.

Certain protected classes have disproportionate representation in the numbers of low- and moderate-income households in Richland County, and so it is reasonable to expect that as the supply of affordable housing is increased in all communities of the County, greater numbers of protected class members will have access to housing without discrimination.

SCOPE OF ANALYSIS

This Analysis of Impediments (AI) to Fair Housing Choice provides an overview of laws, regulations, conditions or other possible obstacles that may affect an individual's or a household's access to housing. The AI involves:

Draft 7-7-11

- A comprehensive review of the laws, regulations, and administrative policies, procedures, and practices;
- An assessment of how those laws, regulations, policies, procedures, and practices affect the location, availability, and accessibility of housing; and
- An assessment of conditions, both public and private, affecting fair housing choice.

Geographic Area Covered

This report constitutes the AI for Richland County, which comprises the unincorporated areas of the County.

DATA AND METHODOLOGY

The following are key data sources used to complete this AI:

- 2000 U.S. Census
- 2005-2009 American Community Survey
- 2010 Census Data, Table DP-1
- The Richland County Consolidated Plan, 2007-2011
- The Richland County 2004 Analysis of Impediments to Fair Housing Choice
- Comprehensive Housing Affordability Strategy (CHAS) Data from HUD
- Housing Authority Agency Plans
- U.S. Department of Housing and Urban Development (HUD), Fair Housing and Equal Opportunity Complaint Data
- Home Mortgage Disclosure Act (HMDA) Data
- The Richland County Comprehensive Plan Housing Element
- RealtyTrac and Trulia Housing Sales and Foreclosure Data

In addition, the recently completed Lexington County Analysis of Impediments to Fair Housing Choice and the Columbia, South Carolina Five-Year Consolidated Plan were reviewed as part of preparing this study.

Sources of specific information are identified in the text, tables, and figures.

ORGANIZATION OF THE REPORT

The AI is divided into six (8) chapters:

1. Introduction: Defines “fair housing” and explains the purpose of the report.
2. Community Outreach: Describes the community outreach program.
3. Community Profile: Presents the demographic, housing, and income characteristics in the Richland County.
4. Fair Housing Practices: Identifies and explains the oversight of fair housing by both government and industry organizations
5. Lending Data and Public Policies: Assesses the nature and extent of fair housing complaints and violations, examining loan data, complaints, and lending practices
6. Public Policies: Analyze various public policies and actions that may impede fair housing within the County
7. Fair Housing Actions: Describes the County’s actions to affirmatively further fair housing
8. Conclusions and Recommendations: Summarizes AI findings regarding fair housing issues, and provides recommendations for furthering fair housing choice.

Draft 7-7-11

2) COMMUNITY PARTICIPATION

This Analysis of Impediments to Fair Housing Choice (AI) results from a process of consultation and citizen participation, building upon existing participation mechanisms and venues. Citizens, not-for-profit organizations, and interested parties were afforded a variety of opportunities to:

- contribute during meetings, hearings and planning sessions, and through Web-based surveys, one for residents and one for real estate practitioners,
- review and comment upon the participation plan, the Analysis of Impediments, and comments made about the Analysis,
- participate in a public hearing,
- comment upon the plan and its amendments, and
- register complaints about the Analysis and its amendments.

The County complied with the citizen participation requirements of the regulations by doing the following:

- Preparing, adopting, and following a Citizen Participation Plan;
- Preparing, disseminating and assessing the results of Web-based surveys of real estate practitioners and of residents;
- Publishing informational notices about the analysis prior to public hearings on it;
- Holding a public hearing in an accessible place at a convenient time after providing reasonable notice;
- Publishing a summary of the Analysis, describing its contents and purpose and a listing of locations where the entire plan could be examined;
- Making the Analysis available for public examination and comment for a period of thirty (30) days before submission to HUD;
- Providing citizens, public agencies, and other interested parties reasonable access to records regarding any uses of any assistance for affordable and supportive housing that the County may have received during the preceding five years; and
- Considering the views and comments of citizens.

Community Development staff conducted a publicized public hearing to obtain public input and reaction. A copy of the public notice and a copy of the sign-in sheet from that hearing are attached as Appendix B.

The Community Development staff posted two surveys, one for residents and one for real estate practitioners and one for government employees and officials, on the County

Draft 7-7-11

Website. This survey was publicized in the press, at the Fair Housing month program, and on the County Website. In the period April 1, 2011 to May 30, 2011, the County received 46 responses from the practitioners and 54 responses from residents. The survey results are noted in the sections below and copies of the surveys and a summary of the results for each are found in Appendix C.

In addition, the Community Development staff conducted three focus group meetings and arranged one teleconference call to obtain input. The group sessions were held on April 4 and 5 in the County Administration Building. The first session occurred as part of the County Planning Board meeting on April 4 and was attended by 26 persons, including the entire Planning Board. The second focus group meeting, which included members of the lending community, was held on the morning of April 5; the third session was held that afternoon and included representatives of County housing organizations. The teleconference call focused on transportation issues, and involved the Transportation Director for the Central Midlands Council of Governments, County Councilwoman Joyce Dickerson, and members of the consultant team. Summaries of these meetings are also found in Appendix D.

A public hearing to review and discuss the Analysis of Impediments to Fair Housing Choice, was held on XXXXX, 2011. This meeting was publicized and held at XXXXX

The County did not receive any citizen comments during the thirty-day public review period.

The County Council conducted a public hearing to review the Analysis of Impediments on XXXXX, 2011, following appropriate public notice. At this hearing, the Council approved the document and ordered it sent to the HUD office in Atlanta.

3) COMMUNITY PROFILE

Fair housing is concerned with ensuring that: 1) a range in types and prices of housing is available; and 2) all people are treated equally in the rental, sale, or occupancy of housing. This chapter examines the population, housing, and special needs characteristics and trends in Richland County that may affect equal housing opportunity.

This Community Profile provides insights for identifying potential impediments to fair housing choice. While not definitive indicators of impediments to fair housing choice in and of themselves, these data point to conditions or situations that **could** be indicators of impediments to fair housing choice. The issues that **could** be a source of housing discrimination are summarized at the end of each section.

Background on Richland County

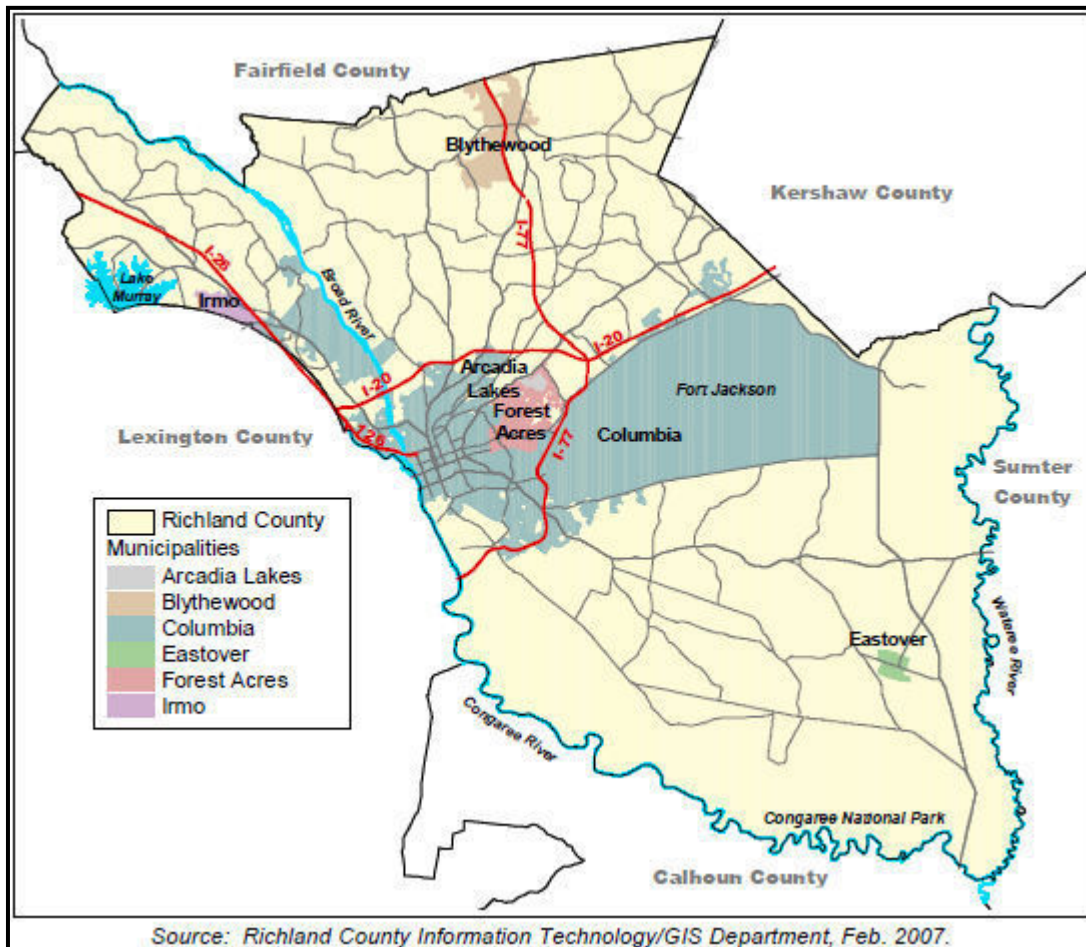
Richland County is located at the center of South Carolina and has a total area of 771 square miles, of which 15.2 square miles are water. The County surrounds Columbia, which is the State Capital and the County Seat. The County also includes Fort Jackson, the 52,000-acre military installation that serves as a basic training facility for over 45,000 soldiers each year. The Congaree National Park is a 15,000-acre tract of bottomland forest in the southern part of the County, which is administered by the National Park Service, while Lake Murray, a 50,000-acre reservoir, created in the 1920s, is located within the County. Almost two-thirds of the County is categorized as forest, approximately 20 percent as agriculture or rangeland, and 15 percent as urban. In 2009, approximately 29.6% of land was used for agricultural purposes. Most prime farmlands are located in the Atlantic Coastal Plain portion (South of Columbia and Fort Jackson). Despite the presence of highly urbanized Columbia and five other incorporated municipalities, the percentage of persons living in the unincorporated areas of the County exceeds the incorporated percentage 56.4 percent to 43.6 percent.

The County is seen as a desirable place to live because it is an employment and government center, and the climate and relatively lower cost of living attract retirees and others seeking to relocate to a warmer environment. The County also offers amenities

Draft 7-7-11

such as the University of South Carolina main campus and seven other higher educational institutions, the Columbia Metropolitan Convention Center, the Riverbanks Zoo, the EdVenture Children’s Museum, the south Carolina State Museum, the Columbia Museum of Art, the Botanical Gardens, and other cultural and recreational venues.

The map below, taken from the County’s Five-Year Consolidated Plan, shows the County and highlights the incorporated municipalities.



Richland County Five Year Consolidated Plan, 2007-2011

Draft 7-7-11

Demographic Data

Population

According to the 2010 Census, the County population was 384,504 persons of whom 51.3 percent were female. The 2010 population was an increase of 36,238 from the 2000 census, an increase of ten percent over the period. The County has shown a pattern of steady growth since the 1950s.

Sex and Age

The median age for Richland's population in 2010 was 32.6 years, well below the US figure of 37.2 years and the State's median age of 37.9. This in part due to the presence of the eight institutions of higher education. The table below compares the US percentages by age cohort with those of Richland County.

**Age by Cohort – Richland County, South Carolina, and the United States
2010**

Age	Richland County - % of Population by Age Cohort	South Carolina - % of Population by Age Cohort	United States - % of Population by Age Cohort
<5	6.4	6.5	6.5
5-9	6.3	6.4	6.6
10-14	6.2	6.4	6.7
15-19	8.7	7.1	7.1
20-24	10.6	7.2	7.0
25-29	8.1	6.6	6.8
30-34	6.9	6.2	6.5
35-39	6.6	6.4	6.5
40-44	6.4	6.6	6.8
45-49	6.8	7.2	7.4
50-54	6.6	7.1	7.2
55-59	5.9	6.6	6.4
60-64	4.8	6.1	5.4
65-69	3.3	4.7	4.0
70-74	2.2	3.3	3.0
75-79	1.8	2.4	2.4
80-84	1.3	1.7	1.9
85+	1.2	1.5	1.8

US Census Bureau, 2010, Demographic Profile

Draft 7-7-11

The percentages of school age children in the County are slightly below those of the US, but the percentages of young adults are sharply higher. This is in some measure due to the presence of the University and other educational institutions, as noted above, but still reflects the presence of a younger population in the late 20s and 30-year old cohorts. The percentages of seniors are below significantly below the national and state percentages.

As noted earlier, the percentage of females is 51.8 percent, which is one percent higher than the national figure.

These figures become significant when discussing households and housing needs.

Households

In Richland County, family households constitute 61.5 percent of households, a figure below the 67.5 percent for the State, and the 66.4 percent for the US. Household size in the County (2.43) is smaller than the US (2.58), and the percentage of Richland households with children under the age of 18 is 28.9% compared to the US 29.8%. However, the percentage of female-headed households is 17.7%, higher than the US percentage of 13.1% and the State's 15.6%. Female householders without a husband present represent 10.1 percent of households, a figure above the national 7.2 percent and the State's 8.4 percent. Nonfamily households represent 38.5 percent of Richland households while the US figure is 32.5 percent. Households living alone constitute 30.2 percent of households in Richland County.

The implication for housing issues is that there is a significant demand for smaller living units, given the smaller percentages of families with children and the number of householders living alone. At the same time, the relatively high percentage of female-headed householders with children could be an indicator of housing choice concerns.

Draft 7-7-11

Disability

The Census Bureau definition of disability will be used for this analysis, as that is the basis for the available data. The Bureau defines disability as a long-lasting physical, mental, or emotional condition, which can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. Such conditions can also impede a person from being able to go outside the home alone or to work at a job or business.

Neither the 2010 Census data nor the 2009 ACS data include data on persons with disabilities. However, the 2007 American Community Survey data do, and that source will be used to provide insight into the numbers of person in the County with disabilities. These figures indicate that, as of 2007, 13.4 percent of the population five years and over reported a disability of some type. This amounts to over 40,500 persons. The 2000 census figure was 13,411 persons with a disability, which was 8.0 percent of the population then. The 2007 population 65 and over reported that 40.5 percent of its members (almost 13,000 persons) had some type of disability. These Richland County figures are close to the national percentages of 15.1% and 40.9% respectively.

The implication for discrimination housing issues is that an increasing number of persons will require housing that meets Americans with Disabilities Act (ADA) requirements.

Race and Ethnicity

The table below compares the Racial and ethnic composition of Richland County with that of South Carolina, and the United States.

