



**RICHLAND COUNTY COUNCIL
REGULAR SESSION AGENDA**

**SEPTEMBER 11, 2012
6:00 PM**

CALL TO ORDER HONORABLE KELVIN E. WASHINGTON, SR., CHAIR

INVOCATION THE HONORABLE KELVIN E. WASHINGTON, SR.

PLEDGE OF ALLEGIANCE THE HONORABLE KELVIN E. WASHINGTON, SR.

Adoption Of The Agenda

Report Of The Attorney For Executive Session Items

1. a. Richland County vs. Power Engineering
- b. Darrell's Update
- c. Northwest Sewer Associates
- d. Potential Township Property Purchase
- e. Project Resolve

Citizen's Input

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

Report Of The County Administrator

3. a. Green Code Text Amendments, Development Roundtable's Recommendations and Ordinance for Fostering more Environmentally-Sensitive Site Development Work Session [**ACTION**]
- b. Neighborhood Planning Conference Update
- c. Introduction of Interim Solid Waste Director

Report Of The Clerk Of Council

Report Of The Chairman

Approval Of Consent Items

4. An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; "Residential Uses" of Table 26-V-2.; and Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; so as to permit "Group Homes (10 to 15)" in the RU (Rural District), with Special Requirements **[THIRD READING] [PAGES 10-17]**
5. An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Amendments and Procedures; Section 26-54, Subdivision Review and Approval; Subsection (C), Processes; Paragraph (2), Minor Subdivision Review; so as to remove the requirement of sketch plan submittal **[THIRD READING] [PAGES 18-23]**
6. 12-24MA
Martin Fridy
Grands Investment Company, LLC
M-1/MH to GC (9.9 Acres)
108 Fore Ave.
22914-06-01(p)/03/04/05/06/07/08/16/17 **[SECOND READING] [PAGES 24-27]**
7. Changes to Employee Handbook **[PAGES 28-37]**
8. Agreement with Phoenix University **[PAGES 39-105] [DENIAL]**
9. Franchise Fee **[PAGES 106-108]**

Third Reading Items

10. 12-22MA
Jonathan Giles
Robert Giles
RM-HD to NC (.33 Acres)
1157 & 1159 Olympia Ave.
11203-01-03& 04 **[PAGES 109-110]**

Second Reading Items

11. An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$44,500 of General Fund Undesignated Fund Balance for Sheriff's Department Grant Position Pick-Up **[PAGES 111-113]**
12. An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$289,000 of General Fund Undesignated Fund Balance for Sheriff's Department Salary Fringe Funds **[PAGES 114-116]**
13. An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate

\$34,004 of General Fund Undesignated Fund Balance for additional personnel for Blythewood Magistrate [**PAGES 117-119**]

14. An Ordinance Amending the Fiscal Year 2012-2013 Neighborhood Improvement and Community Development Fund Annual Budgets to appropriate \$53,665 of Neighborhood Improvement Undesignated Fund Balance for transfer to the Community Development Fund for the CDBG and HOME administrative shortfall [**PAGES 120-122**]
15. Amending Exhibit A to Ordinance No. 048-08HR Authorizing the Recreation Commission of Richland County on behalf of the Recreation District of Richland County, South Carolina, to issue General Obligation Bonds in the principal amount of not exceeding \$50,000,000; and other matters relating thereto enacted by the County Council of Richland County, South Carolina on September 9, 2008 [**PAGES 123-127**]

Report Of Development And Services Committee

16. Curfew for Community Safety [**PAGES 128-162**]

Report Of Administration And Finance Committee

17. Kingville Historical Society Funding Request [**PAGES 163-167**] [**DENIAL**]
18. Lower Richland PSTA/Diamond Day Festival Funding Request [**PAGES 168-171**] [**DENIAL**]
19. Regional Sustainability Plan [**PAGES 172-196**]

Report Of Economic Development Committee

20. a. A Resolution Authorizing the Execution and Delivery of a Memorandum of Understanding by and among Richland County, South Carolina, the State of South Carolina, and a company known as Project Resolve and other matters related thereto [**PAGES 198-199**]
- b. An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$730,000 of General Fund Restricted Fund Balance for Economic Development Projects [**FIRST READING**] [**PAGES 200-201**]
- c. Economic Development Office Space Lease [**PAGES 202-214**]

Report Of Rules And Appointments Committee

1. Notification Of Vacancies

21. Board of Zoning Appeals-1; Sheldon L. Cooke, Sr., October 7, 2012*

Eligible for reappointment

22. Building Codes Board of Adjustment-3; Isabel Berry (Engineer), October 6, 2012*; Michael Lowman (Building), October 6, 2012*; Greg Mackie (Gas), October 6, 2012*

*Eligible for reappointment

23. Employee Grievance Committee-1; Sonia Fells, October 6, 2012*

Eligible for reappointment

24. Planning Commission-1; B. Deas Manning, October 7, 2012

2. **Notification Of Appointments**

25. Accommodations Tax Committee-4; (positions needed: 2 persons employed in hospitality, 1 person employed in lodging, and 1 person from the cultural industry); one application was received for this committee from: Bill McCracken. **[PAGES 219-224]**

26. Airport Commission-3; applications were received from: Jeff Allen; James E. Christopher, Jr.*; Tom Clark; Dennis L. Dabney*; Mattie Davis, Ph.D; and Robert C. Pulliam* **[PAGES 225-240]**

* Eligible for reappointment

27. Richland County/City of Columbia Animal Care Advisory Committee-2; applications were received from: Patrick Greg Brown; Louise C. Emmott*; Joel Osmelowski; Peggy O'N. Wilson* **[PAGES 241-252]**

28. Appearance Commission-2 (positions needed are Horticulturalist and Landscape Architect); applications were received from Alan D. Roblee; **Ryan Nevius** and Kenneth B. Simmons **[PAGES 253-260]**

29. Building Codes Board of Appeals-2 (positions needed; 1 architect and 1 person from the fire protection industry); one application was received from E. Ralph Walden, Architect* **[PAGES 261-263]**

Eligible for reappointment

30. Business Service Center Appeals Board-3 (1 position is for a CPA); applications were received from: Nancy Kauffman; Robert A. Leichtle (pronounced Likely), CPA; and Jake Sello **[PAGES 264-271]**

31. Community Relations Council-2; applications were received from: Mattie Davis, Ph.D and Josephine A. McRant **[PAGES 272-276]**

32. East Richland Public Service Commission-1; one application was received from William H. Hancock (deferred from July 24, 2012 meeting) **[PAGES 277-279]**

33. Employee Grievance Committee-2; no applications were received for this committee

Other Items

34. REPORT OF THE REGIONAL RECREATION COMPLEX AD HOC COMMITTEE

a. An Ordinance Amending the Fiscal Year 2012-2013 Hospitality Tax Budget to appropriate \$1,217,201 of Hospitality Tax Restricted Fund Balance for the Recreation Sports Complex

[FIRST READING] [PAGES 281-283]

35. Tax Increment Financing (TIF):

- a. TIF Chronology **[FOR INFORMATION] [PAGES 284-285]**
- b. Authorizing, pursuant to Chapter 6 of Title 31, of the South Carolina Code of Laws, 1976, the execution and delivery of an Intergovernmental Agreement relating to the Columbia Renaissance Redevelopment Plan among Richland County, South Carolina, the City of Columbia, South Carolina, and School District No. 1 of Richland County, South Carolina; and other matters relating thereto **[FIRST READING BY TITLE ONLY] [PAGE 286]**
- c. Columbia Renaissance Redevelopment Plan IGA **[PAGES 287-317]**
- d. Authorizing pursuant to Chapter 6 of Title 31, of the South Carolina Code of Laws, 1976, the execution and delivery of an Intergovernmental Agreement relating to the Innovista Redevelopment Plan among Richland County, South Carolina, the City of Columbia, South Carolina, and School District No. 1 of Richland County, South Carolina; and other matters relating thereto **[FIRST READING BY TITLE ONLY] [PAGE 318]**
- e. Innovista Redevelopment Plan IGA **[PAGES 319-343]**

Citizen's Input

- 36. Must Pertain to Items Not on the Agenda

Executive Session

Motion Period

- 37. a. To develop a master plan for the Olympia Neighborhood that takes into account the community's residential character and revitalization **[ROSE and WASHINGTON]**
- b. Palmetto Health "Women at Heart" Resolution **[WASHINGTON] [PAGE 346]**
- c. Motion that we remove the parking meters in the County's satellite parking lot. The parking lot will be for those doing business at 2020 Hampton Street only and legal notice will stipulate violators of this policy will be towed. In addition, there will be a 2-hour time limit enforced by having those that enter the lot receive a time-stamped ticket. **[ROSE and MANNING]**
- d. Green Code Text Amendments, Development Roundtable's Recommendations and Ordinance for Fostering more Environmentally-Sensitive Site Development Work Session **[WASHINGTON]**
- e. Resolution honoring Joanne Martin for outstanding service at Columbia High School and the St. Andrews Community **[DICKERSON]**

Adjournment



Richland County Council Request of Action

Subject

- a. Richland County vs. Power Engineering
- b. Darrell's Update
- c. Northwest Sewer Associates
- d. Potential Township Property Purchase
- e. Project Resolve

Richland County Council Request of Action

Subject

For Items on the Agenda Not Requiring a Public Hearing

Richland County Council Request of Action

Subject

- a. Green Code Text Amendments, Development Roundtable's Recommendations and Ordinance for Fostering more Environmentally-Sensitive Site Development Work Session [**ACTION**]
- b. Neighborhood Planning Conference Update
- c. Introduction of Interim Solid Waste Director

Richland County Council Request of Action

Subject

An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; "Residential Uses" of Table 26-V-2.; and Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; so as to permit "Group Homes (10 to 15)" in the RU (Rural District), with Special Requirements **[THIRD READING] [PAGES 10-17]**

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. 12-__HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-141, TABLE OF PERMITTED USES, PERMITTED USES WITH SPECIAL REQUIREMENTS, AND SPECIAL EXCEPTIONS; “RESIDENTIAL USES” OF TABLE 26-V-2.; AND ARTICLE VI, SUPPLEMENTAL USE STANDARDS; SECTION 26-151, PERMITTED USES WITH SPECIAL REQUIREMENTS; SO AS TO PERMIT “GROUP HOMES (10 TO 15)” IN THE RU (RURAL DISTRICT), WITH SPECIAL REQUIREMENTS.

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

SECTION I. The Richland County Code of Ordinances; Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; “Residential Uses” of Table 26-V-2.; is hereby amended to read as follows:

(ORDINANCE CONTINUES ON NEXT PAGE)

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
<u>Residential Uses</u>																	
Accessory Dwellings		SR	SR	SR	SR	SR	SR		P	P					SR		
Common Area Recreation and Service Facilities		P	P	P	P	P	P	P	P	P	P	P	P	P			
Continued Care Retirement Communities		SE	SE						SR	SR	SR		SR	SR			
Dormitories										P	SE			SE			
Dwellings, Conventional or Modular																	
Multi-Family, Not Otherwise Listed									P	P	P			P			
Single-Family, Detached		P	P	P	P	P	P	P	P	P							
Single-Family, Zero Lot Line, Common						SE	SE		SR	SR	SR			SR			
Single-Family, Zero Lot Line, Parallel				SR	SR	SR	SR		SR	SR	SR						
Two-Family									P	P							
Dwellings, Manufactured Homes on Individual Lots		SR	SR	SR				SR							SE		
Fraternity and Sorority Houses									P	P	P			P			
Group Homes (9 or Less)		SR	SR	SR	SR	SR	SR	SR	SR	SR							
Group Homes (10 or More to 15)		SR								SE	SE	SE	SE	SE			
Manufactured Home Parks								SR									
Rooming and Boarding Houses										SE	SE	SE	SE	P			
Special Congregate Facilities											SE			SE			

SECTION II. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (b), Permitted Uses with Special Requirements Listed by Zoning District; is hereby amended to read as follows:

(b) *Permitted uses with special requirements listed by zoning district.*

- (1) Accessory Dwellings - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, M-1)
- (2) Amusement or Water Parks, Fairgrounds - (GC, M-1, LI)
- (3) Animal Shelters - (GC, M-1, LI)
- (4) Antennas - (All Districts)
- (5) Athletic Fields - (TROS, NC, RC)
- (6) Banks, Finance, and Insurance Offices – (NC, RC)
- (7) Barber Shops, Beauty Salons, and Related Services - (RU, RM-MD, RM-HD)
- (8) Bars and other Drinking Places - (RC, GC, M-1, LI)
- (9) Batting Cages - (GC, M-1, LI)
- (10) Bed and Breakfast Homes/Inns - (RU, RR, RM-MD, RM-HD, OI, NC, RC, GC)
- (11) Beer/Wine/Distilled Alcoholic Beverages – (GC)
- (12) Body Piercing Facilities – (GC)
- (13) Buildings, High-Rise, Four (4) or Five (5) Stories – (RM-HD, OI, GC)
- (14) Bus Shelters/Bus Benches - (All Districts)
- (15) Car and Light Truck Washes- (RC)
- (16) Cemeteries and Mausoleums - (RU, OI, NC, RC, GC, M-1, LI, HI)
- (17) Continued Care Retirement Communities - (RM-MD, RM-HD, OI, RC, GC)
- (18) Construction, Building, General Contracting, with Outside Storage - (M-1, LI)

- (19) Construction, Building, Heavy, with Outside Storage - (M-1, LI)
- (20) Construction, Special Trades, with Outside Storage - (M-1, LI)
- (21) Country Clubs with Golf Courses - (TROS, RU, GC, M-1, LI)
- (22) Day Care, Adult, Home Occupation (5 or fewer) – (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, GC)
- (23) Day Care Centers, Adult - (RU, OI, NC, RC, GC, M-1)
- (24) Day Care, Child, Family Day Care, Home Occupation (5 or fewer) - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, GC)
- (25) Day Care Centers, Child, Licensed Centers - (RU, OI, NC, RC, GC, M-1)
- (26) Drugs and Druggists' Sundries – (GC)
- (27) Durable Goods, Not Otherwise Listed – (GC)
- (28) Dwellings, Manufactured Homes on Individual Lots - (RU, MH)
- (29) Dwellings, Manufactured Homes on Individual Lots - (RR, RS-E)
- (30) Dwellings, Single Family, Zero Lot Line, Common and Parallel - (Common: RM-MD, RM-HD, OI, GC, M-1; Parallel: RS-E, RS-LD, RS-MD, RS-HD, RM-MD, RM-HD, OI, M-1)
- (31) Electrical Goods – (GC)
- (32) Fuel Oil Sales (Non-Automotive) - (M-1, HI)
- (33) Furniture and Home Furnishings – (GC)
- (34) Golf Courses - (TROS, GC, M-1, LI)
- (35) Golf Driving Ranges (Freestanding) - (TROS, RC, GC, M-1, LI)
- (36) Go-Cart, Motorcycle, and Similar Small Vehicle Tracks - (GC)
- (37) Group Homes (9 or Less) - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)
- (38) Group homes (10 to 15) - (RU)**

- (39)~~(38)~~Home Occupations - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, GC)
- (40)~~(39)~~Kennels - (RU, OI, RC, GC, M-1, LI)
- (41)~~(40)~~Libraries – (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)
- (42)~~(41)~~Lumber and Other Construction Materials – (GC)
- (43)~~(42)~~Machinery, Equipment and Supplies – (GC)
- (44)~~(43)~~Manufactured Home Sales – (GC, M-1)
- (45)~~(44)~~Manufactured Home Parks – (MH, M-1)
- (46)~~(45)~~Market Showrooms - (GC)
- (47)~~(46)~~Motor Vehicles, New Parts and Supplies – (GC)
- (48)~~(47)~~Motor Vehicles, Tires and Tubes – (GC)
- (49)~~(48)~~Nondurable Goods, Not Otherwise Listed – (GC)
- (50)~~(49)~~Paints and Varnishes – (GC)
- (51)~~(50)~~Pet Care Services – (NC, RC)
- (52)~~(51)~~Petroleum and Coal Products Manufacturing - (HI)
- (53)~~(52)~~Petroleum and Petroleum Products - (M-1, HI)
- (54)~~(53)~~Places of Worship – (RU, RR, RM-MD, RM-HD, RC)
- (55)~~(54)~~Plumbing and Heating Equipment and Supplies – (GC)
- (56)~~(55)~~Poultry Farms – (RU)
- (57)~~(56)~~Produce Stands – (RU)
- (58)~~(57)~~Public or Private Parks- (All Districts)
- (59)~~(58)~~Public Recreation Facilities- (All Districts)
- (60)~~(59)~~Radio, Television, and Other Similar Transmitting Towers – (M-1)

(61)~~(60)~~Recreational Vehicle Parks and Recreation Camps – (RU)

(62)~~(61)~~Rental Centers, With Outside Storage – (GC)

(63)~~(62)~~Repair and Maintenance Service, Appliance and Electronics - (RC, GC, M-1, LI)

(64)~~(63)~~Research and Development Services – (OI)

(65)~~(64)~~Schools, Including Public and Private Schools, Having a Curriculum Similar to Those Given in Public Schools - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)

(66)~~(65)~~Sexually Oriented Businesses - (GC, HI)

(67)~~(66)~~Sporting Firearms and Ammunition – (GC)

(68)~~(67)~~Swim and Tennis Clubs – (TROS)

(69)~~(68)~~Swimming Pools - (TROS, RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, GC)

(70)~~(69)~~Tobacco and Tobacco Products – (GC)

(71)~~(70)~~Utility Substations - (All Districts)

(72)~~(71)~~Veterinary Services (Non-Livestock, May Include Totally Enclosed Kennels Operated in Connection with Veterinary Services) - (OI, NC)

(73)~~(72)~~Warehouses (General Storage, Enclosed, Not Including Storage of Any Hazardous Materials or Waste as Determined by Any Agency of the Federal, State, or Local Government) - (OI, NC, RC, GC)

(74)~~(73)~~Warehouses (Self Storage) - (RC, GC, M-1, LI)

(75)~~(74)~~Yard Sales - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, GC)

(76)~~(75)~~Zoos and Botanical Gardens – (GC, M-1)

SECTION III. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (c), Standards; is hereby amended by the insertion of a new paragraph to read as Paragraph “(38) Group homes (10 to 15)”, the existing Paragraph (38) is renumbered

to read as Paragraph (39), and all remaining paragraphs are renumbered in appropriate chronological order.

(38) Group homes (10 to 15).

a. Use districts: Rural District.

b. Minimum lot size to establish a group home shall be five (5) acres.

c. The gross floor area of the group home shall not exceed seven thousand (7,000) square feet.

d. Parking shall not be located in the required front yard.

e. No parking space or drive shall be located closer than twenty (20) feet from any road line or property line.

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

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

SECTION VI. Effective Date. This ordinance shall be enforced from and after _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin E. Washington, Sr., Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

Michelle M. Onley
Clerk of Council

First Reading: June 5, 2012
Public Hearing: July 31, 2012
Second Reading: July 31, 2012
Third Reading: September 11, 2012 (tentative)

Richland County Council Request of Action

Subject

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Amendments and Procedures; Section 26-54, Subdivision Review and Approval; Subsection (C), Processes; Paragraph (2), Minor Subdivision Review; so as to remove the requirement of sketch plan submittal **[THIRD READING] [PAGES 18-23]**

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE IV, AMENDMENTS AND PROCEDURES; SECTION 26-54, SUBDIVISION REVIEW AND APPROVAL; SUBSECTION (C), PROCESSES; PARAGRAPH (2), MINOR SUBDIVISION REVIEW; SO AS TO REMOVE THE REQUIREMENT OF SKETCH PLAN SUBMITTAL.

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 IV, amendments and Procedures; Section 26-54, Subdivision Review and Approval; Subsection (c), Processes; Paragraph (2), Minor Subdivision Review; is hereby amended to read as follows:

(2) *Minor subdivision review.*

- a. *Applicability.* The minor subdivision review process is required for those divisions of land that do not qualify for administrative subdivision review (see above) but which consist of less than fifty (50) lots. ~~However, a~~ A minor subdivision shall not require engineered documents pertaining to design of infrastructure or the dedication of land to the county for open space or other public purpose. If a phased project, with fewer than fifty (50) lots in one or more phases, involves a total of fifty (50) or more lots within five (5) years of the recording of any prior phase, then the project shall be treated as a major subdivision, regardless of the size of the individual phases.
- ~~b. *Pre-application procedure.* No pre-application conference is required prior to applying for minor subdivision review. Applicants are encouraged to call or visit the planning department prior to requesting subdivision plat approval to determine what information is required for the application.~~
- ~~eb. *Plan submittal. Filing of application.* An application for minor subdivision review shall be filed by the owner of the property or by an authorized agent. The application for minor subdivision approval shall be filed with the planning department on a form provided by the department. All documents/information required on the application must be submitted, including the permit fee, as established by Richland County Council.~~
- ~~1. *Filing of application.* An application for minor subdivision review shall be filed by the owner of the property or by an authorized agent. The application for minor subdivision approval shall be filed with the planning department on a form provided by the department. The application shall be accompanied by a sketch~~

~~plan, which shall be submitted in both a paper and a digital format as specified by the County, containing all information required on the application. For subdivisions containing five or fewer parcels, the applicant shall have the option of paying a per parcel COGO (coordinate geometry) fee, as specified by the County (however, such fee shall not exceed \$50.00 per parcel), in lieu of submitting a digital sketch plan.~~

~~2. Fees. A permit fee, as established by the Richland County Council, shall be submitted with the application.~~

~~dc. Staff review. The planning department shall review the application and determine if it is complete. If the application is incomplete, the planning department shall notify the applicant of the deficiencies within ten (10) days after the most recent submission date. Provided that the application is complete, the following shall occur.~~

~~1. Planning staff review. Sketch plans for minor subdivision development ~~requiring minor subdivision review~~ shall be reviewed by the planning department for compliance with the requirements of this chapter.~~

~~2. Development review team. As needed, plans for minor subdivisions shall be reviewed by members of the county's development review team for compliance with the requirements of this chapter and other applicable county codes. No formal team review shall be required.~~

~~The planning department shall approve, approve conditionally, or deny the approval of the sketch plan application for a minor subdivision within thirty (30) days after the submission date of a completed application. ~~If the department fails to act on the application within that time, the application shall be deemed approved. A record of all actions will be maintained as a public record and the applicant must be notified of any actions taken.~~~~

~~ed. Public notification. No public notification is required for minor subdivision review.~~

~~fe. Formal review. No formal review is required for minor subdivision plan approval.~~

~~gf. Variances. Requests for variances, unless otherwise specified, shall be heard by the board of zoning appeals under the procedures set forth in Section 26-57 of this chapter.~~

~~hg. Appeals. Appeals shall be made to the Richland County Planning Commission, subject to the procedures set forth in Section 26-58, and the payment of fees established by the Richland County Council. A person~~

~~who may have a substantial interest in the decision of the planning department regarding subdivision applications may appeal such decision to the Richland County Planning Commission within thirty (30) days of receipt of the decision by the property owner. The appeal shall be in writing and delivered to the planning department. Such appeal must include the specific section of this chapter (or the specific design detail) from which the appeal is taken and the basis or reason for the appeal. In the alternative, also within thirty (30) days, a property owner whose land is the subject of a decision by the planning commission may appeal by filing a notice of appeal with the circuit court accompanied by a request for pre litigation mediation in accordance with Section 6-29-1150 and Section 6-29-1155 of the South Carolina Code of Laws.~~

Pursuant to the requirements of Section 6-29-1150 (c) of the South Carolina Code of Laws, any person who has a substantial interest in the decision may appeal such decision of the Richland County Planning Commission to the Circuit Court, provided that a proper petition is filed with Richland County Clerk of Court within thirty (30) days after the applicant receives written notice of the decision. An appeal shall cease all staff and review agency activity regarding the subject project. However, a reconsideration request may be heard at the same time an appeal is pending. Since an appeal to the circuit court must be based on the factual record generated during the subdivision review process, it is the applicant's responsibility to present whatever factual evidence is deemed necessary to support his/her position. In the alternative, also within thirty (30) days, a property owner whose land is the subject of a decision by the Planning Commission may appeal by filing a notice of appeal with the Circuit Court accompanied by a request for pre-litigation mediation in accordance with Section 6-29-1150 and Section 6-29-1155 of the South Carolina Code of Laws.

ih. *Approval validity/final plat/recordation.*

~~1. — *Final plat.* Following approval of a sketch plan for a minor subdivision and the installation and acceptance of required improvements, a final plat shall be prepared and submitted. In addition, a copy of the final plat shall be submitted to the planning department in a digital format as specified by the County. The final plat application shall contain all information required by the planning department. The planning department shall review the application and determine if it is complete. If the application is incomplete, the planning department shall notify the applicant of the deficiencies within thirty (30) days after the most recent submission date. No later than fifteen (15) days after receipt of a complete final plat package, the planning department shall approve, approve with conditions, or deny the final plat application based on written findings of fact. Appeals shall be taken to the Richland County Planning Commission. If approved, prior to~~

~~recording, the plat must be signed in the appropriate place by the land development administrator. The approval of a final plat for a minor subdivision does not automatically constitute or affect an acceptance by the county of the dedication of any road, easement, or other ground shown upon the plat. Public acceptance of the lands must be by action of the Richland County Council. For subdivisions containing five or fewer parcels, the applicant shall have the option of paying a per parcel COGO (coordinate geometry) fee, as specified by the County (however, such fee shall not exceed \$50.00 per parcel), in lieu of submitting a digital sketch plan.~~

- 21. *Recordation.* A ~~final~~ plat for a minor subdivision must be recorded by the applicant within thirty (30) days of approval, with the Richland County Register of Deeds. Approval of the ~~final~~ plat shall constitute the final subdivision approval. The applicant shall provide the planning department with at least one (1) copy of the recorded plat. No building permits or manufactured home setup permits shall be issued until the department receives a copy of the recorded plat of the subject property.
- 32. *Approval validity.* Failure to record a ~~final~~ plat within thirty (30) days shall invalidate plat approval.

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 _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin E. Washington, Sr., Chair

Attest this the _____ day of _____, 2012

Michelle M. Onley
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: June 5, 2012
Public Hearing: July 31, 2012
Second Reading: July 31, 2012
Third Reading: September 11, 2012 (tentative)

Richland County Council Request of Action

Subject

12-24MA
Martin Fridy
Grands Investment Company, LLC
M-1/MH to GC (9.9 Acres)
108 Fore Ave.
22914-06-01(p)/03/04/05/06/07/08/16/17 **[SECOND READING] [PAGES 24-27]**

Notes

First Reading: July 31, 2012
Second Reading:
Third Reading:
Public Hearing: July 31, 2012

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-12HR

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 A PORTION OF TMS # 22914-06-01 AND TMS # 22914-06-03/04/05/06/07/08 FROM MH (MANUFACTURED HOME DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS 22914-06-16/17 FROM M-1 (LIGHT INDUSTRIAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as a portion of TMS # 22914-06-01 and TMS # 22914-06-03/04/05/06/07/08 from MH (Manufactured Home District) zoning to GC (General Commercial District) zoning; as described in Exhibit A, which is attached hereto.

Section II. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as a TMS # 22914-06-16/17 from M-1 (Light Industrial District) zoning to GC (General Commercial District) zoning; as described in Exhibit A, which is attached hereto.

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

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

Section V. Effective Date. This ordinance shall be effective from and after _____, 2012.

RICHLAND COUNTY COUNCIL

By: _____
Kelvin E. Washington, Sr., Chair

Attest this _____ day of
_____, 2012.

Michelle M. Onley
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: July 31, 2012
First Reading: July 31, 2012
Second Reading: September 11, 2012 (tentative)
Third Reading:

Exhibit A



Richland County Council Request of Action

Subject

Changes to Employee Handbook [**PAGES 28-37**]

Notes

July 31, 2012 - The committee recommended that Council approve the amendment to the Employee Handbook as proposed by the Human Resources Director. This amendment will continue to allow department directors the discretion to place employees in a three month probationary status following promotions as opposed to requiring that the employees serve the probationary period. The vote in favor was unanimous.

RichlandCounty Council Request of Action

Subject: Changes to Employee Handbook - Promotion Probation

A. Purpose

To change the Employee Handbook policy on Promotion Probation consistent with the current County Guidelines, former policy from the Code of Ordinances, the current practice, and the historical practice of the County.

B. Background / Discussion

Origin of Issue:

Human Resources Department

Lead Department:

Human Resources Department

What are the Key Issues (Precipitation of Project):

This change will provide each respective Department Head the flexibility to designate whether a promoted employee will serve a 90 days probationary period. In accordance with the Guidelines, the employee must be informed if they are being placed on promotion probation (see Guideline attachment). The proposed change will be consistent with the County's Guidelines (see below) and the historical practice of the County.

3.11. Department Heads may require promoted employees to serve a promotional probationary period on his/her new job of not more than three (3) months at his/her former salary. The Department Head must inform the employee and HRD in writing if the employee will have to serve a new probationary period. Upon completion of the probationary period, a Performance Appraisal must be completed. If the performance appraisal rating is "Fully Proficient" or above at the end of the probationary period, the employee will receive a promotional pay increase at that time.

Inconsistencies in Handbook that Need to be Fixed August 2009

Current Language for Promotion Probation:

Handbook Language: A newly promoted employee is considered to be on probation in their new position for three months.

Proposed Language for Promotion Probation:

Department Heads may require promoted employees to serve a promotional probationary period on his/her new job of not more than three (3) months at his/her former salary.

This item was a part of another ROA that went through Council Committee and to Council but at the direction of County Council was sent back to Committee. Mr. Malinowski expressed the point the County's policy should be consistent one way or the other, that no promoted employee serves a probation period or all employees promoted serve a probation period.

Date Ready for Implementation:

Upon Council approval

Multiple Year Project:

No

Estimated Work Hours for Completion:

5 hours of communication development and handbook changes.

Process to Date:

Process Plan for Future Action:

Develop Communication plan to employees.

Reference:

C. Financial Impact

- 1. Revision of Employee Handbook
- 2. Communication to Employees

D. Alternatives

- 1. Approve the proposed revision to Employee Handbook.
- 2. Do not approve the proposed revision to Employee Handbook and make applicable revisions to the County's Guidelines.

E. Recommendation

Human Resources prepared this action with the support of the Finance Department.

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 7/24/12

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Human Resources

Reviewed by: Dwight Hanna

Date:

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: HRD's recommendation objective is to achieve consistency with the Employee Handbook and County Guidelines, used by

supervisors. In addition, the proposal is consistent with the historical practice of the County carried over from the Code of Ordinances.

Legal

Reviewed by: Elizabeth McLean

Date: 7/25/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Policy decision left to Council's discretion.

Administration

Reviewed by: Tony McDonald

Date: 7/26/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval of the amendment to the Employee Handbook as proposed by the Human Resources Director. This amendment will continue to allow department directors the **discretion** to place employees in a three month probationary status following promotions as opposed to **requiring** that the employees serve the probationary period. The decision, then, will rest with department directors and will be dependent upon the past performance of the employees being promoted.

RICHLAND COUNTY HUMAN RESOURCES GUIDELINES	
TITLE: Personnel Actions	Number: 3.05
EFFECTIVE DATE: 8/1/2009	Page: 1 of 6
REVISION DATE: 8/1/2009	REVISION #:
PREPARED BY: Human Resources Department	AUTHORIZED BY: Council & Administration

PURPOSE:

To define the different types of personnel actions within the County.

DEFINITIONS:

- A. Demotion – The voluntary or involuntary movement of an employee from one position to a position with reduced level of duties and responsibilities and/or a lower pay range. Demotions usually result in the reduction of an employee’s pay.
- B. Position – A group of currently assigned duties and responsibilities requiring the full-time employment of one person. A position may be occupied or vacant.
- C. Promotion – The movement of an employee from one position to a different position with increased duties and responsibilities and/or a higher pay range. Promotions generally result in an increase in an employee’s pay.
- D. Reclassification – The reassignment of an existing job from one classification to another based on a significant change of job content such as duty, kind of work, level of difficulty, required skill and education, and accountability for work being performed. Reclassification may result in an increased, decreased or maintained pay range for the job.
- E. Transfer – The transfer or reassignment of an employee to a position with the same level of duties and responsibilities and pay range as the position which the employee previously held. Transfers usually result in no change in pay.
- F. New Hire – PAF must be submitted to Human Resources two weeks prior orientation date to allow time for review, pre-employment screenings, and approval.
- G. Termination –All employees are employed at the will of the County. If an employee fails to perform to the standards of the classification of the position, or if the employee is found to be in violation of any one of a number of County violations, she/he may be terminated. Employees who work for elected officials serve at the pleasure of such elected official.
- H. Retirement -
- I. Re-hire – The rehiring of a person who has previously been employed with the County.

PROCEDURE:

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RICHLAND COUNTY HUMAN RESOURCES GUIDELINES	
TITLE: Personnel Actions	Number: 3.05
EFFECTIVE DATE: 8/1/2009	Page: 2 of 6
REVISION DATE: 8/1/2009	REVISION #:
PREPARED BY: Human Resources Department	AUTHORIZED BY: Council & Administration

1. Pay adjustments approved after the first working day of a pay period shall normally become effective at the beginning of the next pay period.

2. New Hires
 - 2.1. New employees will ordinarily be appointed at the minimum pay rate that has been established for the position in which s/he is employed.

 - 2.2. The County may exercise the flexibility of recruiting qualified candidates anywhere within the existing salary range after consideration of factors listed below. Department Heads may make a written request to hire a new employee above the minimum of the pay grade. The County may exercise the flexibility of recruiting suitable candidates anywhere within the existing pay range, after review and approval by HRD and approval from the County Administrator. The written request must include specific justification and document that the Department Head has done an analysis on each similar position in the department. A hiring rate that is market competitive for the position may be approved if any or all of the following conditions are documented in the request and adequate funding is available in the department's budget:
 - 2.2.1. The scarcity of well-qualified individuals makes it difficult to hire a well-qualified candidate at a lesser pay rate.

 - 2.2.2. The best-qualified candidates are already earning above the entry point or midpoint.

 - 2.2.3. The level of relevant experience, education and accomplishments of a candidate is equal to or exceeds that of current employees in the same position.

 - 2.3. As a general rule, the County will consider a two and one-half (2.5) percent increase above the minimum of the pay grade for each year of education or experience which exceeds the minimum requirements for the position.

 - 2.4. Employees are not authorized to work and Department Heads may not permit new employees to begin work until receiving notification of approval of the pay rate by the County Administrator.

 - 2.5. HRD may establish experience-rating guidelines for certain positions where experience levels clearly determine competitive wage levels. HRD will define those guidelines in the Compensation and Classification Plan. Hiring rates for these experience-oriented positions will be in accordance with the established guidelines.

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RICHLAND COUNTY HUMAN RESOURCES GUIDELINES	
TITLE: Personnel Actions	Number: 3.05
EFFECTIVE DATE: 8/1/2009	Page: 3 of 6
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PREPARED BY: Human Resources Department	AUTHORIZED BY: Council & Administration

2.6. HRD may approve hiring rates that are less than the minimum rate for the position, if the best available candidate does not meet the minimum qualifications for the position. An employee's rate of pay will be advanced to the minimum as soon as possible after the employee has attained the minimum qualifications.

3. Promotions

3.1. Generally, only employees who have successfully completed their new hire probationary period are considered for promotion.

3.2. Promotional increases in pay are granted as of the first full pay period after the notification to HRD and the effective date the employee is required to perform the duties and responsibilities of the new job and should be planned to coincide with the start of a pay period.

3.3. Department Heads and Supervisors should anticipate vacancies and encourage employees to assume greater responsibility. When it mutually benefits the County and the employee, efforts will be made to promote or transfer qualified employees from within the County system. If a suitable candidate for a position is found within the County, then the County Administrator has the authority to promote such person without the necessity of outside public advertising.

3.4. A promotion is not normally justified until an opening occurs

3.5. Promotions normally occur as a result of competitive selection and/or examination. Recommendation should be made by the Department Head and must have approval of the County Administrator.

3.6. Promotional opportunities due to a job vacancy should be publicized to County employees including pertinent information about the job and job qualifications.

3.7. A County employee who is requested to interview for a promotion by a Department Head and/or Supervisor will be given time off from his/her job duties (with pay) for this purpose.

3.8. If a suitable employee is selected for a new job in a different department s/he should ordinarily be released by the home department to the hiring department within two (2) weeks of the date of his/her selection and written notification to the home Department Head. Upon mutual agreement of both affected Department Heads, the period may exceed 2 weeks. Disputes over the timing of an employee's release to another department should be referred to HRD.

RICHLAND COUNTY HUMAN RESOURCES GUIDELINES	
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PREPARED BY: Human Resources Department	AUTHORIZED BY: Council & Administration

3.9. An employee who applies for a new position and is not selected will be notified of the decision by letter from HRD and may also be contacted by the hiring department.

3.10. Promotional increases are based upon the pay rate of the employee's current job with respect to the pay grade of the new job and generally are the greater of five percent (5%) to fifteen percent (15%) or the minimum of the new pay grade, provided that the increase cannot exceed the maximum of the new pay grade.

3.11. Department Heads may require promoted employees to serve a promotional probationary period on his/her new job of not more than three (3) months at his/her former salary. The Department Head must inform the employee and HRD in writing if the employee will have to serve a new probationary period. Upon completion of the probationary period, a Performance Appraisal must be completed. If the performance appraisal rating is "Fully Proficient" or above at the end of the probationary period, the employee will receive a promotional pay increase at that time.

3.12. If the Department Head concludes at any time during the promotion probation period that the newly promoted employee is not well suited for his new position, the employee may be removed from that position. If there is a vacancy in his former position which is to be filled, he may be returned to it. If there is no such vacancy, he may be considered for the filling of other vacancies for which he is qualified. If no other position is found for him, the employee may be terminated. This action does not prohibit an employee from applying for future vacancies with the County.

4. Demotions

4.1. Employees who fail to meet the job performance requirements of their position, or otherwise fail to perform their duties, may be demoted to a position with a lower level of responsibility and pay grade.

4.2. Employees may also request a voluntary demotion.

4.3. If a Department Head concludes that an employee's job performance in his/her present position is below "Fully Proficient", the Department Head may recommend in writing to HRD and to the County Administrator that the employee be demoted. The Department Head should include the employee's most recent performance appraisal and any relevant job performance documentation.

RICHLAND COUNTY HUMAN RESOURCES GUIDELINES	
TITLE: Personnel Actions	Number: 3.05
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REVISION DATE: 8/1/2009	REVISION #:
PREPARED BY: Human Resources Department	AUTHORIZED BY: Council & Administration

- 4.4. If the County Administrator concludes that an employee's job performance in his/her present position is less than "Fully Proficient", the employee may be demoted.
- 4.5. Employees may appeal a demotion in accordance with the County grievance process.
- 4.6. A demoted employee generally receives a reduction in pay. Pay generally is reduced to the same level in the new grade as in the former grade or to a rate that is commensurate with similarly situated employees in the same position, not to exceed the maximum of the new grade.
- 4.7. Employees must be provided seven (7) days written notice prior to the effective date of any reduction in pay due to a demotion or otherwise.
- 4.8. A pay reduction shall normally become effective the first full pay period after the date the employee is required to perform the duties and responsibilities of the new position and should be planned to coincide with the start of a pay period, provided the employee has been given proper written notice.
- 4.9. Employees demoted to a lower level position shall serve a six (6) month probationary period after which time a Performance Appraisal must be completed by the Department Head and submitted to HRD.
- 4.10. The employee is not eligible for a pay increase for successfully completing demotion probationary periods.
5. Transfers
 - 5.1. In order to meet organizational objectives, the County may find it necessary or advisable to reassign or transfer employees. An employee may also request a transfer to another job or department with the same pay grade. These transfers are considered lateral moves, and there should be no change in the employee's pay.
 - 5.2. Transfers that are considered temporary in nature (less than six (6) months) are defined as reassignments. Employees may receive an increase in pay due to a reassignment (see Compensation Plan) if the employee is performing two jobs and/or maintaining additional responsibilities.
6. Reclassifications – See Reclassification Procedure.
7. Administrative Adjustments

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RICHLAND COUNTY HUMAN RESOURCES GUIDELINES	
TITLE: Personnel Actions	Number: 3.05
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PREPARED BY: Human Resources Department	AUTHORIZED BY: Council & Administration

- 7.1. In order to correct an administrative oversight and when it is deemed to be in the best interest of the County the Director of Human Resources or the County Administrator may approve a corrective adjustment to an employee's rate of pay.

RESPONSIBILITIES:

1. Employee

- 1.1. Sign Wage Notification Form regarding pay decrease, if applicable.

2. Supervisor / Department Head

- 2.1. Complete PAF for any change in status or pay and forward the form to HRD at least ten (10) work days prior to effective date.
- 2.2. Complete the Performance Appraisal at the end of the probationary period and send to HRD with PAF indicating that probation has been or has not been successfully completed.
- 2.3. Not permit any new employee to perform any County work prior to receiving proper authorization from HRD.
- 2.4. Provide written notice, or ensure it is provided, to employees about pay decreases in compliance with the law.

3. Human Resources Department

- 3.1. Provide or verify written notice to employees (using a Wage Notification Form) about pay decreases, at least seven (7) days before the effective date.

Richland County Council Request of Action

Subject

Agreement with Phoenix University [**PAGES 39-105**] [**DENIAL**]

Notes

July 31, 2012 - The committee recommended that Council deny this request. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: University of Phoenix Alliance Memorandum of Understanding

A. Purpose

"University of Phoenix is requesting County Council consider entering into an Alliance Memorandum of Understanding".

B. Background / Discussion

- Administration requested HRD work with University of Phoenix to develop a proposal for the County to consider.
- A representative from University of Phoenix informed HRD he has talked with several Council Members and the former County Administrator and interest was expressed in the County considering an agreement with University of Phoenix.

See attached documentation. University of Phoenix is requesting a partnership alliance with Richland County whereby the County would market University of Phoenix to County employees and employees in return would receive a 4% discount on tuition.

Please reference the attached news articles relating to University of Phoenix:

- "University of Phoenix Owner Faces Federal Review"
- "For Profit Colleges: Undercover Testing Finds Colleges Encouraged Fraud and Engaged in Deceptive and Questionable Marketing Practices"
- "For Profit College Misconduct Complaints Under Investigation"
- "University of Phoenix, ITT Tech: Scams that Leave you "Dumber and Poorer"
- "Private University Company Under Investigation for Deceiving Students"
- "For Profit Colleges Mislead Students, Report Finds"
- "More Lawsuits Target for Profit Colleges"
- "For Profit Colleges Under Fire Over Value, Accreditation"

HRD has provided these articles to a representative with the University of Phoenix.

HRD met with two representatives from the University of Phoenix to discuss these articles and other matters

HRD offered a representative from the University of Phoenix the opportunity to provide input for Council's consideration of the ROA, which he has done (see attached).

C. Financial Impact

No direct cost to the County.

Employee cost/savings: According to University of Phoenix, the average cost savings per employee per \$1200 course would be about \$50. Over the course of a four-year degree program (at a cost of around \$50,000, the savings would be \$2000).

Note: USC estimated average yearly tuition = \$10,000.00.

Midlands Technical College estimated average yearly tuition = \$2,000.

D. Alternatives

1. Approve the Alliance Memorandum of Understanding proposal
2. Do not approve the Alliance Memorandum of Understanding proposal
3. Modify or amend the Alliance Memorandum of Understanding proposal.

E. Recommendation

HRD Worked with the University of Phoenix to provide information needed for the University of Phoenix to develop the Alliance Memorandum of Understanding at the direction of Administration.

Recommended by:

Department:

Date:

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 7/23/12

Recommend Council approval

Recommend Council denial

✓ Council Discretion (please explain if checked)

Comments regarding recommendation:

This is a policy decision for Council.

Human Resources

Reviewed by: Dwight Hanna

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: This is a policy decision for County Council.

Legal

Reviewed by: Elizabeth McLean

Date: 7/25/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Policy decision left to Council's discretion; however, I would suggest changes to the Agreement including adding indemnification language and amending the choice of law section to state that the MOU will be governed by the laws of South Carolina.

Administration

Reviewed by: Tony McDonald

Date: 7/27/12

Recommend Council approval

Recommend Council denial

✓ Council Discretion (please explain if checked)

Comments regarding recommendation: While there would be an apparent benefit to the County's employees, i.e., 4 percent reduction in tuition, if the County pursues the agreement with Phoenix, I would caution that entering such an agreement could set a precedent for other educational institutions that may want similar agreements, which

could become unmanageable with respect to the County meeting its obligations under the agreement terms.

Alliance Memorandum of Understanding

This Alliance Memorandum of Understanding ("MOU") is between University of Phoenix, Inc. ("University") with its principal place of business at 4025 South Riverpoint Parkway, Phoenix, Arizona 85040 and Richland County Administration and its affiliates, ("Client") with its principal place of business located at 2020 Hampton Street, Columbia, South Carolina 29204.

Benefits Offered by University:

1. The University will provide a four percent (4%) tuition reduction to the Client's employees who meet the University's admission standards. This applies to any University program, including certificate programs, and single courses, including professional development courses. After the effective date of this MOU and after the date the student identifies as an employee of Client, reduced tuition will apply to the then current rates at the time the student enrolls in a course. All students are subject to the University's student policies.
2. The University will provide a link to a University website to assist employees with enrollment.
3. The University will provide information to be used, subject to Client's policies and discretion, to support the Client's internal promotion of continuing education.

Client Contributions:

1. Subject to the Client's policies and discretion, the Client will work with the University to communicate the benefits of this MOU and the many educational opportunities available at the University.

General Terms and Conditions:

1. This MOU becomes effective on the date both parties have signed the MOU. Either party may terminate this MOU upon thirty (30) days prior written notice. If the University believes that the MOU might violate any law or regulation, adversely affect its accreditation, or any license or exemption issued by a Federal or State educational board or commission, the University may terminate the MOU immediately upon written notice to the Client.
2. Students who are currently enrolled prior to the date of termination will continue to receive the tuition reduction as more fully described herein under the terms of this Agreement for the program or course of study that the student is currently enrolled in, provided the student does not take a break in attendance for more than one year. If an employee is out of attendance for more than one year, the employee will no longer be eligible for the reductions provided for herein.
3. The University may use Client's name verbally for reference purposes only. Subject to prior written approval, the Client grants University a limited, non-exclusive right to use Client's name and logo in writing solely for purposes of fulfilling University's obligation pursuant to this MOU and making the courses and course materials available to Client's employees.
4. Each party acknowledges that the relationship with the other is that of an independent contractor.
5. Each party agrees to abide by all applicable Federal and State Laws. This MOU shall be governed by and construed in accordance with the Laws of the State of Arizona. Jurisdiction for any claim, dispute, or lawsuit shall be Maricopa County, Arizona.
6. This MOU does not create any rights, title, or interest for any entity other than the University and the Client.
7. With the exception of either party's compliance with a request pursuant to public records laws and facilitation of receipt or provision of the services herein, both parties agree that they will not disclose the terms of this MOU to any unrelated third party's without the other party's prior written consent.

RICHLAND COUNTY ADMINISTRATION

UNIVERSITY OF PHOENIX, INC.

Signature

Signature

Printed Name

William Pepicello, Ph.D.
Printed Name



Title

President
Title

Date

Date


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Univ. of Phoenix owner faces federal review

The Associated Press

Updated 6/27/2012 2:08 PM

Recommend 13

8

1



The U.S. Department of Education plans to review two years of paperwork filed by for-profit education company Apollo Group to ensure it complied with federal student financial aid rules at its University of Phoenix chain.

Apollo (APOL) disclosed in a filing with the U.S. Securities and Exchange Commission on Wednesday that Education Department found that the University of Phoenix had previously misreported the status codes for its verification of student-supplied information. The university has to verify information and report it to the department in order to participate in federal student financial aid programs.

Scott Olson, Getty Images
Military veterans at a job fair at the University of Phoenix on June 21, 2012, in Schaumburg, Ill.

The U.S. Department of Education plans to review the school's reporting during the 2010-2011 award period, as well as 2011-2012 to date. The review will begin July 18.

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Breakout Healthcare Stock

GRST: Special report on cash flow positive healthcare investment.
www.investinhealthcare.com

Gemstone Jewelry

Gold, Silver & Platinum Fine Jewelry. Design Online - Free S/H
www.Gemvare.com

New Policy in South Carolina

2012 - Drivers w/ no DLs are eligible for up to 65% off car insurance...
SnadGuideWeekly.com

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"We are fully committed to complying with every regulation the Department of Education has," Apollo spokesman Alex Clark said Wednesday.

A representative for the U.S. Department of Education was not immediately available to discuss the matter.

The news comes amid a broader crackdown on for-profit colleges to ensure students of these career programs are able to find jobs and manage their debt after graduation. The schools must meet certain guidelines or risk losing access to federal student aid in the future.

The University of Phoenix is the country's largest for-profit education chain by number of students.

Shares of Apollo Group, which is based in Phoenix, lost a penny to \$35.80 in afternoon trading.

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Testimony
Before the Committee on Health,
Education, Labor, and Pensions, U.S.
Senate

For Release on Delivery
Expected at 10:00 a.m. EDT
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FOR-PROFIT COLLEGES

Undercover Testing Finds Colleges Encouraged Fraud and Engaged in Deceptive and Questionable Marketing Practices

Statement of Gregory D. Kutz, Managing Director
Forensics Audits and Special Investigations

On November 30, 2010, GAO reissued this testimony to clarify and add more precise wording on pages 9 and 12 and to some of the examples cited in Table 1 on page 8 and Appendix I, pages 19-27.

GAO-10-948T



Highlights of GAO-10-948T, a testimony before the Committee on Health, Education, Labor, and Pensions, U.S. Senate

FOR-PROFIT COLLEGES

Undercover Testing Finds Colleges Encouraged Fraud and Engaged in Deceptive and Questionable Marketing Practices

Why GAO Did This Study

Enrollment in for-profit colleges has grown from about 365,000 students to almost 1.8 million in the last several years. These colleges offer degrees and certifications in programs ranging from business administration to cosmetology. In 2009, students at for-profit colleges received more than \$4 billion in Pell Grants and more than \$20 billion in federal loans provided by the Department of Education (Education). GAO was asked to 1) conduct undercover testing to determine if for-profit colleges' representatives engaged in fraudulent, deceptive, or otherwise questionable marketing practices, and 2) compare the tuitions of the for-profit colleges tested with those of other colleges in the same geographic region.

To conduct this investigation, GAO investigators posing as prospective students applied for admissions at 15 for-profit colleges in 6 states and Washington, D.C.. The colleges were selected based on several factors, including those that the Department of Education reported received 89 percent or more of their revenue from federal student aid. GAO also entered information on four fictitious prospective students into education search Web sites to determine what type of follow-up contact resulted from an inquiry. GAO compared tuition for the 15 for-profit colleges tested with tuition for the same programs at other colleges located in the same geographic areas. Results of the undercover tests and tuition comparisons cannot be projected to all for-profit colleges.

View GAO-10-948T or key components. For more information, contact Gregory Kutz at (202) 512-6722 or kutzg@gao.gov.

What GAO Found

Undercover tests at 15 for-profit colleges found that 4 colleges encouraged fraudulent practices and that all 15 made deceptive or otherwise questionable statements to GAO's undercover applicants. Four undercover applicants were encouraged by college personnel to falsify their financial aid forms to qualify for federal aid—for example, one admissions representative told an applicant to fraudulently remove \$250,000 in savings. Other college representatives exaggerated undercover applicants' potential salary after graduation and failed to provide clear information about the college's program duration, costs, or graduation rate despite federal regulations requiring them to do so. For example, staff commonly told GAO's applicants they would attend classes for 12 months a year, but stated the annual cost of attendance for 9 months of classes, misleading applicants about the total cost of tuition. Admissions staff used other deceptive practices, such as pressuring applicants to sign a contract for enrollment before allowing them to speak to a financial advisor about program cost and financing options. However, in some instances, undercover applicants were provided accurate and helpful information by college personnel, such as not to borrow more money than necessary.

Fraudulent, Deceptive, and Otherwise Questionable Practices

Degree/certificate, location	Sales and Marketing Practice
Certificate Program – California	Undercover applicant was encouraged by a college representative to change federal aid forms to falsely increase the number of dependents in the household in order to qualify for grants.
Associate's Degree – Florida	Undercover applicant was falsely told that the college was accredited by the same organization that accredits Harvard and the University of Florida.
Certificate Program – Washington, D.C.	Admissions representative said that barbers can earn up to \$150,000 to \$250,000 a year, an exceptional figure for the industry. The Bureau of Labor Statistics reports that 90 percent of barbers make less than \$43,000 a year.
Certificate Program – Florida	Admission representative told an undercover applicant that student loans were not like a car payment and that no one would "come after" the applicant if she did not pay back her loans.

Source: GAO

In addition, GAO's four fictitious prospective students received numerous, repetitive calls from for-profit colleges attempting to recruit the students when they registered with Web sites designed to link for-profit colleges with prospective students. Once registered, GAO's prospective students began receiving calls within 5 minutes. One fictitious prospective student received more than 180 phone calls in a month. Calls were received at all hours of the day, as late as 11 p.m. To see video clips of undercover applications and to hear voicemail messages from for-profit college recruiters, see <http://www.gao.gov/products/GAO-10-948T>.

Programs at the for-profit colleges GAO tested cost substantially more for associate's degrees and certificates than comparable degrees and certificates at public colleges nearby. A student interested in a massage therapy certificate costing \$14,000 at a for-profit college was told that the program was a good value. However the same certificate from a local community college cost \$520. Costs at private nonprofit colleges were more comparable when similar degrees were offered.

United States Government Accountability Office

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to discuss our investigation into fraudulent, deceptive, or otherwise questionable sales and marketing practices in the for-profit college industry.¹ Across the nation, about 2,000 for-profit colleges eligible to receive federal student aid offer certifications and degrees in subjects such as business administration, medical billing, psychology, and cosmetology. Enrollment in such colleges has grown far faster than traditional higher-education institutions. The for-profit colleges range from small, privately owned colleges to colleges owned and operated by publicly traded corporations. Fourteen such corporations, worth more than \$26 billion as of July 2010,² have a total enrollment of 1.4 million students. With 443,000 students, one for-profit college is one of the largest higher-education systems in the country—enrolling only 20,000 students fewer than the State University of New York.

The Department of Education's Office of Federal Student Aid manages and administers billions of dollars in student financial assistance programs under Title IV of the Higher Education Act of 1965, as amended. These programs include, among others, the William D. Ford Federal Direct Loan Program (Direct Loans), the Federal Pell Grant Program, and campus-based aid programs.³ Grants do not have to be repaid by students, while loans must be repaid whether or not a student completes a degree program. Students may be eligible for "subsidized" loans or "unsubsidized" loans. For unsubsidized loans, interest begins to accrue on the loan as soon as the loan is taken out by the student (i.e. while attending classes).

¹For-profit colleges are institutions of post-secondary education that are privately-owned or owned by a publicly traded company and whose net earnings can benefit a shareholder or individual. In this report, we use the term "college" to refer to all of those institutions of post-secondary education that are eligible for funds under Title IV of the Higher Education Act of 1965, as amended. This term thus includes public and private nonprofit institutions, proprietary or for-profit institutions, and post-secondary vocational institutions.

²\$26 billion is the aggregate market capitalization of the 14 publicly traded corporations on July 14, 2010. In addition, there is a 15th company that operates for-profit colleges; however, the parent company is involved in other industries; therefore, we are unable to separate its market capitalization for only the for-profit college line of business, and its value is not included in this calculation.

³The Federal Supplemental Educational Opportunity Grant (FSEOG), Federal Work-Study (FWS), and Federal Perkins Loan programs are called campus-based programs and are administered directly by the financial aid office at each participating college. As of July 1, 2010 new federal student loans that are not part of the campus-based programs will come directly from the Department of Education under the Direct Loan program.

For subsidized loans, interest does not accrue while a student is in college. Colleges received \$105 billion in Title IV funding for the 2008-2009 school year—of which approximately 23 percent or \$24 billion went to for-profit colleges. Because of the billions of dollars in federal grants and loans utilized by students attending for-profit colleges, you asked us to (1) conduct undercover testing to determine if for-profit college representatives engaged in fraudulent, deceptive, or otherwise questionable marketing practices, and (2) compare the cost of attending for-profit colleges tested with the cost of attending nonprofit colleges in the same geographic region.

To determine whether for-profit college representatives engaged in fraudulent, deceptive, or otherwise questionable sales and marketing practices, we investigated a nonrepresentative selection of 15 for-profit colleges located in Arizona, California, Florida, Illinois, Pennsylvania, Texas, and Washington, D.C. We chose colleges based on several factors in order to test for-profit colleges offering a variety of educational services with varying corporate sizes and structures located across the country. Factors included whether a college received 89 percent or more of total revenue from federal student aid according to Department of Education (Education) data or was located in a state that was among the top 10 recipients of Title IV funding. We also chose a mix of privately held or publicly traded for-profit colleges. We reviewed Federal Trade Commission (FTC) statutes and regulations regarding unfair and deceptive marketing practices and Education statutes and regulations regarding what information postsecondary colleges are required to provide to students upon request and what constitutes substantial misrepresentation of services. During our undercover tests we attempted to identify whether colleges met these regulatory requirements, but we were not able to test all regulatory requirements in all tests.

Using fictitious identities, we posed as potential students to meet with the colleges' admissions and financial aid representatives and inquire about certificate programs, associate's degrees, and bachelor's degrees.⁴ We inquired about one degree type and one major—such as cosmetology, massage therapy, construction management, or elementary education—at each college. We tested each college twice—once posing as a prospective student with an income low enough to qualify for federal grants and

⁴A certificate program allows a student to earn a college level credential in a particular field without earning a degree.

subsidized student loans, and once as a prospective student with higher income and assets to qualify the student only for certain unsubsidized loans.⁵ Our undercover applicants were ineligible for other types of federal postsecondary education assistance programs such as benefits available under the Post-9/11 Veterans Educational Assistance Act of 2008 (commonly referred to as “the Post-9/11 G.I. Bill”). We used fabricated documentation, such as tax returns, created with publicly available hardware, software and materials, and the Free Application for Federal Student Aid (FAFSA)—the form used by virtually all 2- and 4-year colleges, universities, and career colleges for awarding federal student aid—during our in-person meetings. In addition, using additional bogus identities, investigators posing as four prospective students filled out forms on two Web sites that ask questions about students’ academic interests, match them to colleges with relevant programs, and provide the students’ information to colleges or the colleges’ outsourced calling center for follow-up about enrollment. Two students expressed interest in a culinary arts degree, and two other students expressed interest in a business administration degree. We filled out information on two Web sites with these fictitious prospective students’ contact information and educational interests in order to document the type and frequency of contact the fictitious prospective students would receive. We then monitored the phone calls and voicemails received.

To compare the cost of attending for-profit colleges with that of nonprofit colleges, we used Education information to select public and private nonprofit colleges located in the same geographic areas as the 15 for-profit colleges we visited. We compared tuition rates for the same type of degree or certificate between the for-profit and nonprofit colleges. For the 15 for-profit colleges we visited, we used information obtained from campus representatives to determine tuition at these programs. For the nonprofit colleges, we obtained information from their Web sites or, when not available publicly, from campus representatives. Not all nonprofit colleges offered similar degrees, specifically when comparing associate’s degrees and certificate programs. We cannot project the results of our undercover tests or cost comparisons to other for-profit colleges.

⁵Regardless of income and assets, all eligible students attending a Title IV college are eligible to receive unsubsidized federal loans. The maximum amount of the unsubsidized loan ranges from \$2,000 to \$12,000 per year, depending on the student’s grade level and on whether the student is considered “dependent” or “independent” from his or her parents or guardians.

We plan to refer cases of school officials encouraging fraud and engaging in deceptive practices to Education's Office of Inspector General, where appropriate. Our investigative work, conducted from May 2010 through July 2010, was performed in accordance with standards prescribed by the Council of the Inspectors General on Integrity and Efficiency.

Background

In recent years, the scale and scope of for-profit colleges have changed considerably. Traditionally focused on certificate and programs ranging from cosmetology to medical assistance and business administration, for-profit institutions have expanded their offerings to include bachelor's, master's, and doctoral level programs. Both the certificate and degree programs provide students with training for careers in a variety of fields. Proponents of for-profit colleges argue that they offer certain flexibilities that traditional universities cannot, such as, online courses, flexible meeting times, and year-round courses. Moreover, for-profit colleges often have open admissions policies to accept any student who applies.

Currently, according to Education about 2,000 for-profit colleges participate in Title IV programs and in the 2008–2009 school year, for-profit colleges received approximately \$24 billion in Title IV funds. Students can only receive Title IV funds when they attend colleges approved by Education to participate in the Title IV program.

Title IV Program Eligibility Criteria

The Higher Education Act of 1965, as amended, provides that a variety of institutions of higher education are eligible to participate in Title IV programs, including:

- Public institutions—Institutions operated and funded by state or local governments, which include state universities and community colleges.
- Private nonprofit institutions—Institutions owned and operated by nonprofit organizations whose net earnings do not benefit any shareholder or individual. These institutions are eligible for tax-deductible contributions in accordance with the Internal Revenue code (26 U.S.C. § 501(c)(3)).
- For-profit institutions—Institutions that are privately owned or owned by a publicly traded company and whose net earnings can benefit a shareholder or individual.