Draft 7-7-11

Racial/Ethnic Composition Richland County, South Carolina, and the United States, 2010			
Race	Richland County %	South Carolina %	US %
White	47.3	66.2	72.4
African American	45.9	27.9	12.6
American Indian	0.3	0.4	0.9
Asian	2.2	1.3	4.8
Pacific Islander	0.1	0.1	0.2
Other Race	1.9	2.5	6.2
Two or More Races	2.2	1.7	2.9
Hispanic	4.8	5.1	16.3

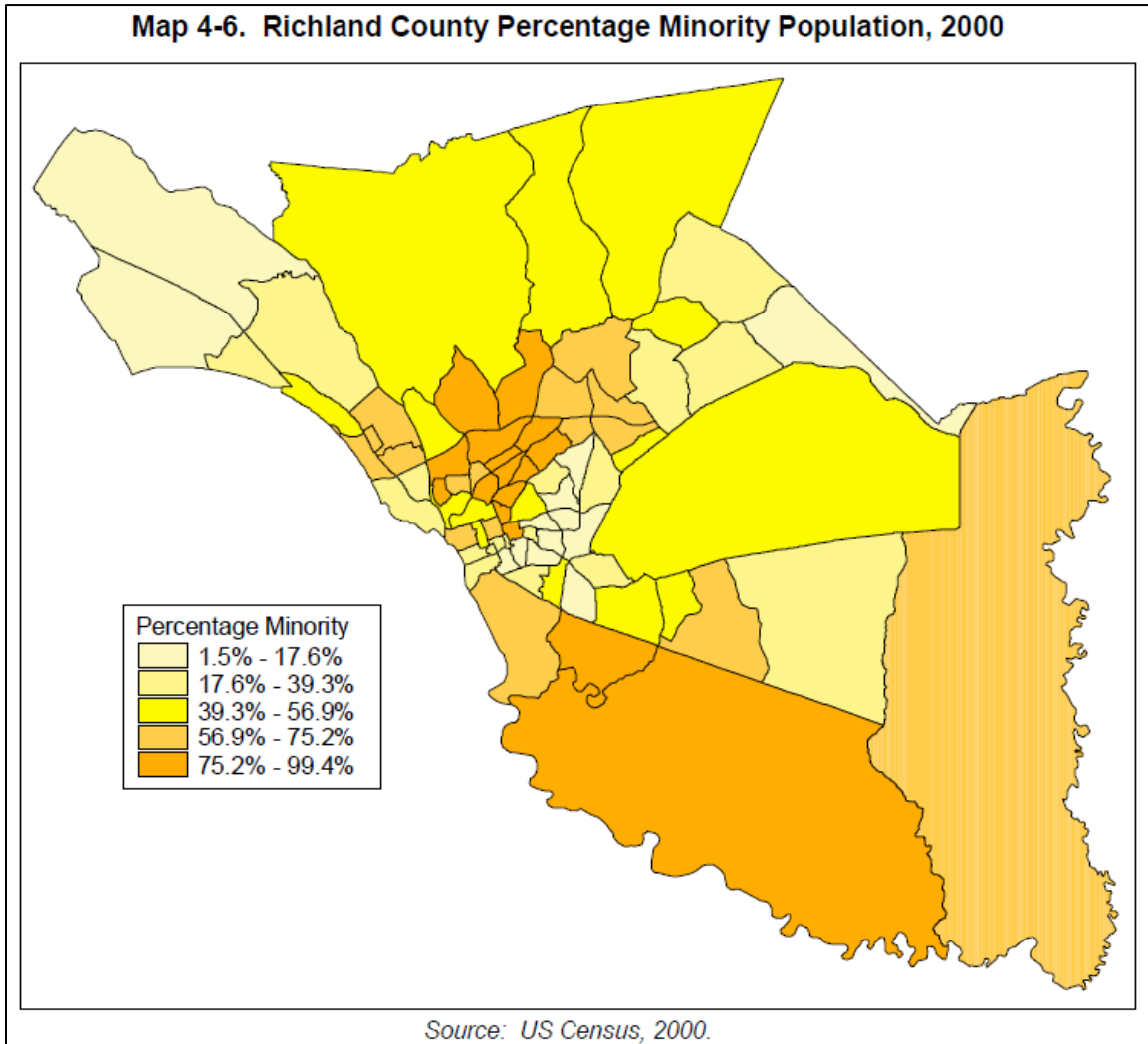
US Census Bureau, 2010, Demographic Profile

The County has a much higher percentage of African Americans than the US and the State. At the same time, the County has a lower percentage of Whites and Other Race. The percentage of Asian persons is higher than that of the State, but well below the US figure. The percentage of White persons has declined from 50.3 percent in 2000, while the African American population has increased by nine-tenths of a percent since the 2000 census. The Hispanic population has increased by two percent since 2000, but has increased from 8,713 persons in 2000 to 18,637 in 2010, more than doubling.

In 2000 Whites and African Americans comprised 95.5 percent of the population; in 2010 the two groups constituted only 93.2 percent of the population. Thus, the County's population is slowly becoming increasingly diverse, though still concentrated among Whites and African Americans.

Draft 7-7-11

The map on the following page, taken from the Consolidated Plan and based upon 2000 Census data, shows the concentrations of minority populations in the County. More recent maps are not yet available from the Census Bureau.



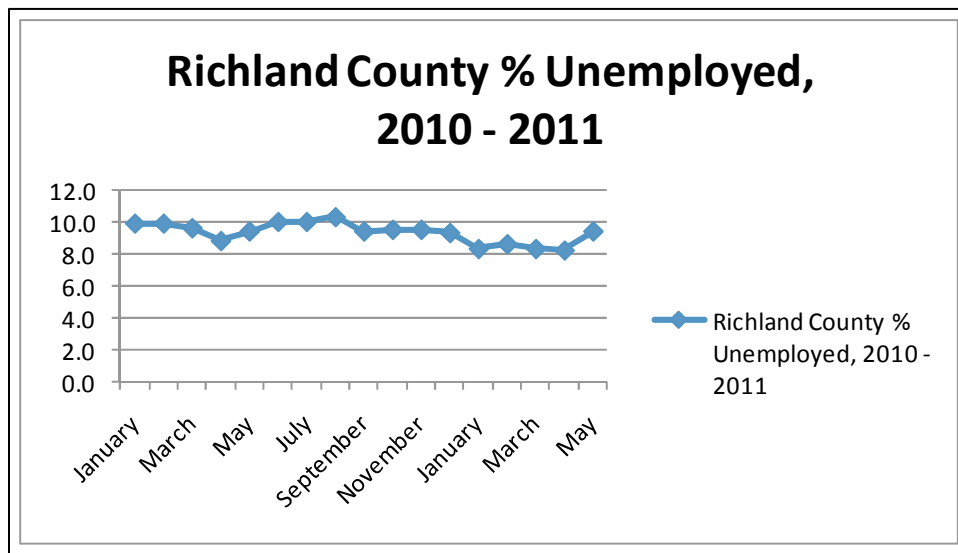
Richland County Five Year Consolidated Plan, 2007-2011

A review of the 2009 American Community Survey data on languages spoken at home reveals that 92.4 percent of Richland residents speak only English at home (80.4% US), and while 3.2 percent of residents speak Spanish at home, a figure is well below the US 12.1 percent. Those speaking other languages at home are likewise significantly lower than US figures.

Economy and Employment

Unemployment

Unemployment in the County has remained stubbornly high throughout 2010, though it declined in the first quarter of 2011, only to surge upward in May of 2011. As the graph below shows, the numbers of persons out of work peaked in the middle of 2010 and declined gradually over the remainder of the year, dropping below 9.0 percent in January of 2011. Still, Richland County's most recent figure is well below the State's 10.2 percent unemployment in May of 2011.



South Carolina Department of Employment and Workforce, Employment/Unemployment Statistics, 2007-2011

Occupations

The table on the following page shows the number of Richland County employees by industry in 2009, the most recent data available. The presence of educational institutions and being a seat of government provides a degree of economic stability and insulation from economic downturns. The Professional-Scientific industries as well as the Finance, Insurance, and Real Estate sector are also well represented. Many jobs in these sectors pay relatively well.

Draft 7-7-11

Richland County Employees, Number and % of Workforce 2009

INDUSTRY	# of Employees	% of County Workforce	% of US Workforce
Agriculture-Forestry-Mining	657	0.4	1.6
Construction	8,718	5.2	7.4
Manufacturing	13,015	7.7	11.2
Wholesale	4,646	2.8	3.2
Retail	18,276	10.9	11.5
Transportation-Utilities	6,566	3.9	5.1
Information	4,634	2.8	2.4
FIRE	15,897	9.5	7.1
Professional-Scientific	16,758	10.0	10.3
Education-Health Care	41,478	24.7	21.5
Art-Entertainment-Accommodation-Food Service	15,195	9.0	8.8
Other Service	7,332	4.4	4.8
Public Administration	14,892	8.9	4.7

Source: American Community Survey, 2009

Income and Poverty

Despite these jobs and a good economic base, income figures for the County lag national figures. The median household income (MHI) was \$47,969 in 2009 and the per capita income (PCI) was \$25,865. These figures compare to \$51,425 for the US MHI and \$27,041 for the US PCI. The differences are modest, but the Richland MHI is 93.0 percent of the US figure and the Richland PCI is 96.0 percent of the US. It should be noted that these figures, both for the US and for the County show a decline from the 2008 figures.

According to the ACS figures, 14.0 percent of the County population had incomes of less than \$15,000. This compares to 13.0 percent nationwide. In contrast, 3.1 percent of households in Richland County had incomes over \$200,000, compared to 4.0 percent nationally.

Draft 7-7-11

HUD has provided detailed data as part of its Comprehensive Housing Affordability Strategy materials to assist in preparing the Consolidated Plan. This data provides an overview of the economic structure of the County's households. HUD established five income categories for their analysis. The five income ranges are:

Extremely Low (0-30% of the median income),
Very Low-income (31-50% of the median income),
Low-income (51-80% of the median income),
Moderate-income (81-95% of the median income), and
Upper-income (95% and above of the median income).

The table below shows the distribution of Extremely Low-, Very Low-, Low- and Moderate-income households in the County based upon this data. Figures for 2010 are presented as Census data for households by income is not yet available. The 2010 Median Income figure for a family of four in Richland County, as calculated by HUD, is \$62,400. This figure differs from the data above in that it is based upon a complex series of calculations that allow for inflation and accommodate local conditions.

HOUSEHOLDS BY INCOME	HOUSEHOLDS	PERCENT
Below 30% of Median Family Income	24,729	18%
30 to 50% of Median Family Income	20,614	15%
50 to 80% of Median Family Income	25,927	19%
Greater than 80% of Median Family Income	66,009	48%
Total Households	137,279	

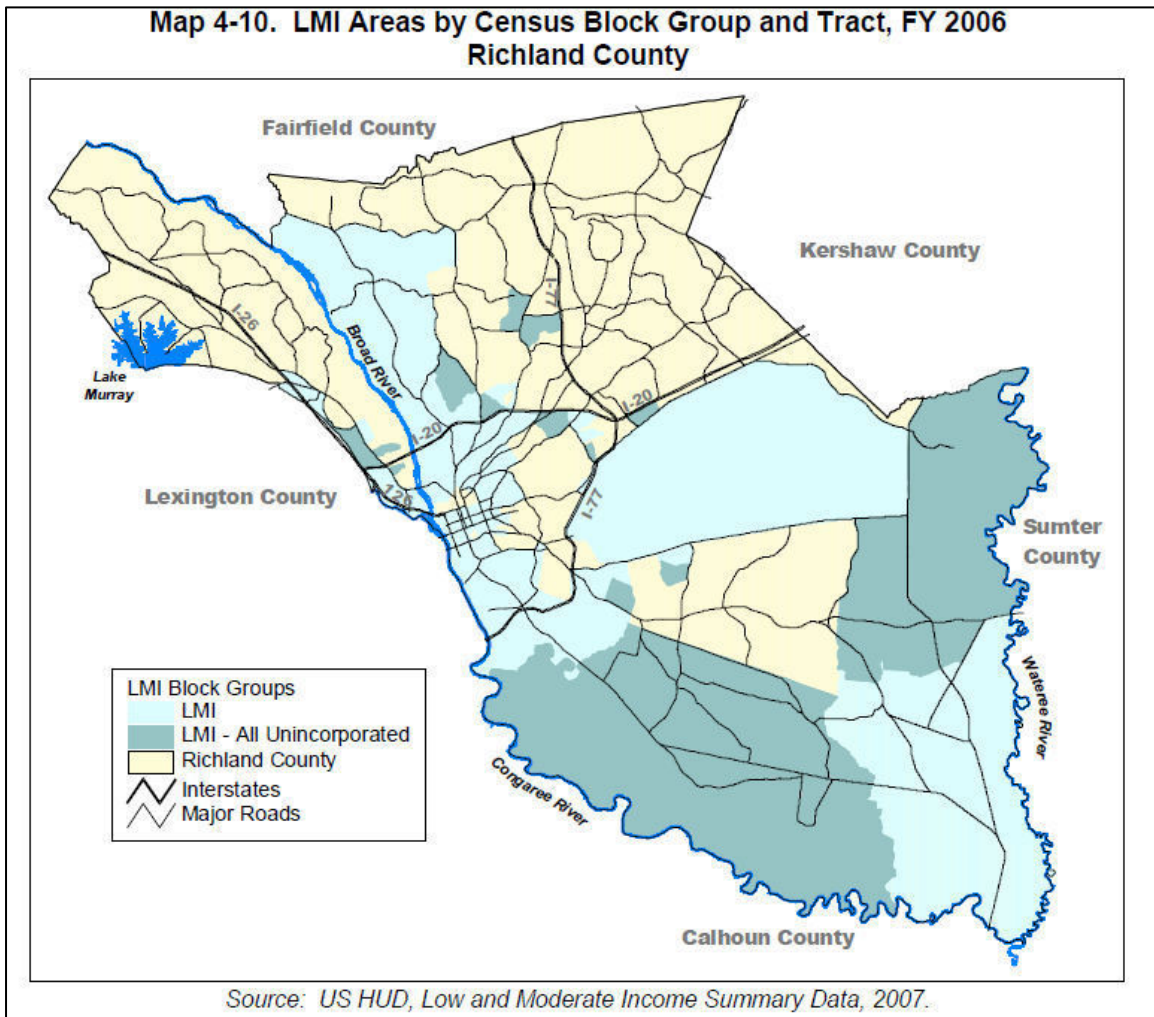
HUD User Data Sets, FY 2010 Income Limits, February 2010

By these definitions, 52.0 percent of Richland County households are in the low-income categories.

Identifying concentrations of low-income households and racial and ethnic minorities is helpful in identifying possible patterns of discrimination. The HUD definition of an area of low-income concentration is a census tract in which the number of low-income households (defined as households earning 50% or less of the median income) exceeds

Draft 7-7-11

50% of the total number of households. The threshold for an area defined as highly concentrated is 75% or more of the census tract occupied by low-income households. The map below shows the County's low-mod income Census Tracts.



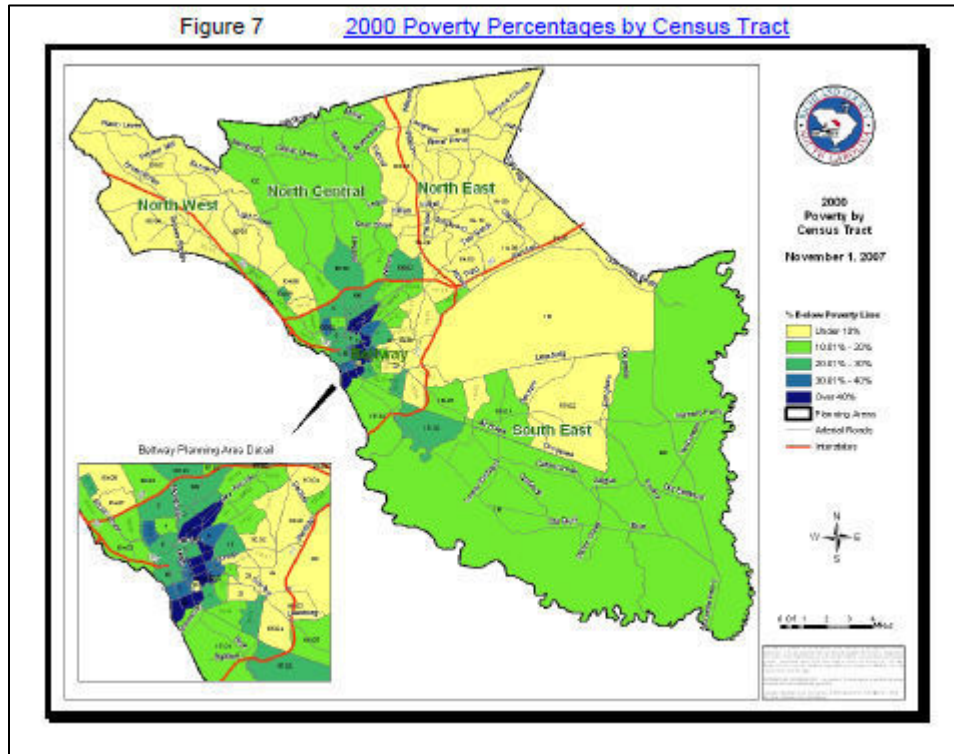
Richland County Five Year Consolidated Plan, 2007-2011

Poverty remains a problem for many Richland County municipalities. In 2000, 13.7 percent of Richland County's population was below poverty level, higher than the national average of 9.20 percent of families below the poverty level. The 2009 American Community Survey data shows an increase in the number of persons below the poverty level, now with 13.8% of persons in poverty. This compares to 13.5 percent for the US. Richland County continues to have more *families* below the poverty level (10.1%), than the nation as a whole, which comes in at 9.9%. Almost 15 percent of families with

Draft 7-7-11

children were in poverty in 2009, and 34.9 percent of female headed households with children were in poverty.

The map below, taken from the County's Comprehensive Plan shows the percentage of the County's population living in poverty in 2000. The highest percentages are, in general, in or close to the City of Columbia.



Richland County Comprehensive Plan, 2009, Housing element

HOUSING DATA

Fair housing is concerned with the availability of a range of types and prices of housing. To understand fair housing choice comprehensively, an assessment of the housing market is important. This section provides an overview of the housing market in Richland County. Later sections of this report will build upon this analysis and evaluate the zoning ordinances and other land use regulations that affect the supply and availability of housing.

Draft 7-7-11

The County's pattern of development has resulted in a range of housing issues, such as rehabilitation, maintenance, affordability, and appropriate density.

The following paragraphs provide a current housing inventory (supply) and housing market (demand) overview of the County. The housing inventory includes an assessment of the County's total housing supply by type, tenure, occupancy status, conditions, and change in composition from 2000 to 2010. The housing market overview provides an assessment of current housing demand in the County based on tenure and household income. The primary source of data for this analysis is the 2010 U.S. Census and the 2009 American Community Survey (ACS).

Inventory

In 2000, there were 129,793 housing units in the County. The City of Columbia accounted for 35.5 percent of these units. Among the municipalities, Irmo had the highest homeownership rate and the highest percentage of single-family dwellings. By 2010, the County had 161,725 housing units, an increase of 25.0 percent over the decade. The overall vacancy rate in 2010 was 10.2 percent, a marked increase from the 2000 figure of 7.0 percent, but reflective of the housing "bust."

ACS figures for 2009 show that while 63.4 percent of units were single unit structures (over 97,000 units), the percentage of duplex and multi-family units was 30.6 percent, figures close to the 2000 percentages. The percentage of persons living in mobile homes or RVs had declined from 6.8 percent in 2000 to 6.0 percent in 2009.

The figures shown below are the percentages of housing units by unit size for the County, the State of South Carolina, and the United States. The County has about the same percentage of one-unit structures as the state and the nation. The County does have a larger percentage of moderate-sized multi-unit structures (5-19 units). One notable difference is the small percentage of mobile homes and other dwellings compared to the State.

Draft 7-7-11

Richland County, South Carolina, and US Housing Units by Type, 2009

Type of Unit	Richland County # of Units	Richland County % of Units	South Carolina	United States
1 Unit (detached & attached)	101,028	66%	65%	67%
2-4 Units	12,029	8%	5%	8%
5-19 Units	19,776	13%	8%	9%
20+ Units	11,024	7%	3%	8%
Other	9,186	6%	18%	7%
TOTAL	153,043			

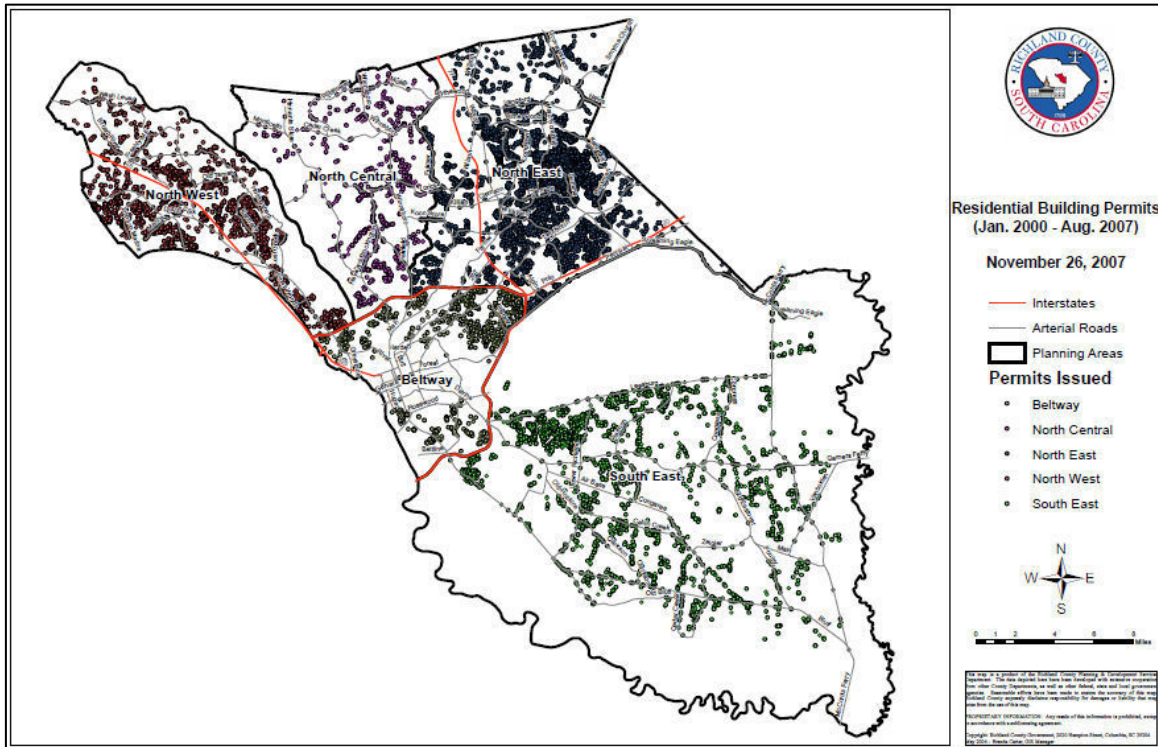
ACS, 2009

The majority of units (57.2%) in the County housing stock are moderate-size, 4-6 rooms, which is slightly higher than the US percentage of 56.9. However, only 10.8 percent of units are small units (1-3 rooms), much lower than the 13.3 percent nationally. This also could indicate a shortage of units for the many small households in the County, as noted above.

The supply of housing over the past five years has increased rapidly in Richland County according to US Census figures. ACS figures show that Richland County had 25,676 housing units constructed between 2000 and 2009. This represents 16.8 percent of the County's total housing stock. An additional 16.3 percent of units were constructed in the decade between 1990 and 2000, meaning that one-third of the County's housing is less than twenty years old.

The map below, taken from the Planning Department's Website, shows the pattern of building permits issued between 2000 and 2007. There are obvious concentrations of development, by and large, moving away from the urban center of the County.

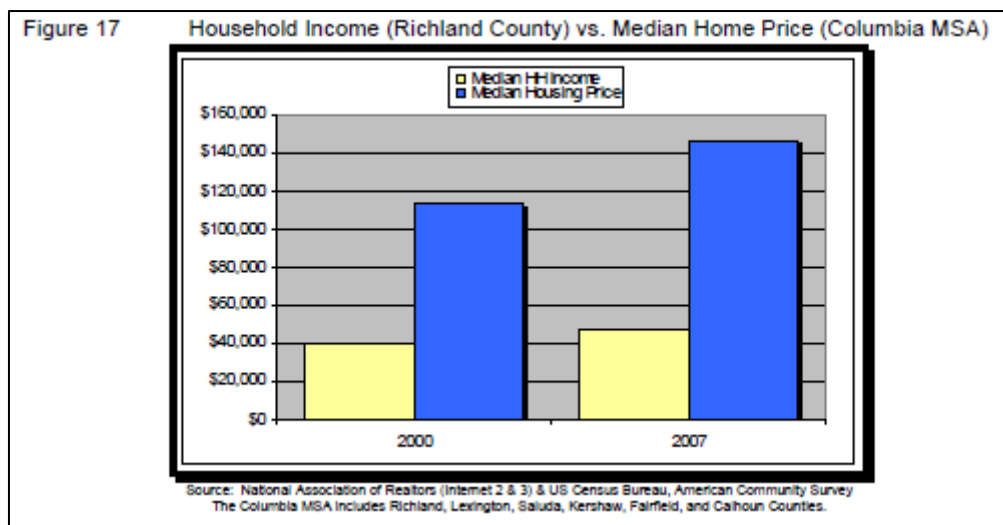
Draft 7-7-11



Richland County Department of Planning and Development Services,

The County Comprehensive Plan states the problem quite clearly:

“Between 2000 and 2007, median household income increased by 17% (adjusted for inflation), while the median sale price of a home increased by 30%. This trend indicates a lack in affordable housing over the next 30 years.



The rising cost of housing, coupled with the median household income, contributes to the sprawl that is so prevalent in the County. Individuals search for homes farther away from the

Draft 7-7-11

employment centers, because they cannot purchase housing closer to jobs. This lack of affordable housing leads to congested roadways, increased infrastructure upgrades, increased air pollution and adds to other problems local and state governments must address. Affordable housing affects not only the housing market, but transportation, economic development, land use, air quality, and other areas of the community.”

Tenure

According to the 2009 ACS data, there are 153,045 housing units in the County, 89.7 percent of which (137,279) were occupied. This percentage of occupied units is higher than the national figure of 88.2 percent.

There are 84,457 (61.5%) of these units occupied by owners and 52,822 units (38.5%) occupied by renters. These percentages vary somewhat from the national percentages of 66.9 and 33.1 percent respectively. The lower percentage of homeowners may result in part from high housing process and relatively low-income levels, making ownership difficult for many moderate- and low-income households.

Age and Condition

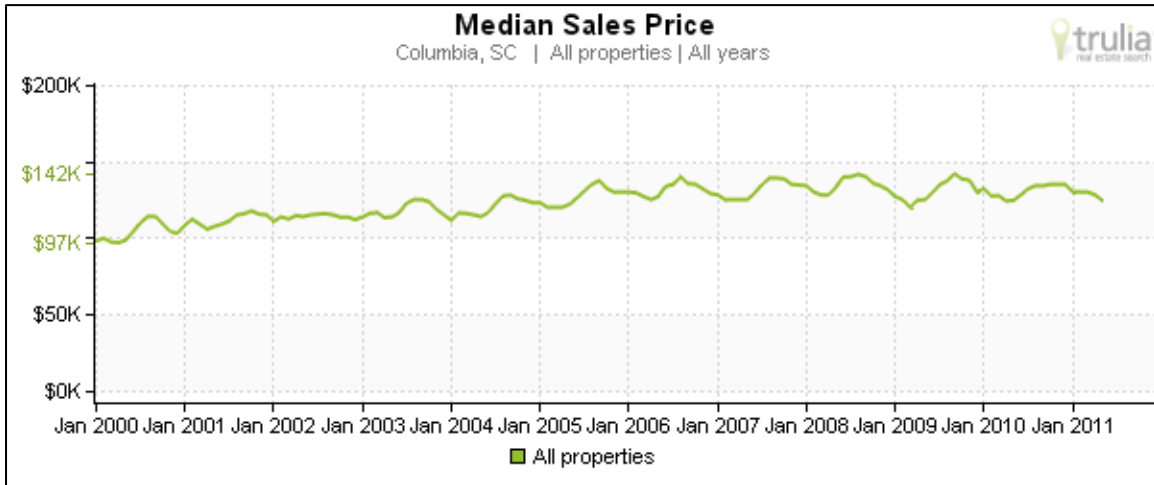
The County’s housing stock is young, because as noted above one-third of the units having been constructed in the past twenty years. Only 4.8 percent of housing was built before 1939 and a total of 9.9 percent was constructed before 1950. The median age of the units in the County is approximately 1979. The implication of this is that rehabilitation and upgrading of units is likely not a significant problem, and that lead-based paint mitigation is not a concern outside of a few older communities or areas.

The condition of the housing stock in the County is considered fair to good for the most part. The 2009 ACS reported that there were 516 housing units (0.4%) in the County that lacked complete plumbing and 1,094 units (0.8%) that lacked a complete kitchen. Assuming that these units do not overlap, there were only 1,610 substandard units in the County by this definition. Also according to the 2009 data, there are 252 units (0.2%) in which no fuel is used to heat, a possible indication of a substandard unit.

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Housing Market

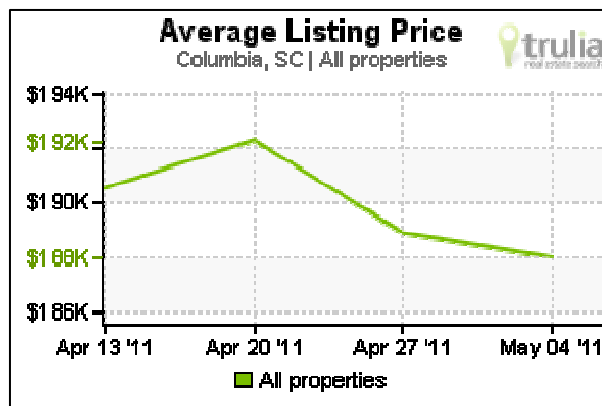
The median sales price for homes in Columbia in the spring of 2011 was \$124,500 based on 356 home sales. Compared to the same period one year ago, the median home sales price did not change, though the number of home sales decreased 57.7%. The graph below shows the precipitous drop in sales price since 2008.



Trulia.com

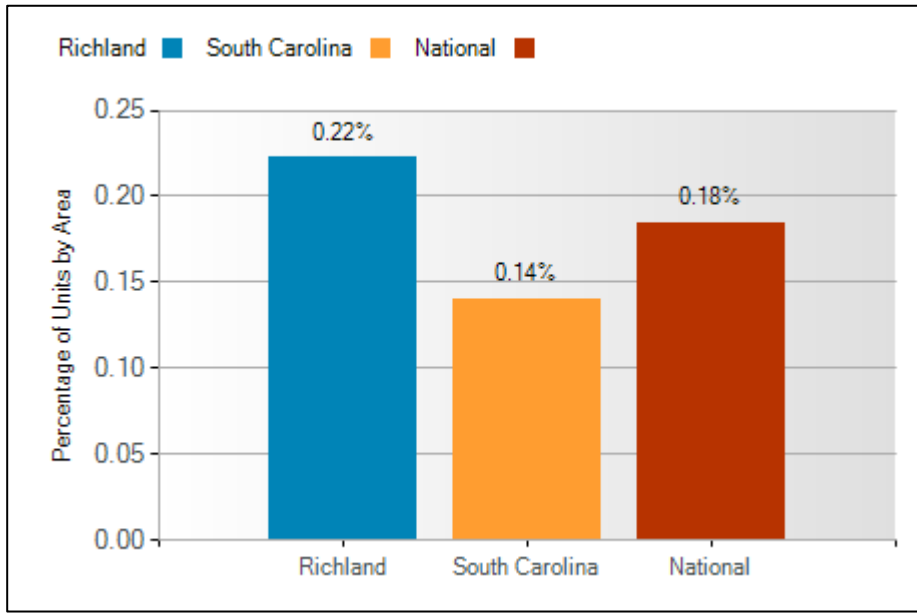
There are currently 4,692 resale and new homes in Columbia according to Trulia, a real estate data and information provider. The Trulia report notes that there are 1,707 homes in the pre-foreclosure, auction, or bank-owned stages of the foreclosure process.

The average listing price for homes for sale in the Columbia market was \$187,984 for the week ending May 4, which represents a decrease of 0.5%, or \$893, compared to the prior week. The graph below from Trulia shows how listing prices have changed in response to the on-going weak market.



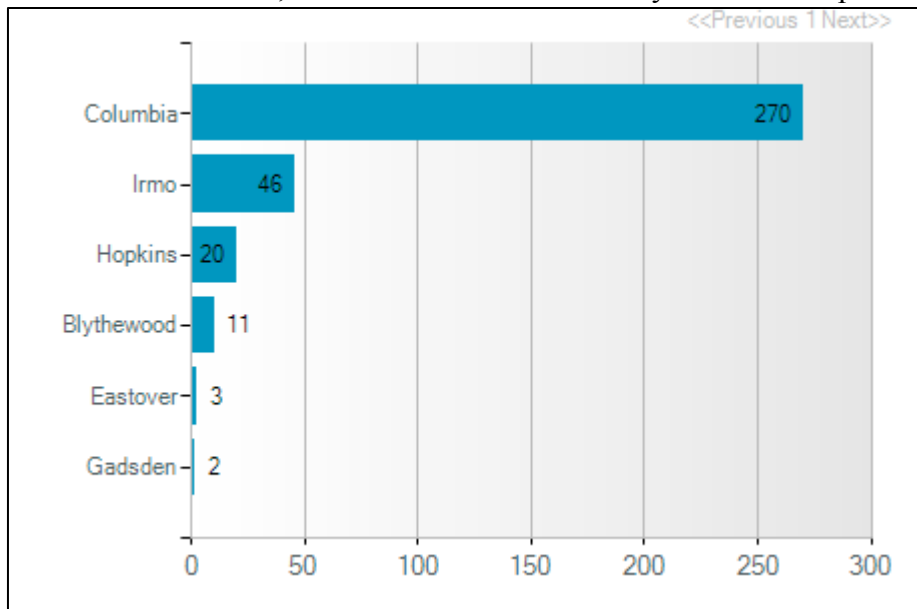
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Richland County continues to suffer from foreclosures. The County has a greater percentage of foreclosed properties than either the State or the nation, as the graph below from RealtyTrac demonstrates. The rate of foreclosure for the County is one new foreclosure in 450 houses, a relatively high rate compared to the national rate of one in 542.