Colleges must meet certain requirements to receive Title IV funds. While full requirements differ depending on the type of college, most colleges are

required to: be authorized or licensed by the state in which it is located to provide higher education; provide at least one eligible program that provides an associate's degree or higher, or provides training to students for employment in a recognized occupation; and be accredited by an accrediting agency recognized by the Secretary of Education. Moreover, for-profit colleges must enter a "program participation agreement" with Education that requires the school to derive not less than 10 percent of revenues from sources other than Title IV funds and certain other federal programs (known as the "90/10 Rule"). Student eligibility for grants and subsidized student loans is based on student financial need. In addition, in order for a student to be eligible for Title IV funds, the college must ensure that the student meets the following requirements, among others: has a high school diploma, a General Education Development certification, or passes an ability-to-benefit test approved by Education, or completes a secondary school education in a home school setting recognized as such under state law; is working toward a degree or certificate in an eligible program; and is maintaining satisfactory academic progress once in college.⁶

Defaults on Student Loans

In August 2009, GAO reported that in the repayment period, students who attended for-profit colleges were more likely to default on federal student loans than were students from other colleges.⁷ When students do not make payments on their federal loans and the loans are in default, the federal government and taxpayers assume nearly all the risk and are left with the costs. For example, in the Direct Loan program, the federal government and taxpayers pick up 100 percent of the unpaid principal on defaulted loans. In addition, students who default are also at risk of facing a number of personal and financial burdens. For example, defaulted loans will appear on the student's credit record, which may make it more difficult to obtain an auto loan, mortgage, or credit card. Students will also be ineligible for assistance under most federal loan programs and may not receive any additional Title IV federal student aid until the loan is repaid in full. Furthermore, Education can refer defaulted student loan debts to the Department of Treasury to offset any federal or state income tax refunds

⁶GAO previously investigated certain schools' use of ability-to-benefit tests. For more information, see GAO, *PROPRIETARY SCHOOLS: Stronger Department of Education Oversight Needed to Help Ensure Only Eligible Students Receive Federal Student Aid*, GAO-09-600 (Washington, D.C.: August 17, 2009).

⁷GAO-09-600.

due to the borrower to repay the defaulted loan. In addition, Education may require employers who employ individuals who have defaulted on a student loan to deduct 15 percent of the borrower's disposable pay toward repayment of the debt. Garnishment may continue until the entire balance of the outstanding loan is paid.

College Disclosure Requirements

In order to be an educational institution that is eligible to receive Title IV funds, Education statutes and regulations require that each institution make certain information readily available upon request to enrolled and prospective students.⁸ Institutions may satisfy their disclosure requirements by posting the information on their Internet Web sites. Information to be provided includes: tuition, fees, and other estimated costs; the institution's refund policy; the requirements and procedures for withdrawing from the institution; a summary of the requirements for the return of Title IV grant or loan assistance funds; the institution's accreditation information; and the institution's completion or graduation rate. If a college substantially misrepresents information to students, a fine of no more than \$25,000 may be imposed for each violation or misrepresentation and their Title IV eligibility status may be suspended or terminated.⁹ In addition, the FTC prohibits "unfair methods of competition" and "unfair or deceptive acts or practices" that affect interstate commerce.

⁸20 U.S.C. § 1092 and 34 C.F.R. §§ 668.41 -49.

⁹20 U.S.C. § 1094 (c) (3) and 34 C.F.R. §§ 668.71 - .75. Additionally, Education has recently proposed new regulations that would enhance its oversight of Title IV eligible institutions, including provisions related to misrepresentation and aggressive recruiting practices. See 75 Fed. Reg. 34,806 (June 18, 2010).

For-Profit Colleges Encouraged Fraud and Engaged in Deceptive and Otherwise Questionable Sales and Marketing Practices

Our covert testing at 15 for-profit colleges found that four colleges encouraged fraudulent practices, such as encouraging students to submit false information about their financial status. In addition all 15 colleges made some type of deceptive or otherwise questionable statement to undercover applicants, such as misrepresenting the applicant's likely salary after graduation and not providing clear information about the college's graduation rate. Other times our undercover applicants were provided accurate or helpful information by campus admissions and financial aid representatives. Selected video clips of our undercover tests can be seen at <http://www.gao.gov/products/GAO-10-948T>.

Fraudulent Practices Encouraged by For-Profit Colleges

Four of the 15 colleges we visited encouraged our undercover applicants to falsify their FAFSA in order to qualify for financial aid. A financial aid officer at a privately owned college in Texas told our undercover applicant not to report \$250,000 in savings, stating that it was not the government's business how much money the undercover applicant had in a bank account. However, Education requires students to report such assets, which along with income, are used to determine how much and what type of financial aid for which a student is eligible. The admissions representative at this same school encouraged the undercover applicant to change the FAFSA to falsely add dependents in order to qualify for grants. The admissions representative attempted to ease the undercover applicant's concerns about committing fraud by stating that information about the reported dependents, such as Social Security numbers, was not required. An admissions representative at another college told our undercover applicant that changing the FAFSA to indicate that he supported three dependents instead of being a single-person household might drop his income enough to qualify for a Pell Grant. In all four situations when college representatives encouraged our undercover applicants to commit fraud, the applicants indicated on their FAFSA, as well as to the for-profit college staff, that they had just come into an inheritance worth approximately \$250,000. This inheritance was sufficient to pay for the entire cost of the undercover applicant's tuition. However, in all four cases, campus representatives encouraged the undercover applicants to take out loans and assisted them in becoming eligible either for grants or subsidized loans. It was unclear what incentive these colleges had to encourage our undercover applicants to fraudulently fill out financial aid forms given the applicants' ability to pay for college. The following table provides more details on the four colleges involved in encouraging fraudulent activity.

Table 1: Fraudulent Actions Encouraged by For-Profit Colleges

Location	Certification Sought and Course of Study	Type of College	Fraudulent Behavior Encouraged
CA	Certificate - Computer Aided Drafting	Less than 2-year, privately owned	<ul style="list-style-type: none"> Undercover applicant was encouraged by a financial aid representative to change the FAFSA to falsely increase the number of dependents in the household in order to qualify for Pell Grants. The undercover applicant suggested to the representative that by the time the college would be required by Education to verify any information about the applicant, the applicant would have already graduated from the 7-month program. The representative acknowledged this was true. This undercover applicant indicated to the financial aid representative that he had \$250,000 in the bank, and was therefore capable of paying the program's \$15,000 cost. The fraud would have made the applicant eligible for grants and subsidized loans.
FL	Associate's Degree - Radiologic Technology	2-year, privately owned	<ul style="list-style-type: none"> Admissions representative suggested to the undercover applicant that he not report \$250,000 in savings reported on the FAFSA. The representative told the applicant to come back once the fraudulent financial information changes had been processed. This change would not have made the applicant eligible for grants because his income would have been too high; but it would have made him eligible for loans subsidized by the government. However, this undercover applicant indicated that he had \$250,000 in savings—more than enough to pay for the program's \$39,000 costs.
PA	Certificate - Web Page Design	Less than 2-year, privately owned	<ul style="list-style-type: none"> Financial aid representative told the undercover applicant that he should have answered "zero" when asked about money he had in savings—the applicant had reported a \$250,000 inheritance. The financial aid representative told the undercover applicant that she would "correct" his FAFSA form by reducing the reported assets to zero. She later confirmed by email and voicemail that she had made the change. This change would not have made the applicant eligible for grants, but it would have made him eligible for loans subsidized by the government. However, this applicant indicated that he had about \$250,000 in savings—more than enough to pay for the program's \$21,000 costs.
TX	Bachelor's Degree - Construction Management	4-year, privately owned	<ul style="list-style-type: none"> Admissions representative encouraged applicant to change the FAFSA to falsely add dependents in order to qualify for Pell Grants. Admissions representative assured the undercover applicant that he did not have to identify anything about the dependents, such as their Social Security numbers, nor did he have to prove to the college with a tax return that he had previously claimed them as dependents. Financial aid representative told the undercover applicant that he should not report the \$250,000 in cash he had in savings. This applicant indicated to the financial aid representative that he had \$250,000 in the bank, and was therefore capable of paying the program's \$68,000 cost. The fraud would have made the undercover applicant eligible for more than \$2,000 in grants per year.

Source: GAO.

Deceptive or Questionable Statements

Admissions or financial aid representatives at all 15 for-profit colleges provided our undercover applicants with deceptive or otherwise questionable statements. These deceptive and questionable statements included information about the college's accreditation, graduation rates and its student's prospective employment and salary qualifications, duration and cost of the program, or financial aid. Representatives at schools also employed hard-sell sales and marketing techniques to encourage students to enroll.

Accreditation Information

Admissions representatives at four colleges either misidentified or failed to identify their colleges' accrediting organizations. While all the for-profit colleges we visited were accredited according to information available from Education, federal regulations state that institutions may not provide students with false, erroneous, or misleading statements concerning the particular type, specific source, or the nature and extent of its accreditation. Examples include:

- A representative at a college in Florida owned by a publicly traded company told an undercover applicant that the college was accredited by the same organization that accredits Harvard and the University of Florida when in fact it was not. The representative told the undercover applicant: "It's the top accrediting agency—Harvard, University of Florida—they all use that accrediting agency... All schools are the same; you never read the papers from the schools."
- A representative of a small beauty college in Washington, D.C. told an undercover applicant that the college was accredited by "an agency affiliated with the government," but did not specifically name the accrediting body. Federal and state government agencies do not accredit educational institutions.
- A representative of a college in California owned by a private corporation told an undercover applicant that this college was the only one to receive its accrediting organization's "School of Excellence" award. The accrediting organization's Web site listed 35 colleges as having received that award.

Graduation Rate, Employment and Expected Salaries

Representatives from 13 colleges gave our applicants deceptive or otherwise questionable information about graduation rates, guaranteed applicants jobs upon graduation, or exaggerated likely earnings. Federal statutes and regulations require that colleges disclose the graduation rate to applicants upon request, although this requirement can be satisfied by posting the information on their Web site. Thirteen colleges did not

provide applicants with accurate or complete information about graduation rates. Of these thirteen, four provided graduation rate information in some form on their Web site, although it required a considerable amount of searching to locate the information. Nine schools did not provide graduation rates either during our in person visit or on their Web sites. For example, when asked for the graduation rate, a representative at a college in Arizona owned by a publicly traded company said that last year 90 students graduated, but did not disclose the actual graduation rate. When our undercover applicant asked about graduation rates at a college in Pennsylvania owned by a publicly traded company, he was told that if all work was completed, then the applicant should successfully complete the program—again the representative failed to disclose the college's graduation rate when asked. However, because graduation rate information was available at both these colleges' Web sites, the colleges were in compliance with Education regulations.

In addition, according to federal regulations, a college may not misrepresent the employability of its graduates, including the college's ability to secure its graduates employment. However, representatives at two colleges told our undercover applicants that they were guaranteed or virtually guaranteed employment upon completion of the program. At five colleges, our undercover applicants were given potentially deceptive information about prospective salaries. Examples of deceptive or otherwise questionable information told to our undercover applicants included:

- A college owned by a publicly traded company told our applicant that, after completing an associate's degree in criminal justice, he could try to go work for the Federal Bureau of Investigation or the Central Intelligence Agency. While other careers within those agencies may be possible, positions as a FBI Special Agent or CIA Clandestine Officer, require a bachelor's degree at a minimum.
- A small beauty college told our applicant that barbers can earn \$150,000 to \$250,000 a year. While this may be true in exceptional circumstances, the Bureau of Labor Statistics (BLS) reports that 90 percent of barbers make less than \$43,000 a year.
- A college owned by a publicly traded company told our applicant that instead of obtaining a criminal justice associate's degree, she should consider a medical assisting certificate and that after only 9 months of college, she could earn up to \$68,000 a year. A salary this high would be

extremely unusual; 90 percent of all people working in this field make less than \$40,000 a year, according to the BLS.

Program Duration and Cost

Representatives from nine colleges gave our undercover applicants deceptive or otherwise questionable information about the duration or cost of their colleges' programs. According to federal regulations, a college may not substantially misrepresent the total cost of an academic program. Representatives at these colleges used two different methods to calculate program duration and cost of attendance. Colleges described the duration of the program as if students would attend classes for 12 months per year, but reported the annual cost of attendance for only 9 months of classes per year. This disguises the program's total cost. Examples include:

- A representative at one college said it would take 3.5–4 years to obtain a bachelor's degree by taking classes year round, but quoted the applicant an annual cost for attending classes for 9 months of the year. She did not explain that attending classes for only 9 months out of the year would require an additional year to complete the program. If the applicant did complete the degree in 4 years, the annual cost would be higher than quoted to reflect the extra class time required per year.
- At another college, the representative quoted our undercover applicant an annual cost of around \$12,000 per year and said it would take 2 years to graduate without breaks, but when asked about the total cost, the representative told our undercover applicant it would cost \$30,000 to complete the program—equivalent to more than two and a half years of the previously quoted amount. If the undercover applicant had not inquired about the total cost of the program, she would have been led to believe that the total cost to obtain the associate's degree would have been \$24,000.

Financial Aid

Eleven colleges denied undercover applicants access to their financial aid eligibility or provided questionable financial advice. According to federal statutes and regulations, colleges must make information on financial assistance programs available to all current and prospective students.

- Six colleges in four states told our undercover applicants that they could not speak with financial aid representatives or find out what grants and loans they were eligible to receive until they completed the college's enrollment forms agreeing to become a student and paid a small application fee to enroll.

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- A representative at one college in Florida owned by a publicly traded company advised our undercover applicant not to concern himself with loan repayment because his future salary—he was assured—would be sufficient to repay loans.
 - A representative at one college in Florida owned by a private company told our undercover applicant that student loans were not like car loans because “no one will come after you if you don’t pay.” In reality, students who cannot pay their loans face fees, may damage their credit, have difficulty taking out future loans, and in most cases, bankruptcy law prohibits a student borrower from discharging a student loan.
 - A representative at a college owned by a publicly traded corporation told our undercover applicant that she could take out the maximum amount of federal loans, even if she did not need all the money. She told the applicant she could put the extra money in a high-interest savings account. While subsidized loans do not accrue interest while a student is in college, unsubsidized loans do accrue interest. The representative did not disclose this distinction to the applicant when explaining that she could put the money in a savings account.

Other Sales and Marketing Tactics

Six colleges engaged in other questionable sales and marketing tactics such as employing hard-sell sales and marketing techniques and requiring enrolled students to pay monthly installments to the college during their education.

- At one Florida college owned by a publicly traded company, a representative told our undercover applicant she needed to answer 18 questions correctly on a 50 question test to be accepted to the college. The test proctor sat with her in the room and coached her during the test.
- At two other colleges, our undercover applicants were allowed 20 minutes to complete a 12-minute test or took the test twice to get a higher score.
- At the same Florida college, multiple representatives used high pressure marketing techniques, becoming argumentative, and scolding our undercover applicants for refusing to enroll before speaking with financial aid.
- A representative at this Florida college encouraged our undercover applicant to sign an enrollment agreement while assuring her that the contract was not legally binding.

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- A representative at another college in Florida owned by a publicly traded company said that he personally had taken out over \$85,000 in loans to pay for his degree, but he told our undercover applicant that he probably would not pay it back because he had a “tomorrow’s never promised” philosophy.
 - Three colleges required undercover applicants to make \$20–\$150 monthly payments once enrolled, despite the fact that students are typically not required to repay loans until after the student finishes or drops out of the program. These colleges gave different reasons for why students were required to make these payments and were sometimes unclear exactly what these payments were for. At one college, the applicant would have been eligible for enough grants and loans to cover the annual cost of tuition, but was told that she needed to make progress payments toward the cost of the degree separate from the money she would receive from loans and grants. A representative from this college told the undercover applicant that the federal government’s “90/10 Rule” required the applicant to make these payments. However, the “90/10 Rule” does not place any requirements on students, only on the college.
 - At two colleges, our undercover applicants were told that if they recruited other students, they could earn rewards, such as an MP3 player or a gift card to a local store.¹⁰

Accurate and Helpful Information Provided

In some instances our undercover applicants were provided accurate or helpful information by campus admissions and financial aid representatives. In line with federal regulations, undercover applicants at several colleges were provided accurate information about the transferability of credits to other postsecondary institutions, for example:

¹⁰Depending on the value of the gift, such a transaction may be allowed under current law. Federal statute requires that a college’s program participation agreement with Education include a provision that the college will not provide any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities. However, Education’s regulations have identified 12 types of payment and compensation plans that do not violate this statutory prohibition, referred to as “safe harbors”. Under one of these exceptions, schools are allowed to provide “token gifts” valued under \$100 to a student provided the gift is not in the form of money and no more than one gift is provided annually to an individual. However, on June 18, 2010 the Department of Education issued a notice of proposed rulemaking that would, among other things, eliminate these 12 safe harbors and restore the full prohibition.

-
- A representative at a college owned by a publicly traded company in Pennsylvania told our applicant that with regard to the transfer of credits, "different schools treat it differently; you have to roll the dice and hope it transfers."
 - A representative at a privately owned for-profit college in Washington, D.C. told our undercover applicant that the transfer of credits depends on the college the applicant wanted to transfer to.

Some financial aid counselors cautioned undercover applicants not to take out more loans than necessary or provided accurate information about what the applicant was required to report on his FAFSA, for example:

- One financial aid counselor at a privately owned college in Washington D.C. told an applicant that because the money had to be paid back, the applicant should be cautious about taking out more debt than necessary.
- A financial aid counselor at a college in Arizona owned by a publicly traded company had the undercover applicant call the FAFSA help line to have him ask whether he was required to report his \$250,000 inheritance. When the FAFSA help line representative told the undercover applicant that it had to be reported, the college financial aid representative did not encourage the applicant not to report the money.

In addition, some admissions or career placement staff gave undercover applicants reasonable information about prospective salaries and potential for employment, for example:

- Several undercover applicants were provided salary information obtained from the BLS or were encouraged to research salaries in their prospective fields using the BLS Web site.
- A career services representative at a privately owned for-profit college in Pennsylvania told an applicant that as an entry level graphic designer, he could expect to earn \$10-\$15 per hour. According to the BLS only 25 percent of graphic designers earn less than \$15 per hour in Pennsylvania.

Web Site Inquiries Result in Hundreds of Calls

Some Web sites that claim to match students with colleges are in reality lead generators used by many for-profit colleges to market to prospective students. Though such Web sites may be useful for students searching for schools in some cases, our undercover tests involving four fictitious

prospective students led to a flood of calls—about five a day. Four of our prospective students filled out forms on two Web sites, which ask questions about students' interests, match them to for-profit colleges with relevant programs, and provide the students' information to the appropriate college or the college's outsourced calling center for follow-up about enrollment. Two fictitious prospective students expressed interest in a culinary arts certificate, one on Web site A and one on Web site B. Two other prospective students expressed interest in a bachelor's in business administration degree, one on each Web site.

Within minutes of filling out forms, three prospective students received numerous phone calls from colleges. One fictitious prospective student received a phone call about enrollment within 5 minutes of registering and another 5 phone calls within the hour. Another prospective student received 2 phone calls separated only by seconds within the first 5 minutes of registering and another 3 phone calls within the hour. Within a month of using the Web sites, one student interested in business management received 182 phone calls and another student also interested in business management received 179 phone calls. The two students interested in culinary arts programs received fewer calls—one student received only a handful, while the other received 72. In total, the four students received 436 phone calls in the first 30 days after using the Web sites. Of these, only six calls—all from the same college—came from a public college.¹¹ The table below provides information about the calls these students received within the first 30 days of registering at the Web site.

¹¹Of the 436 calls, not all resulted in a voice message in which a representative identified the school he or she was calling from. For those callers who did not leave a message, GAO attempted to trace the destination of the caller. In some cases GAO was not able to identify who placed the call to the student.

Table 2: Telephone Calls Received as a Result of Web site Inquiries

Student	Student's Location	Web Site Student Used	Degree	Number of Calls Received Within 24 Hours of Registering	Most Calls Received in One Day*	Total Number of Calls Received in a Month
1	GA	A	Business Administration	21	19	179
2	CA	B	Business Administration	24	18	182
3	MD	A	Culinary Arts	5	8	72
4	NV	B	Culinary Arts	2	1	3

Source: GAO

*This number is based on the number of calls received within the first month of registering but does not include the first 24 hours.

Tuition at For-Profit Colleges Is Sometimes Higher Than Tuition at Nearby Public and Private Nonprofit Colleges

During the course of our undercover applications, some college representatives told our applicants that their programs were a good value. For example, a representative of a privately owned for-profit college in California told our undercover applicant that the \$14,495 cost of tuition for a computer-aided drafting certificate was "really low." A representative at a for-profit college in Florida owned by a publicly traded company told our undercover applicant that the cost of their associate's degree in criminal justice was definitely "worth the investment". However, based on information we obtained from for-profit colleges we tested, and public and private nonprofit colleges in the same geographic region, we found that most certificate or associate's degree programs at the for-profit colleges we tested cost more than similar degrees at public or private nonprofit colleges. We found that bachelor's degrees obtained at the for-profit colleges we tested frequently cost more than similar degrees at public colleges in the area; however, bachelor's degrees obtained at private nonprofit colleges nearby are often more expensive than at the for-profit colleges.

We compared the cost of tuition at the 15 for-profit colleges we visited, with public and private non-profit colleges located in the same geographic area as the for-profit college. We found that tuition in 14 out of 15 cases, regardless of degree, was more expensive at the for-profit college than at the closest public colleges. For 6 of the 15 for-profit colleges tested, we could not find a private nonprofit college located within 250 miles that offered a similar degree. For 1 of the 15, representatives from the private nonprofit college were unwilling to disclose their tuition rates when we inquired. At eight of the private nonprofit colleges for which we were able to obtain tuition information on a comparable degree, four of the for-profit colleges were more expensive than the private nonprofit college. In the

other four cases, the private nonprofit college was more expensive than the for-profit college.

We found that tuition for certificates at for-profit colleges were often significantly more expensive than at a nearby public college. For example, our undercover applicant would have paid \$13,945 for a certificate in computer aided drafting program—a certification for a 7-month program obtained by those interested in computer-aided drafting, architecture, and engineering—at the for-profit college we visited. To obtain a certificate in computed-aided drafting at a nearby public college would have cost a student \$520. However, for two of the five colleges we visited with certificate programs, we could not locate a private nonprofit college within a 250 mile radius and another one of them would not disclose its tuition rate to us. We were able to determine that in Illinois, a student would spend \$11,995 on a medical assisting certificate at a for-profit college, \$9,307 on the same certificate at the closest private nonprofit college, and \$3,990 at the closest public college. We were also able to determine that in Pennsylvania, a student would spend \$21,250 on a certificate in Web page design at a for-profit college, \$4,750 on the same certificate at the closest private nonprofit college, and \$2,037 at the closest public college.

We also found that for the five associate's degrees we were interested in, tuition at a for-profit college was significantly more than tuition at the closest public college. On average, for the five colleges we visited, it cost between 6 and 13 times more to attend the for-profit college to obtain an associate's degree than a public college. For example, in Texas, our undercover applicant was interested in an associate's degree in respiratory therapy which would have cost \$38,995 in tuition at the for-profit college and \$2,952 at the closest public college. For three of the associate's degrees we were interested in, there was not a private nonprofit college located within 250 miles of the for-profit we visited. We found that in Florida the associate's degree in Criminal Justice that would have cost a student \$4,448 at a public college, would have cost the student \$26,936 at a for-profit college or \$27,600 at a private nonprofit college—roughly the same amount. In Texas, the associate's degree in Business Administration would have cost a student \$2,870 at a public college, \$32,665 at the for-profit college we visited, and \$28,830 at the closest private nonprofit college.

We found that with respect to the bachelor's degrees we were interested in, four out of five times, the degree was more expensive to obtain at the for-profit college than the public college. For example in Washington, D.C.,

the bachelor's degree in Management Information Systems would have cost \$53,400 at the for-profit college, and \$51,544 at the closest public college. The same bachelor's degree would have cost \$144,720 at the closest private nonprofit college. For one bachelor's degree, there was no private nonprofit college offering the degree within a 250 mile radius. Three of the four private nonprofit colleges were more expensive than their for-profit counterparts.

Table 3: Program Total Tuition Rates

Degree	Location	For-Profit College Tuition	Public College Tuition	Private Nonprofit College Tuition
Certificate – Computer-aided drafting	CA	\$13,945	\$520	College would not disclose
Certificate – Massage Therapy	CA	\$14,487	\$520	No college within 250 miles
Certificate – Cosmetology	DC	\$11,500	\$9,375	No college within 250 miles
Certificate – Medical Assistant	IL	\$11,995	\$3,990	\$9,307
Certificate – Web Page Design	PA	\$21,250	\$2,037	\$4,750
Associate's – Paralegal	AZ	\$30,048	\$4,544	No college within 250 miles
Associate's – Radiation Therapy	FL	\$38,690	\$5,621	No college within 250 miles
Associate's – Criminal Justice	FL	\$26,936	\$4,448	\$27,600
Associate's – Business Administration	TX	\$32,665	\$2,870	\$28,830
Associate's – Respiratory Therapist	TX	\$38,995	\$2,952	No college within 250 miles
Bachelor's – Management Information Systems	DC	\$53,400	\$51,544	\$144,720
Bachelor's – Elementary Education	AZ	\$46,200	\$31,176	\$28,160
Bachelor's – Psychology	IL	\$61,200	\$36,536	\$66,960
Bachelor's – Business Administration	PA	\$49,200	\$49,292	\$124,696
Bachelor's – Construction Management	TX	\$65,338	\$25,288	No college within 250 miles

Source: Information obtained from for-profit colleges admissions employees and nonprofit college web sites or employees.

Note: These costs do not include books or supplies, unless the college gave the undercover applicant a flat rate to attend the for-profit college, which was inclusive of books, in which case we were not able to separate the cost of books and supplies.

Mr. Chairman, this concludes my statement. I would be pleased to answer any questions that you or other members of the committee may have at this time.

Contacts and Acknowledgments

For additional information about this testimony, please contact Gregory D. Kutz at (202) 512-6722 or kutzg@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement.

Appendix I: Detailed Results of Undercover Tests

The following table provides details on each of the 15 for-profit colleges visited by undercover applicants. We visited each school twice, posing once as an applicant who was eligible to receive both grants and loans (Scenario 1), and once as an applicant with a salary and savings that would qualify the undercover applicant only for unsubsidized loans (Scenario 2).

College information and degree sought	Students receiving Pell Grants*	Students receiving federal loans*	Graduation rate*	Encouragement of fraud, and engagement in deceptive, or otherwise questionable behavior
1 AZ - 4-year, owned by publicly traded company Bachelor's - Education	27%	39%	15%	<p><u>Scenario 1</u></p> <ul style="list-style-type: none"> Admissions representative compares the college to the University of Arizona and Arizona State University. Admissions representative did not disclose the graduation rate after being directly asked. He provided information on how many students graduated. This information was available on the college's Web site; however, it required significant effort to find the college's graduation rate, and the college did not provide separate graduation rates for its multiple campuses nationwide. Admissions representative says that he does not know the job placement rate because a lot of students moved out of the area. Admissions representative encourages undercover applicant to continue on with a master's degree after finishing with the bachelor's. He stated that some countries pay teachers more than they do doctors and lawyers. <p><u>Scenario 2</u></p> <ul style="list-style-type: none"> Admissions representative said the bachelor's degree would take a maximum of 4 years to complete, but she provided a 1-year cost estimate equal to 1/5 of the required credit hours. According to the admissions representative the undercover applicant was qualified for \$9,500 in student loans, and the representative indicated that the applicant could take out the full amount even though the applicant indicated that he had \$250,000 in savings. Admissions representative told the undercover applicant that the graduation rate is 20 percent. Education reports that it is 15 percent.

College information and degree sought	Students receiving Pell Grants*	Students receiving federal loans*	Graduation rate*	Encouragement of fraud, and engagement in deceptive, or otherwise questionable behavior
<p>2</p> <p>AZ - 4-year, owned by publicly traded company</p> <p>Associate's Degree – Paralegal</p>	57%	83%	Not reported	<p><u>Scenario 2</u></p> <ul style="list-style-type: none"> • Upon request by applicant, the financial aid representative estimated federal aid eligibility without the undercover applicant's reported \$250,000 in savings to see if applicant qualified for more financial aid. The representative informed the applicant he was ineligible for any grants. • Admissions representative misrepresented the length of the program by telling the undercover applicant that the 96 credit hour program would take 2 years to complete. However, she only provided the applicant a first year cost estimate for 36 credit hours. At this rate it would take more than 2.5 years to complete.
<p>3</p> <p>CA – less than 2-year, privately owned</p> <p>Certificate – Computer Aided Drafting</p>	94%	96%	84%	<p><u>Scenario 1</u></p> <ul style="list-style-type: none"> • College representative told the undercover applicant that if she failed to pass the college's required assessment test, she can continue to take different tests until she passes. • The college representative did not tell the graduation rate when asked directly. The representative replied, "I think, pretty much, if you try and show up and, you know, you do the work, you're going to graduate. You're going to pass guaranteed." The college's Web site also did not provide the graduation rate. • Undercover applicant was required to take a 12-minute admittance test but was given over 20 minutes because the test proctor was not monitoring the student. <p><u>Scenario 2</u></p> <ul style="list-style-type: none"> • Undercover applicant was encouraged by a financial aid representative to change the FAFSA to falsely increase the number of dependents in the household in order to qualify for a Pell Grant. • The financial aid representative was aware of the undercover applicant's inheritance and, addressing the applicant's expressed interest in loans, confirmed that he could take out the maximum in student loans. • The career representative told the undercover applicant that getting a job is a "piece of cake" and then told the applicant that she has graduates making \$120,000 - \$130,000 a year. This is likely the exception; according to the BLS 90 percent of architectural and civil drafters make less than \$70,000 per year. She also stated that in the current economic environment, the applicant could expect a job with a likely starting salary of \$13-\$14 per hour or \$15 if the applicant was lucky.

College information and degree sought	Students receiving Pell Grants*	Students receiving federal loans*	Graduation rate*	Encouragement of fraud, and engagement in deceptive, or otherwise questionable behavior
4 CA - 2-year, owned by publicly traded company Certificate – Massage Therapy	73%	83%	66%	<p><u>Scenario 1</u></p> <ul style="list-style-type: none"> The financial aid representative would not discuss the undercover applicant's eligibility for grants and loans and required the applicant to return on another day. <p><u>Scenario 2</u></p> <ul style="list-style-type: none"> While one school representative indicated to the undercover applicant that he could earn up to \$30 an hour as a massage therapist, another representative told the applicant that the school's massage instructors and directors can earn \$150-\$200 an hour. While this may be possible, according to the BLS, 90 percent of all massage therapists in California make less than \$34 per hour.
5 DC - 4-year, privately owned Bachelor's Degree – Business Information Systems	34%	66%	71%	<p><u>Scenario 1</u></p> <ul style="list-style-type: none"> Admissions representative explains to the undercover applicant that although community college might be a less expensive place to get a degree, community colleges make students spend money on classes that they do not need for their career. However, this school also requires students to take at least 36 credit hours of non-business general education courses. Admissions representative did not disclose the graduation rate after being directly asked. He told the undercover applicant that it is a "good" graduation rate. The college's Web site also did not provide the graduation rate. Admissions representative encouraged the undercover applicant to enroll by asking her to envision graduation day. He stated, "Let me ask you this, if you could walk across the stage in a black cap and gown. And walk with the rest of the graduating class and take a degree from the president's hand, how would that make you feel?" <p><u>Scenario 2</u></p> <ul style="list-style-type: none"> Admissions representative said the bachelor's degree would take 3.5 to 4 years to complete. He gave the applicant the cost per 12 hour semester, the amount per credit, the total number of credits required for graduation, and the number of credits for the first year. When asked if the figure he gave multiplied by four would be the cost of the program, the representative said yes, although the actual tuition would have amounted to some \$12,000 more. Admissions representative required the undercover applicant to apply to the college before he could talk to someone in financial aid. Admissions representative told the undercover applicant that almost all of the graduates get jobs. Flyer provided to undercover applicant stated that the average income for business management professionals in 2004 was \$77,000-\$118,000. When asked more directly about likely starting salaries, the admissions representative said that it was between \$40,000 and \$50,000.