RealtyTrac.com

The foreclosure activity is concentrated though with Columbia having the greatest number of recent foreclosures, followed at some distance by Irmo and Hopkins.



RealtyTrac.com

Draft 7-7-11

The current market conditions with an increased number of foreclosures and falling housing prices do not make housing more affordable. Though prices are dropping, the declines are not significant for moderate-income households, let alone low-income households. Further, as noted, wages are not increasing generally, and home loans are increasingly difficult to obtain.

The average sale price of \$124,500 is likely out of reach for even moderate-income households. The rule of thumb for home buying is that the home should cost roughly two and one-half times the family income. This factor of 2.5 times the HUD median family income of \$62,400 is \$156,000, which might enable a median family income to purchase the median priced house. Credit history, down payment, and employment would all factor into the purchase decision in this instance. A family at 80 percent of the median income figure would be just at the \$124,500 figure, and any family below the 80 percent figure would fall short of this standard.

Housing Need and Affordability

As noted above, affordability is not, in itself, an impediment to fair housing choice. Fair housing choice means that one has the opportunity to obtain adequate housing within one's means. However, a basic premise of all housing markets is that there must exist a spectrum of housing choice and opportunity for local residents. This axiom establishes that housing choice and needs differ in most communities due to a variety of factors, including: employment mix, household income, population age, proximity of employment and mere preference. A spectrum of rental housing choice and opportunity is particularly important as rental housing can accommodate an assortment of individual and household needs.

Local housing and labor markets are inextricably linked to one another. Industries are served by local housing markets that provide choices and opportunities for both current and future workers. The level of affordable housing demand is largely determined by job growth and retention. Employment growth will occur through the retention and

Draft 7-7-11

expansion of existing firms and new economic growth resulting from start-ups, spin-offs, and relocations to Richland County. Populations follow job growth and the demand for housing will be influenced by the location, type, and wage levels of the County's future employment growth. The affordability component of housing demand, however, is based on local wages and salaries that are then translated into household incomes. Therefore, the availability of an existing supply of various housing types and price levels must be maintained to address the housing demand of the variety of occupations that comprise the local industrial base.

The 2007 CHAS data provided by HUD indicate that 41,800 households (31.0%) are report some type of housing problem, usually cost burden. Twenty-four percent of Owner households report some problem, while forty-three percent of Renter households report a problem. It should be noted that sixty-five percent of the Owner households in the low-income range that reported problems are African American and ninety-five percent of the low-income Renter households reporting problems are African American.

Looking more specifically at cost burden, twenty-three percent of Owner households report a cost burden, and 7,425 of these are severely cost burdened, that is, paying more than 50 percent of income for shelter. However, forty-one percent of Renter households report a cost burden and over half of these 20,605 households are severely cost burdened.

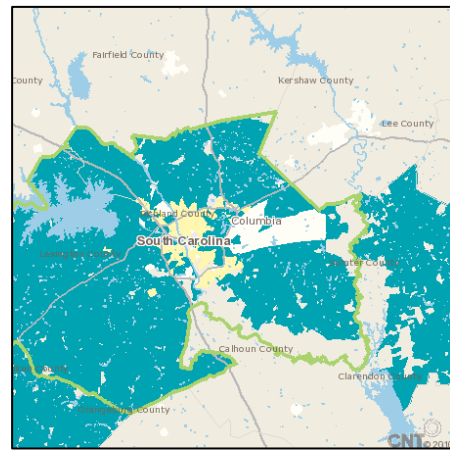
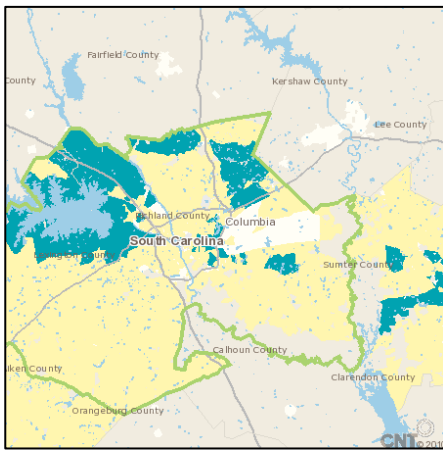
The National Low-Income Housing Coalition, a nationally recognized source of information on housing issues, notes that the maximum rent affordable to a household at less than 30 percent of Area Median Income is \$428 in Richland County, but that the Fair Market Rent in the County for a two-bedroom unit is \$699. According to the group's calculations, a household would need 1.3 minimum wage earners working forty hours per week year-round to afford a two-bedroom unit.

Cost burden is more than a function of rent or mortgage payment and utilities; increasingly people are recognizing the impact of transportation costs on affordability. The maps below, taken from the H+T Affordability Index Website demonstrate the

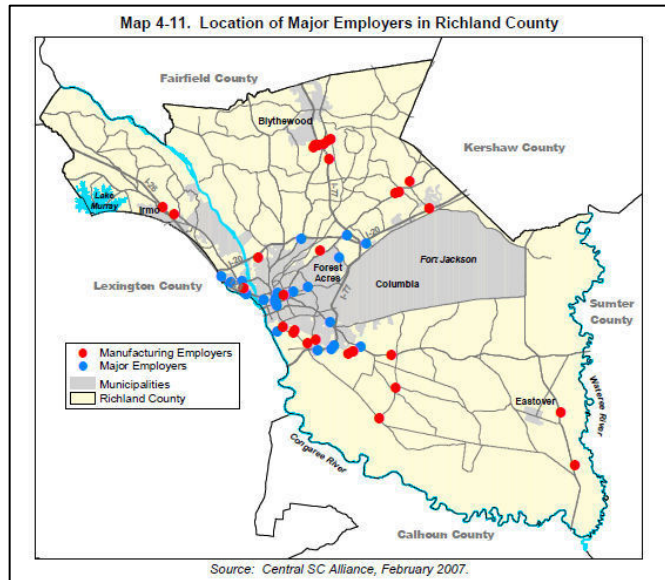
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impact of transportation cost on affordability. The blue areas in the map on the left indicate those areas in which housing costs are 30 percent or greater of household income, which is the traditional view of affordability. The blue area in the map on the right shows the effect of adding transportation costs so that now housing costs and transportation are 45 percent or greater of household income.

H+T Transportation Affordability Index – Richland County (from <http://htaindex.cnt.org>)



The transportation system should ideally provide service to the County's employment centers. These centers, shown below in a map from the Consolidated Plan, could be matched to the County's transportation system to identify weaknesses and areas lacking service. Focusing development in or near employment centers and better linking employment centers to population centers will reduce the housing and transportation cost element.



Richland County Five Year Consolidated Plan, 2007-2011

The the State, the County, the Central midlands Planning Organization, and the Central Midlands Regional Transit Authority have prepared a number of studies and plans for improving the transportation system and better connecting residential, shopping, and employment centers. However, much remains to be done, and efforts to expand public transportation will require additional funding. Also, measures to foster infill development and redevelopment in existing communities should be promoted, and incentives for such development more broadly implemented.

Since retail development follows population growth, the development of housing near employment centers will, ultimately lead to the growth of that sector in locations near population centers, reducing transportation costs and traffic congestion.

Public Housing Authorities

Public housing is a factor in the County's housing market. The Columbia Housing Authority (CHA) provides quality housing for low- and moderate-income families in the City of Columbia and for residents of the unincorporated areas of Richland County. The CHA owns and maintains more than 1,800 units of conventional public housing, which are available to families of low- and moderate-incomes. CHA's housing inventory is

Draft 7-7-11

constantly changing and includes a wide array of housing types such as small and large multi-family complexes, duplexes, and single-family homes. Most of the single-family homes are located throughout the unincorporated areas of Richland County.

CHA also administers the Section 8 Rental Assistance Program for the County, which provides rental assistance to more than 3,100 residents with low incomes who cannot afford private rental market rates. Demand for public housing and housing assistance in Richland County continues to far exceed the supply of public housing units. In December of 2010, 7,336 families were on the waiting list for CHA public housing and Section 8 vouchers. This list includes a large number of disabled individuals under the age of fifty, though the number of elderly on the wait list has declined slightly because of the opening of new units for the elderly. The wait list for housing vouchers is currently closed.

SUMMARY OF KEY POINTS

Several key points relevant to potential impediments to fair housing emerge from the preceding discussion. While not definitive indicators of impediments to fair housing choice in and of themselves, they point to conditions or situations that may create impediments. These points are:

- 1) The County has a high percentage of non-family households, as well as small households (persons living alone).
- 2) The percentage of female head households with children is above the national average.
- 3) The number of persons with disabilities is significant and increasing.
- 4) The County has a significant number of African Americans, though there are relatively few persons in other ethnic or racial groups.
- 5) The County's Median Household Income is below the national figure, the percentage of persons and families in poverty is above the national average, and 52.0 percent of households are in HUD's lowest income levels.
- 6) Despite the recent decline in housing prices and the volume of new construction in recent years, the cost of housing, both purchase and rental, remains high, and large numbers of both owners and renters are severely cost burdened.

Draft 7-7-11

- 7) Though there has been significant housing construction in the last decade, a great portion of that has been high-end units, and much of the more affordable housing stock is older.
- 8) The housing authority in Columbia has long waiting list for units and the list for Section 8 vouchers is closed.
- 9) Housing growth has tended to move further from employment and shopping centers, increasing housing costs when transportation costs are factored in.

4) FAIR HOUSING PRACTICES

This section provides an overview of the institutional structure of the housing industry in governing the fair housing practices of its members. The oversight, sources of information, and fair housing services available to residents in Richland County are described and their roles explained.

Fair Housing Enforcement Structure

Persons who feel that their right to fair housing has been violated have a number of avenues, which they can pursue to achieve remedy. These range from complaints through Federal or State agencies to personal legal actions. This section briefly describes the more commonly used avenues and those for which data is tracked.

THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The United States Department of Housing and Urban Development (HUD) oversees, administers, and enforces the Fair Housing Act. HUD's regional office in Atlanta, Georgia, oversees housing, community development and fair housing enforcement in South Carolina, as well as Alabama, the Caribbean, Florida, Georgia, Kentucky, Mississippi, North Carolina and Tennessee. The Office of Fair Housing and Equal Opportunity (FHEO), within HUD's Atlanta office, enforces the federal Fair Housing Act and other civil rights laws that prohibit discrimination in housing, mortgage lending and other related transactions in South Carolina. HUD also provides education and outreach, monitors agencies that receive HUD funding for compliance with civil rights laws, and works with state and local agencies under the Fair Housing Assistance Program and Fair Housing Initiative Program.

COMPLAINT PROCESS FOR THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

According to the HUD website, any person who feels their housing rights have been violated may submit a complaint to HUD via phone, mail or the Internet. A complaint can be submitted to the national HUD office at:

Office of Fair Housing and Equal Opportunity

Draft 7-7-11

Department of Housing and Urban Development
Room 5204
451 Seventh St. SW
Washington, DC 20410-2000
(202) 708-1112
1-800-669-9777
<http://www.hud.gov/offices/fheo/online-complaint>

In South Carolina, the contact information for the regional HUD office in Atlanta is:

Atlanta Regional Office of FHEO
U.S. Department of Housing and Urban Development
Five Points Plaza
40 Marietta Street, 16th Floor
Atlanta, Georgia 30303-2806
(404) 331-5140
1-800-440-8091

However, as described below, the South Carolina Human Affairs Commission is the agency designated by HUD to receive and investigate fair housing complaints in the State. No local or county entities have received the “substantially equivalent status” necessary to receive and investigate complaints.

In addition to general fair housing discrimination complaints, HUD accepts specific complaints that violate Section 504 of the Rehabilitation Act of 1973, which prohibits programs or organizations that receive federal funds from discriminating against persons with disabilities. In relation to housing, this means that any housing program that accepts federal monies must promote equal access of units, regardless of disability status. Both mental and physical handicap are included in Section 504. An example of a Section 504 violation is a public housing manager who demands a higher housing deposit to a person in a wheelchair because of the anticipated damage that a wheelchair may cause. This violates Section 504 in that a person cannot be held to different standards or liabilities due to disability. Complaints that are in violation of Section 504 are filed and processed in the same manner as general fair housing complaints.

Draft 7-7-11

THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION

The South Carolina Human Affairs Commission (SCHAC) is the agency designated by HUD to enforce the South Carolina Fair Housing Law. The agency mission is to educate the public and enforce the laws that prohibit discrimination in housing, employment, and public accommodations. Through enforcement activities, the agency is directly involved in complaint processing, investigations, and settlement. The agency has also assisted in the establishment and maintenance over 30 Community Relations Councils around the State. The mission of these councils is to encourage local resolution of housing problems and to foster better community relations.

A person who feels that they have been discriminated against may contact the SCHAC to register that complaint within 180 days of the alleged discrimination. The complaint will be investigated and, if deemed a violation, a complaint form will be filed. Though every effort is made to mediate the complaint, an investigation will be completed, and a determination as to whether or not there are reasonable grounds to believe a violation has occurred will be made. If there has been no settlement, and there are reasonable grounds, one of several enforcement options may be chosen. These include civil action, an administrative hearing by a panel of SCHAC members, or the complainant may sue the respondent in State court.

OTHER INVOLVED ENTITIES

STATE AGENCIES

A number of other State agencies are involved in fair housing and deal with fair housing issues, though these issues are not their primary concern. These agencies include:

- South Carolina Department of Human Affairs
- South Carolina Department of Consumer Affairs
- The Governor's Office of Economic Opportunity (OEO)
- South Carolina State Housing Finance and Development Authority
- South Carolina Department of Health and Environmental Control (DHEC)
- South Carolina Lieutenant Governor's Office on Aging
- South Carolina Department of Social Services (DSS)
- South Carolina Department of Mental Health (DMH)
- South Carolina Department of Disabilities and Special Needs (DDSN)

Draft 7-7-11

NON PROFIT ORGANIZATIONS

Appleseed Legal Justice Center – The South Carolina Appleseed Legal Justice Center provides legal information to the general public through brochures, pamphlets, flyers, and power-point presentations. The Center has an interest in housing issues and works to ensure the enforcement of federal and state laws that can protect an individual’s ability to maintain stable housing, including federal and state fair housing laws, the South Carolina Residential-Landlord Tenant Act, and the housing protections provided under the 2005 reauthorization of the Violence Against Women Act.

The South Carolina Bar Association – The Bar Association provides a series of programs to educate the public about fair housing issues. In addition, the Bar provides a service, Ask-A-Lawyer, through which individuals may ask legal questions about housing and tenants’ rights, receiving replies from volunteer attorneys.

The Richland County Community Relations Council – The County works with the Community Relations Council, whose membership includes representatives from the City of Columbia, the County, and the Chamber of Commerce, on a range of efforts. To achieve its objective of improving the quality of life in the Midlands region efforts are made to improve and promote communications among business, government, and citizens. The staff studies and evaluates information received concerning racial and social problems within the Columbia metropolitan area and takes proper action based on consultation with the Board of Directors.

The Council is the local contact for fair housing complaints. The Council’s Housing Program staff attempts to mediate complaints, and, if the issue cannot be resolved locally, turns complaints over to HUD. The Commission will file a formal fair housing complaint and investigate the facts. The Commission only handles cases from the private sector; all cases related to public housing are turned directly over to the state HUD office in Columbia.

Draft 7-7-11

SC Centers For Equal Justice –The South Carolina Centers for Equal Justice (SCCEJ) provides gratis legal services in a wide variety of civil (non-criminal) legal matters, including employment, housing and public benefits to eligible low income residents of South Carolina.

OTHER INFORMATION, COORDINATION, AND SUPERVISION IN THE HOMEOWNERSHIP MARKET

Many agencies are involved in overseeing real estate industry practices and the practices of the agents involved. A portion of this oversight involves ensuring that fair housing laws are understood and complied with. The following organizations have limited oversight within the lending market, the real estate market, and some of their policies, practices, and programs are described.