College information and degree sought	Students receiving Pell Grants*	Students receiving federal loans*	Graduation rate*	Encouragement of fraud, and engagement in deceptive, or otherwise questionable behavior
6 DC – less than 2-year, Privately owned Certificate – Cosmetology, Barber	74%	74%	Not reported	<p><u>Scenario 1</u></p> <ul style="list-style-type: none"> Admissions representative told the undercover applicant that the college was accredited by "an agency affiliated with the government," but did not specifically name the accrediting body. Admissions representative suggested to the undercover applicant that all graduates get jobs. Specifically he told the applicant that if he had not found a job by the time he graduated from the school, the owner of the school would personally find the applicant a job himself. <p><u>Scenario 2</u></p> <ul style="list-style-type: none"> Admissions representative told our undercover applicant that barbers can earn \$150,000 to \$250,000 a year, though that would be extremely unusual. The BLS reports that 90 percent of barbers make less than \$43,000 a year. In Washington, D.C., 90 percent of barbers make less than \$17,000 per year. He said, "The money you can make, the potential is astronomical."

College information and degree sought	Students receiving Pell Grants ^a	Students receiving federal loans ^a	Graduation rate ^a	Encouragement of fraud, and engagement in deceptive, or otherwise questionable behavior
7 FL - 2-year, privately owned Associate's Degree – Radiologic Therapy	86%	92%	78%	<p data-bbox="771 640 868 661"><u>Scenario 1</u></p> <ul data-bbox="771 661 1351 1081" style="list-style-type: none"> <li data-bbox="771 661 1351 829">• When asked by the undercover applicant for the graduation rate for two programs, the admissions representative did not answer directly. For example the representative stated that "I've seen it's an 80 to 90% graduation rate" for one of the programs but said for that information "I would have to talk to career services." She also said 16 or 17 students graduated from one of the programs, but couldn't say how many students had started the program. The college's Web site also did not provide the graduation rate. <li data-bbox="771 829 1351 1081">• Admissions representative told our prospective undercover applicant that student loans were not like car loans because student loans could be deferred in cases of economic hardship, saying "It's not like a car note where if you don't pay they're going to come after you. If you're in hardship and you're unable to find a job, you can defer it." The representative did not explain the circumstances under which students might qualify for deferment. Borrowers who do not qualify for deferment or forbearance and who cannot pay their loans face fees, may damage their credit or have difficulty taking out future loans. Moreover, in most cases, bankruptcy law prohibits a student borrower from discharging a student loan. <p data-bbox="771 1081 868 1102"><u>Scenario 2</u></p> <ul data-bbox="771 1102 1351 1291" style="list-style-type: none"> <li data-bbox="771 1102 1351 1186">• Admissions representative suggested to the undercover applicant that he not report \$250,000 in savings reported on the FAFSA. The representative told the applicant to come back once the fraudulent financial information changes had been processed. <li data-bbox="771 1186 1351 1291">• This change would not have made the undercover applicant eligible for grants because his income would have been too high, but it would have made him eligible for loans subsidized by the government.

College information and degree sought	Students receiving Pell Grants*	Students receiving federal loans*	Graduation rate*	Encouragement of fraud, and engagement in deceptive, or otherwise questionable behavior
8 FL - 2-year, owned by publicly traded company Associate's Degree – Criminal Justice	Not Reported	Not Reported	Not Reported	<p><u>Scenario 1</u></p> <ul style="list-style-type: none"> Admissions representative falsely stated that the college was accredited by the same agency that accredits Harvard and the University of Florida. A test proctor sat in the test taking room with the undercover applicant and coached her during the test. The undercover applicant was not allowed to speak to a financial aid representative until she enrolled in the college. Applicant had to sign agreement saying she would pay \$50 per month toward her education while enrolled in college. On paying back loans, the representative said, "You gotta look at it...I owe \$85,000 to the University of Florida. Will I pay it back? Probably not...I look at life as tomorrow's never promised....Education is an investment, you're going to get paid back ten-fold, no matter what." Admissions representative suggested undercover applicant switch from criminal justice to the medical assistant certificate, where she could make up to \$68,000 per year. While this may be possible, BLS reports 90% of medical assistants make less than \$40,000 per year. <p><u>Scenario 2</u></p> <ul style="list-style-type: none"> When the applicant asked about financial aid, the 2 representatives would not answer but debated with him about his commitment level for the next 30 minutes. The representative said that student loans would absolutely cover all costs in this 2-year program. The representative did not specify that federal student loans by themselves would not cover the entire cost of the program. While there are private loan programs available, they are normally based on an applicant passing a credit check, and typically carry higher interest rates than federal student loans. The representative said paying back loans should not be a concern because once he had his new job, repayment would not be an issue. The representatives used hard-sell marketing techniques; they became argumentative, called applicant afraid, and scolded applicant for not wanting to take out loans.

College information and degree sought	Students receiving Pell Grants ^a	Students receiving federal loans ^b	Graduation rate ^c	Encouragement of fraud, and engagement in deceptive, or otherwise questionable behavior
9 IL - 2-year, privately owned Certificate – Medical Assistant	83%	80%	70%	<u>Scenario 2</u> <ul style="list-style-type: none"> Admissions representative initially provided misleading information to the undercover applicant about the transferability of the credit. First she told the applicant that the credits will transfer. Later, she correctly told the applicant that it depends on the college and what classes have been taken.
10 IL - 4-year, owned by publicly traded company Bachelor's Degree - Psychology	Not reported	Not reported	Not reported	<u>Scenario 1</u> <ul style="list-style-type: none"> Admissions representative said the bachelor's degree would take 3.5-4 years to complete, but only provided an annual cost estimate for 1/5 of the program. <u>Scenario 2</u> <ul style="list-style-type: none"> Admissions representative did not provide the graduation rate when directly asked. Instead she indicated that not everyone graduates.
11 PA - 4-year, owned by publicly traded company Bachelor's Degree – Business Administration	47%	58%	9%	<u>Scenario 1</u> <ul style="list-style-type: none"> Admissions representative told the undercover applicant that she could take out the maximum amount of federal loans, even if she did not need all the money. She told the applicant she could put the extra money in a high-interest savings account. While subsidized loans do not accrue interest while a student is in college, unsubsidized loans do accrue interest. The representative did not disclose this distinction to the applicant when explaining that she could put the money in a savings account. <u>Scenario 2</u> <ul style="list-style-type: none"> Admissions representative told the undercover applicant that the college is regionally accredited but does not state the name of the accrediting agency. The college's Web site did provide specific information about the college's accreditation, however. Admissions representative said financial aid may be able to use what they call "professional judgment" to determine that the undercover applicant does not need to report over \$250,000 in savings on the FAFSA. Admissions representative did not disclose the graduation rate after being directly asked. He instead explained that all students that do the work graduate. This information was available on the college's Web site; however, it required significant effort to find the college's graduation rate, and the college did not provide separate graduation rates for its multiple campuses nationwide.

College information and degree sought	Students receiving Pell Grants*	Students receiving federal loans*	Graduation rate*	Encouragement of fraud, and engagement in deceptive, or otherwise questionable behavior
12 PA – less than 2-year, privately owned Certificate – Web Page Design	52%	69%	56%	<p><u>Scenario 1</u></p> <ul style="list-style-type: none"> Admissions representative told the undercover applicant that she has never seen a student decline to attend after speaking with financial aid. The admissions representative would not allow the applicant to speak with financial aid until she enroll in the college. If the undercover applicant was able to get a friend to enroll in the college she could get an MP3 player and a rolling backpack. As noted in the testimony, although this is not illegal, it is a marketing tactic. <p><u>Scenario 2</u></p> <ul style="list-style-type: none"> Financial aid representative told the undercover applicant that he should have answered “zero” when asked about money he had in savings—the applicant had reported a \$250,000 inheritance. The financial aid representative told the undercover applicant that she would change his FAFSA form by reducing the reported assets to zero. She later confirmed by e-mail and voicemail that she had made the change. This change would not have made the undercover applicant eligible for grants, but it would have made him eligible for loans subsidized by the government.
13 TX - 4-year, privately owned Bachelor’s Degree – Construction Management; Visual Communications	81%	99%	54%	<p><u>Scenario 1</u></p> <ul style="list-style-type: none"> Admissions representative said the program would cost between \$50,000 and \$75,000 instead of providing a specific number. It was not until the admissions representative later brought the student to financial aid that specific costs of attendance were provided. <p><u>Scenario 2</u></p> <ul style="list-style-type: none"> Admissions representative did not disclose the graduation rate after being directly asked. The college’s Web site also did not provide the graduation rate. Admissions representative encouraged undercover applicant to change the FAFSA to falsely add dependents in order to qualify for grants. This undercover applicant indicated to the financial aid representative that he had \$250,000 in the bank, and was therefore capable of paying the program’s \$68,000 cost. The fraud would have made the applicant eligible for \$2,000 in grants per year.

College information and degree sought	Students receiving Pell Grants ^a	Students receiving federal loans ^a	Graduation rate ^a	Encouragement of fraud, and engagement in deceptive, or otherwise questionable behavior
14 TX - 2-year, owned by publicly traded company Associate's Degree – Business Administration	89%	92%	34%	<u>Scenario 1</u> <ul style="list-style-type: none"> Admissions representative said the program takes 18 to 24 months to complete, but provided a cost estimate that suggests the program takes more than 2.5 years to complete. The college's Web site did not provide the graduation rate. <u>Scenario 2</u> <ul style="list-style-type: none"> Undercover applicant would be required to make a monthly payment to the college towards student loans while enrolled. Admissions representative guaranteed the undercover applicant that getting a degree would increase his salary.
15 TX - 2-year, privately owned Associate's Degree – Respiratory Therapy	100%	100%	70%	<u>Scenario 1</u> <ul style="list-style-type: none"> The undercover applicant was not allowed to speak to a financial aid representative until he enrolled in the college. <u>Scenario 2</u> <ul style="list-style-type: none"> Admissions representative misrepresented the length of time it would take to complete the degree. He said the degree would take 2 years to complete but provided a cost worksheet that spanned 3 years. The undercover applicant was told he was not allowed to speak to a financial aid representative until he enrolled in the college. After refusing to sign an enrollment agreement the applicant was allowed to speak to someone in financial aid. Admissions representative told undercover applicant that monthly loan repayment would be lower than it actually would.

Source: GAO undercover visits and Department of Education.

^aThis information was obtained from the Department of Education National Center for Education Statistics.

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For-Profit College Misconduct Complaints Under Investigation

By Linda Doell
Posted 3:00PM 11/29/10

Posted under: college finance, Consumer Ally, Family Money

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Consumer complaints of alleged misrepresentation of financial aid and other misconduct has prompted an investigation of eight for-profit schools including University of Phoenix and Kaplan University by the Florida's attorney general's office.



It's the latest round of scrutiny for the for-profit education industry that has included a federal investigation and congressional report, and comes as the U.S. Department of Education is finalizing new rules on its federal student aid programs. No charges have been filed in the Florida cases, which are civil — not criminal — investigations. Florida is looking into allegations of misrepresentation of financial aid and unfair or deceptive practices in a variety of areas including recruitment, enrollment, accreditation, placement and graduation rates.

The state sent subpoenas — covering a wide range of info including graduation statistics and marketing literature — to the University of Phoenix, Kaplan University, Medvance Institute, Concorde Career Institute, Keiser University, Argosy University, Sanford-Brown College and Everest College. The attorney general's office said the schools objected at first, but are now negotiating with the state on the documentation they have to turn over to the investigation. So far both sides have agreed on a timetable and the schools have started providing data.

Kaplan spokeswoman Michelle Pore sent the following university statement to Consumer Ally on this issue:

"Kaplan and its employees are dedicated to the highest ethical standards and responsible practices. We work diligently to ensure that our students have a clear understanding of the requirements and cost of their education and have an admissions experience that is informative and helpful. We want our students to succeed and meet the academic requirements of our programs. That's why we created the Kaplan Commitment, which offers students a period of time to take classes for credit and decide whether they can juggle the rigors of a Kaplan education with their work and family life. If they decide they can't, they leave with no tuition paid or loans incurred."

Ryan Rauzon, spokesman for University of Phoenix's parent company Apollo Group, said in an email to Consumer Ally that the company is working on expanding student protections and enhancing programs to help students complete their degree work.

"We support efforts to enhance accountability within higher education and we strive to

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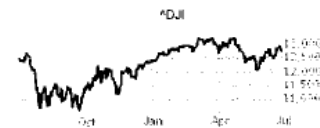
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play a leadership role in continuously improving and transparently reporting the outcomes and achievements of students served by our schools," he wrote. Rauzon pointed to a number of initiatives the University of Phoenix has put in place to ensure prospective students understand the financial end of their college education.

Part of the impetus for the Florida probe came from a U.S. Government Accountability Office report released in August detailing an undercover sting that used four fake students to check up on the colleges' admissions programs. Investigators allegedly found four of the 15 colleges encouraged fraud and that all the schools used questionable tactics or made allegedly deceptive statements to the undercover applicants.

While the schools weren't named, the report detailed instances at a Florida school where an applicant was coached during the entrance exam and school officials used high-pressure sales techniques -- scolding one applicant for refusing to enroll before speaking with financial aid. There were similar tales from schools in Pennsylvania, California, Illinois, Washington, D.C., Texas and Arizona.

The Florida investigation comes at a time when the U.S. Department of Education is putting into place new rules for federal student aid programs at for-profit, nonprofit and public colleges and universities. Those rules are slated to go into effect next summer and include protection for consumers and strengthens the Education Department's ability to take action against a school that uses deceptive advertising, marketing or sales tactics.

And how strong can those sales tactics be? Before being swayed by marketing, read up on some for-profit school stats.

According to the U.S. Department of Education, students at for-profit schools make up 11% of all higher education students, 26% of all student loans and 43% of all loan defaulters. With more than a quarter of for-profit school getting 80% of their revenues from federal student aid programs, the Obama administration coordinated 18 months of negotiations to devise the new rules.

Nor is the Florida investigation the only one out there. University of Phoenix's parent company, Apollo Group said in a filing with the U.S. Securities and Exchange Commission the federal Department of Education will review the university's administration of federal student financial aid programs starting Dec. 6, 2010. The probe will first look at the financial aid years 2009-10 and 2010 to the present.

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by [Source](#) on August 31, 2010 · [6 comments](#)

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For-profit college target the poor and minorities, and students who enroll end up with debt that far outweighs that of their nonprofit and public school peers.

By Makaiya Brown /AlterNet / August 30, 2010

If you've spent any length of time in an urban community in the U.S., I'm sure you've seen the ads on public transportation or heard the television commercials from schools where you can train to be a medical assistant or a computer technician. But before you or someone you know signs up for a "promising career" at one of those for-profit colleges, take heed!

For-profit colleges have been around for years. The University of Phoenix, Sanford Brown, DeVry University, and ITT Technical Institute are just a few of the more popular ones. It appears that these schools target minorities, low income individuals and anyone dumb enough to believe their ads. The most memorable are the commercials from ITT Technical Institute: Because you can't get the jobs of tomorrow until you get the skills today. Start by calling ITT Technical Institute.

But I'm here to tell you these schools are not the answer to a promising career! I think schools like ITT are a money sucking scam! With record unemployment in the U.S. and African Americans making up a large percentage of the unemployed, I fear that more African Americans may be lured into the trap of dishonest for-profit schools only to find themselves with a degree or certificate that they cannot use and loads of debt that they cannot pay.

According to data provided by U.S. Department of Education, students who enroll in for-profit colleges end up with debt that far outweighs that of their nonprofit and public school peers. The data showed that last year 350,000 University of Phoenix students were responsible for repaying almost \$5 billion in outstanding loans, yet only 44 percent of them had the financial means to repay their loans. Don't get me wrong, students who attend public universities can graduate with large amounts of debt as well. However, all of my friends who've gone to 4-year accredited public or nonprofit universities

have gained skills and jobs that have allowed them to pay off their loans. I can't say the same for friends who've enrolled in schools like ITT Technical Institute or the University of Phoenix.

A federal investigation found that several for-profit colleges are involved in fraudulent acts and questionable marketing practices to attract students. The investigation unveiled that many of the colleges harass prospective students with repetitive recruiting phone calls after students request school information on websites. Several of the schools also encouraged students to falsify financial aid forms in order to get federal funds. By law up to 90 percent of the revenue of for-profit colleges can be derived from federal student aid. That's billions of federal dollars that is wasted in some cases by students who either don't finish the programs or default on the loans due to misguidance by representatives from these colleges.

Luckily the Obama Administration has been gearing up to tackle for-profit school regulation.

In order to qualify for federal aid, for-profit schools must prepare students for gainful employment. The DOE's proposed regulations would cut federal aid to these schools if students don't find gainful employment or if too many of their students default on their loans. The DOE plans to rule on the regulations by November of this year. In the meantime I urge prospective students to consider traditional 4-year universities and reputable community colleges rather than for-profit schools and certificate programs. Do your research and don't sign anything that you don't understand, otherwise you might end up dumb and broke.

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Private university company under investigation for deceiving students

US government probes Apollo Group, owner of BPP University College, over admissions and financial aid practices

Daniel Boffey, Policy editor
guardian.co.uk, Saturday 16 April 2011 17:52 EDT



The private university owned by Apollo Group was given university status last year by David Willetts. Photograph: Martin Argles/The Guardian

The company running one of only two for-profit universities in Britain is under investigation for deceiving students following an undercover operation by the US government.

Universities minister David Willetts awarded BPP University College its university status last year as part of a government drive to increase the number of private companies in further education.

Last week the government also announced plans to double the tuition fee loans available to students attending private universities, in an effort to encourage more companies to enter the education market. But the government's policy has been plunged into controversy after it emerged that Apollo Group, the American owner of the new university, is under investigation by US authorities over its "recruiting, admissions and financial aid practices".

The US Higher Learning Commission (HLC) launched its inquiry after it found evidence that Apollo had deceived prospective students during enrolment. The investigation by the US Government Accountability Office found officials at the firm's US universities, which include the University of Phoenix, were offering applicants exaggerated accounts of the potential for their careers after graduation. Private universities in America and the UK are almost entirely reliant for their funding on tuition fees, often paid by students through government loans.

Apollo has been ordered to answer a series of questions over its practices by the end of this month. The development is just the latest scandal to beset the company, which had an appeal for a conviction for securities fraud turned down last month; the company was found to have withheld a critical report from the US Department for Education from its shareholders. It has already paid around £8m to the government and is due to reimburse its investors around £130m.

Apollo Group's chief executive, Charles Edelstein, earns a \$6m remuneration package, including bonuses and share options. The company's legal tangles will be an embarrassment for the British government, which is due to produce a white paper in which further encouragement for private universities is expected.

Willetts said earlier this year that one reason he wished to radically reduce state grants and deliver funding through loans was to level the playing field for private higher education providers. He said: "Currently, one of the main barriers to alternative providers is the teaching grant we pay to publicly funded higher education institutions [HEIs]. This enables HEIs to charge fees at a level that private providers could not match, and so gives publicly funded HEIs a significant advantage.

"Our funding reforms will remove this barrier, because all HEIs will – in future – receive most of their income from students via fees. This reform, of itself, opens up the system.

We will also allow alternative providers to access the generous system of student loans and grants, so their students will also be able to benefit from not having to pay upfront."

There are two private universities in England – Buckingham and BPP – with degree awarding powers. BPP, named after a UK company owned by Apollo, specialises in providing courses in law, banking and financial practice.

Concerns have already been raised that private universities will be in a position to "cherry pick" such lucrative degrees, for which high prices can be charged, while traditional universities continue to teach the full range of courses expected of them at a loss.

Shadow universities minister Gareth Thomas said he was concerned by the US developments and demanded Willetts slow down the pace of reform. "The government wouldn't need to be rushing to let more private providers into higher education if they hadn't got university finances into such a mess", he said.

Carl Lygo, chief executive of BPP, insisted his university was subject to a much higher degree of regulation than in America: "We are a degree awarding body which means we have a much tougher regulatory regime applied to us and a much different regime to that in the United States. I run the UK operation, BPP, which is entirely run by the UK team and has no direct control from the United States, and we are under the UK regulatory regime.

"At the time of the acquisition by Apollo, just less than two years ago, they undertook to accept that type of regulation would stay in place."

A spokesman for Apollo Group said: "We took the GAO's study very seriously and initiated an immediate internal investigation."

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August 3, 2010

For-Profit Colleges Mislead Students, Report Finds

By **TAMAR LEWIN**

Undercover investigators posing as students interested in enrolling at 15 for-profit colleges found that recruiters at four of the colleges encouraged prospective students to lie on their financial aid applications — and all 15 misled potential students about their programs' cost, quality and duration, or the average salary of graduates, according to a federal report.

The report and its accompanying video are to be released publicly Wednesday by the Government Accountability Office, the auditing arm of Congress, at an oversight hearing on for-profit colleges by the Senate Committee on Health, Education Labor and Pensions.

The report does not identify the colleges involved, but it includes both privately held and publicly traded institutions in Arizona, California, Florida, Illinois, Pennsylvania, Texas and Washington, D.C. According to the report, the colleges in question were chosen because they got nearly 90 percent of their revenues from federal aid, or they were in states that are among the top 10 recipients of Title IV money.

The fast-growing for-profit education industry, which received more than \$4 billion in federal grants and \$20 billion in Department of Education loans last year, has become a source of concern, with many lawmakers suggesting that too much taxpayer money is being used to generate profits for the colleges, instead of providing students with a useful high-quality education.

The report gave specific instances in which some colleges encouraged fraud. At one college in Texas, a recruiter encouraged the undercover investigator not to report \$250,000 in savings, saying it was "not the government's business." At a Pennsylvania college, the financial representative told an undercover applicant who had reported a \$250,000 inheritance that he should have answered "zero" when asked about money he had in savings — and then told him she would "correct" his form by reducing the reported assets to zero, a change she later confirmed by e-mail and voicemail.

At a college in California, an undercover investigator was encouraged to list three nonexistent dependents on the financial aid application.

In addition to the colleges that encouraged fraud, all the colleges made some deceptive statements. At one certificate program in Washington, for example, the admissions representative told the undercover applicant that barbers could earn \$150,000 to \$250,000 a year, when the vast majority earn less than \$50,000 a year. And at an associate degree program in Florida, the report said, a prospective student was falsely told that the college was accredited by the same organization that accredits Harvard and the University of Florida.

According to the report, courses in massage therapy and computer-aided drafting that cost \$14,000 at a California for-profit college were presented as good values, when the same courses cost \$520 at a local community college.

Six colleges in four states told the undercover applicants that they could not speak with financial aid representatives or find out what grants and loans they were eligible for until they completed enrollment forms agreeing to become a student and paid a small application fee.

And one Florida college owned by a publicly traded company told an undercover applicant that she needed to take a 50-question test, and answer 18 questions correctly, to be admitted — and then had a representative sit with her and coach her through the test. A representative at that college encouraged the applicant to sign an enrollment contract, while assuring her it was not legally binding.

But in some instances, the report said, the applicants were given accurate and helpful information, about likely salaries and not taking out more loans than they needed



More lawsuits target for-profit colleges

Updated 9/27/2010 4:15 PM

By Mary Beth Marklein, USA TODAY

Disgruntled students, employees and shareholders have filed a flurry of lawsuits against for-profit colleges since a federal investigation last month found deceptive practices at 15 campuses.

The Government Accountability Office report was released Aug. 4, and class-action lawsuits have now been filed in California, Colorado, Arkansas and Utah by former students and employees, who argue in most cases that a school lied to them or misled them.

Some companies, including the University of Phoenix and Westwood College, closed campuses or launched internal investigations after the release of the report, which found that admissions officials in four cases encouraged applicants to commit fraud by lying on financial aid forms.

Shareholders have filed class-action lawsuits against at least five schools, noting the effect of the report on stock prices and citing securities fraud.

Lawsuits alleging deception at for-profit colleges are not new. Last year, the parent companies of the University of Phoenix and Westwood agreed to pay the federal government millions of dollars each to settle separate false-claims lawsuits. In both cases, the schools admitted no wrongdoing.

John McKernan, chairman of Education Management Corp., which operates about 95 schools in 31 states, including Argosy University, says lawsuits are part of the territory. "Statistically, the bigger you get, the more (complaints) you're going to have."

Tampa lawyer Jillian Estes, whose firm has represented students in several class-action suits against for-profits, including Westwood College, says she hopes the federal scrutiny will bolster students' cases.

"We've been trying to raise this flag for so long," she says. "It helps for judges to realize this isn't just some kids who are a little unhappy, but a nationwide systemic problem." Westwood in March sued Estes and her law firm for defamation.

A Texas agency has threatened to revoke or deny one company's licenses to operate three for-profit campuses there. One college received a similar warning in Wisconsin.

Still, tens of thousands of students say for-profit colleges are their best option. An unprecedented 91,000 public comments were submitted in response to a proposal that would deny federal student aid to for-profit colleges whose graduates don't earn enough to pay back student loans. The Education Department estimates one-third or more came from students worried that their college would close if the proposal is adopted.

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For-profit colleges under fire over value, accreditation

Updated 9/29/2010 11:56 AM

By Mary Beth Marklein, USA TODAY



By Jeffrey D. Allred, for USA TODAY

Chelsi Miller uses a stethoscope with her son Kaige, 5, at their apartment in Midvale, Utah. Miller was accepted to a pre-med program, but her credits from a for-profit school will not transfer.

For Chelsi Miller, the wake-up call came when University of Utah officials said her credits wouldn't transfer from her old school.

Utah's flagship public university accepted her to its pre-med program last fall but said her courses at Everest College, a national for-profit institution with a campus in Salt Lake City, wouldn't count toward her bachelor's degree. That left Miller with a 3.9 grade-point average for an associate's degree that she says did nothing to advance her education and career goals. And, she has more than \$30,000 in student-loan debt.

She says Everest misled her when it suggested her credits would transfer and misrepresented what it would cost her.

LAWSUITS: Students, employees, shareholders file against for-profit colleges

COLLEGE BLOG: Loan defaults highest among for-

profit college students

"I feel as if I had been sold a college experience from a used-car salesman," says Miller, 26, of Midvale, Utah, who last week filed a class-action lawsuit in state court with two other students accusing Corinthian Colleges, Everest's owner, of fraud.

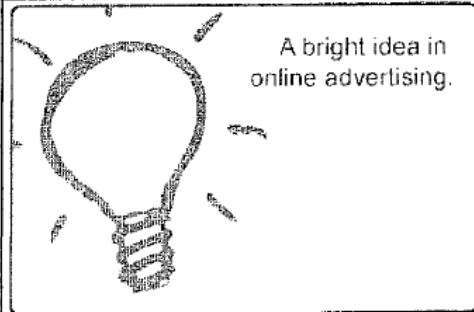
Miller's claim — which Corinthian disputes — is the latest in a string of actions raising questions about for-profit colleges, whose enrollments are soaring as many Americans beef up their education as a hedge in a tough job market.

In 2008, about 2,000 for-profit colleges eligible for federal student aid enrolled nearly 1.8 million students — an increase of 225% in 10 years. About 9% of all college students now attend for-profits; most attend schools owned by one of 15 large, publicly traded companies that each enroll tens of thousands of students. Last year, federal student loans and grants made up an average 77% of revenue at the five largest for-profits.

Advocates of for-profit colleges say their programs, which often operate online or in rented office space, serve a key role in educating students who juggle work and family demands. But the U.S. government has stepped up its scrutiny amid growing concern that for-profits are reeling in billions of dollars in federal aid by using aggressive — some say deceptive — practices to lure students to programs that might not yield a useful education.

The Education Department has proposed penalizing for-profits whose students graduate with more debt

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than they can afford, and Congress began a series of hearings this summer on whether federal aid to for-profit colleges — more than \$24 billion in 2008-09 — is being put to good use.

"It is our responsibility to ensure that for-profit colleges are putting the needs of students before the needs of shareholders," says Sen. Tom Harkin, D-Iowa, chairman of a Senate education committee whose hearing Thursday aims to explore the magnitude of the federal investment in for-profits. "We need to learn more about whether students are succeeding at these schools and whether the taxpayer investment is actually benefiting students."

A question of standards

As the topic heats up in Washington, more than 1,000 students are expected to converge on Capitol Hill today in support of for-profit colleges. But for others, including Miller, the problems with for-profits start with concern about accreditation, a coveted assurance of educational quality.

Accreditation, a sort of third-party seal of approval designed to protect consumers and taxpayers from diploma mills, is important to colleges because the Education Department relies on it to determine which schools may get federal student aid. It's important to students because it can help them transfer credits from one college to another and can signal that a candidate's academic training has met certain standards.

It's also confusing because there is more than one type of accreditation.

Miller says she was "a naive single mother from a small farm town" when she responded to an ad for Everest's surgical technology program. When she asked if her credits would transfer to the University of Utah, she says, an Everest admissions official "assured me that the college was going through an accreditation change and would have full accreditation by the time I graduated."

In fact, Everest College is accredited by the Accrediting Council for Independent Colleges and Schools, one of the more than 70 organizations recognized by the Education Department.

The problem: The organization is a national body.

Historically, for-profit colleges have been accredited mostly by national groups, which traditionally have focused on short-term college p

rograms in fields such as the culinary arts, medical billing or business administration.

In contrast, most non-profit, degree-granting public and private institutions are accredited by one of six regional bodies. (To complicate matters more, some professional associations accredit academic programs in fields such as pharmacy or nursing at both regionally and nationally accredited institutions.)

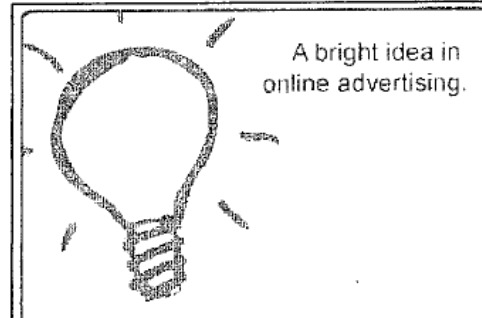
Those historic distinctions are blurring as more for-profits offer degree programs, which make them eligible for regional accreditation. Types of accreditation differ because institutional missions differ, but most specialists in higher ed accreditation agree that regional accreditation, which takes at least two years for a college to earn and must be renewed every 10 years, is considered the most rigorous and most prestigious.

Kevin Kinser, an education professor at the State University of New York at Albany who studies the for-profit higher education industry, estimates that close to half of all for-profit enrollments today are in schools that have been regionally accredited. The credential serves "a legitimizing function," he says.

Colleges "promote that about themselves, often in terms (such as), 'We have the same accreditation as the University of Chicago.'"

It's up to institutions to decide whether to accept or deny transfer credits, but many use accreditation status as a guideline. The University of Utah, for example, requires students who want to transfer from nationally accredited schools such as Everest

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to seek permission from its faculty to get credit for courses already taken at a different institution.

"Often those courses are found lacking in some way or another," says Suzanne Wayment, associate director of admissions at the University of Utah. For example, she says, an algebra textbook used by a nationally accredited school may be for an introductory course, while the university requires that students complete a higher-level course.