Federal Financial Institutions Examination Council (FFIEC)

The Federal Financial Institutions Examination Council (FFIEC) is a formal interagency body empowered to prescribe uniform principles, standards, and report forms for the federal examination of financial institutions by the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Office of the Comptroller of the Currency, and the Office of Thrift Supervision, and to make recommendations to promote uniformity in the supervision of financial institutions. The FFIEC provides data on loan originations, loan denials, and other aspects of the home loan process, as well as preparing Community Reinvestment Act rating reports on financial institutions.

National Association of Realtors (NAR)

The National Association of Realtors (NAR) is a consortium of realtors, which represent the real estate industry at the local, state, and national level. As a trade association, members receive a range of membership benefits. However, to become a member, NAR members must subscribe to its Code of Ethics and a Model Affirmative Fair Housing Marketing Plan developed by HUD. The term “Realtor” thus identifies a licensed real

Draft 7-7-11

estate professional who pledges to conduct business in keeping with the spirit and letter of the Code of Ethics. “Realtors” subscribe to the NAR’s Code of Ethics, which imposes obligations upon realtors regarding their active support for equal housing opportunity.

Diversity Certification

The NAR has created a diversity certification, “At Home with Diversity: One America”, to be granted to licensed real estate professionals who meet eligibility requirements and complete the NAR “At Home with Diversity” course. The certification signals to customers that the real estate professional has been trained on working with the diversity of today’s real estate markets.

South Carolina Association of Realtors (CAR)

The South Carolina Association of Realtors is a trade association of realtors statewide. As members of the Association, realtors follow a strict code of ethics. The Association offers a certificate course, “At Home with Diversity, One America,” as part of its graduate education program.

South Carolina Real Estate Commission

The South Carolina Real Estate Commission is the licensing authority for real estate brokers and salespersons. The Commission has adopted education requirements that include courses in ethics and fair housing. To renew a real estate license, each licensee is required to complete continuing education.

OTHER INFORMATION, COORDINATION, AND SUPERVISION IN THE RENTAL MARKET

Many organizations oversee the apartment rental process and related practices. This oversight includes ensuring that fair housing laws are understood. The following organizations have limited oversight within the rental housing market.

Draft 7-7-11

South Carolina Apartment Association (SCAA)

The South Carolina Apartment Association (CTAA) is a state chapter of the National Apartment Association dedicated to serving the interests of South Carolina apartment owners and managers.

National Association of Residential Property Managers (NARPM)

NARPM is an association of real estate professionals who are experienced in managing single-family and small residential properties. NARPM promotes the standards of property management, business ethics, professionalism, and fair housing practices within the residential property management field. NARPM certifies members in the standards and practices of the residential property management industry and promotes continuing professional education. NARPM offers designations to qualified property managers and management firms, and these certifications require educational courses in fair housing practices.

Landlords United is an organization in Columbia that assists landlords and property owners in the screening and application review of prospective tenants.

Thus, there are a number of professional organizations and government agencies that have varying degrees of supervision on matters of fair housing or which provide training on ethics and fair housing to their members.

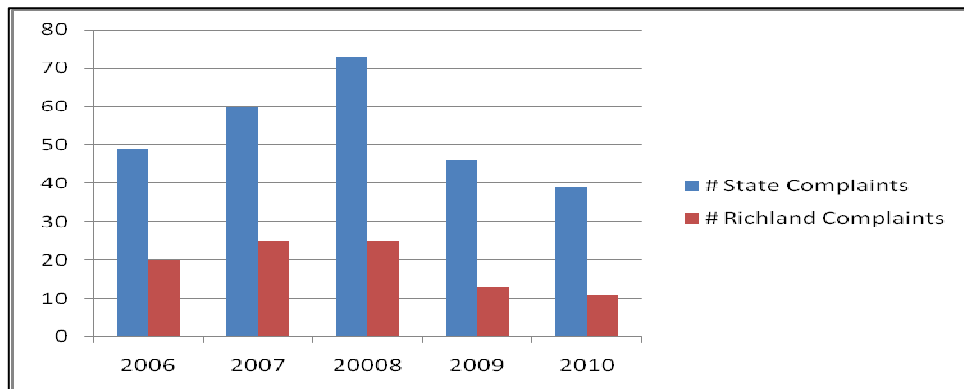
5) COMPLAINT AND LENDING DATA

This section of the AI evaluates lending practices in Richland County, using Home Mortgage Disclosure Act (HMDA) data, information from banking oversight agencies, and complaint data from local, state, and federal organizations and agencies.

At the same time, public policies established at the local level can affect housing development and therefore may have an impact on the range and location of housing choices available to residents. Fair housing laws are designed to encourage an inclusive living environment and active community participation. An assessment of public policies and practices enacted by the County can help determine potential impediments to fair housing opportunity. To identify potential impediments to fair housing choice and affordable housing development, housing-related documents (e.g., zoning code materials, previous fair housing assessments) were reviewed, and focus group meetings and interviews were conducted to prepare this AI.

COMPLAINT DATA

An analysis of complaint data indicates that discriminatory behavior exists even though specific forms of discrimination are sometimes difficult to fully document. An examination of the complaints filed with HUD through its Office of Fair Housing and Equal Opportunity shows that between 2006 and November of 2010, ninety-four complaints were filed in Richland County. The number of complaints mirrored the trend across the State with an increasing number of complaints through 2008, followed by a sharp decline as the housing market declined. The graph below shows this trend.



Draft 7-7-11

HUD, Office of Fair Housing and Equal Opportunity Complaint Data, 2006-2010

The table below shows the number of cases by year and by basis of complaint.

FHEO Housing Discrimination Complaints, 2006 – 2010 Richland County, South Carolina

Year	Race	National Origin	Disability	Familial Status	Sex	Retaliation	TOTAL
2006	10	1	7	1	0	3	20
2007	12	0	9	5	4	2	25
2008	11	0	10	6	2	1	25
2009	7	2	6	2	5	0	13
2010	3	2	4	2	3	2	11
Total by Complaint	43	5	36	16	14	8	94

HUD, Office of Fair Housing and Equal Opportunity Complaint Data, 2006-2010

There are no clear trends in this data other than the decline after 2008. It should be noted that cases may be filed for multiple reasons and thus the percentages for this set of statistics may total over 100 percent. Of the 94 cases reported in this period, 43 were based upon Race and 36 were based upon Disability. The third most prevalent reason was familial status (16) and the fourth most common basis for complaint was sexual discrimination (14).

DEPARTMENT OF JUSTICE LEGAL ACTIONS

The U.S. Department of Justice (DOJ) enacts lawsuits on behalf of individuals based on referrals from HUD. Under the Fair Housing Act, the DOJ may file lawsuits in the following instances:

- Where there is reason to believe that a person or entity is engaged in what is termed a “pattern or practice” of discrimination or where a denial of rights to a group of people raises an issue of general public importance;
- Where force or threat of force is used to deny or interfere with fair housing rights;
- Where people who believe that they have been victims of an illegal housing practice file a complaint with HUD or file their own lawsuit in federal or state court.

Draft 7-7-11

A review of the Department of Justice, Office of Civil Rights, Website did not reveal any fair housing cases filed in South Carolina. However, a case against a developer based in Indianapolis, Indiana, does involve multi-family properties in South Carolina.

HOME LOAN ACTIVITY

Background

A key aspect of fair housing choice is equal access to financing for the purchase or improvement of a home. In 1977, the Community Reinvestment Act (CRA) was enacted to encourage regulated financial institutions to help meet the credit needs of entire communities, including low and moderate-income persons and neighborhoods. The Home Mortgage Disclosure Act (HMDA) requires financial institutions with assets exceeding ten (10) million dollars to submit detailed information on the disposition of home loans. HMDA data were evaluated in this AI with respect to lending patterns, and the set of HMDA data used for this analysis is included in Appendix E.

Four (4) types of financing – government-backed, conventional, refinancing, and home improvement – are examined. Conventional financing refers to market-rate loans provided by private lending institutions such as banks, mortgage companies, savings and loans, and thrift institutions. Government-backed financing refers to loans offered at below-market interest rates that are typically issued by private lenders and are guaranteed by federal agencies. These loans are offered to lower and moderate income households who may experience difficulty in obtaining home mortgage financing in the private market due to income and equity issues. Several federal government agencies, including the Federal Housing Administration (FHA), the Department of Veterans Affairs (VA), and the Rural Housing Services/Farm Service Agency (RHA/FSA) offer loan products that have below-market interest rates and are insured (“backed”) by the agencies. Loans backed by local jurisdictions (such as silent second loans by cities and counties) are not covered under HMDA. Refinancing and home improvement loans, as the names state, are market-rate loans provided by private lending institutions for refinancing of existing home loans or for home improvements.

Draft 7-7-11

In reviewing the following statistics it is important to keep some demographic and economic figures in mind. Whites constitute 47.3 percent, African Americans 45.9 percent and Asians 2.2 percent of the population. Thus, theoretically, all other things being equal, the rates of loan origination and denial should be about equal between Whites and African Americans since they each represent a similar percentage of the overall population. Similarly, the upper income group, as defined by HUD, represents 48.0 percent of the households in the MSA, and, again theoretically, should have loan originations and denials in proportion to its presence in the community.

The HMDA data indicate that there were 196 institutions with home or branch office in the Columbia MSA making loans for housing in 2009. Almost 400 other institutions were active in the MSA though they did not have an office in the area. These include the lending arms of brokerage houses and national mortgage companies.

HMDA data provide some insight into the lending patterns that exist in a community. However, HMDA data is only an indicator of potential problems; the data as provided cannot be used to conclude definite redlining or discrimination practices. HMDA data lack the detailed information on loan terms or specific reasons for denial to make conclusive statements.

Loan Activity **Introduction**

In 2009, the most recent year for which complete data is available, 38,644 loan applications were made in the Columbia, SC Metropolitan Statistical Area (MSA), resulting in 23,138 loan originations. The number of originations is 61.0 percent of the total applications for all four types of loans. Though home purchase loan applications totaled 11,484, the number of applications for refinancing was over twice that number. The number of refinancing loans originated is almost twice the number of home purchase loans – 8,114 home purchase versus 14,590 refinancing loans. This reflects the nature of the housing market at the time. Refinancing loans were popular in part as a means to

Draft 7-7-11

obtain funds (borrowing against the value of the property), but also because of a desire to obtain lower interest rates or different terms on an existing loan.

It should be noted that 73.6 percent of government-backed home purchase loan applications resulted in loans with a rejection rate of only 13.2 percent, demonstrating that lenders were willing to make loans for households that qualified for these loans. Conventional loans had a slightly lower acceptance rate and a slightly higher rate of denial, reflecting the perceived greater risk on the part of lenders. Home Improvement loans had the highest rate of denial.

The table below shows the total number of loans applied for, the numbers of loans originated, and the number denied, as well as the results of other actions

2009 RICHLAND COUNTY TOTAL LOAN DISPOSITIONS								
Type of Loan Disposition	HOME PURCHASE LOANS				REFINANCING		HOME IMPROVEMENT	
	FHA, FSA/RHS & VA		CONVENTIONAL		Number	% Of Total Applications	Number	% Of Total Applications
	Number	% Of Total Applications	Number	% Of Total Applications	Number	% Of Total Applications	Number	% Of Total Applications
Total Applications	6,300	100.0	5,184	100.0	26,028	100.0	1,132	100.0
Total Loans Originated	4,637	73.6	3,477	67.1	14,590	56.1	434	38.3
Approved, But Not Accepted	153	2.4	268	5.2	1,333	5.1	91	8.0
Applications Denied	831	13.2	841	16.2	5,713	21.9	461	40.7
Applications Withdrawn	479	7.6	438	8.4	3,485	13.4	123	10.9
File Closed for Incompleteness	200	3.2	160	3.1	907	3.5	23	2.0

Source: Federal Financial Institutions Examination Council (FFIEC) Home Mortgage Disclosure Act (HMDA), 2009 from Development Resources and research LLC; Analysis Ernest Swiger Consulting, Inc.

These figures are for the entire MSA, and show that the majority of home purchase loans were approved (73.6% and 67.1%), though over 16.0 percent of Conventional purchase loans were denied, and 13.2 percent of Government-backed loans were denied. Only 2.4 percent of Government-backed and 5.2 percent of loans were approved but not accepted. This indicates the potential buyer's failure to close on the chosen property (which could come from any number of reasons) or a reassessment of the purchase situation.

Draft 7-7-11

An important variable in dissecting lending outcomes is the percentage of withdrawn or loan applications closed for incompleteness. An understanding of the home buying and loan processes, income/equity requirements, and financial responsibility are important to a successful loan application and home purchase. Many households, particularly those entering the homeownership market the first time, lack financial knowledge to deal with the home buying process and may end up closing or withdrawing their application. A high rate of withdrawn or closed applications can be indicative of a lack of knowledge of the loan application and/or home buying process, or a lack of adequate assistance by the lender throughout the process. The lack of lender assistance may be discriminatory in motive or outcome. However, HMDA data are inadequate in proving motive.

Both types of home purchase loans have a similar rate of withdrawal. The rate of loan withdrawal for refinancing loans is the highest and may be the result of the complexity of the situation for individual owners. The rate for home improvements is over ten percent, and may also be a reflection of both the complexity of the situation and the limits of an individual household's need or desire for this type of loan, as well as increasingly stringent lending standards.

Loan Disposition by Race and Ethnicity

The tables below show the disposition of each type of loan by race, ethnicity, and minority status. The figures for Minority Status vary from the other figures because of inconsistencies in reporting. The overall denial rates shown above are reflected in these tables. There are wide variances among the eight categories of racial listings in particular, and the reader should view the percentages of denials carefully. In some instances, a high rate of denial or withdrawal of application is due to the rejection or withdrawal of many applications from a small pool. For example, there is a 100 percent denial rate for households comprised of two or more minority races among Conventional Loan Applicants. However, there were only two such households making application. Conversely, there were no loan denials among the four American Indian applicants for Government-backed loans.

Draft 7-7-11

That said, the loan denial rate among African Americans was higher than that of Whites among all four types of loans – three times higher for Conventional loans and twice as high for Refinancing Loans. However, the loan withdrawal rate was close between the two groups, except for Refinancing loans, where there is a five percentage point difference.

Latinos had a higher rate of loan denial among all four types of loans and the difference was very marked in the Government-backed loans in particular. For those loans, the denial rate for non-Hispanics was only 0.1 percent, but the Latino rate was over 100 times that rate. The difference in the Conventional loans was slightly less than nine percent.

The table below shows the data for Conventional Loans.

2009 COLUMBIA MSA CONVENTIONAL LOAN DISPOSITION BY RACE & ETHNICITY								
Race and Ethnicity	Applications Received	Loans Originated	Applications Approved But Not Accepted	Applications Denied	Loan Denial Rate %	Applications Withdrawn	Files Closed For Incompleteness	% Withdrawn or Closed Incomplete
RACE								
American Indian/Alaska Native	12	5	0	3	25.0	3	1	33.3
Asian	131	69	11	25	19.1	16	10	19.8
Black or African American	610	299	27	220	36.1	46	18	10.5
Native Hawaiian/Other Pacific Islander	10	5	0	4	40.0	1	0	10.0
White	3,523	2,503	182	452	12.8	284	102	11.0
2 or More Minority Races	2	0	0	2	100.0	0	0	0.0
Joint (White/Minority Race)	33	21	3	3	9.1	3	3	18.2
Race Not Available	863	575	45	132	15.3	85	26	12.9
TOTAL	5,184	3,477	268	841	16.2	438	160	11.5
ETHNICITY								
Hispanic or Latino	52	28	1	13	25.0	8	2	19.2
Not Hispanic or Latino	4,286	2,903	218	697	16.3	344	124	10.9
Joint (Hispanic or Latino/Not Hispanic or Latino)	29	21	4	1	3.4	3	0	10.3
Ethnicity Not Available	817	525	45	130	15.9	83	34	14.3
TOTAL	5,184	3,477	268	841	16.2	438	160	11.5
MINORITY STATUS								
White Non-Hispanic	3,410	2,440	173	431	12.6	271	95	10.7
Others, Including Hispanic	873	446	46	269	30.8	78	34	12.8
TOTAL	4,283	2,886	219	700	16.3	349	129	11.2

Source: Federal Financial Institutions Examination Council (FFIEC) Home Mortgage Disclosure Act (HMDA), 2009 from Development Resources and research LLC; Analysis Ernest Swiger Consulting, Inc.

Draft 7-7-11

As noted, the Government-backed loans had the highest rate of origination and the lowest rate of denial overall, as well as the lowest rate of withdrawal. The data for Government-backed loans is shown in the following table.

2009 COLUMBIA MSA GOVERNMENT-BACKED LOAN DISPOSITION BY RACE & ETHNICITY								
Race and Ethnicity	Applications Received	Loans Originated	Applications Approved But Not Accepted	Applications Denied	Loan Denial Rate %	Applications Withdrawn	Files Closed for Incompleteness	% Withdrawn or Closed Incomplete
RACE								
American Indian/Alaska Native	4	4	0	0	0.0	0	0	0.0
Asian	64	50	2	6	9.4	4	2	9.4
Black or African American	1671	1116	37	319	19.1	142	57	11.9
Native Hawaiian/Other Pacific Islander	17	13	0	1	5.9	2	1	17.6
White	3574	2730	86	389	10.9	250	119	10.3
2 or More Minority Races	5	5	0	0	0.0	0	0	0.0
Joint (White/Minority Race)	39	31	1	3	7.7	3	1	10.3
Race Not Available	926	688	27	113	12.2	78	20	10.6
TOTAL	6,300	4,637	153	831	13.2	479	200	10.8
ETHNICITY								
Hispanic or Latino	134	102	4	14	10.4	9	5	10.4
Not Hispanic or Latino	5272	3874	125	706	13.4	393	174	10.8
Joint (Hispanic or Latino/Not Hispanic or Latino)	55	44	0	6	10.9	4	1	9.1
Ethnicity Not Available	839	617	24	105	12.5	73	20	11.1
TOTAL	6,300	4,637	153	831	13.2	479	200	10.8
MINORITY STATUS								
Others, Including Hispanic	1955	1337	44	347	17.7	162	65	11.6
White Non-Hispanic	3410	2605	83	372	10.9	235	115	10.3
TOTAL	5,365	3,942	127	719	13.4	397	180	10.8

Source: Federal Financial Institutions Examination Council (FFIEC) Home Mortgage Disclosure Act (HMDA), 2009 from Development Resources and research LLC; Analysis Ernest Swiger Consulting, Inc.

Refinancing loans, shown in the table below, had a significant percentage of loan denials, averaging over a twenty percent denial rate across all racial groups. Though the rejection rate for African Americans was twice that of the rate for Whites, other groups did not fare well overall. Similarly, the percentage of applications withdrawn or closed for incompleteness was high with one-third of Native American applications withdrawn or closed. Hispanics had the highest percentage of applications denied and withdrawn. This is a significant figure when considering that Latino applications constituted only 1.3 percent of total applications for refinance loans

Draft 7-7-11

2009 COLUMBIA MSA REFINANCE LOAN DISPOSITION BY RACE & ETHNICITY								
Race and Ethnicity	Applications Received	Loans Originated	Applications Approved But Not Accepted	Applications Denied	Loan Denial Rate %	Applications Withdrawn	Files Closed For Incompleteness	% Withdrawn or Closed Incomplete
RACE								
American Indian/Alaska Native	71	24	7	16	22.5	19	5	33.8
Asian	334	163	23	80	24.0	51	17	20.4
Black or African American	4,334	1,723	295	1,482	34.2	675	159	19.2
Native Hawaiian/Other Pacific Islander	45	22	1	12	26.7	8	2	22.2
White	16,860	10,544	813	2,977	17.7	1,933	533	14.6
2 or More Minority Races	33	20	0	7	21.2	4	2	18.2
Joint (White/Minority Race)	160	93	4	34	21.3	24	5	18.1
Race Not Available	4,191	2,001	190	1,105	26.4	711	184	21.4
TOTAL	26,028	14,590	1,333	5,713	21.9	3,425	907	16.6
ETHNICITY								
Hispanic or Latino	353	159	19	97	27.5	59	19	22.1
Not Hispanic or Latino	21,549	12,474	1,135	4,522	21.0	2,722	696	15.9
Joint (Hispanic or Latino/Not Hispanic or Latino)	180	101	6	37	20.6	26	10	20.0
Ethnicity Not Available	3,946	1,856	173	1,057	26.8	678	182	21.8
TOTAL	26,028	14,590	1,333	5,713	21.9	3,485	907	16.9
MINORITY STATUS								
White Non-Hispanic	16,275	10,263	792	2,820	17.3	1,898	502	14.7
Others, Including Hispanic	5,416	2,251	349	1,751	32.3	850	215	19.7
TOTAL	21,691	12,514	1,141	4,571	21.1	2,748	717	16.0

*Source: Federal Financial Institutions Examination Council (FFIEC)
Home Mortgage Disclosure Act (HMDA), 2009 from
Development Resources and research LLC; Analysis Ernest Swiger Consulting, Inc.*

Home Improvement loans, shown below, were the most difficult to obtain in 2009, as shown in the table below. The denial rate was 33.7 percent for Whites, 54.4 percent for African Americans, and 83.3 percent for Asians. However, Whites had a higher rate and significantly more applications withdrawn than African Americans. Latinos had loans denied at a rate almost fifty percent greater than the rate of non-Hispanics.

Draft 7-7-11

2009 COLUMBIA MSA HOME IMPROVEMENT LOAN DISPOSITION BY RACE & ETHNICITY								
Race and Ethnicity	Applications Received	Loans Originated	Applications Approved But Not Accepted	Applications Denied	Loan Denial Rate %	Applications Withdrawn	Files Closed For Incompleteness	% Withdrawn or Closed Incomplete
RACE								
American Indian/Alaska Native	1	0	0	1	100.0	0	0	0.0
Asian	6	0	1	5	83.3	0	0	0.0
Black or African American	287	63	32	156	54.4	30	6	12.5
Native Hawaiian/Other Pacific Islander	3	0	0	3	100.0	0	0	0.0
White	670	306	45	226	33.7	78	15	13.9
2 or More Minority Races	5	0	0	4	80.0	1	0	20.0
Joint (White/Minority Race)	14	5	1	5	35.7	3	0	21.4
Race Not Available	146	60	12	61	41.8	11	2	8.9
TOTAL	1,132	434	91	461	40.7	123	23	12.9
ETHNICITY								
Hispanic or Latino	17	5	1	10	58.8	1	0	5.9
Not Hispanic or Latino	964	367	76	391	40.6	109	21	13.5
Joint (Hispanic or Latino/Not Hispanic or Latino)	4	1	0	2	50.0	1	0	25.0
Ethnicity Not Available	147	61	14	58	39.5	12	2	9.5
TOTAL	1,132	434	91	461	40.7	123	23	12.9
MINORITY STATUS								
White Non-Hispanic	648	296	43	219	33.8	75	15	13.9
Others, Including Hispanic	330	73	35	180	54.5	36	6	12.7
TOTAL	978	369	78	399	40.8	111	21	13.5

Source: Federal Financial Institutions Examination Council (FFIEC) Home Mortgage Disclosure Act (HMDA), 2009 from Development Resources and research LLC; Analysis Ernest Swiger Consulting, Inc.

Loan Disposition by Income

The HMDA data permits an analysis of loan disposition by income level. The tables below show this disposition for each of the four types of loan by five levels of income and one category of “Income Not Available.”

For Conventional loans it is interesting to note that the lowest percentage of denials was in the lowest income level and the highest rate of denial (outside of “Income Not Available”) was in the second lowest income level. Those households in the 120 percent or more of MSA Median Income had the second lowest percentage of loan denials. Interestingly, the percentage of loan withdrawal and closure for incompleteness rose as the income level increased, belying the theory that less financially sophisticated persons are more likely to withdraw their applications. The table appears below.

Draft 7-7-11

2009 COLUMBIA MSA CONVENTIONAL LOAN DISPOSITION BY INCOME								
INCOME OF APPLICANTS	Applications Received	Loans Originated	Applications Approved But Not Accepted	Applications Denied	Loan Denial Rate %	Applications Withdrawn	Files Closed For Incompleteness	% Withdrawn or Closed Incomplete
Less than 50% of MSA/MD Median	724	356	54	42	5.8	47	25	9.9
50-79% of MSA/MD Median	1027	696	44	186	18.1	72	29	9.8
80-99% of MSA/MD Median	613	437	30	80	13.1	50	16	10.8
100-119% of MSA/MD Median	455	317	18	67	14.7	44	9	11.6
120% or More of MSA/MD Median	2119	1538	118	197	9.3	210	56	12.6
Income Not Available	246	133	4	69	28.0	15	25	16.3
TOTAL	5,184	3,477	268	641	12.4	438	160	11.5

Source: Federal Financial Institutions Examination Council (FFIEC) Home Mortgage Disclosure Act (HMDA), 2009 from Development Resources and research LLC; Analysis Ernest Swiger Consulting, Inc.

Government-backed loans followed a more expected pattern in terms of loan denials - lower income households experienced higher rates of denial and higher income households had a lower percentage of denials. There was no clear pattern among the income levels with respect to withdrawal or closure for incompleteness.

2009 COLUMBIA MSA GOVERNMENT-BACKED LOAN DISPOSITION BY INCOME								
INCOME OF APPLICANTS	Applications Received	Loans Originated	Applications Approved But Not Accepted	Applications Denied	Loan Denial Rate %	Applications Withdrawn	Files Closed For Incompleteness	% Withdrawn or Closed Incomplete
Less than 50% of MSA/MD Median	1189	772	27	238	20.0	88	64	12.8
50-79% of MS/MD Median	2101	1590	43	264	12.6	149	55	9.7
80-99% of MSA/MD Median	1061	794	34	120	11.3	89	24	10.7
100-119% of MSA/MD Median	659	522	15	64	9.7	39	19	8.8
120 or More of MSA/MD Median	1225	945	33	121	9.9	100	26	10.3
Income Not Available	65	14	1	24	36.9	14	12	40.0
TOTAL	6,300	4,637	153	831	13.2	479	200	10.8

Source: Federal Financial Institutions Examination Council (FFIEC) Home Mortgage Disclosure Act (HMDA), 2009 from Development Resources and research LLC; Analysis Ernest Swiger Consulting, Inc.

Refinance loans, which had a high percentage of denials and withdrawals overall, followed the predicted pattern for loan denials. That is, the lower income levels had very high percentages of denials (over 25 percent) while middle and upper income households, and even those “Income Not Available” applicants were denied less than 25 percent of the time. Loan withdrawals were consistent across all income levels

2009 COLUMBIA MSA REFINANCE LOAN DISPOSITION BY INCOME								
INCOME OF APPLICANTS	Applications Received	Loans Originated	Applications Approved But Not Accepted	Applications Denied	Loan Denial Rate %	Applications Withdrawn	Files Closed For Incompleteness	% Withdrawn or Closed Incomplete
Less than 50% of MSA/MD Median	2258	859	111	902	39.9	316	70	17.1
50-79% of MSA/MD Median	4326	2130	240	1204	27.8	594	158	17.4
80-99% of MSA/MD Median	3226	1706	175	802	24.9	439	104	16.8
100-119% of MSA/MD Median	2340	1293	117	538	23.0	304	88	16.8
120% or More of MSA/MD Median	10521	6642	511	1724	16.4	1335	309	15.6
Income Not Available	3357	1960	179	543	16.2	497	178	20.1
TOTAL	26,028	14,590	1,333	5,713	21.9	3,485	907	16.9

Source: Federal Financial Institutions Examination Council (FFIEC) Home Mortgage Disclosure Act (HMDA), 2009 from Development Resources and research LLC; Analysis Ernest Swiger Consulting, Inc.

Draft 7-7-11

Home Improvement loans had the highest percentage of loan denial and this is reflected in the table below. Slightly over 60 percent of loans were denied in the lowest income level, but 28.1 percent were denied even in the highest income category. There was no pattern among the income levels with respect to loan withdrawal or closure for incompleteness.

2009 COLUMBIA MSA HOME IMPROVEMENT LOAN DISPOSITION BY INCOME								
INCOME OF APPLICANTS	Applications Received	Loans Originated	Applications Approved But Not Accepted	Applications Denied	Loan Denial Rate %	Applications Withdrawn	Files Closed For Incompleteness	% Withdrawn or Closed Incomplete
Less than 50% of MSA/MD Median	193	42	15	116	60.1	18	2	10.4
50-79% of MSA/MD Median	254	72	27	113	44.5	32	10	16.5
80-99% of MSA/MD Median	140	52	12	62	44.3	10	4	10.0
100-119% of MSA/MD Median	126	52	5	47	37.3	21	1	17.5
120% or More of MSA/MD Median	377	191	32	106	28.1	42	6	12.7
Income Not Available	42	25	0	17	40.5	0	0	0.0
TOTAL	1,132	434	91	461	40.7	123	23	12.9

Source: Federal Financial Institutions Examination Council (FFIEC) Home Mortgage Disclosure Act (HMDA), 2009 from Development Resources and research LLC; Analysis Ernest Swiger Consulting, Inc.

Reasons for Denial by Race and Ethnicity

The HMDA data permits an analysis of the reasons for denial for each of the four loan types by race, ethnicity, minority status, gender, and income. The total number of denied loans is higher in these tables because there may be multiple reasons for denying a specific loan. The tables for the four types of loans are found in Appendix F because they are too large to fit these text pages.

Of the 912 loan denials for Conventional loans, 499 (55%) were to White Applicants, while 240 (26%) were to African American applicants. Race Not Available accounted for 131 (14%) of denied loans. The other racial groups thus made up only five percent of the loans denied. As one would suspect, Non-Hispanics, who constituted the majority of loan applicants, were denied loans in the greatest percentage – 85% of the 912 denials. Though the lowest income range had the greatest number of denials (284 for 31% of denials), it is worth noting that the 120 percent or more of median income group had the second highest percentage of denials – 213 or 23 percent.

Draft 7-7-11

Conventional Loans

The most common reason for the denial of Conventional loans was Credit History (402 of 912 denials), followed by Debt-to-income Ratio (204). Lack of collateral ranked third and was the reason for 107 denials.

Under denial for Credit History, forty-six percent of denials were to Whites and 35 percent were to African Americans. No other race had a significant percentage. Over one-third of denials for Credit History were to the lowest income group, though the lowest percentage of denials was to the 100-119% of Median Income group.

The number of denials because of Debt-to-Income ratio for Whites was almost three times the number of denials for African Americans – 125 compared to 46. Though the lowest income category had the highest percentage of loan denials for this reason, the second highest percentage was the 120 percent or more group.

The highest income group had the greatest percentage of denials (43%) for lack of Collateral, and had more than three times the number of denials than the other income groups. Whites had two-thirds of the denials for lack of collateral while African Americans were a distant second with only 11 percent of denials for this reason.

Government-backed Loans

Of the 834 loan denials for Government-backed loans, 360 (43%) were to White Applicants, while 348 (42%) were to African American applicants. Race Not Available accounted for 115 (14%) of denied loans. The other racial groups thus made up only one percent of the loans denied. As one would suspect, Non-Hispanics, who constituted the majority of loan applicants, were denied loans in the greatest percentage – 85% of the 834 denials. The lowest income range had the second greatest number of denials (253 for 30% of denials), while the 50-79% of Median Income group had 268 denials (32%). It is worth noting that the 120 percent or more of median income group had 104 denials or 12 percent of denials.

Draft 7-7-11

The most common reason for the denial of Government-backed loans was Credit History (295 of 834 denials), followed by Debt-to-income Ratio (186). “Other Reasons” ranked third and was the reason for 101 denials.

Under denial for Credit History, thirty-seven percent of denials were to Whites and forty-eight percent were to African Americans. No other race had a significant percentage. Fifty-nine of denials for Credit History were to the two lowest income groups.

The number of denials because of Debt-to-Income ratio for Whites was almost the same for denials for African Americans – 82 compared to 79, and these two races had 86 percent of the loan denials. The lowest income category had the highest percentage of loan denials for this reason.

The two income groups had the greatest percentage of denials (55%) for Other Reasons, and had twice the number of denials than the other income groups combined. Whites, Asians and African Americans had almost identical numbers of the denials for Other Reasons.

Refinance Loans

Of the 4,628 loan denials for Refinance loans, 2,494 (54%) were to White applicants, while 348 (25%) were to African American applicants. Race Not Available accounted for 804 (17%) of denied loans. The other racial groups thus made up only four percent of the loans denied. As one would suspect, Non-Hispanics, who constituted the majority of loan applicants, were denied loans in the greatest percentage – 80% of the 4,628 denials. The two lowest income ranges had the greatest number of denials (1,691 for 37% of denials), while the 120% or More of Median Income group had 1,513 denials (33%). This number is twice that of the lowest income range and indicates that this group was facing difficulty in obtaining a loan in light of stricter lending standards.