On the other hand, she says, the university tweaked its policy this summer, when it began allowing coursework from the regionally accredited University of Phoenix, the USA's largest for-profit college, to count as elective credits. Wayment says officials from the University of Phoenix — which enrolls about 476,000 students nationwide, either online or at one of more than 200 locations — recently requested a review because the original policy, in place since the 1980s, was outdated.

Manny Rivera, spokesman for the Apollo Group, which owns the University of Phoenix, says "it is the student's responsibility to confirm whether credits earned at University of Phoenix will be accepted by another institution."

But Harris Miller, president of the Association of Private Sector Colleges and Universities, which represents about 1,800 for-profit institutions, suggests that many more non-profit schools follow blanket policies that waste students' — and taxpayers' — time and money because students have to retake a course "over and over."

"Even when a school does become regionally accredited, other schools will often take a discriminatory attitude simply because they're for-profit," he says. "The stratification of the higher-ed system is incredibly elite."

Confused students

Recent lawsuits, and a probe by the Government Accountability Office, suggest that some nationally accredited colleges may be exploiting confusion about accreditation by omitting or glossing over relevant details.

The GAO report, for example, said a representative for the nationally accredited Kaplan College in Florida told an undercover government investigator who was pursuing an associate's degree in criminal justice that the college was accredited by "the top accrediting agency — Harvard, the University of

Florida, they all use that accrediting agency." But that was not true.

A class-action lawsuit filed in August against the for-profit Westwood College in California noted that the college's website said the school was a candidate for regional accreditation but failed "to disclose that it has been a candidate for two years and was passed over for accreditation during its first evaluation."

And Chelsi Miller's lawsuit argues that Corinthian is "aware of prospective students' ignorance of, or confusion about, this important distinction."

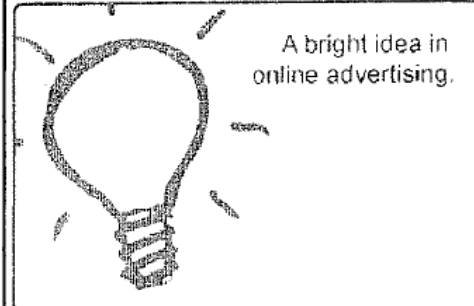
Kent Jenkins, vice president of public affairs communications at Corinthian Colleges, declined to comment on Miller's case. But, he said, "we are very straightforward and direct with our students and prospective students about what they can expect from their diploma or degree. We have detailed processes and procedures that require our admissions counselors to disclose whether credits are or are not likely to transfer to other institutions.

"We work very hard to treat our students honestly and fairly, and we don't tolerate deception, period."

In a development that has captured the interest of the Education Department, a growing number of for-profits have taken a shortcut to regional accreditation: buying an already accredited non-profit college. At least 11 non-profits have been converted to for-profits that way in recent years, Kinser says.

In 2004, for example, investors purchased Grand

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Canyon University, then a small, financially struggling Christian college in Phoenix that has been accredited since 1968 by the Higher Learning Commission of the North Central Association of Colleges and Schools, which accredits more than 1,000 institutions in 19 states. Today, Grand Canyon enrolls 40,000 students, most of them in its online program.

Regional accrediting associations, facing a policy development that didn't exist until for-profit colleges began to proliferate, have since tightened their reins or are re-examining rules regarding ownership changes. In February, the Higher Learning Commission told Chancellor University in Cleveland, which was acquired in 2008 by a for-profit company, that it would withdraw accreditation unless the school could show that it met certain criteria. In June, it denied re-accreditation for Dana College in Blair, Neb., which was in the process of being purchased by a for-profit company. The college has since closed.

"This is the type of thing we want to keep a close eye on," says James Kvaal, a deputy undersecretary of education.

But federal officials and lawmakers are not just watching for-profit colleges.

The Education Department's inspector general, who investigates compliance problems, threatened in December to strip the Higher Learning Commission's authority because it approved accreditation of the for-profit American InterContinental University despite an agreement among commission members that the school had an "egregious" policy of giving more credit for certain graduate and undergraduate courses than was "common practice in higher education."

This summer, lawmakers grilled officials of regional and national accreditors during hearings about whether colleges found to engage in questionable practices — such as encouraging students to lie on their financial aid forms or pressuring students to sign legally binding contracts — should be allowed to keep their accreditation. Sen. Michael Enzi, R-Wyo., ranking member of the Senate's education committee, has said he wants any investigation of problems in the for-profit higher education industry "to also include a review of all institutions of higher education."

Those developments worry many leaders of traditional college and universities, who comply

with a host of federal regulations but for decades have fought to keep federal regulators out of classroom matters. Accreditors say they're taking the government's concerns seriously.

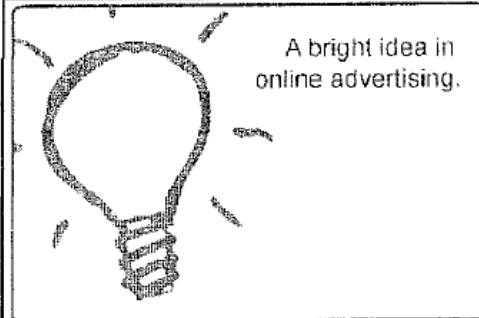
"The absence of credibility for accreditation means the absence of credibility for our colleges, universities and programs," says Judith Eaton, president of the Council for Higher Education Accreditation, a membership organization of degree-granting colleges that advocates for self-regulation of academic quality.

Harris Miller, head of the association of for-profit schools, says he would welcome wider federal oversight to ensure quality. He says his schools, and particularly their completion rates, would stack up favorably when compared with community college systems, the for-profit sector's main competitors.

But Chelsi Miller, who has put more schooling on hold until she can save more money, says something has to change so more students aren't duped.

"I received misleading guidance and answers that led me to sign my life away," she says. "I can't speak to other colleges, but as far as Everest goes, they really have taken advantage of people that cannot afford to be taken advantage of."

Advertisement



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Tuition Reimbursement / Pay Advance



Employee's Section	
Employee Name:	Date of Request:
Social Security Number:	Phone Number:
Department Name:	Job Title:
Course # and Title:	Undergraduate or Graduate:
Course Begin Date:	Course End Date:
Enrollment Period: <input type="checkbox"/> Spring <input type="checkbox"/> Fall <input type="checkbox"/> Summer <input type="checkbox"/> Winter	Course Grade if Completed:
Describe how course is related to your job or career:	Attach additional sheets if necessary.
<p>Pending the recommendation of my department head, review by the Human Resources Director, and approval by the County Administrator, I am requesting approval to participate in the training program mentioned above. I understand that I may receive assistance in the form of advance pay for expenses, such as tuition and books, upon successful completion of the course. If however, the County or I terminate my employment with the County prior to one (1) year after the completion of this training, I understand that I must reimburse Richland County the entire cost of this training/development pay advance agreement and/or have all outstanding pay advance for training/development deducted from my paycheck(s). I am not requesting reimbursement or pay advance for a course paid for by another source (i.e., grants, scholarships, etc.)</p> <p>Employee's Signature: _____ Date: _____</p>	

Department Head's Recommendation:	
<input type="checkbox"/> Reimbursement: ___ Approved ___ Disapproved	<input type="checkbox"/> Advance: (Request Letter Attached) ___ Approved ___ Disapproved
<input type="checkbox"/> Course is Job or Career Related <input type="checkbox"/> Class Attendance will not interfere with department operations	<input type="checkbox"/> Budgetary Funds are Available
Reason: _____	
Source of Funding (Budget Code): _____	
Department Head Signature: _____ Date: _____	

County Administrator's Approval:	
<input type="checkbox"/> Reimbursement: ___ Approved ___ Disapproved	<input type="checkbox"/> Advance: (Request Letter Attached) ___ Approved ___ Disapproved
Comments: _____	
County Administrator Signature: _____ Date: _____	

Finance Director Signature: _____	Date: _____
Human Resources Signature: _____	Date: _____
Courses to be Taxed <input type="checkbox"/> Yes <input type="checkbox"/> No	



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University of Phoenix in New Mexico

The Founding of Phoenix

In 1976, Dr. John Sperling founded University of Phoenix and made a commitment to provide working adults with higher education options at convenient times.

Today, our students study at more than 200 locations, as well as through online programs available in countries around the world

About the Program

Earn a college degree from University of Phoenix without putting daily life on hold. While you're obtaining an associate, master's or doctoral degree, University of Phoenix can be a catalyst for getting your education while working — potentially quicker than you would expect.

With accommodating schedule and online class options, University of Phoenix provides education in courses of study including business and management, communications, criminal justice and security, education, general studies, nursing and health care, human services, psychology and technology. **While widely available, not all programs are available in all locations or in both online and on-campus formats. Please check with a University Enrollment Advisor.**

Financial aid info

University of Phoenix works with many financial aid sources and there is no charge for processing financial aid applications. Your enrollment representative will help guide you through the application process.

You may choose to pay as you go, rather than pay a whole semester or year at once. Additionally, University of Phoenix is eligible for a large number of company tuition reimbursement programs, check with your human resources department to find out more.

[Accreditation Statement](#)

Programs at University of Phoenix in New Mexico

Quick Degree Search, Get Started Below.



University of Phoenix®

I want to study:

Where? Online Campus Based

Highest Education:

I graduated High School in:

My zip code is:



University of Phoenix

University of Phoenix

Phoenix University has requested these documents be included in the ROA.

Prepared by: Phoenix University

Alliance Memorandum of Understanding

This Alliance Memorandum of Understanding ("MOU") is between University of Phoenix, Inc. ("University") with its principal place of business at 4025 South Riverpoint Parkway, Phoenix, Arizona 85040 and Richland County Administration and its affiliates, ("Client") with its principal place of business located at 2020 Hampton Street, Columbia, South Carolina 29204.

Benefits Offered by University:

1. The University will provide a four percent (4%) tuition reduction to the Client's employees who meet the University's admission standards. This applies to any University program, including certificate programs, and single courses, including professional development courses. After the effective date of this MOU and after the date the student identifies as an employee of Client, reduced tuition will apply to the then current rates at the time the student enrolls in a course. All students are subject to the University's student policies.
2. The University will provide a link to a University website to assist employees with enrollment.
3. The University will provide information to be used, subject to Client's policies and discretion, to support the Client's internal promotion of continuing education.

Client Contributions:

1. Subject to the Client's policies and discretion, the Client will work with the University to communicate the benefits of this MOU and the many educational opportunities available at the University.

General Terms and Conditions:

1. This MOU becomes effective on the date both parties have signed the MOU. Either party may terminate this MOU upon thirty (30) days prior written notice. If the University believes that the MOU might violate any law or regulation, adversely affect its accreditation, or any license or exemption issued by a Federal or State educational board or commission, the University may terminate the MOU immediately upon written notice to the Client.
2. Students who are currently enrolled prior to the date of termination will continue to receive the tuition reduction as more fully described herein under the terms of this Agreement for the program or course of study that the student is currently enrolled in, provided the student does not take a break in attendance for more than one year. If an employee is out of attendance for more than one year, the employee will no longer be eligible for the reductions provided for herein.
3. The University may use Client's name verbally for reference purposes only. Subject to prior written approval, the Client grants University a limited, non-exclusive right to use Client's name and logo in writing solely for purposes of fulfilling University's obligation pursuant to this MOU and making the courses and course materials available to Client's employees.
4. Each party acknowledges that the relationship with the other is that of an independent contractor.
5. Each party agrees to abide by all applicable Federal and State Laws. This MOU shall be governed by and construed in accordance with the Laws of the State of Arizona. Jurisdiction for any claim, dispute, or lawsuit shall be Maricopa County, Arizona.
6. This MOU does not create any rights, title, or interest for any entity other than the University and the Client.
7. With the exception of either party's compliance with a request pursuant to public records laws and facilitation of receipt or provision of the services herein, both parties agree that they will not disclose the terms of this MOU to any unrelated third party's without the other party's prior written consent.

RICHLAND COUNTY ADMINISTRATION

UNIVERSITY OF PHOENIX, INC.

Signature

Signature

Printed Name

William Pepicello, Ph.D.

Printed Name

Title

President

Title

Date

Date

Richland County Council Request of Action

Subject: Academic Partnership between Richland County and University of Phoenix proposed by Workforce Solutions Advisor, Aaron Bishop

A. Purpose

State what it is that Council is specifically being requested to do. For example:

"County Council is requested to approve an Academic Alliance with University of Phoenix in the amount of \$0.00. The purpose of this Academic Alliance is to provide a tuition discount to all employees of Richland County Administration who are current students and future students of the University of Phoenix. University of Phoenix also will create an articulation agreement to help provide College credit for employees of Richland County Administration.

B. Background / Discussion

Provide any relevant history of the situation. For example:

- The purpose of this Academic Alliance is to provide a tuition discount to all employees of Richland County Administration who are current students and future student of University of Phoenix. University of Phoenix also will create an articulation agreement to help provide College credit for employees of Richland County Administration
- There is NO exclusivity to this alliance
- Marketing material to help communicate this partnership will be generate with prior approval of Richland County Administration
- Through discovery and meaningful conversation this opportunity was supported by the County Administrator (Milton Pope) as a valuable partnership for the benefit of the employees of Richland County Administration
- Face to face meetings with County Council members, County Administrator and the Human Resource Department provided supportive conversation to provide a written proposal for recommendation and consideration at this time
- In face to face and electronic correspondence University of Phoenix personnel addressed any concerns that were not "directly" addressed to the aforementioned intuition. Documentation and resources were provided for the support of this alliance to Dwight Hanna of the Human Resource Department.
- Scrutiny has come because the federal government is considering changes to the way proprietary schools are regulated.
- We fully support the federal government's goal to make schools more accountable to students and to taxpayers. We're participating with the Department of Education and with Congress as they establish new rules that serve students best and we maintain strict compliance with current rules and regulations. We will follow any new rules the government ultimately decides to implement, and in fact we already comply with some of the proposed rules that will be coming. We've seen recent media reports that focus on incidents in which students - at University of Phoenix and elsewhere - haven't had the kind of experience we're committed to

delivering. We have strict policies and standards in place to protect students and to ensure their success, and when we fall short of those standards, we take immediate action to correct the situation. And we've taken a lot of recent steps to ensure student protection including: Providing a free Student Orientation program for students with fewer than 24 credits (who have less experience with college) so they can make sure they are ready for college before making any financial or enrollment commitments; and, an effective new plan which helps students become more financially literate and includes tools to help them make more informed and responsible borrowing decisions.

- However, we're disappointed that these media reports ignore the thousands of **success stories** from University of Phoenix students and alumni, the overwhelming majority of whom are successful in their career and proud to be a Phoenix.
- We hope the following information will help clarify important facts about the policy debate and our commitment to ensuring student protection and success.
- **The education students receive at University of Phoenix is valuable and helps them achieve their goals in life.** University of Phoenix faculty members hold successful positions in their professional fields. We are fully accredited and held to the same accreditation standards as the top public and private schools. The classes we offer challenge our students – just ask them. Most of our students already hold jobs when they come here, and their salaries tend to increase as they continue their course work and complete their degree.
- **Our degree programs are fully accredited and prepare students to thrive in today's job market.** For example, since 2004 we have graduated more than 25,000 teachers and 15,000 nurses. Our teaching program is accredited by the Teacher Education Accreditation Council (TEAC) and is recognized by the Council for Higher Education Accreditation and the U.S. Department of Education. Each state has its own state teacher credentialing examination and standards and graduates of our teaching program must pass the necessary state examinations and student teaching requirements in order to become credentialed to teach in their state of residence.
- **Our programs are held to the same rigorous accreditation standards as public four-year colleges and universities.** University of Phoenix is accredited by the Higher Learning Commission and is a member of the North Central Association, whose members also include Northwestern University, University of Notre Dame, University of Michigan, Ohio State University and University of Arizona, to name a few. In addition to our institutional accreditation, the University has been granted programmatic accreditation for several academic disciplines:

Nursing – The Commission on Collegiate Nursing Education

Counseling – Council for Accreditation of Counseling and Related Educational Programs

- **We are committed to enhancing financial literacy and reducing student debt.** University of Phoenix recently introduced a financial literacy program and a set of tools to help students better understand how much it costs to receive a college education, including a user-friendly financial aid calculator that helps students better manage debt levels. Since launching these tools, the number of students who take out the maximum loan amount has dropped by approximately 30 percent. Understanding the hard working student population we serve, we have always strived to maintain tuition costs in the mid range nationally. It does not serve our students or us when our students take on excessive debt loads. However, colleges and universities cannot legally prohibit students from taking out the maximum amount of loan dollars for which they are eligible.
- **Our enrollment advisors are motivated by one thing: the success of our students.** We support the federal government’s proposed regulations on incentive compensation and 18 months ago we began piloting an evaluation and compensation system for our enrollment advisors which removes the “recruitment factor” from the enrollment process. We are firmly committed to changing the way enrollment advisors are paid and evaluated. As we announced several months ago, beginning this fall, we are eliminating enrollment targets as a component of our enrollment advisor’s compensation and evaluation. We believe this will eliminate speculation about enrollment advisor’s motivations and ensure that their focus is squarely on the needs and interests of students.
- **We are committed to ensuring that prospective students receive factual, useful information about the University.** We have strong student protection policies in place, and we do not tolerate deceptive practices by any employee. We take swift and immediate action when we discover any violation of these policies, up to and including termination of employees involved.

Additionally, we have rolled out an extensive digital call-monitoring system that tracks and records tens of thousands of calls every day between enrollment advisors and potential students, to detect any evidence of false or misleading information.

- **We do not recruit residents of homeless or transitional housing facilities, under any circumstances.** Our policy is clear and unambiguous: we do not allow our employees to visit such facilities for the purposes of recruiting or attracting students. We do not tolerate such activity, and any employee who violates this policy faces disciplinary action up to and including termination.

Benson Rollins, the homeless individual interviewed by ABC, has made repeated attempts to discredit and entrap our employees. Although we have made clear to Mr. Rollins that he is not eligible for admission to the University because he does not have a high school diploma, he routinely makes contact with the University, sometimes using an alias. We informed ABC News of Mr. Rollin's lack of credibility, which was already well documented in an article by *Pro Publica*, which they chose to ignore

- **Our alumni hold highly responsible positions in business and government.** From CEOs, to entrepreneurs, to senior White House staffers, our alumni network includes thousands of accomplished professionals who say their University of Phoenix degrees contributed to their success.
- **We are committed to enhancing financial literacy and reducing student debt.** University of Phoenix recently introduced a financial literacy program and a set of tools to help students better understand the direct and indirect costs of their education, including a user-friendly financial aid calculator that helps students better manage debt levels. Since launching these tools, the number of students who take out the maximum loan amount has dropped by approximately 30 percent.
- **Our counselors and advisors are professional, well trained, and certified.** We hold our student advisors to the highest standards of ethics and professionalism. We monitor tens of thousands of calls with students a day to ensure a positive experience for potential students. Our strict standards of behavior and institutional policies are designed to protect students throughout their tenure with the University, and we do not tolerate any violation of these policies.

In addition, over the past 18 months we have been piloting on a large scale a new evaluation and compensation system for student advisors which has no consideration of enrollment figures. This system will be rolled out system wide beginning in the Fall. Eliminating the recruitment factor from the enrollment decisions that students make will place our staff's focus squarely on advisement. We're extremely proud of our counselors and advisors, all of whom are dedicated to helping and inspiring our students every day.

- University of Phoenix has established a free orientation program for all students with fewer than 24 credits – **now students can experience our University before they make any financial commitment.** This helps students fully understand the commitment it takes to attend classes and see if it's right for them.
- **America's higher education system must adapt to meet the needs of today's working learners.** We are concerned that the country will not meet the national education goals set forth by President Obama without a postsecondary system that

operates differently than it has in the past and which includes all types of schools – public, private, and proprietary.

- **More Americans than ever need a college degree and are seeking access to higher education.** Jobs today require higher education, yet out of 132 million people in the labor force, about 80 million don't have a bachelor's degree, and 50 million working adults have never even tried. These individuals are increasingly looking for ways to remain competitive and advance in their careers in today's global economy.
- **Over 70% of today's students are now categorized by the US Department of Education as "non-traditional" students.** Our colleges and universities must meet the needs of today's working learners who have families and professional obligations that make it extra challenging to pursue a college degree. University of Phoenix provides a balanced approach to higher education, helping students earn a college degree while meeting their responsibilities at work and home.
- **The traditional higher education system is critically important in the US, but cannot meet our needs alone.** This system, which is exclusive in design, was built to meet the needs of a different era when only a small portion of the nation's workforce needed a college degree. Today's globally competitive, knowledge-based economy requires America to have a more broadly educated society.
- **Accredited, degree-granting proprietary institutions play a critical role to the future of education.** These institutions provide access to students who previously have been left behind by or excluded from the traditional higher education system. Well managed proprietary institutions do not significantly burden the taxpayer and can meet this demand at a significantly lower cost to society.
- **University of Phoenix students report higher satisfaction rates than their peers across the nation in each of the 10 categories surveyed by the National Survey of Student Engagement.** Students gave us our highest ranking in improving their knowledge of "thinking critically and analytically." Internal measurements show student satisfaction rates ranging from 91-96%.
- **Our alumni hold senior level positions in business and government.** From CEOs, to entrepreneurs, to senior White House staffers, our alumni network includes thousands of accomplished professionals who say their University of Phoenix degrees contributed to their success.

Clearly answer the basic questions of: *who?*, *what?*, *when?*, *where?*, *why?*, and *how?*. Be specific. Include information that is relevant in making your recommendation. For example, if

it is a purchase, list the results of the bids. If you have specific concerns, explain them. Otherwise, Council may not completely understand the issue. Please note that while it is good to mention the fact that funds were approved in the budget, this does not mean that there is no need for you to explain your reasoning behind your request. Also, please do not rely on the Council's memory. Whether or not Council is familiar with the issue, the report is incomplete if all the relevant facts are not stated.

C. Financial Impact

Always provide an explanation of the financial impact, whether revenue, expenditure, or indirect cost. Always include a total cost, with sales tax or any other associated fees shown separately. In addition, please provide the budgeted amount and the designated account from which the item will be purchased. Any savings to the County should be noted.

There is no financial impact associated with this request. It is optional for employees to use their tuition assistance benefit.

When appropriate, use a table. For example:

If there is no financial impact, simply state *"There is no financial impact associated with this request."*

D. Alternatives

List the alternatives to the situation. There will always be at least two alternatives:

1. Approve the request to...
2. Do not approve

Sometimes there may be more than two alternatives. If so, please note them.

If not already addressed, you may briefly discuss additional impacts of each alternative. This is a good place to include your reasons for making a recommendation in favor of one alternative versus another.

E. Recommendation

State which alternative you recommend. Be sure to include your name, department, and date.

For example:

"It is recommended that Council approve the request to..."

Recommended by:

Department:

Date:

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Grants

Reviewed by: Sara Salley

Date:

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:

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Statement of Purpose

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Benefit of Purpose and Discussion

- The purpose of this Academic Alliance is to provide a tuition discount to all employees of Richland County Administration who are current students and future student of University of Phoenix. University of Phoenix also will create an articulation agreement to help provide College credit for employees of Richland County Administration
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 - Scrutiny has come because the federal government is considering changes to the way proprietary schools are regulated.
 - Some question from Mr. Hanna that were addressed.
-
1. **What metrics does University of Phoenix use to measure success?** We measure success by graduates from our Associates, Bachelor's, Master's and Doctoral program.
 2. **Will you provide the County a copy of the metrics for the University of Phoenix ?** University of Phoenix is a division of the Apollo Group. We file quarterly financial

statements with Security Exchange Commission. Our financial statement can be found on www.sec.gov.

3. **In response to complaints and in the media brought how has University of Phoenix responded.** As a leader in the Education Industry the University of Phoenix met this concern head on. There are several initiatives we implemented (i.e. enrollment practices, quality controls, transparency). Student can enroll and take a free course with us. The course is called UNIV. July 16th we are up for a federal review to ensure that we are in compliance with regulations. Also we hosted a Military veteran job fair in partnership with our Academic alliance partners.

- We fully support the federal government's goal to make schools more accountable to students and to taxpayers. We're participating with the Department of Education and with Congress as they establish new rules that serve students best and we maintain strict compliance with current rules and regulations. We will follow any new rules the government ultimately decides to implement, and in fact we already comply with some of the proposed rules that will be coming. We've seen recent media reports that focus on incidents in which students – at University of Phoenix and elsewhere – haven't had the kind of experience we're committed to delivering. We have strict policies and standards in place to protect students and to ensure their success, and when we fall short of those standards, we take immediate action to correct the situation. And we've taken a lot of recent steps to ensure student protection including: Providing a free Student Orientation program for students with fewer than 24 credits (who have less experience with college) so they can make sure they are ready for college before making any financial or enrollment commitments; and, an effective new plan which helps students become more financially literate and includes tools to help them make more informed and responsible borrowing decisions.
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- **Our alumni hold senior level positions in business and government.** From CEOs, to entrepreneurs, to senior White House staffers, our alumni network includes thousands of accomplished professionals who say their University of Phoenix degrees contributed to their success.

Financial Impact

There is no financial impact associated with this request. It is optional for employees to use their tuition assistance benefit.

Other National and Local partners

- City of Columbia
- Palmetto Health
- Providence Hospital
- Time Warner Cable
- Allied Barton
- Aaron's Rental
- HHGregg
- Best Buy
- Kroger
- McLeod Health
- Kershaw Health
- Wells Fargo
- Bank of America

- **Frito Lay**
- **Burger King**
- **McDonalds**
- **Coca Cola**
- **Pepsi**
- **Domino's**
- **City of Augusta**
- **And many more...**

Richland County Council Request of Action

Subject

Franchise Fee [**PAGES 106-108**]

Notes

July 31, 2012 - The committee recommended that Council request an opinion from the South Carolina Attorney General regarding the confidentiality of county or municipal taxpayer information. The vote in favor was unanimous.

Richland County Council Request for Action

Subject: To request an opinion from the South Carolina Attorney General regarding S.C. Code Ann. Section 6-1-120, "Confidentiality of county or municipal taxpayer information."

A. Purpose

To request per Mr. Malinowski's motion, below, an opinion from the South Carolina Attorney General regarding the provision of taxpayer information pursuant to S.C. Code Ann. Section 6-1-120, "Confidentiality of county or municipal taxpayer information."

B. Background / Discussion

During the Motion Period of the July 18, 2012, County Council meeting, Mr. Malinowski made the following motion:

The City believes it cannot provide the requested franchise fee revenue information by law. S.C. Code Ann. Section 6-1-120 sets forth a general prohibition at subsection (A) that, "Except in accordance with a proper judicial order or as otherwise provided by the Freedom of Information Act, it is unlawful for an officer or employee of a county or municipality, or the agent of such an officer or employee to divulge or make known in any manner the financial information, or other information indicative of units of goods or services sold, provided by a taxpayer included in a report, tax return, or application required to be filed by the taxpayer with that county or municipality pursuant to a county or municipal ordinance..."

However, section 6-1-120 provides:

(B) Nothing in this section prohibits the:

(3) sharing of data between public officials or employees in the performance of their duties.

The purpose of the County's request for data from the City is for a "sharing of data between public officials or employees in the performance of their duties." Subsection 6-1-120(B)(3) does not appear to be restricted to "public officials or employees" of the same sovereign.

Motion: Based on the above, it is requested that an SC Attorney General's opinion be obtained interpreting 6-1-120 and more specifically 6-1-120(B)(3).

C. Financial Impact

No known financial impact.

D. Alternatives

- 1. Request the opinion.
- 2. Do not request the opinion.

E. Recommendation

Council Discretion.

Recommended by: Bradley T. Farrar Department: Legal Date: 7/25/12

F. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 7/26/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation:

It is Council discretion to seek additional opinions. Based on ROA the request has no financial impact

Legal

Reviewed by: Brad Farrar Date:
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation: Self-explanatory.

Administration

Reviewed by: Tony McDonald Date: 7/26/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation: Administration has no objection to the request.

Richland County Council Request of Action

Subject

12-22MA
Jonathan Giles
Robert Giles
RM-HD to NC (.33 Acres)
1157 & 1159 Olympia Ave.
11203-01-03& 04 [**PAGES 109-110**]

Notes

First Reading: June 26, 2012
Second Reading: July 18, 2012
Third Reading:
Public Hearing: June 26, 2012

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-12HR

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 # 11203-01-03/04 FROM RM-HD (RESIDENTIAL, MULTI-FAMILY – HIGH DENSITY DISTRICT) TO NC (NEIGHBORHOOD COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 11203-01-03/04 from RM-HD (Residential, Multi-Family – High Density District) zoning to NC (Neighborhood 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 _____, 2012.

RICHLAND COUNTY COUNCIL

By: _____
Kelvin E. Washington, Sr., Chair

Attest this _____ day of
_____, 2012.

Michelle M. Onley
Clerk of Council

Public Hearing: June 26, 2012
First Reading: June 26, 2012
Second Reading: July 18, 2012 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$44,500 of General Fund Undesignated Fund Balance for Sheriff's Department Grant Position Pick-Up **[PAGES 111-113]**

Notes

July 31, 2012 - The committee recommended that Council approve a general fund budget amendment in the amount of \$44,500 to fund the position from the Alternatives to Detention grant in the Sheriff's Department. The vote was in favor.

First Reading: July 31, 2012
Second Reading:
Third Reading:
Public Hearing:

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$44,500 OF GENERAL FUND UNDESIGNATED FUND BALANCE FOR SHERIFF'S DEPARTMENT GRANT POSITION PICK-UP.

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

SECTION I. That the amount of forty four thousand five hundred dollars (\$44,500) be appropriated for Sheriff's Department Grant Pickup. Therefore, the Fiscal Year 2012-2013 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2012 as amended:	\$ 146,913,504
Appropriation of General Fund undesignated fund balance	<u>44,500</u>
Total General Fund Revenue as Amended:	\$ 146,958,004

EXPENDITURES

Expenditures appropriated July 1, 2012 as amended:	\$ 146,913,504
Increase to Sheriff's Department	<u>44,500</u>
Total General Fund Expenditures as Amended:	\$ 146,958,004

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 _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin Washington, Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

Clerk of Council

RICHLANDCOUNTYATTORNEY'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 Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$289,000 of General Fund Undesignated Fund Balance for Sheriff's Department Salary Fringe Funds [**PAGES 114-116**]

Notes

July 31, 2012 - The committee recommended that Council approve a general fund budget amendment in the amount of \$289,000 to fund the fringe costs associated with the \$1.7 million department salary increase approved in the FY 12-13 Sheriff Department budget. The vote was in favor.

First Reading: July 31, 2012

Second Reading:

Third Reading:

Public Hearing:

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$289,000 OF GENERAL FUND UNDESIGNATED FUND BALANCE FOR SHERIFF'S DEPARTMENT SALARY FRINGE FUNDS.