Draft 7-7-11

The most common reason for the denial of Refinance loans was Collateral (1,353 of 4,628 denials), followed by Credit History (1,155). Debt-to-income Ratio ranked third and was the reason for 974 denials.

Under denial for Credit History, Whites and African Americans together had 80 percent of denials, with the number of denials to Whites leading denials to African Americans 502 to 418. No other race had a significant percentage. It was a sign of the times that 264 (23%) of the 120% or More of Median Income group were denied for Credit History.

It is also a sign of the times that this same 120% or More group had 597 of the 1,353 loan denials for Collateral. This represents 44 percent of denials for this reason, and is twice the number and percentage of the next highest group. Also, Whites had 59 percent of the loan denials for Collateral, well above the 21 percent for African Americans.

The number of denials because of Debt-to-Income ratio for Whites was twice the number of denials for African Americans – 553 compared to 225, and these two races had 80 percent of the loan denials. The lowest income category had the highest percentage of loan denials for this reason, though the 120% and More group had 20 percent of loan denials.

Home Improvement Loans

Of the 453 loan denials for Home Improvement loans, 219 (48%) were to White applicants, while 141 (31%) were to African American applicants. Race Not Available accounted for 75 (17%) of denied loans. The other racial groups thus made up only four percent of the loans denied. Non-Hispanics, who constituted the majority of loan applicants, were denied loans in the greatest percentage – 81% of the 453 denials. The two lowest income ranges had the greatest number of denials (258 for 57% of denials), while the 120% or More of Median Income group had 93 denials (21%).

Draft 7-7-11

The most common reason for the denial of Refinance loans was Credit History (212 of 453 denials), followed by Debt-to-income Ratio (85). Collateral ranked third and was the reason for 78 denials.

Under denial for Credit History, Whites had 100 denials (47%) and African Americans had 34 percent of denials (73). No other race had a significant percentage. The lowest income group had the highest percentage of denials and the number and percentage of denials decreased as income levels increased.

The number of denials because of Debt-to-Income ratio for Whites was almost twice the number of denials for African Americans – 41 compared to 22, and these two races had 74 percent of the loan denials. The lowest income category had the highest percentage of loan denials for this reason, and the trend was the same as that found above – the number and percentage of denials decreased as income levels increased.

It is interesting to note that 120% or More group had 29 of the 78 loan denials for Collateral. This represents 37 percent of denials for this reason. As with denial for Debt-to-Income ratio, Whites had 54 percent of the loan denials for Collateral, well above the 28 percent for African Americans.

Loan Disposition by Census Tract

The HMDA loan disposition data is also presented by Census Tract. The detailed tables for the analysis of each of the four types of loans are too large to appear in this narrative, but may be found in Appendix G. The summary tables below show the number of Census Tracts for which the percentage of loan denials or loan withdrawals was ten percent greater than the average for that type of loan. In addition, the number of denials is shown by income level (low, moderate, middle, upper). There are nine low-income tracts, 19 upper-income tracts, 23 middle-income tracts, 28 moderate-income tracts and two unknown tracts in the subject area.

Draft 7-7-11

Conventional Loan Denials and Withdrawals by Census Tract and Income Level

Income Level	Number of Loans Denied	Number of Loans Withdrawn
Upper (9 tracts)	1	1
Middle (23 tracts)	8	3
Moderate (28 tracts)	13	3
Low 9 (tracts)	6	3
Unknown (2 tracts)	-	-
Total (81 tracts)	28	10

Source: Federal Financial Institutions Examination Council (FFIEC)
Home Mortgage Disclosure Act (HMDA), 2009 from
Development Resources and research LLC; Analysis Ernest Swiger Consulting, Inc.

The Moderate Income Census tracts have the highest number of loan denials, though the 28 Moderate Income Tracts constitute one-third of the Tracts but have almost one half of the denials. Withdrawals are fairly spread evenly across the board.

Government-backed Loan Denials and Withdrawals by Census Tract and Income Level

Income Level	Number of Loans Denied	Number of Loans Withdrawn
Upper (9 tracts)	2	2
Middle (23 tracts)	3	4
Moderate (28 tracts)	7	5
Low 9 (tracts)	2	3
Unknown (2 tracts)	-	1
Total (81 tracts)	14	15

Source: Federal Financial Institutions Examination Council (FFIEC)
Home Mortgage Disclosure Act (HMDA), 2009 from
Development Resources and research LLC; Analysis Ernest Swiger Consulting, Inc.

Again, Moderate Income Census Tracts have a disproportionate number of loan denials.

Draft 7-7-11

Refinance Loan Denials and Withdrawals by Census Tract and Income Level

Income Level	Number of Loans Denied	Number of Loans Withdrawn
Upper (9 tracts)	0	0
Middle (23 tracts)	10	2
Moderate (28 tracts)	10	1
Low 9 (tracts)	5	2
Unknown (2 tracts)	1	1
Total (81 tracts)	26	6

*Source: Federal Financial Institutions Examination Council (FFIEC)
Home Mortgage Disclosure Act (HMDA), 2009 from
Development Resources and research LLC; Analysis Ernest Swiger Consulting, Inc.*

This table reflects the high number of refinance loan applications (and denials). The number and percentage of denials in the Middle- and Moderate-income tracts is above their representation in the subject area.

Home Improvement Loan Denials and Withdrawals by Census Tract and Income Level

Income Level	Number of Loans Denied	Number of Loans Withdrawn
Upper (9 tracts)	2	1
Middle (23 tracts)	9	4
Moderate (28 tracts)	11	4
Low 9 (tracts)	3	2
Unknown (2 tracts)	-	-
Total (81 tracts)	25	11

*Source: Federal Financial Institutions Examination Council (FFIEC)
Home Mortgage Disclosure Act (HMDA), 2009 from
Development Resources and research LLC; Analysis Ernest Swiger Consulting, Inc.*

This table reflects the high number of home improvement loan applications. The number and percentage of denials in the Middle- and Moderate-income tracts is slightly above their representation in the subject area.

Draft 7-7-11

CRA Rating

The Community Reinvestment Act (CRA) is intended to encourage regulated financial institutions to help meet the credit needs of entire communities, including low and moderate-income neighborhoods. CRA ratings are provided for the main or regional headquarters of the financial institution. Depending on the type of institution and total assets, a lender may be examined by different agencies for its CRA performance. Databases maintained by the Federal Reserve Board (FRB), Federal Financial Institutions Examination Council (FFIEC), Federal Deposit Insurance Corporation (FDIC), and Office of the Comptroller of the Currency (OCC) were researched for the performance of the top financial institutions issuing home loans. Though not an indicator of discrimination or possible impediments, these ratings do reflect the ability of institutions to address the needs of low- and moderate-income residents.

Among the lenders active in the County, twelve received ratings from the FFIEC. The table below shows the rating received by these financial institutions. Four lending institutions examined received Outstanding ratings and eight received a Satisfactory rating.

FFIEC Interagency Community Reinvestment Act (CRA) Ratings

Bank Name	City	State	CRA Rating
FIRST CITIZENS BANK AND TRUST COMPANY, INC.	COLUMBIA	SC	Outstanding
NATIONSBANK OF SOUTH CAROLINA, N.A.	COLUMBIA	SC	Outstanding
SOUTH CAROLINA COMMUNITY BANK	COLUMBIA	SC	Outstanding
WACHOVIA BANK OF SOUTH CAROLINA, N.A.	COLUMBIA	SC	Outstanding
CONGAREE STATE BANK	WEST COLUMBIA	SC	Satisfactory
FIRST-CITIZENS BANK AND TRUST COMPANY OF SOUTH CAROLINA	COLUMBIA	SC	Satisfactory
CAROLINA NATIONAL BANK AND TRUST COMPANY	COLUMBIA	SC	Satisfactory
BANKMERIDAN, N. A.	COLUMBIA	SC	Satisfactory
SOUTH CAROLINA COMMUNITY BANK	COLUMBIA	SC	Satisfactory
THE NATIONAL BANK OF SOUTH CAROLINA	COLUMBIA	SC	Satisfactory
OMNI SAVINGS BANK, FSB	COLUMBIA	SC	Satisfactory
SOUTH CAROLINA FEDERAL SAVINGS BANK	COLUMBIA	SC	Satisfactory

*Source: Federal Financial Institutions Examination Council (FFIEC)
Home Mortgage Disclosure Act (HMDA), 2009 from
Development Resources and research LLC; Analysis Ernest Swiger Consulting, Inc*

Draft 7-7-11

SUMMARY OF KEY POINTS

- 1) The number of complaints filed with the Human Affairs Commission has declined since 2008. Race is the basis for the greatest number of complaints, followed by Disability.
- 2) Government-backed loans had the highest rate of origination because of their guarantees. The high percentage of loan denials among refinance and home improvement loans reflects increasingly stringent loan standards and the difficult financial circumstances of many loan applicants.
- 3) African American, Hispanic, and Asian loan applicants had higher rates of loan denial than White applicants overall.
- 4) In general, White loan applicants had the same percentage of loan withdrawals as African Americans, but Hispanics and Asians had higher percentages. This may indicate unfamiliarity with the loan application and approval process.
- 5) Poor Credit History, Lack of Collateral and Poor Debt-to-Income Ratio were the leading reasons for loan denial. The percentage of African American loan denials generally was larger than that of White applicants for each of the four types of loans.
- 6) The higher percentages of loan denials among Hispanics, Asians, and other groups must be viewed in terms of the small pool of applicants in the MSA.
- 7) The HMDA data are inconclusive in identifying or defining any specific impediments to fair housing, and more detailed research in the HMDA data is needed to identify possible trends or patterns of discrimination.

6) PUBLIC POLICIES

A wide range of government policies affects affordable housing and fair housing choice. The most important impediment revolves around the lack of Federal and State resources for affordable housing initiatives. The lack of programs and resources to reduce excessive rent or mortgage burdens to qualified persons is a key factor in limiting housing choice.

Richland County does not put any limitations on growth. Through vehicles such as zoning ordinances, subdivision controls, permit systems, housing codes and standards new construction restrictions and rent control, the County attempted to ensure the health, safety, and quality of life of its residents while minimizing the barriers that may impede the development of affordable housing.

The following are public policy, zoning, and land issues that create impediments to fair housing choice. These were identified in discussions with the municipalities, developers, and other agencies and organizations.

1. Market Conditions and Lending Standards

A major barrier to affordable housing in the Richland County is the high cost of housing created by a demand for housing, both existing and new, which exceeds the current supply. Richland County is perceived as a desirable place to live, and has experienced growth in terms of both businesses that wish to operate there and people who wish to reside in the county.

In addition, the cost of site acquisition is high, as are construction costs. These factors make Richland County housing expensive, and make affordable housing out of reach for low-income households.

At the same time, increasingly strict lending standards and changes in the lending process have made obtaining a home loan a more difficult and complicated process, precluding some who might have otherwise earlier qualified for a loan.

Draft 7-7-11

2. Lack of A Fair Housing Policy

Though the County has repeatedly affirmed its commitment to fair housing “as one of the nation’s most cherished and fundamental values,” the County lacks a complete and published Fair Housing Policy. Such a document would make the County’s commitment to fair housing clear and unmistakable. County staff from the Legal, Planning and Development and Community Development have collaborated in preparing a draft document. However, it has not reached a form for submission to the County Council for review and approval.

3. Need for Housing Accessible to Disabled Persons

As noted in the description of the County, the numbers of disabled persons is significant and growing, and, despite much recent construction, many housing units are not accessible to these persons. The County should continue its work in providing financial assistance and providing other incentives to developers in the creation or adaptation of units for the disabled. At the same time, professional organizations have developed universal design standards and “visitability” standards that could be applied to the County’s planning and building regulations. These measures would ensure the construction of accessible units.

4. Need for More Extensive Outreach and Education on Fair Housing Rights and Policies

The need for education and outreach was a common theme among focus group participants and survey respondents. The need for education about home buying and homeownership is the issue of primary concern, and the means to attract more participants to the existing training classes was noted by both the lender and the housing and community service groups. The need for additional training for property owners and real estate professionals as well emerged from the surveys.

It should also be noted that many focus group participants felt that more emphasis should be given to life skills and financial literacy efforts in addition to home buying.

5. Need for Better Public Transportation

The County has recognized for some years that easy access to housing can facilitate the de-concentration of poverty and increase housing choice, especially for low- and moderate-income households. The topic emerged in each of the focus group meetings and was the subject of a teleconference call to assess progress in dealing with this topic.

6. Need for Better Land Use Planning

This impediment is closely related to the preceding item. Better land use planning will enable the development of communities that are closer to employment centers, closer to services and shopping, and provide a wider range of housing in terms of both types of housing and cost of housing. This issue also involves the creation of incentives for developers to create a range of housing choices at a range of price points.

7. Monitoring of Lending Practices

This issue did not emerge from the focus groups or the surveys per se, nor does the HMDA data suggest any patterns of discrimination. However, the issue is one that requires on-going monitoring. The public should also be made aware of the issue as a part of outreach and education efforts, so that persons who suspect such discrimination can report it.

8. Low Income Levels

Though not a direct impediment to fair housing choice, low income levels do limit the options that households have in making housing choices. Efforts to create new jobs with family-sustaining wages and programs to train people for better paying jobs should be continued and expanded, as they will result in higher incomes and better opportunities for housing and quality of life for County residents.

9. Property Tax Policy

Focus group discussions, described below, indicate that higher property taxes on rental properties were creating difficulties in obtaining decent, accessible housing for some.

Draft 7-7-11

Low property taxes upon houses versus higher taxes on rental units often led to the rental units suffering from deferred maintenance, leading to an increased need for code enforcement.

SURVEY AND FOCUS GROUP INPUT

Surveys

As described in the Community Participation section above, the Community Development Department provided two surveys to obtain input from residents, government officials, and housing practitioners. These surveys are not scientific or comprehensive, but they do provide some insight into the extent to which people across the County are aware of or knowledgeable about fair housing issues. Copies of these surveys, the survey results, and a synopsis of the findings may be found in Appendix C. The key points highlighted by the surveys are noted here.

While fifteen persons responding to the government officials and housing practitioners' survey believed that housing discrimination occurred only sometimes, and five more thought it occurred only rarely, another fifteen responded "Don't Know." The majority of respondents felt that discrimination was becoming less of a concern or was not a concern. While over half of the respondents felt that residents would report housing discrimination, over two-thirds of respondents felt that the residents would not know where or how to report it.

Over three-quarters of these respondents did not know of a person who had experienced housing discrimination. Among those who knew someone who had experienced discrimination, three indicated the basis was Race, and others cited one case each based on National Origin, Disability, and Gender. Two noted that they did not know the basis for the discrimination.

The most evident point is that even among persons involved to some extent with housing issues there is a significant need for outreach and education. The number of "Don't

Draft 7-7-11

Know” answers was high for many questions about policies and regulations, but also was high with respect to knowledge or awareness of housing discrimination. There is also a need for more training on fair housing topics.

Among those responding to the resident survey, 25.9 percent felt that housing discrimination occurred often, 46.3 percent felt that it was rarely or only sometimes encountered. Slightly over one-half felt that housing discrimination was not a concern, and 28.3 percent felt that it has become less of a concern. Despite this positive attitude, over one-third of respondents felt that there are areas in which housing discrimination is encountered.

Asked how well several types of persons involved in real estate transactions understood fair housing rights, it is interesting to note that only slightly over one-half of lenders were deemed to know this well, and slightly under one-half were thought to understand the matter well.

Asked if the respondents themselves felt well informed about fair housing, 57.1 percent said “No.” Over one-third of respondents felt there was not enough outreach and education on fair housing issues, and 31.3 percent replied that they “Don’t Know.” Those who felt that more outreach is necessary strongly favored media attention (85.0%), public service announcements (85.0%), and brochures (80.0%) as the means to reach people.

While the responses indicate that housing discrimination is not perceived as a significant problem, it is manifest in the County, and apparently in some specific areas. While apparently not a major concern, the respondents still expressed a significant degree of lack of knowledge themselves and felt that more outreach and education were necessary.

Focus Group Discussions

The following are brief descriptions of the three focus group sessions and the teleconference call arranged by the Community Development staff. The consultant

Draft 7-7-11

provided a brief introduction to the issue of fair housing and explained the purpose and content of an Analysis of Impediments before facilitating the discussion. A consultant staff member took notes on each discussion.

A summary of the discussions of each group, as well as sign-in sheets for each are found in Appendix D.