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

SECTION I. That the amount of two hundred eighty nine thousand dollars (\$289,000) be appropriated for Sheriff's Department Salary Fringe Funds. Therefore, the Fiscal Year 2012-2013 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2012 as amended:	\$ 146,913,504
Appropriation of General Fund undesignated fund balance	<u>289,000</u>
Total General Fund Revenue as Amended:	\$ 147,202,504

EXPENDITURES

Expenditures appropriated July 1, 2012 as amended:	\$ 146,913,504
Increase to Sheriff's Department	<u>289,000</u>
Total General Fund Expenditures as Amended:	\$ 147,202,504

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 _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin Washington, Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

Clerk of Council

RICHLANDCOUNTYATTORNEY'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 Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$34,004 of General Fund Undesignated Fund Balance for additional personnel for Blythewood Magistrate **[PAGES 117-119]**

Notes

July 31, 2012 - The committee recommended that Council approve a general fund budget amendment in the amount of \$34,004 to cover personnel costs and associated non capital items in the Blythewood Magistrate's office. The vote in favor was unanimous.

First Reading: July 31, 2012
Second Reading:
Third Reading:
Public Hearing:

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$34,004 OF GENERAL FUND UNDESIGNATED FUND BALANCE FOR ADDITIONAL PERSONNEL FOR BLYTHEWOOD MAGISTRATE.

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

SECTION I. That the amount of thirty four thousand and four dollars (\$34,004) be appropriated for Additional Personnel for Blythewood Magistrate. Therefore, the Fiscal Year 2012-2013 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2012 as amended:	\$ 146,913,504
Appropriation of General Fund undesignated fund balance	<u>34,004</u>
Total General Fund Revenue as Amended:	\$ 146,947,508

EXPENDITURES

Expenditures appropriated July 1, 2012 as amended:	\$ 146,913,504
Increase to Blythewood Magistrate	<u>34,004</u>
Total General Fund Expenditures as Amended:	\$ 146,947,508

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 _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin Washington, Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

Clerk of Council

RICHLANDCOUNTYATTORNEY'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 Fiscal Year 2012-2013 Neighborhood Improvement and Community Development Fund Annual Budgets to appropriate \$53,665 of Neighborhood Improvement Undesignated Fund Balance for transfer to the Community Development Fund for the CDBG and HOME administrative shortfall **[PAGES 120-122]**

Notes

July 31, 2012 - The committee recommended that Council approve the request to transfer \$53,665 from the Neighborhood Improvement Program in FY 12-13, but if future funding cuts take effect, positions will either be eliminated or funded from a dedicated County funding source beginning in FY 13-14. The vote in favor was unanimous.

First Reading: July 31, 2012

Second Reading:

Third Reading:

Public Hearing:

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 NEIGHBORHOOD IMPROVEMENT AND COMMUNITY DEVELOPMENT FUND ANNUAL BUDGETS TO APPROPRIATE \$53,665 OF NEIGHBORHOOD IMPROVEMENT UNDESIGNATED FUND BALANCE FOR TRANSFER TO THE COMMUNITY DEVELOPMENT FUND FOR THE CDBG AND HOME ADMINISTRATIVE SHORTFALL.

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

SECTION I. That the amount of fifty three thousand six hundred sixty five dollars (\$53,665) be appropriated in the Neighborhood Improvement Fund and transferred to Community Development. Therefore, the Fiscal Year 2012-2013 Neighborhood Improvement and the Community Development Department Annual Budgets are hereby amended as follows:

NEIGHBORHOOD IMPROVEMENT - REVENUE

Revenue appropriated July 1, 2012 as amended:	\$ 1,433,650
Appropriation of Neighborhood Improvement undesignated fund balance:	<u>53,665</u>
Total Neighborhood Improvement Revenue as Amended:	\$ 1,487,315

NEIGHBORHOOD IMPROVEMENT - EXPENDITURES

Expenditures appropriated July 1, 2012 as amended:	\$ 1,433,650
Transfer Out to Community Development Fund:	<u>53,665</u>
Total Neighborhood Improvement Expenditures as Amended:	\$ 1,487,315

COMMUNITY DEVELOPMENT - REVENUE

Revenue appropriated July 1, 2012 as amended:	\$ 2,759,959
Transfer in from Neighborhood Improvement:	<u>53,665</u>
Total Community Development Fund Revenue as Amended:	\$ 2,813,624

COMMUNITY DEVELOPMENT - EXPENDITURES

Expenditures appropriated July 1, 2012 as amended:	\$ 2,759,959
Increase to Community Development Fund Expenditures:	<u>53,665</u>
Total Community Development Fund Expenditures as Amended:	\$ 2,813,624

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

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

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

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin Washington, Chair

ATTEST THIS THE ____ DAY
OF _____, 2012

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

Amending Exhibit A to Ordinance No. 048-08HR Authorizing the Recreation Commission of Richland County on behalf of the Recreation District of Richland County, South Carolina, to issue General Obligation Bonds in the principal amount of not exceeding \$50,000,000; and other matters relating thereto enacted by the County Council of Richland County, South Carolina on September 9, 2008 [**PAGES 123-127**]

Notes

July 31, 2012 - The committee recommended that Council approve the request to enact the ordinance regarding the Recreation Commission's project list in the amount of \$5,941,000 for Kelly Mill development. The vote in favor was unanimous.

First Reading: July 31, 2012

Second Reading:

Third Reading:

Public Hearing:

Richland County Council Request of Action

Subject: Amendment to Approve Richland County Recreation Commission's Project List

A. Purpose

County Council is being requested to enact an ordinance approving an amendment to the project list approved for Richland County Recreation Commission's \$50,000,000 bond issues. The amendment would provide for the construction of four (4) lighted baseball fields with press box, canteen and restrooms in the Kelly Mill Road Park with additional athletic fields to include soccer, football and baseball fields.

B. Discussion

In 2008, County Council approved a number of recreation projects which were identified on Exhibit A to Ordinance No. 048-08HR. On the original project list, the Kelly Mill Property Development emphasized soccer fields. Since the time the original project list was approved, the needs in the Kelly Mill Road area have changed, and the Commission now believes that four (4) lighted baseball fields with press box, canteen and restrooms are a higher priority for that area than soccer fields. This change is due, in part, to the County's plan to construct a major destination recreation center on Hardscrabble Road which will have a major emphasis on soccer. Based on this change, the Kelly Mill Property Development portion of the project list would change as follows:

KELLY MILL PROPERTY DEVELOPMENT:

<u>Project</u>	<u>Amount</u>
Four (4) lighted baseball fields with press box, canteen, and restrooms	\$4,035,000
Other athletic fields (football/soccer/baseball)	\$620,000
One (1) playground system	\$70,000
Two (2) picnic shelters	\$70,000
Paved parking	\$920,000
Two (2) commercial wells with VFD	\$96,000
Irrigation for fields	\$55,000
Walking trail of approximately half mile	<u>\$75,000</u>
TOTAL KELLY MILL PROPERTY DEVELOPMENT:	\$5,941,000

The ordinance related to this request are attached below for your convenience.

C. Financial Impact

None.

D. Alternatives

1. Approve the request to enact the ordinance.
2. Do not approve the request.

E. Recommendation

It is recommended that Council enact the ordinance to approve the request.
Richland County Recreation Commission, July 19, 2012

F. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 7/25/12
 Recommend Council approval Recommend Council denial
✓ Council Discretion (please explain if checked)
Comments regarding recommendation:

This is a policy decision for Council and recommendation based on request being a change in project list funding distribution but no financial impact.

Legal

Reviewed by: Elizabeth McLean Date: 7/25/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Policy decision left to Council's discretion.

Administration

Reviewed by: Tony McDonald Date: 7/26/12
 Recommend Council approval Recommend Council denial
✓ Council Discretion (please explain if checked)
Comments regarding recommendation: Administration defers to the expertise of the Recreation Commission in determining which facilities are better suited for the communities in which those facilities will be located. There is no financial impact associated with this request; all projects are being funded from the 2008 recreation bond.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____ -12HR

AMENDING EXHIBIT A TO ORDINANCE NO. 048-08HR AUTHORIZING THE RECREATION COMMISSION OF RICHLAND COUNTY ON BEHALF OF THE RECREATION DISTRICT OF RICHLAND COUNTY, SOUTH CAROLINA, TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$50,000,000; AND OTHER MATTERS RELATING THERETO ENACTED BY THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA ON SEPTEMBER 9, 2008

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

SECTION 1. The County Council (the “County Council”) of Richland County, South Carolina (the “County”), hereby finds and determines:

(a) The County Council on September 9, 2008, enacted Ordinance No. 048-08HR authorizing the Recreation Commission of Richland County (the “Commission”), the governing body of The Recreation District of Richland County, South Carolina (the “District”) to issue general obligation bonds in the principal amount of not exceeding \$50,000,000.

(b) Attached to Ordinance No. 048-08HR and incorporated therein by reference is Exhibit A entitled “List of Recreation Commission of Richland County Projects to be funded from not to exceed \$50,000,000 of Bonds.”

(c) The Commission on behalf of the District has requested that County Council amend Exhibit A by amending the description of the Kelly Mill Development to read as follows:

KELLY MILL PROPERTY DEVELOPMENT:

<u>Project</u>	<u>Amount</u>
Four (4) lighted baseball fields with press box, canteen, and restrooms	\$4,035,000
Other athletic fields (football/soccer/baseball)	\$620,000
One (1) playground system	\$70,000
Two (2) picnic shelters	\$70,000
Paved parking	\$920,000
Two (2) commercial wells with VFD	\$96,000
Irrigation for fields	\$55,000
Walking trail approximately half mile	<u>\$75,000</u>
TOTAL KELLY MILL PROPERTY DEVELOPMENT:	\$5,941,000

SECTION 2. County Council has determined that it would be in the best interests of the citizens of the County to amend Exhibit A as referenced above.

SECTION 3. Miscellaneous. All other provisions of Ordinance No. 048-08HR remain in full force and effect. This Ordinance shall take effect and be in full force from and after its adoption.

Enacted this ____ day of September, 2012.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Kelvin Washington, Chairman
Richland County Council

(SEAL)

ATTEST THIS _____ DAY OF
_____, 2012:

Michelle Only
Interim Clerk of County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Date of First Reading:
Date of Second Reading:
Publication of Notice of
Public Hearing:
Date of Public Hearing:
Date of Third Reading:

Richland County Council Request of Action

Subject

Curfew for Community Safety [**PAGES 128-162**]

Notes

July 31, 2012 - This item was forwarded to the September 11, 2012 Council meeting without a recommendation. Staff is to provide Council with a copy of the City of Columbia's curfew ordinance as well as the proposed County curfew's legislative history, the draft County ordinance, and crime statistics provided by the Sheriff's Department.

Richland County Council Request for Action

Subject: Curfew for Community Safety

A. Purpose

This request is, per Mr. Manning's motion, to consider a curfew as a means of bringing citizens and government together in an effort to make our neighborhoods and communities safer.

B. Background / Discussion/Chronological History

The County has the authority to impose a curfew under its general police powers for the purpose of promoting the public welfare, security, health, and safety of its citizens. Additional legal guidance is available in accordance with the South Carolina Freedom of Information Act or as requested under separate attorney-client memorandum.

Chronological History - as provided by Randy Cherry in County Administration

February 2, 2010 Council Meeting: Motion Period: Council consider a curfew as a means of bringing citizens and government together in an effort to make our neighborhoods and community safer [Manning]. This matter was forwarded to D&S.

Feb 23, 2010 D&S Committee: The Committee deferred this item pending further clarification of legal issues raised regarding the proposed curfew. The vote in favor was unanimous.

March 23, 2010 D&S Committee: The Committee voted to defer this item pending Legal receiving additional clarification from councilmember Manning regarding what should be included in the language of the proposed curfew. The vote in favor was unanimous.

April 27, 2010 and May 25, 2010 D&S Committee meetings: The Committee deferred this item pending Legal meeting with Mr. Manning to discuss the specifics of the proposed curfew.

June 2010- March 2012 D&S Committee: In June 2010, Legal recommended that this item be moved to items pending analysis-no action required-in D&S committee. Legal indicated that Mr. Manning will discuss with the Sheriff's Department, as well as the City of Columbia, ways to enhance community safety. In March of 2012 Mr. Manning directed staff to keep this item on the Committee agenda pending a forthcoming draft ordinance from Legal.

April 24, 2012 D&S Committee: The item was held in committee in order for the committee to review the draft ordinance that was presented by the County's Legal department.

May 22, 2012 D&S Committee: The Committee held this item in committee and requested that the Sheriff's Department obtain data indicating how the ordinance will impact the County overall, not just district eight (8). The committee directed staff to provide this information to them by the July committee meeting. The committee also recommended that Council consider other alternatives regarding this item. The vote in favor was unanimous.

June 26, 2012 D&S Committee: The item was listed as an item pending analysis-no action required.

July 31, 2012 D&S Committee: This item was forwarded to the September 11, 2012 Council meeting without a recommendation. Staff is to provide Council with a copy of the City of Columbia's curfew ordinance as well as the proposed County curfew's legislative history, the draft County ordinance, and crime statistics provided by the Sheriff's Department **ACTION: ADMINISTRATION, LEGAL, SHERIFF, CLERK OF COUNCIL**

Additional Comments provided by the County's Legal Department on 8/30/12:

- Under the proposed County Ordinance, commercial establishments located within the unincorporated areas of District 8 of Richland County which allow for the on-premises consumption of beer, ale, porter and/or wine shall be prohibited from operating between the hours of 2:00 a.m. and 6:00 a.m. on Mondays through Saturdays. Any person who violates any provisions of this section shall be subject to the penalty provisions of section 1-8 of the Richland County Code of Ordinances.
- The proposed bar curfew ordinance is not different from the City of Columbia's bar curfew ordinance except that the City of Columbia has established a program; whereby, commercial establishments may apply for an exemption. The City of Columbia's bar curfew ordinance indicates the requirements of the exemption. Below is the language regarding the exemption and a few of the exemptions covered by the City of Columbia ordinance. The entire list of exemptions is contained in the City of Columbia ordinance (see attached).
 - Under a program established by the City Manager, commercial establishments that allow for the on-premises consumption of beer, ale, porter and/or wine may seek exemption to subsection (1) to operate after 2:00a.m. on Mondays through Saturdays, upon application and proof of business policies or practices that comply with the following:
 - The commercial establishment shall not allow any drinking contests or games, or contests involving disrobing, or "wet t-shirt", "Girls Gone Wild" or similar contests will be held or advertised at the commercial establishment unless the commercial establishment is licensed to operate as a sexually oriented business. No agent, employee or independent contractor for the commercial establishment will encourage or permit this prohibited behavior by the patrons, unless the business is licensed to operate as a sexually oriented business.
 - For those commercial establishments required to utilize security agency personnel to primarily exercise security functions, as defined by Section 40-18-20, et. seq, of the Code of Laws of South Carolina 1976, as amended from time to time, under subsection 3 such security agency shall be licensed by the State of South Carolina. The security agency shall also be licensed by the City of Columbia.
 - Upon City request, the commercial establishment will consult with the City of

Columbia Police Department and provide such security as is recommended by that Department that recognizes individual circumstances of the commercial establishment.

- The Legal Department identified Districts 1, 3, 4, 7, and 9 with numbers offenses committed equal or greater than the number of offenses reported in District 8. Of these districts, District 9 has expressed an interest in a curfew. Legal is in the process of researching whether a curfew would be supported in District 9.
- The Richland County Sheriff's Department has reviewed the proposed ordinance. It is Legal's understanding that it is the desire of the Sheriff's Department that the draft ordinance be implemented county-wide.

The following documents are included with this ROA:

- Draft Richland County Ordinance Regarding the consumption of alcoholic beverages in County Council District 8.
- City of Columbia Ordinance 2011-021
- Richland County Sheriff's Department Reported Offenses by County Council District 2009 to 2012 YTD
- Richland County Sheriff's Department Reported Offenses by County Council District 2009 to 2012 YTD between the hours of 2:00am and 7:00 am.

C. Financial Impact

None known.

D. Alternatives

1. Adopt a curfew.
2. Do not adopt a curfew.

E. Recommendation

Council discretion, keeping in mind, however, the legal consideration briefly outlined above.

Recommended by: Tish Garnett

Department: Legal Date: 08/22/12

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 8/30/12

Recommend Council approval

Recommend Council denial

✓ Council Discretion (please explain if checked)

Comments regarding recommendation:

This is a policy decision for Council with no financial impact or funding request.

Sheriff Department

Reviewed by: Steve Birnie

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

1. Regarding other possible alternatives to having a curfew: There are none at this time. The Sheriff wants to ensure equal application of the ordinance across the county so there is no confusion as to where and when this curfew is applied.

2. Regarding potential financial/other impacts to the Sheriff's Department: RCSD will enforce the curfew in the course of our current patrols. We will make adjustments as information is developed and establishments are identified who are uneducated to the requirement. Those who are unwilling to comply will be addressed accordingly. It is recommended the county provide notice to all establishments who dispense alcohol of the ordinance in advance of the effective date.

Legal

Reviewed by: Elizabeth McLean

Date: 9/5/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Left to Council's discretion; legal guidance is available upon further request and will be provided under separate cover.

Administration

Reviewed by: Tony McDonald

Date: 9/5/12

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval based on input from the Sheriff's Department. Further recommend that, if approved, the ordinance be applied County-wide, as suggested by the Sheriff.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 18, OFFENSES; BY THE ADDITION OF SECTION 18-7, "HOURS OF SALE RESTRICTED FOR COMMERCIAL ESTABLISHMENTS WHICH ALLOW FOR ON-PREMISES CONSUMPTION OF BEER, ALE, PORTER AND/OR WINE;" SO AS TO PROHIBIT THE OPERATION OF COMMERCIAL ESTABLISHMENTS LOCATED WITHIN DISTRICT 8 OF RICHLAND COUNTY WHICH ALLOW FOR THE ON-PREMISES CONSUMPTION OF SAID BEVERAGES AS DEFINED BETWEEN CERTAIN HOURS OF CERTAIN DAYS.

WHEREAS, Richland County Council (the "Council") is empowered to enact regulations that provide for the general health and welfare of its citizens; and

WHEREAS, the Council is concerned about the sale and consumption of alcoholic beverages in the late night and early morning hours, and the attendant health and safety problems which may arise; and

WHEREAS, the Council has determined that it is in the best interests of the County for the general health and welfare of the community that the on-premises sale and consumption of certain alcoholic beverages be restricted between the hours of 2:00 A.M. and 6:00 A.M. Mondays through Saturdays within District 8;

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

SECTION I. The Richland County Code of Ordinances; Chapter 18, Offenses; is hereby amended by the addition of Section 18-7, Hours of sale restricted for commercial establishments which allow for on-premises consumption of beer, ale, porter and/or wine to read as follows:

Sec. 18-7. Hours of sale restricted for commercial establishments which allow for on-premises consumption of beer, ale, porter and/or wine within District 8.

(a) Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Beer, Ale, Porter and Wine shall be defined for purposes of this section as stated in Section §61-4-10 of the Code of Laws of South Carolina 1976, as amended from time to time.

(b) Prohibition.

Commercial establishments located within the unincorporated areas of District 8 of Richland County which allow for the on-premises consumption of beer, ale, porter and/or wine shall be prohibited from operating between the hours of 2:00 A.M. and 6:00 A.M. on Mondays through Saturdays.

(c) Penalty.

Any person who violates any provision of this section shall be subject to the penalty provisions of section 1-8 of the Richland County Code of Ordinances.

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 _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin Washington, Chair

ATTEST THIS THE _____ DAY

OF _____, 2012

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:

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ORDINANCE NO.: 2011- 021

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 14, Article IV, Offenses Against the Public Peace and Order, Sec. 14-106 Hours of sale restricted for commercial establishments which allow for on-premises consumption of beer, ale, porter and/or wine

BE IT ORDAINED by the Mayor and Council this 7th day of June, 2011, that the 1998 Code of Ordinances of The City of Columbia, South Carolina, Chapter 14, Article IV, Offenses Against the Public Peace and Order, Sec. 14-106 Hours of sale restricted for commercial establishments which allow for on-premises consumption of beer, ale, porter and/or wine, are amended to read as follows:

Sec. 14-106. Hours of sale restricted for commercial establishments which allow for on-premises consumption of beer, ale, porter and/or wine.

(a) The following definitions apply for the purposes of this section.

Beer, ale, porter and wine are defined as stated in Section 61-4-10 of the Code of Laws of South Carolina 1976, as amended from time to time.

Commercial establishment means any individual, firm, partnership, cooperative nonprofit membership, corporation, joint venture, professional association, estate, trust, business trust, receiver, syndicate holding company, or other group or combination acting as a unit, in the singular or plural, and the agent or employee having charge or control of a commercial establishment in the absence of the principal.

Incident means credible evidence of any attempted or accomplished violation of any of the listed crimes, ordinances or codes in this section which is either documented or investigated by a law enforcement agency, fire marshal, license inspector or code enforcement officer or a conviction for a violation of the crimes, ordinances or codes in this section.

(1) Commercial establishments that allow for the on-premises consumption of beer, ale, porter and/or wine shall be prohibited from operating, selling or allowing consumption of beer, ale, porter or wine after 2:00 a.m. on Mondays through Saturdays.

(2) Under a program established by the City Manager, commercial establishments that allow for the on-premises consumption of beer, ale, porter and/or wine may seek exemption to subsection (1) to operate after 2:00 a.m. on Mondays through Saturdays, upon application and proof of business policies or practices that comply with the following:

a. The commercial establishment shall not allow any drinking contests or games, or contests involving disrobing, or "wet t-shirt", "Girls Gone Wild"™ or similar contests will be

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held or advertised at the commercial establishment unless the commercial establishment is licensed to operate as a sexually oriented business. No agent, employee or independent contractor for the commercial establishment will encourage or permit this prohibited behavior by the patrons, unless the business is licensed to operate as a sexually oriented business.

b. The commercial establishment shall establish a policy that (i) requires all floor managers, bartenders and wait staff to maintain certification in Serve Safe Alcohol, TIPS or Lexington Richland Alcohol & Drug Abuse Council's PREP training on determining when a customer is underage or apparently intoxicated or approved training as specified by the City of Columbia extended hours exemption permit program procedural guide; (ii) prohibits employees from service of alcohol to underage or apparently intoxicated customers; and (iii) requires the commercial establishment, its agents and employees to enforce a policy of refusing further alcohol service to customers at that point.

c. For those commercial establishments required to utilize security agency personnel to primarily exercise security functions, as defined by Section 40-18-20, et. seq, of the Code of Laws of South Carolina 1976, as amended from time to time, under subsection 3 such security agency shall be licensed by the State of South Carolina. The security agency shall also be licensed by the City of Columbia.

d. No alcohol consumption will be permitted in the parking lots under the control of the commercial establishment. No alcohol consumption will be permitted outside of any roofed, decked, café-style areas or encroachment areas authorized by Columbia City Council, nor shall any glass or metal containers of any kind shall be permitted to leave the roofed, decked, café-style areas of the commercial establishment or encroachment areas authorized by Columbia City Council. The commercial establishment will establish policies and security resources to assure compliance.

e. The commercial establishment must have in place and maintain current at all times all licenses and permits required by state or local law.

f. The commercial establishment must have in place and maintain current at all times liquor liability insurance and workers' compensation insurance. The commercial establishment shall provide the City proof of such insurance at the time of application for an exemption or at any other time the City may request.

g. Upon City request, the commercial establishment will consult with the City of Columbia Police Department and provide such security as is recommended by that Department that recognizes individual circumstances of the commercial establishment.

h. All commercial establishments seeking an exemption under this subsection shall complete an application provided by the Business License Division. Extended Operating Hours permits

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shall be issued for one calendar year or any portion thereof and shall expire on June 30. Applicants shall pay a nonrefundable application fee of \$50 (to be equally divided between the business license division and the police department) for each exemption or any renewal or reinstatement thereof. Applicants applying for reinstatement of a revoked exemption shall have a fire safety plan approved by the fire department and shall attend and complete the fire department's Nightclub Safety Seminar prior to reinstatement of the exemption, if any of the incidents resulting in the revocation were related to a violation of the fire code. Exempted commercial establishments shall receive an Extended Operating Hours permit which shall be conspicuously displayed at the entry way of the commercial establishment. Extended Operating Hours permits are not transferable. Extended Operating Hours permits shall be immediately removed upon revocation.

i. Any application for an initial, renewal or reinstatement of an exemption shall be denied if the application is incomplete or contains a misrepresentation, false or misleading statement or a material fact. If it is discovered that any application for an initial, renewal or reinstatement of an exemption was incomplete or contained a misrepresentation, false or misleading statement or a material fact after an exemption has been granted then the granted exemption shall be immediately revoked. The commercial establishment shall comply with subsection 1 for a period of twelve (12) months before applying for another exemption and must be incident free during the twelve (12) month period in order to apply.

j. The denial of an application or revocation of an exemption shall be subject to an appeal process developed by the City Manager.

(3) If the commercial establishment is not the victim of the incident, but shall have on the premises under its control, within the permit period and at any time the commercial establishment is open for business, attempted or accomplished robberies or larcenies, breaches of the peace, drug offenses, assaults, public nuisances, violations related to unlawful service of alcohol to minors or to already intoxicated persons or violations of the fire code related to occupancy loads and exits on the premises, hereinafter collectively "incidents", then:

For a second (2nd) incident of the first two (2) incidents within the permit period and at any time the commercial establishment is open for business the commercial establishment shall employ security agency personnel on a ratio of 1 to per 100 occupancy based on the permitted load occupancy rounded up to the next 100 within 30 days of notice. Failure to provide the required security within 30 days of notice shall result in the immediate revocation of the exemption and permit, and the commercial establishment shall comply with subsection 1 for a period of twelve (12) months before applying for another exemption and must be incident free during the twelve (12) month period in order to apply.

For a third (3rd) incident within the permit period and at any time the commercial establishment is open for business, then the granted exemption shall be immediately

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revoked and the commercial establishment shall comply with subsection 1 for a period of three (3) months before applying for another exemption. The commercial establishment must be incident free during the revocation period in order to reapply for reinstatement of its exemption. In the event of an incident during the revocation period, the commercial establishment shall comply with subsection 1 for a period of twelve (12) months before applying for another exemption and must be incident free during the twelve (12) month period in order to apply.

For a fourth (4th) incident within the permit period and at any time the commercial establishment is open for business, then the granted exemption shall be immediately revoked and the commercial establishment shall comply with subsection 1 for a period of twelve (12) months before applying for another exemption and must be incident free during the twelve (12) month period in order to apply.

(4) For subsection 3, the issue of business accountability for incident occurrence shall be subject to an appeal process developed by the City Manager.

(5) Police officers, fire marshals, license inspectors and/or code enforcement officers shall have the authority to administer the provisions of this section as to business accountability for incidence occurrence, proof of compliance, permit violations and revocation.

This ordinance shall be effective as of July 1, 2011.


Requested by:

Hospitality Zone Task Force _____


MAYOR

Approved by:  _____

City Manager

Approved as to form:  _____

City Attorney

ATTEST:

City Clerk

Introduced: 4/26/2011
Final Reading: 6/7/2011

Richland County Sheriff's Department

Reported Offenses by County Council District

CY2009, CY2010, CY2011, and 2012YTD

Please note the following when referencing data in the attached tables:

- Crime numbers are dynamic and are subject to change daily.
- Data in these tables is current through July 10, 2012.
- This data reflects the number of reported offenses by crime type, not the number of incident reports, the number of victims, or the number of calls for service.
- County council districts vary in area and population and comparisons between districts are not feasible.
- Only offenses reported to the Richland County Sheriff's Department are included in this data. Crime in municipalities is not included.
- For the tables referencing crime between 2:01 AM and 7:00 AM, only offenses with a midpoint time (average of start time and end time) between 2:01 AM and 7:00 AM are included.

Crime type specific notes:

- Criminal offenses reported to the Richland County Sheriff's Department are coded according to SCIBRS (South Carolina Incident Based Reporting System) offense codes.
 - According to SCIBRS:
 - All Other Larceny: All thefts which do not fit any of the definitions of other larceny subcategories.
 - All Other Offenses: All criminal offenses that are not Group A offenses and are not specifically included in any other Group B offense category.
- Non-criminal offenses reported to the Richland County Sheriff's Department are coded using in-house codes.
 - According to in-house codes:
 - Other, Civil: All non-criminal civil offenses.
 - Other, Domestic: All non-criminal domestic offenses.
 - Other, Insurance: All non-criminal insurance-related offenses.
 - All Other Responses: All other non-criminal offenses.

07/17/2012

Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD
 County Council District 1: Bill Malinowski

CRIME	CY2009	CY2010	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	48	45	45	33	171
ALL OTHER LARCENY	91	110	120	64	385
ALL OTHER OFFENSES	41	49	54	29	173
ALL OTHER RESPONSES	32	43	51	30	156
ARSON	2	2	2	2	8
ASSISTING OTHER AGENCIES	16	22	28	12	78
BREACH OF TRUST	3	2	2	1	8
BRIBERY	0	0	1	0	1
BURGLARY	65	71	61	38	235
CONTRIBUTING TO THE DELINQUENCY OF A MINOR	3	1	0	1	5
DISORDERLY CONDUCT	15	14	15	4	48
DRIVING UNDER THE INFLUENCE	2	3	2	4	11
DRUG EQUIPMENT VIOLATIONS	10	17	13	4	44
DRUG/NARCOTIC VIOLATIONS	35	43	51	22	151
DRUNKENNESS	1	1	0	1	3
EMBEZZLEMENT	3	1	0	1	5
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	25	27	15	14	81
FAMILY OFFENSES (NON-VIOLENT)	44	39	32	15	130
FORCIBLE FONDLING	8	8	4	3	23
FORCIBLE RAPE	3	5	4	1	13
FORCIBLE SODOMY	3	1	0	1	5
FORGERY/COUNTERFEITING	7	11	10	3	31
FRAUD CREDIT CARD/ATM	13	28	34	15	90
IMPERSONATION	13	7	11	8	39
INCORRIGIBLE	5	9	8	11	33
INDECENT EXPOSURE	0	0	1	0	1
INTIMIDATION	37	33	31	20	121
KIDNAPPING/ABDUCTION	1	3	1	3	8
LIQUOR LAW VIOLATION	5	4	7	1	17
MISSING PERSON	16	8	7	9	40
MOTOR VEHICLE THEFT	23	17	18	11	69
MURDER	0	0	1	1	2
OBSCENE/HARASSING PHONE CALLS	67	69	62	33	231
OTHER, CIVIL	11	20	22	9	62
OTHER, DOMESTIC	10	8	15	9	42
PEEPING TOM	2	0	0	0	2
PORNOGRAPHY/OBSCENE MATERIAL	1	2	0	0	3
RESISTING ARREST	0	1	1	0	2
ROBBERY	4	3	4	3	14
RUNAWAY	27	22	17	16	82
SEXUAL ASSAULT W/ OBJECT	0	0	0	1	1
SHOPLIFTING	8	2	2	3	15
SIMPLE ASSAULT	61	63	75	43	242
STATUTORY RAPE	1	1	1	0	3
STOLEN PROPERTY OFFENSES	0	3	0	1	4
SUICIDE	2	4	2	4	12
SUSPICIOUS FIRES	1	5	2	0	8
THEFT FROM BUILDINGS	16	11	8	9	44
THEFT FROM COIN-OPERATED MACHINE OR DEVICE	0	0	0	1	1
THEFT FROM MOTOR VEHICLE	187	123	116	32	458
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	18	21	16	3	58
TRAFFIC	29	14	22	5	70
TRESPASSING	11	12	9	5	37
VANDALISM	132	140	120	56	448
WEAPON LAW VIOLATIONS	3	12	7	1	23
WIRE FRAUD	5	8	3	2	18
TOTAL	1166	1168	1133	598	4065

*Only offenses reported to the Richland County Sheriff's Department are included in this data. Data is current as of July 10, 2012 and is subject to change daily.