Separate groups noted the impact of low property taxes upon houses versus higher taxes on rental units so that rental units often suffer from deferred maintenance, leading to an increased need for code enforcement. Tighter lending criteria, while not an impediment in and of itself, was limiting the ability of some to obtain housing. The need for more housing accessible to disabled persons was raised in two groups, while NIMBYism was discussed in another.

Several points were brought up in each of the sessions. These include the need for more extensive consumer education, and, indeed, life skills education for potential homebuyers. Also, the groups felt that transportation is becoming an increasingly important aspect of housing affordability and planning. Better planning can provide a wider range of housing choice (both in terms of types and costs) in higher density communities that will combine jobs, housing and shopping.

GENERAL MARKET FACTORS AND AFFORDABILITY

A number of general factors market factors can influence fair housing choice. Some of these have been mentioned earlier, but are summarized here.

Although low-income persons are not a protected class under the Fair Housing Act, as noted earlier, housing costs can serve to restrict fair housing choice. To combat this situation, it is important that both the public and private sector strive to build more affordable housing.

Draft 7-7-11

Regulations concerning environmental and labor requirements in housing construction are sometimes a deterrent to affordable housing by increasing housing costs.

Prospective renters encounter unwillingness, on the part of agents and landlords, to rent to: families of color, families with children, persons with housing subsidies, female heads of households, or people who cannot satisfy the demand for two or three months rent before occupancy.

Neighborhood resistance continues to frustrate efforts to expand housing opportunities. Property owners and residents often emotionally resist the establishments of alternative living sites such as group homes, as well as affordable housing in general.

Finally, affordable housing programs exclude many middle class families due to the allowable income guidelines. Whenever possible, the County should lobby the Federal government to increase these numbers thus increasing the potential opportunities for the middle class.

SUMMARY OF KEY POINTS

The key points that emerge from the preceding discussion are:

1. The discussion of public policy issues needs to be explored in detail, especially through the use of panels or focus groups to determine more specifically what types of zoning and land use decisions have the greatest impact upon fair housing.
2. The need for education and outreach on fair housing issues needs to continue.
3. The education and outreach programs should be expanded to include financial literacy and life skills in addition to home purchase education and credit improvement.
4. The County should adopt a formal Fair Housing Policy.
5. Building codes and requirements should be strengthened to include visitability and universal design standards to create more accessible housing for the disabled.

Draft 7-7-11

7) FAIR HOUSING ACTIONS

Richland County is committed to affirmatively furthering fair housing. As noted, the County identified twelve impediments to fair housing in its 2004 Analysis of Impediments to Fair housing Choice, and has consistently addressed these impediments through a range of activities, programs, and policies. These actions have been reported each year in the Consolidated Annual Performance and Evaluation Report (CAPER) and range from specific community outreach and publicity events to support for ordinances and regulations to further fair housing. The following synopsis of actions is from the 2010 CAPER:

- ✓ Partnered with lenders and bankers to host five workshops on predatory lending, fair housing, and foreclosure prevention
- ✓ Recognized Fair Housing Month with a County Council resolution, a Fair Housing Art Exhibit at the County Administration Building, two workshops in targeted neighborhoods, and two CHDO workshops highlighting fair housing
- ✓ Emphasized fair housing during the Ridgewood Alive program during CD Week
- ✓ Participated in the Greater Columbia Community Relations Council Poster Context Program
- ✓ CD staff served on housing related committees of organizations such as the Community Relations Council, the Midlands Homeless Consortium, and the Affordable Housing Task Force
- ✓ Contracted with Clear Channel Radio to run housing anti-discrimination public service announcements
- ✓ Distributed fair housing literature year-round at public events and included Homeownership packets to attendees at the Richland County Homeownership Assist Program orientation and Post Homeownership Workshop
- ✓ Partnered with CHDO and sub-recipients to leverage funding for in-fill housing development and rehabilitation projects to provide housing for the underserved
- ✓ Provided funding to support the Ridgewood Summer Beautification Program
- ✓ Updated the Fair Housing information on the County Website
- ✓ Supported the Penny Sales Tax to provide funding for public transportation.

Many of these outreach programs and efforts in particular have been conducted on a yearly basis, and are an integral part of Community Development and County activities.

8) IDENTIFIED IMPEDIMENTS AND RECOMMENDATIONS

Background

This section summarizes the key findings of the previous AI document, makes recommendations about actions to eliminate impediments to fair housing choice in Richland County. This information is by no means comprehensive, and there undoubtedly remain a number of additional remedies to these and other problems faced by home seekers.

Housing discrimination continues to occur, and manifests itself in different ways among different segments of the population. Since it continues to be the goal of the County to eliminate any existing discrimination and prevent future housing discrimination and other impediments to equal housing opportunity, the recommendations provided below provide a guide to ensure fair access to housing for all County residents.

This 2011 AI builds upon the previous AI, analyzing data and identifying the private and public sector conditions that foster housing discrimination, and providing recommendations for dealing with the fair housing issues identified. Based upon research in statistical materials, a review of HMDA and complaint data, interviews and focus group discussion, as well as surveys, the following is a list of key potential impediments identified in Richland County. Each impediment below is followed by recommendations to address and eliminate that impediment.

Several of these topics are closely related and linkages among them are noted.

It should be noted that in some instances, it is necessary to strike a balance among issues. Land use policies and requirements and development standards, although sometimes adding costs to construction or rehabilitation, are necessary for the safety and health of residents and are in place in most of the participating jurisdictions.

Draft 7-7-11

Key Points

The earlier sections of this analysis noted the following key points. The Community Profile observed that:

- 1) The County has a high percentage of non-family households, as well as small households (persons living alone).
- 2) The percentage of female head households with children is above the national average.
- 3) The number of persons with disabilities is significant and increasing.
- 4) The County has a significant number of African Americans, though there are relatively few persons in other ethnic or racial groups.
- 5) The County's Median Household Income is below the national figure, the percentage of persons and families in poverty is above the national average, and 52.0 percent of households are in HUD's lowest income levels.
- 6) Despite the recent decline in housing prices and the volume of new construction in recent years, the cost of housing, both purchase and rental, remains high, and large numbers of both owners and renters are severely cost burdened.
- 7) Though there has been significant housing construction in the last decade, a great portion of that has been high-end units, and much of the more affordable housing stock is older.
- 8) The housing authority in Columbia has long waiting list for units and the list for Section 8 vouchers is closed.
- 9) Housing growth has tended to move further from employment and shopping centers, increasing housing costs when transportation costs are factored in.

The review of complaint and lending data from the Human Affairs Commission and the Housing Mortgage Data Act indicated the following:

- 1) The number of complaints filed with the Human Affairs Commission has declined since 2008. Race is the basis for the greatest number of complaints, followed by Disability.
- 2) Government-backed loans had the highest rate of origination because of their guarantees. The high percentage of loan denials among refinance and home improvement loans reflects increasingly stringent loan standards and the difficult financial circumstances of many loan applicants.
- 3) African American, Hispanic, and Asian loan applicants had higher rates of loan denial than White applicants overall.

Draft 7-7-11

- 4) In general, White loan applicants had the same percentage of loan withdrawals as African Americans, but Hispanics and Asians had higher percentages. This may indicate unfamiliarity with the loan application and approval process.
- 5) Poor Credit History, Lack of Collateral and Poor Debt-to-Income Ratio were the leading reasons for loan denial. The percentage of African American loan denials generally was larger than that of White applicants for each of the four types of loans.
- 6) The higher percentages of loan denials among Hispanics, Asians, and other groups must be viewed in terms of the small pool of applicants in the MSA.
- 7) The HMDA data are inconclusive in identifying or defining any specific impediments to fair housing, and more detailed research in the HMDA data is needed to identify possible trends or patterns of discrimination.

A review of Public Policy issues showed the following:

- 1) The discussion of public policy issues needs to be explored in detail, especially through the use of panels or focus groups to determine more specifically what types of zoning and land use decisions have the greatest impact upon fair housing.
- 2) The need for education and outreach on fair housing issues needs to continue.
- 3) The education and outreach programs should be expanded to include financial literacy and life skills in addition to home purchase education and credit improvement.
- 4) The County should adopt a formal Fair Housing Policy.
- 5) Building codes and requirements should be strengthened to include visitability and universal design standards to create more accessible housing for the disabled.

Impediments and Recommendations

IMPEDIMENT ONE – DISCRIMINATION IN THE HOUSING MARKET

The review of demographic information, discrimination complaint data, and lending data are not clear in indicating the extent of housing discrimination among persons in the protected classes. Statistical data can assist in identifying problems and topics of concern, however, reporting requirements vary, as does the quality of data provided. Further, much of the available data is at least a year old by the time it is available. More focused, accurate and current data is necessary to understand the needs, and more sources

Draft 7-7-11

of first-hand information from focus groups and housing advocacy groups are needed to obtain a better understanding of the situation in the marketplace.

In the current economy and given the structure of the Richland County housing stock, the incidences of discrimination likely focus on rental housing, and the focus of efforts in the immediate future should be upon aspects of discrimination in the rental market.

In particular, discrimination among the protected classes should be addressed.

- Female-Headed Households – There are no statistics specific to this issue, but female-headed households often face discrimination in the housing market often due to low income and the need to care for children.
- Non-family households and small households are numerous in the County and may also face discrimination, especially in light of a relatively small supply of small rental units.
- Disabled persons may face discrimination or difficulties in finding appropriate units because of the small number of small units and the costs of building or adapting units because of the higher taxes upon rental units.
- Racial/Ethnic Groups – The County has seen a significant increase in the number of foreign-born people over the last decade, many of these persons coming from Latin America. Many of these immigrants do not speak English as their first language, and may be intimidated at contacting governmental entities.

Recommendations

- 1) Continue to educate households and housing related organizations by disseminating Fair Housing law literature, conducting Fair Housing law seminars and training, and focusing public awareness campaigns about Fair Housing law in ethnic and minority neighborhoods, and among civic, social, religious, and special interest groups.
- 2) Provide Fair Housing materials and educational programs in Spanish, especially in neighborhoods and communities with high percentages of Spanish-speaking persons.
- 3) Conduct training sessions and information campaigns especially among rental property owners and managers, as well as apartment owner associations, and management companies.
- 4) Increase housing choice alternatives for the disabled and families with children by encouraging the construction of affordable, and especially rental, housing (See affordability and government policies below).
- 5) Convene focus groups of advocacy groups, community based organizations, real estate industry professionals, lenders, property owners, and government agency officials to review and assess fair housing issues. These groups should identify discriminatory practices, trends, or changes in these practices, focal points of discriminatory practice, and the means or methods to address them (See advocacy and outreach below).

Draft 7-7-11

- 6) The County should create a Fair Housing testing and auditing program, focusing upon rental properties at this time.

IMPEDIMENT TWO – FAIR HOUSING ADVOCACY AND OUTREACH

Richland County has a strong, visible fair housing program and a coordinated means to address fair housing complaints and queries.

Recommendations:

- 1) Continue and expand efforts to inform renters and homebuyers of their rights and recourse, if they feel they have been discriminated against.
- 2) Conduct training sessions and information campaigns especially among rental property owners and managers, as well as apartment owner associations, and management companies.
- 3) Convene focus groups of advocacy groups, community based organizations, real estate industry professionals, lenders, property owners, and government agency officials to review and assess fair housing issues. These groups should identify discriminatory practices, trends, or changes in these practices, focal points of discriminatory practice, and the means or methods to address them.
- 4) Update Fair Housing information regularly and adjust strategies and actions accordingly. In particular, the groups mentioned above should continue to meet yearly (or perhaps twice yearly) at the Fair Housing Summit.

IMPEDIMENT THREE – BIAS IN LENDING

This Analysis did not find significant evidence of discrimination in lending practices. The issue does not appear to have generated specific complaints, and this data is far from conclusive. Additional detailed research is necessary to make any definitive conclusion. However, the County should, to the extent possible, ensure that persons seeking loans for home purchase or improvement are aware of lending practices and procedures.

Recommendations

- 1) Develop programs to foster conventional lending and banking services in underserved neighborhoods and to specific groups of persons.
- 2) Expand financial literacy and credit counseling programs, especially in minority and lower-income neighborhoods.
- 3) Develop programs to foster conventional lending and banking services in underserved neighborhoods and to specific groups of persons.

IMPEDIMENT FOUR– LIMITED SUPPLY OF AFFORDABLE HOUSING

As discussed earlier, affordability is one aspect of housing discrimination and it is difficult to talk about addressing impediments to fair housing, and actions to eliminate discrimination in housing, without simultaneously talking about development of policies, plans, programs, and projects to increase the supply of affordable housing.

Earlier sections of this Analysis, the Housing Market Analysis in the Consolidated Plan, and the housing Element of the County’s Master Plan have addressed the issue of affordability, and the arguments and statistics will not be repeated here. Suffice to say that even moderate-income households face challenges in purchasing a home in Richland County, and low-income families face a significant cost burden for rental housing.

Recommendations

- 1) Continue to use all available federal and state funding resources and programs to address high priority housing needs for rehabilitation, preservation, and development of affordable units.
- 2) Continue to work with community based organizations, affordable housing developers, and housing advocacy groups to increase the supply of larger and disability accessible housing units, leveraging resources to the extent possible.
- 3) Continue and, if possible, expand housing rehabilitation programs to maintain the County’s base of affordable units, both owner-occupied and rental.
- 4) Research other affordable housing programs for additional ideas and practices.
- 5) Create incentives for developers to build a wide range of housing types at a number of price points, considering transportation, employment centers and the availability of services and shopping in their planning (See government policies below).

IMPEDIMENT FIVE – GOVERNMENT POLICIES

This impediment deals with issues relating to the development of land including housing that is available to a wide range of persons and income levels in disparate locations. This goal is affected by a wide range of factors, some of which, as noted earlier, are beyond the ability of the County to change.

Draft 7-7-11

Recommendations

- 1) Ensure that reasonable accommodation and disabled access issues are properly addressed in land use and construction codes.
- 2) Do as much as possible to reduce review and approval process times for both new construction and home modification applications.
- 3) Encourage the use of universal design principles in new housing developments.
- 4) Emphasize higher density, mixed use development of a range of housing types to offer more housing choices to more people.
- 5) Support the expansion of public transportation to better link low-income neighborhoods to employment centers.
- 6) Support infill and redevelopment of residential neighborhoods and the use of incentives for the creation of affordable housing close to employment centers and shopping areas.

IMPEDIMENT SIX – LOCAL OPPOSITION (NIMBY)

The proposed development or location of affordable housing, group homes, public housing, or Section 8 housing often draws storms of criticism and opposition from neighborhood residents. This “not-in-my-backyard” (NIMBY) attitude affects the availability of housing for people in the protected classes and is a significant challenge to achieving fair housing objectives.

While it is difficult to avoid this attitude, the County can take some measures to mitigate these challenges.

Recommendations

- 1) Ensure that land use and building codes properly address issues of concern with respect to higher density housing, persons with disabilities, and group homes/congregate living/community care.
- 2) Encourage developers, housing advocacy groups, and other interested parties to conduct neighborhood outreach and information campaigns before submitting projects for review and approval.
- 3) Undertake a public outreach/education program about fair housing and affordable housing on a regular basis. While such efforts will not lay all misconceptions to rest, a broader understanding of the nature of fair housing and the types of persons and families involved will mitigate at least some opposition.

Draft 7-7-11

9) SIGNATURE PAGE

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE RICHLAND COUNTY, SOUTH CAROLINA

May , 2010

Draft 7-7-11

APPENDICES

- Appendix A South Carolina Fair Housing Law
- Appendix B Notice of Public Hearing and Sign-in Sheet
- Appendix C Copies of Public and Practitioner Surveys and Summaries of Results
- Appendix D Focus Group Meeting Summaries and Sign-in Sheets
- Appendix E HMDA data
- Appendix F Tables Showing Reasons for Loan Denial by Race & Ethnicity
- Appendix G Tables Showing Loan Disposition by Census Tract

Richland County Council Request of Action

Subject

- a. Motion that Council and Council Staff develop and implement a plan that will enable us to achieve the SC State goal of a 35% solid waste diversion rate within 5 years and long term goal of "zero waste." **[ROSE]**
- b. Decker Boulevard Commercial Corridor District Ordinance Change **[DICKERSON & MANNING]**
- c. Resolution honoring Gadsden Elementary on being designated a "National Blue Ribbon School" **[WASHINGTON]**

Richland County Council Request of Action

Subject

For Items on the Agenda Not Requiring a Public Hearing