Source: RCSD Visions

07/17/2012

Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD
County Council District 2: Joyce Dickerson

CRIME	CY2009	CY2010	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	211	220	208	105	744
ALL OTHER LARCENY	332	353	337	186	1208
ALL OTHER OFFENSES	106	169	169	76	520
ALL OTHER RESPONSES	123	111	141	81	456
ARSON	4	7	4	2	17
ASSISTING OTHER AGENCIES	152	170	144	53	519
ASSISTING/PROMOTING PROSTITUTION	0	0	1	0	1
BREACH OF TRUST	7	10	7	7	31
BURGLARY	373	418	365	199	1355
CONTRIBUTING TO THE DELINQUENCY OF A MINOR	1	1	1	2	5
CURFEW/LOITERING/AGRANCY VIOLATIONS	2	1	3	2	8
DISORDERLY CONDUCT	77	66	84	37	264
DRIVING UNDER THE INFLUENCE	12	18	7	0	37
DRUG EQUIPMENT VIOLATIONS	60	47	62	33	202
DRUG/NARCOTIC VIOLATIONS	353	315	322	164	1154
DRUNKENESS	2	5	2	2	11
EMBEZZLEMENT	10	15	14	1	40
EXTORTION/BLACKMAIL	2	2	1	0	5
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	114	96	94	45	349
FAMILY OFFENSES (NON-VIOLENT)	86	69	66	25	246
FORCIBLE FONDLING	13	15	19	15	62
FORCIBLE RAPE	13	13	15	12	53
FORCIBLE SODOMY	3	8	3	1	15
FORGERY/COUNTERFEITING	48	51	44	18	161
FRAUD CHECK	2	2	2	1	7
FRAUD CREDIT CARD/ATM	33	68	70	39	210
GAMBLING EQUIPMENT VIOLATION	0	1	0	0	1
IMPERSONATION	42	28	33	17	120
INCORRIGIBLE	19	19	15	20	73
INDECENT EXPOSURE	4	1	5	3	13
INTIMIDATION	106	112	97	44	359
KIDNAPPING/ABDUCTION	11	6	8	8	33
LIQUOR LAW VIOLATION	22	29	15	9	75
MISSING PERSON	45	27	28	16	116
MOTOR VEHICLE THEFT	161	128	168	86	543
MURDER	2	1	2	0	5
OBSCENE/HARASSING PHONE CALLS	156	179	211	71	617
OPERATING/PROMOTING/ASSISTING GAMBLING	0	0	1	0	1
OTHER, CIVIL	43	48	52	22	165
OTHER, DOMESTIC	20	16	34	17	87
OTHER, INSURANCE	5	7	9	1	22
PEEPING TOM	2	0	1	0	3
POCKET PICKING	1	0	1	0	2
PORNOGRAPHY/OBSCENE MATERIAL	3	0	1	0	4
PROSTITUTION	3	0	0	0	3
PROWLER	0	1	1	0	2
PURSE SNATCHING	1	1	0	0	2
RESISTING ARREST	7	6	6	4	23
ROBBERY	50	47	55	33	185
RUNAWAY	51	57	59	34	201
SEXUAL ASSAULT W/ OBJECT	0	2	1	0	3
SHOPLIFTING	80	59	87	33	259
SIMPLE ASSAULT	332	270	276	129	1007
STATUTORY RAPE	3	1	2	2	8
STOLEN PROPERTY OFFENSES	20	34	12	7	73
SUICIDE	4	2	5	3	14
SUSPICIOUS FIRES	5	5	6	8	24
THEFT FROM BUILDINGS	22	25	18	12	77
THEFT FROM COIN-OPERATED MACHINE OR DEVICE	3	4	2	0	9
THEFT FROM MOTOR VEHICLE	243	159	166	84	652
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	94	90	104	42	330
TRAFFIC	259	257	143	65	724
TRESPASSING	36	33	51	17	137
TRUANCY	0	0	1	0	1
VANDALISM	484	425	400	216	1525
WEAPON LAW VIOLATIONS	33	56	50	22	161
WIRE FRAUD	5	6	1	2	14
TOTAL	4516	4392	4312	2133	15353

*Only offenses reported to the Richland County Sheriff's Department are included in this data. Data is current as of July 10, 2012 and is subject to change daily.

Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD
County Council District 3: Damon Jeter

CRIME	CY2009	CY2010	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	193	212	176	96	677
ALL OTHER LARCENY	238	258	338	158	992
ALL OTHER OFFENSES	145	172	166	49	532
ALL OTHER RESPONSES	156	157	173	97	583
ARSON	4	8	2	1	15
ASSISTING OTHER AGENCIES	175	192	152	80	599
ASSISTING/PROMOTING PROSTITUTION	1	0	0	1	2
BETTING/WAGERING	1	0	1	0	2
BREACH OF TRUST	7	11	9	5	32
BURGLARY	192	273	256	125	846
CONTRIBUTING TO THE DELINQUENCY OF A MINOR	1	1	0	0	2
CURFEW/LOITERING/VAGRANCY VIOLATIONS	30	22	10	6	68
DISORDERLY CONDUCT	78	63	63	35	239
DRIVING UNDER THE INFLUENCE	12	9	11	7	39
DRUG EQUIPMENT VIOLATIONS	67	49	44	19	179
DRUG/NARCOTIC VIOLATIONS	408	362	269	122	1161
DRUNKENNESS	21	9	7	4	41
EMBEZZLEMENT	28	15	16	4	63
EXTORTION/BLACKMAIL	1	0	0	0	1
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	130	140	109	45	424
FAMILY OFFENSES (NON-VIOLENT)	57	53	46	28	184
FORCIBLE FONDLING	16	10	10	4	40
FORCIBLE RAPE	9	13	10	8	40
FORCIBLE SODOMY	1	2	0	1	4
FORGERY/COUNTERFEITING	49	51	70	25	195
FRAUD CHECK	6	11	6	4	27
FRAUD CREDIT CARD/ATM	42	68	86	53	249
GAMBLING EQUIPMENT VIOLATION	1	1	4	0	6
IMPERSONATION	27	31	23	14	95
INCORRIGIBLE	23	21	21	14	79
INDECENT EXPOSURE	4	3	5	1	13
INTIMIDATION	84	86	64	33	267
KIDNAPPING/ABDUCTION	6	4	6	5	21
LIQUOR LAW VIOLATION	26	41	27	6	100
MISSING PERSON	22	27	20	19	88
MOTOR VEHICLE THEFT	124	135	142	82	483
MURDER	3	0	0	1	4
OBSCENE/HARASSING PHONE CALLS	106	102	112	49	369
OPERATING/PROMOTING/ASSISTING GAMBLING	1	1	1	0	3
OTHER, CIVIL	23	38	43	17	121
OTHER, DOMESTIC	5	7	16	18	46
OTHER, INSURANCE	2	3	2	2	9
POCKET PICKING	0	1	0	0	1
PORNOGRAPHY/OBSCENE MATERIAL	2	1	2	0	5
PROSTITUTION	5	0	4	4	13
PROWLER	0	1	0	0	1
PURSE SNATCHING	1	2	1	0	4
RESISTING ARREST	12	10	12	6	40
ROBBERY	60	56	79	29	224
RUNAWAY	33	32	32	16	113
SEXUAL ASSAULT W/ OBJECT	3	1	0	0	4
SHOPLIFTING	341	301	230	160	1032
SIMPLE ASSAULT	231	197	218	97	743
STATUTORY RAPE	2	0	0	1	3
STOLEN PROPERTY OFFENSES	26	23	19	14	82
SUICIDE	1	1	5	1	8
SUSPICIOUS FIRES	3	10	9	0	22
THEFT FROM BUILDINGS	24	15	18	8	65
THEFT FROM COIN-OPERATED MACHINE OR DEVICE	3	3	1	2	9
THEFT FROM MOTOR VEHICLE	239	210	264	82	795
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	87	93	80	44	304
TRAFFIC	270	277	195	91	833
TRESPASSING	43	50	42	30	165
TRUANCY	0	0	1	0	1
VANDALISM	283	294	307	152	1036
WEAPON LAW VIOLATIONS	50	37	28	23	138
WELFARE FRAUD	0	0	5	0	5
WIRE FRAUD	4	3	2	0	9
TOTAL	4248	4279	4070	1998	14595

*Only offenses reported to the Richland County Sheriff's Department are included in this data. Data is current as of July 10, 2012 and is subject to change daily.

Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD
 County Council District 4: Paul Livingston

CRIME	CY2009	CY2010	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	93	109	129	60	391
ALL OTHER LARCENY	144	142	150	90	526
ALL OTHER OFFENSES	60	76	87	31	254
ALL OTHER RESPONSES	63	59	69	46	237
ARSON	3	3	4	0	10
ASSISTING OTHER AGENCIES	99	134	108	49	390
BETTING/WAGERING	0	0	2	0	2
BREACH OF TRUST	12	5	5	3	25
BURGLARY	170	171	154	78	573
CONTRIBUTING TO THE DELINQUENCY OF A MINOR	1	0	0	0	1
CURFEW/LOITERING/VAGRANCY VIOLATIONS	2	4	3	0	9
DISORDERLY CONDUCT	33	30	35	20	118
DRIVING UNDER THE INFLUENCE	2	12	6	2	22
DRUG EQUIPMENT VIOLATIONS	25	26	36	18	105
DRUG/NARCOTIC VIOLATIONS	218	265	191	86	760
DRUNKENESS	4	4	0	1	9
EMBEZZLEMENT	5	1	3	0	9
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	31	42	37	14	124
FAMILY OFFENSES (NON-VIOLENT)	36	17	13	5	71
FORCIBLE FONDLING	4	3	3	5	15
FORCIBLE RAPE	4	4	4	2	14
FORCIBLE SODOMY	1	2	2	1	6
FORGERY/COUNTERFEITING	29	25	20	8	82
FRAUD CHECK	0	0	2	0	2
FRAUD CREDIT CARD/ATM	13	16	28	16	73
IMPERSONATION	21	12	9	7	49
INCORRIGIBLE	10	12	6	3	31
INDECENT EXPOSURE	6	3	0	2	11
INTIMIDATION	35	47	49	24	155
KIDNAPPING/ABDUCTION	5	5	6	3	19
LIQUOR LAW VIOLATION	10	11	13	2	36
MISSING PERSON	24	13	13	2	52
MOTOR VEHICLE THEFT	62	94	95	62	313
MURDER	1	1	0	0	2
OBSCENE/HARASSING PHONE CALLS	65	83	76	35	259
OPERATING/PROMOTING/ASSISTING GAMBLING	0	0	3	0	3
OTHER, CIVIL	9	14	11	11	45
OTHER, DOMESTIC	4	8	8	3	23
OTHER, INSURANCE	2	2	2	0	6
POCKET PICKING	0	0	0	1	1
PORNOGRAPHY/OBSCENE MATERIAL	0	1	0	0	1
PURSE SNATCHING	0	2	0	0	2
RESISTING ARREST	5	5	8	2	20
ROBBERY	27	22	23	22	94
RUNAWAY	27	25	17	10	79
SEXUAL ASSAULT W/ OBJECT	0	0	1	0	1
SHOPLIFTING	42	26	16	15	99
SIMPLE ASSAULT	124	143	126	45	438
STATUTORY RAPE	1	1	2	0	4
STOLEN PROPERTY OFFENSES	21	16	11	12	60
SUICIDE	1	0	0	0	1
SUSPICIOUS FIRES	4	1	4	3	12
THEFT FROM BUILDINGS	4	5	4	2	15
THEFT FROM COIN-OPERATED MACHINE OR DEVICE	1	1	0	0	2
THEFT FROM MOTOR VEHICLE	67	74	112	41	294
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	40	45	60	19	164
TRAFFIC	135	149	105	63	452
TRESPASSING	27	23	25	6	81
TRUANCY	0	1	0	0	1
VANDALISM	180	155	174	84	593
WEAPON LAW VIOLATIONS	22	27	19	11	79
WELFARE FRAUD	0	0	2	0	2
WIRE FRAUD	2	1	0	0	3
TOTAL	2036	2178	2091	1025	7330

*Only offenses reported to the Richland County Sheriff's Department are included in this data. Data is current as of July 10, 2012 and is subject to change daily.

Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD
County Council District 5: Seth Rose

CRIME	CY2009	CY2012	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	35	53	54	17	159
ALL OTHER LARCENY	80	76	73	34	263
ALL OTHER OFFENSES	31	57	46	16	150
ALL OTHER RESPONSES	35	39	38	13	125
ARSON	1	0	1	0	2
ASSISTING OTHER AGENCIES	92	125	103	50	370
ASSISTING/PROMOTING PROSTITUTION	0	2	1	0	3
BREACH OF TRUST	3	0	5	0	8
BURGLARY	53	82	71	20	226
CURFEW/LOITERING/VAGRANCY VIOLATIONS	16	9	10	0	35
DISORDERLY CONDUCT	41	49	37	15	142
DRIVING UNDER THE INFLUENCE	6	25	6	8	45
DRUG EQUIPMENT VIOLATIONS	30	29	49	24	132
DRUG/NARCOTIC VIOLATIONS	195	264	206	116	781
DRUNKENESS	2	2	3	0	7
EMBEZZLEMENT	1	2	2	1	6
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	39	23	29	7	98
FAMILY OFFENSES (NON-VIOLENT)	9	7	20	3	39
FORCIBLE FONDLING	4	2	0	1	7
FORCIBLE RAPE	5	5	1	1	12
FORGERY/COUNTERFEITING	16	12	10	12	50
FRAUD CHECK	2	4	0	0	6
FRAUD CREDIT CARD/ATM	11	27	18	15	71
IMPERSONATION	8	6	11	5	30
INCORRIGIBLE	1	0	3	0	4
INDECENT EXPOSURE	0	0	1	1	2
INTIMIDATION	16	14	13	11	54
KIDNAPPING/ABDUCTION	2	1	2	1	6
LIQUOR LAW VIOLATION	24	27	10	5	66
MISSING PERSON	8	6	4	1	19
MOTOR VEHICLE THEFT	28	21	29	18	96
OBSCENE/HARASSING PHONE CALLS	25	26	28	20	99
OTHER, CIVIL	10	13	9	7	39
OTHER, DOMESTIC	4	2	6	1	13
OTHER, INSURANCE	3	1	2	1	7
POCKET PICKING	1	0	1	0	2
PROSTITUTION	4	2	0	1	7
PURSE SNATCHING	0	0	0	1	1
RESISTING ARREST	8	7	5	0	20
ROBBERY	11	11	16	11	49
RUNAWAY	4	7	5	1	17
SEXUAL ASSAULT W/ OBJECT	0	0	0	1	1
SHOPLIFTING	26	12	26	8	72
SIMPLE ASSAULT	64	56	51	22	193
STATUTORY RAPE	0	0	1	1	2
STOLEN PROPERTY OFFENSES	6	9	6	6	27
SUICIDE	0	1	1	0	2
SUSPICIOUS FIRES	2	2	0	0	4
THEFT FROM BUILDINGS	4	7	1	4	16
THEFT FROM COIN-OPERATED MACHINE OR DEVICE	0	0	0	1	1
THEFT FROM MOTOR VEHICLE	50	27	35	15	127
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	7	15	15	6	43
TRAFFIC	206	228	72	29	535
TRESPASSING	13	6	11	3	33
VANDALISM	71	80	59	57	267
WEAPON LAW VIOLATIONS	20	28	7	11	66
TOTAL	1333	1509	1213	602	4657

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Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD
County Council District 6: Greg Pearce

CRIME	CY2009	CY2010	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	39	34	34	35	142
ALL OTHER LARCENY	34	45	48	22	149
ALL OTHER OFFENSES	15	23	13	11	62
ALL OTHER RESPONSES	28	30	20	13	91
ARSON	0	1	0	0	1
ASSISTING OTHER AGENCIES	21	23	17	9	70
ASSISTING/PROMOTING PROSTITUTION	1	0	0	0	1
BETTING/WAGERING	1	0	0	0	1
BREACH OF TRUST	3	2	0	0	5
BURGLARY	53	59	63	50	225
CURFEW/LOITERING/VAGRANCY VIOLATIONS	1	4	4	0	9
DISORDERLY CONDUCT	12	13	6	7	38
DRIVING UNDER THE INFLUENCE	0	1	0	2	3
DRUG EQUIPMENT VIOLATIONS	9	14	10	3	36
DRUG/NARCOTIC VIOLATIONS	55	52	44	21	172
DRUNKENESS	1	1	0	1	3
EMBEZZLEMENT	0	1	1	0	2
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	11	12	10	3	36
FAMILY OFFENSES (NON-VIOLENT)	11	5	6	3	25
FORCIBLE FONDLING	2	3	0	1	6
FORCIBLE RAPE	1	2	3	3	9
FORCIBLE SODOMY	1	0	1	0	2
FORGERY/COUNTERFEITING	2	3	3	1	9
FRAUD CHECK	1	0	0	1	2
FRAUD CREDIT CARD/ATM	9	8	14	5	36
IMPERSONATION	8	4	3	1	16
INCORRIGIBLE	9	4	4	0	17
INDECENT EXPOSURE	1	1	1	0	3
INTIMIDATION	17	18	8	5	48
KIDNAPPING/ABDUCTION	2	0	2	0	4
LIQUOR LAW VIOLATION	5	4	4	0	13
MISSING PERSON	31	7	3	2	43
MOTOR VEHICLE THEFT	10	19	15	15	59
OBSCENE/HARASSING PHONE CALLS	26	25	22	10	83
OTHER, CIVIL	5	6	5	5	21
OTHER, DOMESTIC	4	9	7	2	22
OTHER, INSURANCE	2	1	3	1	7
PORNOGRAPHY/OBSCENE MATERIAL	1	1	0	0	2
RESISTING ARREST	1	3	0	2	6
ROBBERY	15	7	8	3	33
RUNAWAY	22	8	4	2	36
SHOPLIFTING	3	3	4	5	15
SIMPLE ASSAULT	47	39	42	27	155
STATUTORY RAPE	1	0	0	0	1
STOLEN PROPERTY OFFENSES	2	1	1	0	4
SUICIDE	0	0	0	1	1
SUSPICIOUS FIRES	1	0	1	0	2
THEFT FROM BUILDINGS	0	0	0	3	3
THEFT FROM MOTOR VEHICLE	28	29	17	22	96
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	6	8	7	5	26
TRAFFIC	11	24	18	4	57
TRESPASSING	6	3	2	3	14
VANDALISM	59	61	58	23	201
WEAPON LAW VIOLATIONS	3	3	2	6	14
WIRE FRAUD	1	0	0	0	1
TOTAL	638	624	538	338	2138

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Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD

County Council District 7: Gwendolyn Davis Kennedy

CRIME	CY2009	CY2010	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	247	271	254	121	893
ALL OTHER LARCENY	302	356	406	200	1264
ALL OTHER OFFENSES	84	128	140	68	420
ALL OTHER RESPONSES	119	119	123	83	444
ARSON	4	8	5	1	18
ASSISTING OTHER AGENCIES	108	108	101	49	366
BREACH OF TRUST	15	22	13	8	58
BURGLARY	290	422	477	221	1410
CONTRIBUTING TO THE DELINQUENCY OF A MINOR	3	3	0	1	7
CURFEW/LOITERING/VAGRANCY VIOLATIONS	2	4	4	1	11
DISORDERLY CONDUCT	48	59	45	17	169
DRIVING UNDER THE INFLUENCE	11	14	7	6	38
DRUG EQUIPMENT VIOLATIONS	36	22	32	13	103
DRUG/NARCOTIC VIOLATIONS	204	167	160	86	617
DRUNKENNESS	5	3	2	1	11
EMBEZZLEMENT	11	11	13	1	36
EXTORTION/BLACKMAIL	1	0	0	0	1
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	67	73	88	32	260
FAMILY OFFENSES (NON-VIOLENT)	73	67	75	38	253
FORCIBLE FONDLING	20	17	15	7	59
FORCIBLE RAPE	25	11	10	7	53
FORCIBLE SODOMY	2	1	5	1	9
FORGERY/COUNTERFEITING	37	29	42	9	117
FRAUD CHECK	3	2	12	1	18
FRAUD CREDIT CARD/ATM	29	49	82	31	191
IMPERSONATION	42	31	41	18	132
INCORRIGIBLE	36	37	37	17	127
INDECENT EXPOSURE	5	1	2	2	10
INTIMIDATION	126	135	110	69	440
KIDNAPPING/ABDUCTION	7	10	4	3	24
LIQUOR LAW VIOLATION	21	22	10	10	63
MANSLAUGHTER BY NEGLIGENCE	0	2	0	1	3
MISSING PERSON	52	41	36	15	144
MOTOR VEHICLE THEFT	152	147	151	107	557
MURDER	1	1	3	0	5
OBSCENE/HARASSING PHONE CALLS	134	140	182	71	527
OPERATING/PROMOTING/ASSISTING GAMBLING	1	1	1	0	3
OTHER, CIVIL	22	41	55	26	144
OTHER, DOMESTIC	14	24	38	22	98
OTHER, INSURANCE	5	1	5	6	17
PEEPING TOM	2	1	0	0	3
POCKET PICKING	0	1	0	0	1
PORNOGRAPHY/OBSCENE MATERIAL	1	5	2	0	8
PROSTITUTION	0	0	1	1	2
PROWLER	0	0	2	0	2
PURSE SNATCHING	0	0	3	0	3
RESISTING ARREST	4	9	8	4	25
ROBBERY	41	32	56	17	146
RUNAWAY	91	74	50	26	241
SEXUAL ASSAULT W/ OBJECT	2	2	2	0	6
SHOPLIFTING	82	72	152	129	435
SIMPLE ASSAULT	312	294	278	144	1028
STATUTORY RAPE	3	2	2	1	8
STOLEN PROPERTY OFFENSES	19	18	15	8	60
SUICIDE	3	2	4	0	9
SUSPICIOUS FIRES	17	13	13	5	48
THEFT FROM BUILDINGS	15	16	13	10	54
THEFT FROM COIN-OPERATED MACHINE OR DEVICE	0	2	1	1	4
THEFT FROM MOTOR VEHICLE	270	259	244	107	880
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	118	106	107	56	387
TRAFFIC	155	167	139	65	526
TRESPASSING	28	36	34	15	113
TRUANCY	1	0	1	0	2
VANDALISM	431	461	479	201	1572
WEAPON LAW VIOLATIONS	33	23	28	14	98
WIRE FRAUD	5	10	2	3	20
TOTAL	3997	4205	4422	2177	14801

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Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD

County Council District 8: Jim Manning

CRIME	CY2009	CY2010	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	153	154	138	77	522
ALL OTHER LARCENY	223	234	176	119	752
ALL OTHER OFFENSES	58	95	121	40	314
ALL OTHER RESPONSES	111	99	115	55	380
ARSON	1	5	3	1	10
ASSISTING OTHER AGENCIES	36	43	37	32	148
BETTING/WAGERING	0	1	0	0	1
BREACH OF TRUST	11	10	8	7	36
BURGLARY	177	212	311	140	840
CONTRIBUTING TO THE DELINQUENCY OF A MINOR	0	0	1	0	1
CURFEW/LOITERING/VAGRANCY VIOLATIONS	2	0	1	0	3
DISORDERLY CONDUCT	65	52	51	17	185
DRIVING UNDER THE INFLUENCE	9	16	17	11	53
DRUG EQUIPMENT VIOLATIONS	24	19	30	10	83
DRUG/NARCOTIC VIOLATIONS	144	143	104	61	452
DRUNKENNESS	5	3	2	1	11
EMBEZZLEMENT	10	4	1	3	18
EXTORTION/BLACKMAIL	2	0	1	0	3
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	83	57	73	35	248
FAMILY OFFENSES (NON-VIOLENT)	60	56	79	22	217
FORCIBLE FONDLING	11	11	12	12	46
FORCIBLE RAPE	7	9	10	6	32
FORCIBLE SODOMY	3	1	5	2	11
FORGERY/COUNTERFEITING	39	25	33	12	109
FRAUD CHECK	0	1	1	0	2
FRAUD CREDIT CARD/ATM	34	39	76	31	180
GAMBLING EQUIPMENT VIOLATION	1	1	1	0	3
IMPERSONATION	29	28	28	14	99
INCEST	0	0	1	0	1
INCORRIGIBLE	21	23	30	18	92
INDECENT EXPOSURE	1	0	2	2	5
INTIMIDATION	94	100	82	55	331
KIDNAPPING/ABDUCTION	4	6	3	3	16
LIQUOR LAW VIOLATION	14	13	14	7	48
MISSING PERSON	38	30	35	14	117
MOTOR VEHICLE THEFT	65	75	76	34	250
MURDER	2	1	1	0	4
OBSCENE/HARASSING PHONE CALLS	115	129	146	54	444
OPERATING/PROMOTING/ASSISTING GAMBLING	0	1	0	0	1
OTHER, CIVIL	26	42	38	17	123
OTHER, DOMESTIC	18	21	23	19	81
OTHER, INSURANCE	5	1	4	2	12
PEEPING TOM	0	0	0	1	1
POCKET PICKING	0	1	1	0	2
PORNOGRAPHY/OBSCENE MATERIAL	0	0	0	1	1
PURSE SNATCHING	0	0	1	1	2
RESISTING ARREST	3	3	3	2	11
ROBBERY	41	34	37	14	126
RUNAWAY	43	42	54	33	172
SEXUAL ASSAULT W/ OBJECT	0	1	2	2	5
SHOPLIFTING	45	48	56	27	176
SIMPLE ASSAULT	218	214	218	133	783
STATUTORY RAPE	0	3	1	1	5
STOLEN PROPERTY OFFENSES	4	5	4	3	16
SUICIDE	3	1	2	0	6
SUSPICIOUS FIRES	6	7	5	2	20
THEFT FROM BUILDINGS	19	21	15	9	64
THEFT FROM COIN-OPERATED MACHINE OR DEVICE	3	2	0	0	5
THEFT FROM MOTOR VEHICLE	188	148	191	81	608
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	65	75	50	32	222
TRAFFIC	96	105	84	45	330
TRESPASSING	31	22	25	12	90
TRUANCY	0	0	1	0	1
VANDALISM	320	288	283	153	1044
WEAPON LAW VIOLATIONS	15	21	18	9	63
WIRE FRAUD	7	6	2	1	16
TOTAL	2808	2807	2943	1495	10053

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Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD

County Council District 9: Val Hutchinson

CRIME	CY2009	CY2010	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	132	112	103	42	389
ALL OTHER LARCENY	209	207	254	110	780
ALL OTHER OFFENSES	57	76	89	43	265
ALL OTHER RESPONSES	93	89	87	63	332
ARSON	2	2	1	0	5
ASSISTING OTHER AGENCIES	44	35	45	25	149
BREACH OF TRUST	7	11	9	5	32
BURGLARY	141	122	145	60	468
CONTRIBUTING TO THE DELINQUENCY OF A MINOR	2	0	4	1	7
CURFEW/LOITERING/VAGRANCY VIOLATIONS	4	2	1	0	7
DISORDERLY CONDUCT	39	48	46	22	155
DRIVING UNDER THE INFLUENCE	8	5	11	4	28
DRUG EQUIPMENT VIOLATIONS	19	9	20	11	59
DRUG/NARCOTIC VIOLATIONS	84	61	102	50	297
DRUNKENNESS	0	5	5	1	11
EMBEZZLEMENT	29	20	13	5	67
EXTORTION/BLACKMAIL	1	1	2	0	4
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	74	60	67	41	242
FAMILY OFFENSES (NON-VIOLENT)	60	59	54	24	197
FORCIBLE FONDLING	7	11	11	3	32
FORCIBLE RAPE	7	4	5	2	18
FORCIBLE SODOMY	2	1	4	1	8
FORGERY/COUNTERFEITING	44	28	46	16	134
FRAUD CHECK	4	5	4	2	15
FRAUD CREDIT CARD/ATM	23	49	98	50	220
GAMBLING EQUIPMENT VIOLATION	1	0	1	0	2
IMPERSONATION	27	30	30	25	112
INCORRIGIBLE	11	17	22	10	60
INDECENT EXPOSURE	0	4	2	1	7
INTIMIDATION	83	76	71	38	268
KIDNAPPING/ABDUCTION	4	0	2	1	7
LIQUOR LAW VIOLATION	11	11	8	3	33
MISSING PERSON	36	20	29	10	95
MOTOR VEHICLE THEFT	61	35	44	17	157
MURDER	1	0	2	0	3
OBSCENE/HARASSING PHONE CALLS	97	99	106	39	341
OTHER, CIVIL	28	21	25	13	87
OTHER, DOMESTIC	13	15	19	9	56
OTHER, INSURANCE	4	3	3	1	11
PEEPING TOM	0	0	1	0	1
POCKET PICKING	0	1	1	1	3
PORNOGRAPHY/OBSCENE MATERIAL	3	0	2	1	6
PROWLER	0	1	0	0	1
PURSE SNATCHING	0	0	2	0	2
RESISTING ARREST	4	9	3	0	16
ROBBERY	27	16	23	9	75
RUNAWAY	49	30	49	18	146
SEXUAL ASSAULT W/ OBJECT	1	0	1	0	2
SHOPLIFTING	340	241	298	130	1009
SIMPLE ASSAULT	205	173	180	79	637
STATUTORY RAPE	2	1	3	0	6
STOLEN PROPERTY OFFENSES	0	3	3	2	8
SUICIDE	2	1	3	1	7
SUSPICIOUS FIRES	6	2	7	0	15
THEFT FROM BUILDINGS	24	16	17	9	66
THEFT FROM COIN-OPERATED MACHINE OR DEVICE	1	1	2	1	5
THEFT FROM MOTOR VEHICLE	200	176	210	91	677
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	30	39	47	23	139
TRAFFIC	54	56	73	26	209
TRESPASSING	39	26	20	8	93
VANDALISM	300	264	237	120	921
WEAPON LAW VIOLATIONS	8	10	8	7	33
WIRE FRAUD	10	4	4	5	23
TOTAL	2774	2423	2784	1279	9260

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Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD

County Council District 10: Kelvin Washington

CRIME	CY2009	CY2010	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	252	271	280	135	938
ALL OTHER LARCENY	346	516	394	201	1457
ALL OTHER OFFENSES	98	105	129	48	380
ALL OTHER RESPONSES	155	167	123	76	521
ARSON	5	3	1	4	13
ASSISTING OTHER AGENCIES	336	254	231	93	914
BETTING/WAGERING	1	1	0	0	2
BREACH OF TRUST	13	16	13	3	45
BURGLARY	369	420	326	159	1274
CONTRIBUTING TO THE DELINQUENCY OF A MINOR	3	1	5	1	10
CURFEW/LOITERING/VAGRANCY VIOLATIONS	3	2	4	1	10
DISORDERLY CONDUCT	80	76	83	39	278
DRIVING UNDER THE INFLUENCE	14	21	27	15	77
DRUG EQUIPMENT VIOLATIONS	39	36	33	16	124
DRUG/NARCOTIC VIOLATIONS	236	208	187	78	709
DRUNKENNESS	2	7	4	0	13
EMBEZZLEMENT	8	2	2	1	13
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	79	72	46	19	216
FAMILY OFFENSES (NON-VIOLENT)	54	59	37	24	174
FORCIBLE FONDLING	16	13	11	5	45
FORCIBLE RAPE	17	11	9	10	47
FORCIBLE SODOMY	1	3	3	3	10
FORGERY/COUNTERFEITING	28	21	21	8	78
FRAUD CHECK	1	0	3	1	5
FRAUD CREDIT CARD/ATM	22	51	51	25	149
GAMBLING EQUIPMENT VIOLATION	0	1	2	0	3
IMPERSONATION	26	15	27	17	85
INCEST	0	0	1	0	1
INCORRIGIBLE	16	31	33	14	94
INDECENT EXPOSURE	2	4	2	3	11
INTIMIDATION	123	114	99	57	393
KIDNAPPING/ABDUCTION	11	6	6	2	25
LIGUOR LAW VIOLATION	17	20	26	19	82
MANSLAUGHTER BY NEGLIGENCE	0	2	0	0	2
MISSING PERSON	28	26	24	8	86
MOTOR VEHICLE THEFT	153	184	181	82	600
MURDER	3	4	4	1	12
OBSCENE/HARASSING PHONE CALLS	105	129	136	47	417
OPERATING/PROMOTING/ASSISTING GAMBLING	2	2	1	0	5
OTHER, CIVIL	33	49	61	18	161
OTHER, DOMESTIC	55	37	36	22	150
OTHER, INSURANCE	6	7	2	3	18
PEEPING TOM	4	1	1	1	7
POCKET PICKING	0	1	3	0	4
PORNOGRAPHY/OBSCENE MATERIAL	1	1	0	0	2
PROWLER	0	1	0	0	1
RESISTING ARREST	6	7	9	3	25
ROBBERY	41	28	45	18	132
RUNAWAY	53	70	58	23	204
SEXUAL ASSAULT W/ OBJECT	2	2	1	0	5
SHOPLIFTING	34	31	15	17	97
SIMPLE ASSAULT	330	308	269	151	1058
STATUTORY RAPE	2	3	3	1	9
STOLEN PROPERTY OFFENSES	17	20	10	3	50
SUICIDE	2	4	2	3	11
SUSPICIOUS FIRES	20	21	25	14	80
THEFT FROM BUILDINGS	13	9	5	6	33
THEFT FROM COIN-OPERATED MACHINE OR DEVICE	0	7	0	1	8
THEFT FROM MOTOR VEHICLE	197	199	133	106	635
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	113	98	93	34	338
TRAFFIC	110	120	69	39	338
TRESPASSING	51	40	43	14	148
TRUANCY	0	2	0	0	2
VANDALISM	361	473	394	179	1407
WEAPON LAW VIOLATIONS	28	20	21	14	83
WIRE FRAUD	6	4	6	3	19
TOTAL	4149	4437	3869	1888	14343

*Only offenses reported to the Richland County Sheriff's Department are included in this data. Data is current as of July 10, 2012 and is subject to change daily.

Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD
 County Council District 11: Norman Jackson

CRIME	CY2009	CY2010	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	177	211	175	88	651
ALL OTHER LARCENY	295	398	313	153	1159
ALL OTHER OFFENSES	82	101	100	45	328
ALL OTHER RESPONSES	174	150	118	112	554
ARSON	2	3	5	0	10
ASSISTING OTHER AGENCIES	90	78	77	36	281
BREACH OF TRUST	10	12	8	6	36
BURGLARY	304	314	254	145	1017
CONTRIBUTING TO THE DELINQUENCY OF A MINOR	1	0	1	0	2
CURFEW/LOITERING/VAGRANCY VIOLATIONS	2	1	0	0	3
DISORDERLY CONDUCT	58	67	58	24	207
DRIVING UNDER THE INFLUENCE	6	4	1	1	12
DRUG EQUIPMENT VIOLATIONS	18	20	13	13	64
DRUG/NARCOTIC VIOLATIONS	151	126	99	71	447
DRUNKENNESS	0	2	2	2	6
EMBEZZLEMENT	2	5	0	2	9
EXTORTION/BLACKMAIL	0	0	1	0	1
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	52	58	76	24	210
FAMILY OFFENSES (NON-VIOLENT)	71	76	62	27	236
FORCIBLE FONDLING	13	18	17	6	54
FORCIBLE RAPE	8	7	4	2	21
FORCIBLE SODOMY	4	2	3	0	9
FORGERY/COUNTERFEITING	22	25	19	15	81
FRAUD CHECK	1	0	0	1	2
FRAUD CREDIT CARD/ATM	23	41	62	20	146
IMPERSONATION	21	24	26	11	82
INCEST	0	0	1	0	1
INCORRIGIBLE	19	22	18	5	64
INDECENT EXPOSURE	3	3	3	2	11
INTIMIDATION	93	90	101	59	343
KIDNAPPING/ABDUCTION	4	5	7	2	18
LIQUOR LAW VIOLATION	15	13	5	2	35
MISSING PERSON	38	28	34	32	132
MOTOR VEHICLE THEFT	129	103	138	64	434
MURDER	1	1	1	2	5
OBSCENE/HARASSING PHONE CALLS	121	124	152	62	459
OTHER, CIVIL	39	46	42	18	145
OTHER, DOMESTIC	42	49	39	34	164
OTHER, INSURANCE	5	2	4	1	12
PEEPING TOM	0	1	0	0	1
POCKET PICKING	0	1	1	0	2
PORNOGRAPHY/OBSCENE MATERIAL	2	1	0	1	4
PROWLER	2	2	0	0	4
PURSE SNATCHING	0	1	0	0	1
RESISTING ARREST	6	2	7	6	21
ROBBERY	19	28	21	11	79
RUNAWAY	77	55	63	20	215
SEXUAL ASSAULT W/ OBJECT	1	1	0	0	2
SHOPLIFTING	36	41	38	17	132
SIMPLE ASSAULT	268	286	267	148	969
STATUTORY RAPE	2	3	2	2	9
STOLEN PROPERTY OFFENSES	16	10	10	6	42
SUICIDE	3	3	4	0	10
SUSPICIOUS FIRES	13	6	13	3	35
THEFT FROM BUILDINGS	19	13	8	2	42
THEFT FROM COIN-OPERATED MACHINE OR DEVICE	1	2	1	0	4
THEFT FROM MOTOR VEHICLE	161	128	82	67	438
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	88	66	79	16	249
TRAFFIC	71	92	72	23	258
TRESPASSING	52	32	41	19	144
TRUANCY	0	2	1	0	3
VANDALISM	336	331	340	170	1177
WEAPON LAW VIOLATIONS	25	20	19	12	76
WIRE FRAUD	5	3	5	1	14
TOTAL	3299	3359	3113	1611	11382

*Only offenses reported to the Richland County Sheriff's Department are included in this data. Data is current as of July 10, 2012 and is subject to change daily.

Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD, between 2:01 AM and 7:00 AM
 County Council District 1: Bill Malinowski

CRIME	CY2009	CY2012	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	6	5	4	2	17
ALL OTHER LARCENY	15	25	20	9	69
ALL OTHER OFFENSES	5	4	2	2	13
ALL OTHER RESPONSES	2	6	5	1	14
ARSON	2	1	2	0	5
ASSISTING OTHER AGENCIES	1	7	4	0	12
BREACH OF TRUST	1	0	1	0	2
BURGLARY	10	12	10	6	38
CONTRIBUTING TO THE DELINQUENCY OF A MINOR	0	0	0	1	1
DISORDERLY CONDUCT	1	1	0	1	3
DRIVING UNDER THE INFLUENCE	0	1	1	1	3
DRUG EQUIPMENT VIOLATIONS	2	2	2	0	6
DRUG/NARCOTIC VIOLATIONS	5	5	9	1	20
DRUNKENNESS	1	0	0	0	1
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	1	2	2	2	7
FAMILY OFFENSES (NON-VIOLENT)	3	6	0	0	9
FORCIBLE FONDLING	1	1	1	0	3
FORCIBLE RAPE	1	1	2	0	4
FORCIBLE SODOMY	1	0	0	0	1
FORGERY/COUNTERFEITING	2	0	1	0	3
FRAUD CREDIT CARD/ATM	1	4	4	2	11
IMPERSONATION	0	0	1	1	2
INCORRIGIBLE	0	0	0	1	1
INTIMIDATION	2	2	4	0	8
KIDNAPPING/ABDUCTION	0	0	0	1	1
MISSING PERSON	3	3	0	0	6
MOTOR VEHICLE THEFT	8	2	9	0	19
OBSCENE/HARASSING PHONE CALLS	14	10	7	5	36
OTHER, CIVIL	1	1	0	1	3
OTHER, DOMESTIC	1	1	1	0	3
PEEPING TOM	2	0	0	0	2
PORNOGRAPHY/OBSCENE MATERIAL	1	0	0	0	1
ROBBERY	0	0	0	1	1
RUNAWAY	6	3	1	1	11
SIMPLE ASSAULT	5	3	7	3	18
STOLEN PROPERTY OFFENSES	0	1	0	0	1
THEFT FROM BUILDINGS	0	1	0	2	3
THEFT FROM MOTOR VEHICLE	83	49	57	17	206
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	11	7	6	0	24
TRAFFIC	6	0	2	0	8
TRESPASSING	1	2	2	0	5
VANDALISM	38	42	29	23	132
WEAPON LAW VIOLATIONS	0	1	0	0	1
WIRE FRAUD	0	0	1	0	1
TOTAL	243	211	197	84	735

*Only offenses reported to the Richland County Sheriff's Department are included in this data. Data is current as of July 10, 2012 and is subject to change daily.

Source: RCSD Visions

07/17/2012

Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD, between 2:01 AM and 7:00 AM
 County Council District 2: Joyce Dickerson

CRIME	CY2009	CY2012	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	33	31	28	14	106
ALL OTHER LARCENY	48	51	58	36	193
ALL OTHER OFFENSES	14	22	18	9	63
ALL OTHER RESPONSES	14	13	20	6	53
ARSON	1	1	0	0	2
ASSISTING OTHER AGENCIES	19	23	16	11	69
BREACH OF TRUST	3	1	1	1	6
BURGLARY	40	62	46	30	178
DISORDERLY CONDUCT	6	10	10	10	36
DRIVING UNDER THE INFLUENCE	3	8	3	0	14
DRUG EQUIPMENT VIOLATIONS	2	4	4	0	10
DRUG/NARCOTIC VIOLATIONS	22	33	20	12	87
DRUNKENESS	0	1	1	0	2
EMBEZZLEMENT	2	1	0	0	3
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	22	7	11	5	45
FAMILY OFFENSES (NON-VIOLENT)	8	1	4	1	14
FORCIBLE FONDLING	1	1	3	2	7
FORCIBLE RAPE	3	3	3	2	11
FORCIBLE SODOMY	1	0	1	1	3
FORGERY/COUNTERFEITING	5	1	1	2	9
FRAUD CHECK	1	0	1	0	2
FRAUD CREDIT CARD/ATM	1	12	9	5	27
IMPERSONATION	2	1	5	0	8
INCORRIGIBLE	1	1	1	1	4
INDECENT EXPOSURE	1	0	0	0	1
INTIMIDATION	10	15	11	5	41
KIDNAPPING/ABDUCTION	3	0	1	1	5
LIQUOR LAW VIOLATION	6	3	3	1	13
MISSING PERSON	8	4	6	6	24
MOTOR VEHICLE THEFT	60	53	69	29	211
OBSCENE/HARASSING PHONE CALLS	21	15	26	12	74
OTHER, CIVIL	5	3	3	3	14
OTHER, DOMESTIC	3	1	3	1	8
PEEPING TOM	1	0	0	0	1
RESISTING ARREST	1	2	0	2	5
ROBBERY	7	3	12	7	29
RUNAWAY	8	8	4	4	24
SHOPLIFTING	6	8	5	3	22
SIMPLE ASSAULT	41	30	29	11	111
STATUTORY RAPE	0	0	0	1	1
STOLEN PROPERTY OFFENSES	3	1	1	1	6
SUICIDE	0	0	0	1	1
SUSPICIOUS FIRES	0	0	1	4	5
THEFT FROM BUILDINGS	1	1	1	1	4
THEFT FROM MOTOR VEHICLE	112	56	69	31	268
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	34	20	30	9	93
TRAFFIC	41	39	18	10	108
TRESPASSING	4	3	4	1	12
VANDALISM	127	121	110	48	406
WEAPON LAW VIOLATIONS	0	12	9	2	23
TOTAL	755	686	679	342	2462

*Only offenses reported to the Richland County Sheriff's Department are included in this data. Data is current as of July 10, 2012 and is subject to change daily.

Source: RCSD Visions

07/17/2012

Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD, between 2:01 AM and 7:00 AM
 County Council District 3: Damon Jeter

CRIME	CY2009	CY2012	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	42	39	44	13	138
ALL OTHER LARCENY	41	49	65	17	172
ALL OTHER OFFENSES	17	20	18	7	62
ALL OTHER RESPONSES	22	17	21	9	69
ARSON	2	1	1	0	4
ASSISTING OTHER AGENCIES	15	23	17	13	68
BREACH OF TRUST	2	1	0	1	4
BURGLARY	51	52	63	28	194
CURFEW/LOITERING/VAGRANCY VIOLATIONS	1	2	2	0	5
DISORDERLY CONDUCT	15	12	15	7	49
DRIVING UNDER THE INFLUENCE	4	5	8	3	20
DRUG EQUIPMENT VIOLATIONS	4	3	0	2	9
DRUG/NARCOTIC VIOLATIONS	28	24	25	19	96
DRUNKENESS	6	0	0	0	6
EMBEZZLEMENT	4	0	3	2	9
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	12	14	9	3	38
FAMILY OFFENSES (NON-VIOLENT)	2	3	4	0	9
FORCIBLE FONDLING	5	2	3	1	11
FORCIBLE RAPE	2	1	4	2	9
FORCIBLE SODOMY	1	0	0	0	1
FORGERY/COUNTERFEITING	5	3	5	0	13
FRAUD CHECK	1	2	0	2	5
FRAUD CREDIT CARD/ATM	4	12	12	7	35
IMPERSONATION	2	0	1	2	5
INCORRIGIBLE	1	1	0	1	3
INDECENT EXPOSURE	0	0	1	0	1
INTIMIDATION	8	8	6	1	23
KIDNAPPING/ABDUCTION	0	1	3	1	5
LIQUOR LAW VIOLATION	4	6	7	1	18
MISSING PERSON	3	4	4	2	13
MOTOR VEHICLE THEFT	47	57	48	21	173
MURDER	1	0	0	0	1
OBSCENE/HARASSING PHONE CALLS	12	14	13	9	48
OTHER, CIVIL	3	2	2	2	9
OTHER, DOMESTIC	0	1	0	3	4
RESISTING ARREST	3	0	3	0	6
ROBBERY	10	9	28	5	52
RUNAWAY	8	5	4	3	20
SEXUAL ASSAULT W/ OBJECT	0	1	0	0	1
SHOPLIFTING	11	3	0	4	18
SIMPLE ASSAULT	31	32	38	17	118
STOLEN PROPERTY OFFENSES	5	4	5	3	17
SUICIDE	0	1	1	1	3
SUSPICIOUS FIRES	0	3	4	0	7
THEFT FROM BUILDINGS	2	2	0	0	4
THEFT FROM COIN-OPERATED MACHINE OR DEVICE	0	2	1	0	3
THEFT FROM MOTOR VEHICLE	93	67	67	14	241
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	30	31	22	14	97
TRAFFIC	39	37	30	10	116
TRESPASSING	6	8	2	5	21
VANDALISM	78	86	86	36	286
WEAPON LAW VIOLATIONS	12	8	11	7	38
TOTAL	695	678	706	298	2377

*Only offenses reported to the Richland County Sheriff's Department are included in this data. Data is current as of July 10, 2012 and is subject to change daily.

Source: RCSD Visions

07/17/2012

Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD, between 2:01 AM and 7:00 AM
 County Council District 4: Paul Livingston

CRIME	CY2009	CY2012	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	11	17	25	17	70
ALL OTHER LARCENY	20	20	25	18	83
ALL OTHER OFFENSES	6	6	8	1	21
ALL OTHER RESPONSES	9	9	3	4	25
ARSON	2	0	0	0	2
ASSISTING OTHER AGENCIES	11	12	15	4	42
BREACH OF TRUST	3	2	0	2	7
BURGLARY	31	30	27	17	105
DISORDERLY CONDUCT	6	7	3	4	20
DRIVING UNDER THE INFLUENCE	0	3	2	1	6
DRUG EQUIPMENT VIOLATIONS	1	1	2	0	4
DRUG/NARCOTIC VIOLATIONS	11	15	13	5	44
EMBEZZLEMENT	0	0	1	0	1
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	5	4	3	4	16
FAMILY OFFENSES (NON-VIOLENT)	2	1	2	2	7
FORCIBLE FONDLING	0	0	0	1	1
FORCIBLE RAPE	0	0	1	1	2
FORCIBLE SODOMY	0	1	0	0	1
FORGERY/COUNTERFEITING	1	1	1	0	3
FRAUD CHECK	0	0	1	0	1
FRAUD CREDIT CARD/ATM	2	1	7	4	14
IMPERSONATION	1	1	0	2	4
INCORRIGIBLE	1	0	0	0	1
INDECENT EXPOSURE	3	0	0	0	3
INTIMIDATION	3	7	4	3	17
KIDNAPPING/ABDUCTION	1	3	3	1	8
LIQUOR LAW VIOLATION	0	3	3	0	6
MISSING PERSON	0	4	1	1	6
MOTOR VEHICLE THEFT	24	36	31	23	114
MURDER	1	1	0	0	2
OBSCENE/HARASSING PHONE CALLS	7	9	8	8	32
OTHER, CIVIL	0	1	1	1	3
OTHER, DOMESTIC	0	1	0	1	2
OTHER, INSURANCE	0	0	1	0	1
POCKET PICKING	0	0	0	1	1
PURSE SNATCHING	0	1	0	0	1
RESISTING ARREST	2	1	0	0	3
ROBBERY	8	9	6	4	27
RUNAWAY	1	3	4	0	8
SHOPLIFTING	10	5	1	2	18
SIMPLE ASSAULT	16	21	18	8	63
STOLEN PROPERTY OFFENSES	3	0	0	1	4
SUSPICIOUS FIRES	0	0	0	1	1
THEFT FROM BUILDINGS	0	1	0	0	1
THEFT FROM MOTOR VEHICLE	21	36	65	19	141
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	13	16	18	7	54
TRAFFIC	15	12	14	3	44
TRESPASSING	1	2	2	1	6
VANDALISM	39	33	50	34	156
WEAPON LAW VIOLATIONS	2	0	1	2	5
TOTAL	293	336	370	208	1207

*Only offenses reported to the Richland County Sheriff's Department are included in this data. Data is current as of July 10, 2012 and is subject to change daily.

Source: RCSD Visions

07/17/2012

Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD, between 2:01 AM and 7:00 AM
 County Council District 5: Seth Rose

CRIME	CY2009	CY2012	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	12	8	12	5	37
ALL OTHER LARCENY	15	13	17	5	50
ALL OTHER OFFENSES	3	7	5	3	18
ALL OTHER RESPONSES	0	2	3	2	7
ARSON	1	0	1	0	2
ASSISTING OTHER AGENCIES	11	26	13	5	55
BREACH OF TRUST	0	0	2	0	2
BURGLARY	12	8	9	4	33
CURFEW/LOITERING/VAGRANCY VIOLATIONS	1	0	0	0	1
DISORDERLY CONDUCT	12	8	5	1	26
DRIVING UNDER THE INFLUENCE	4	13	4	3	24
DRUG EQUIPMENT VIOLATIONS	3	1	4	0	8
DRUG/NARCOTIC VIOLATIONS	18	26	16	4	64
DRUNKENNESS	0	1	0	0	1
EMBEZZLEMENT	0	1	1	0	2
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	7	1	3	1	12
FAMILY OFFENSES (NON-VIOLENT)	1	0	1	0	2
FORCIBLE RAPE	2	3	1	0	6
FORGERY/COUNTERFEITING	3	1	0	1	5
FRAUD CREDIT CARD/ATM	1	3	1	0	5
IMPERSONATION	0	0	2	0	2
INTIMIDATION	0	0	2	2	4
KIDNAPPING/ABDUCTION	1	0	0	1	2
LIQUOR LAW VIOLATION	5	4	4	2	15
MISSING PERSON	2	0	1	1	4
MOTOR VEHICLE THEFT	11	10	11	5	37
OBSCENE/HARASSING PHONE CALLS	5	7	4	3	19
OTHER, CIVIL	0	3	1	0	4
OTHER, INSURANCE	1	0	1	0	2
RESISTING ARREST	2	0	0	0	2
ROBBERY	1	5	5	2	13
RUNAWAY	0	2	0	0	2
SHOPLIFTING	3	3	8	0	14
SIMPLE ASSAULT	16	11	13	3	43
STOLEN PROPERTY OFFENSES	2	2	0	3	7
SUSPICIOUS FIRES	1	1	0	0	2
THEFT FROM BUILDINGS	1	2	1	0	4
THEFT FROM COIN-OPERATED MACHINE OR DEVICE	0	0	0	1	1
THEFT FROM MOTOR VEHICLE	19	4	17	5	45
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	2	3	4	3	12
TRAFFIC	47	48	14	4	113
TRESPASSING	2	1	5	0	8
VANDALISM	18	19	15	19	71
WEAPON LAW VIOLATIONS	3	4	1	4	12
TOTAL	248	251	207	92	798

*Only offenses reported to the Richland County Sheriff's Department are included in this data. Data is current as of July 10, 2012 and is subject to change daily.

Source: RCSD Visions

07/17/2012

Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD, between 2:01 AM and 7:00 AM
 County Council District 6: Greg Pearce

CRIME	CY2009	CY2012	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	5	11	5	8	29
ALL OTHER LARCENY	4	7	10	7	28
ALL OTHER OFFENSES	4	2	0	2	8
ALL OTHER RESPONSES	3	7	5	2	17
ASSISTING OTHER AGENCIES	1	2	0	1	4
BREACH OF TRUST	0	1	0	0	1
BURGLARY	5	8	8	5	26
DISORDERLY CONDUCT	1	3	3	1	8
DRIVING UNDER THE INFLUENCE	0	1	0	2	3
DRUG/NARCOTIC VIOLATIONS	1	3	2	3	9
DRUNKENESS	1	1	0	0	2
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	2	3	1	0	6
FAMILY OFFENSES (NON-VIOLENT)	2	1	0	0	3
FORCIBLE RAPE	1	1	1	3	6
FORGERY/COUNTERFEITING	0	1	0	0	1
FRAUD CREDIT CARD/ATM	1	1	0	2	4
IMPERSONATION	1	0	1	0	2
INTIMIDATION	1	3	0	0	4
LIQUOR LAW VIOLATION	1	0	2	0	3
MISSING PERSON	4	1	0	0	5
MOTOR VEHICLE THEFT	4	9	4	6	23
OBSCENE/HARASSING PHONE CALLS	4	3	0	1	8
OTHER, CIVIL	1	0	0	1	2
OTHER, DOMESTIC	2	1	0	0	3
RESISTING ARREST	0	1	0	2	3
ROBBERY	2	3	2	0	7
RUNAWAY	0	2	0	0	2
SHOPLIFTING	0	1	3	2	6
SIMPLE ASSAULT	4	5	4	3	16
THEFT FROM MOTOR VEHICLE	12	12	6	12	42
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	5	4	3	1	13
TRAFFIC	1	6	4	1	12
VANDALISM	19	15	13	8	55
WEAPON LAW VIOLATIONS	0	1	0	3	4
TOTAL	92	120	77	76	365

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Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD, between 2:01 AM and 7:00 AM

County Council District 7: Gwendolyn Davis Kennedy

CRIME	CY2009	CY2010	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	31	37	35	13	116
ALL OTHER LARCENY	54	60	74	36	224
ALL OTHER OFFENSES	10	14	19	9	52
ALL OTHER RESPONSES	15	5	12	14	46
ARSON	1	2	2	1	6
ASSISTING OTHER AGENCIES	9	10	9	6	34
BREACH OF TRUST	4	6	2	3	15
BURGLARY	50	56	84	45	235
CONTRIBUTING TO THE DELINQUENCY OF A MINOR	1	0	0	0	1
DISORDERLY CONDUCT	8	8	7	5	28
DRIVING UNDER THE INFLUENCE	0	5	2	2	9
DRUG EQUIPMENT VIOLATIONS	3	2	3	0	8
DRUG/NARCOTIC VIOLATIONS	23	11	10	6	50
DRUNKENNESS	0	1	0	0	1
EMBEZZLEMENT	1	2	2	0	5
EXTORTION/BLACKMAIL	1	0	0	0	1
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	12	12	10	4	38
FAMILY OFFENSES (NON-VIOLENT)	12	2	3	1	18
FORCIBLE FONDLING	3	3	1	1	8
FORCIBLE RAPE	4	4	5	1	14
FORCIBLE SODOMY	1	0	1	0	2
FORGERY/COUNTERFEITING	4	1	4	0	9
FRAUD CHECK	0	1	1	0	2
FRAUD CREDIT CARD/ATM	7	4	7	5	23
IMPERSONATION	3	4	2	0	9
INCORRIGIBLE	2	5	0	1	8
INDECENT EXPOSURE	0	0	0	1	1
INTIMIDATION	19	12	7	5	43
KIDNAPPING/ABDUCTION	4	5	0	2	11
LIQUOR LAW VIOLATION	5	1	4	3	13
MANSLAUGHTER BY NEGLIGENCE	0	1	0	0	1
MISSING PERSON	9	10	3	0	22
MOTOR VEHICLE THEFT	56	64	56	43	219
MURDER	0	0	1	0	1
OBSCENE/HARASSING PHONE CALLS	21	24	15	11	71
OTHER, CIVIL	3	4	7	2	16
OTHER, DOMESTIC	2	1	3	3	9
OTHER, INSURANCE	2	0	1	2	5
PEEPING TOM	1	0	0	0	1
PORNOGRAPHY/OBSCENE MATERIAL	0	1	1	0	2
RESISTING ARREST	1	1	0	0	2
ROBBERY	4	4	8	5	21
RUNAWAY	10	6	8	8	32
SEXUAL ASSAULT W/ OBJECT	0	1	0	0	1
SHOPLIFTING	9	12	16	8	45
SIMPLE ASSAULT	27	34	26	17	104
STATUTORY RAPE	0	1	0	0	1
STOLEN PROPERTY OFFENSES	4	1	2	2	9
SUICIDE	0	2	0	0	2
SUSPICIOUS FIRES	4	2	5	0	11
THEFT FROM BUILDINGS	1	1	0	1	3
THEFT FROM COIN-OPERATED MACHINE OR DEVICE	0	1	1	1	3
THEFT FROM MOTOR VEHICLE	129	106	97	35	367
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	51	41	40	16	148
TRAFFIC	34	21	15	3	73
TRESPASSING	3	5	1	2	11
VANDALISM	112	117	152	65	446
WEAPON LAW VIOLATIONS	3	2	7	4	16
WIRE FRAUD	0	3	0	0	3
TOTAL	773	739	771	392	2675

*Only offenses reported to the Richland County Sheriff's Department are included in this data. Data is current as of July 10, 2012 and is subject to change daily.

Source: RCSD Visions

07/17/2012

Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD, between 2:01 AM and 7:00 AM

County Council District 8: Jim Manning

CRIME	CY2009	CY2012	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	20	23	19	13	75
ALL OTHER LARCENY	46	45	27	13	131
ALL OTHER OFFENSES	7	13	8	5	33
ALL OTHER RESPONSES	10	4	12	1	27
ASSISTING OTHER AGENCIES	5	4	5	9	23
BREACH OF TRUST	1	4	3	1	9
BURGLARY	36	30	48	22	136
DISORDERLY CONDUCT	8	9	10	4	31
DRIVING UNDER THE INFLUENCE	3	6	9	4	22
DRUG EQUIPMENT VIOLATIONS	2	1	1	0	4
DRUG/NARCOTIC VIOLATIONS	7	11	7	9	34
DRUNKENESS	1	2	0	1	4
EMBEZZLEMENT	0	2	0	1	3
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	9	6	11	6	32
FAMILY OFFENSES (NON-VIOLENT)	8	5	5	0	18
FORCIBLE FONDLING	0	3	3	5	11
FORCIBLE RAPE	3	3	1	0	7
FORCIBLE SODOMY	0	0	0	1	1
FORGERY/COUNTERFEITING	3	2	2	0	7
FRAUD CREDIT CARD/ATM	6	10	6	1	23
IMPERSONATION	2	2	2	0	6
INCORRIGIBLE	0	1	3	1	5
INDECENT EXPOSURE	0	0	1	1	2
INTIMIDATION	13	8	12	3	36
KIDNAPPING/ABDUCTION	2	0	0	0	2
LIQUOR LAW VIOLATION	1	6	4	1	12
MISSING PERSON	7	8	7	4	26
MOTOR VEHICLE THEFT	24	30	34	13	101
MURDER	1	0	0	0	1
OBSCENE/HARASSING PHONE CALLS	17	19	16	4	56
OTHER, CIVIL	2	3	1	1	7
OTHER, DOMESTIC	1	3	3	0	7
OTHER, INSURANCE	0	0	1	0	1
POCKET PICKING	0	0	1	0	1
PORNOGRAPHY/OBSCENE MATERIAL	0	0	0	1	1
RESISTING ARREST	0	0	1	1	2
ROBBERY	4	5	5	1	15
RUNAWAY	11	6	10	5	32
SHOPLIFTING	6	2	3	7	18
SIMPLE ASSAULT	26	26	16	7	75
STOLEN PROPERTY OFFENSES	0	1	0	0	1
SUICIDE	2	0	0	0	2
SUSPICIOUS FIRES	0	2	2	0	4
THEFT FROM BUILDINGS	1	3	0	0	4
THEFT FROM MOTOR VEHICLE	78	65	76	19	238
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	26	27	19	6	78
TRAFFIC	12	19	9	8	48
TRESPASSING	4	2	3	0	9
VANDALISM	86	87	63	43	279
WEAPON LAW VIOLATIONS	1	0	0	1	2
WIRE FRAUD	0	0	1	0	1
TOTAL	502	508	470	223	1703

*Only offenses reported to the Richland County Sheriff's Department are included in this data. Data is current as of July 10, 2012 and is subject to change daily.

Source: RCSD Visions

07/17/2012

Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD, between 2:01 AM and 7:00 AM
County Council District 9: Val Hutchinson

CRIME	CY2009	CY2010	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	18	13	15	4	50
ALL OTHER LARCENY	36	29	49	11	125
ALL OTHER OFFENSES	4	11	6	5	26
ALL OTHER RESPONSES	5	7	9	4	25
ARSON	0	1	0	0	1
ASSISTING OTHER AGENCIES	6	5	1	1	13
BREACH OF TRUST	1	3	3	2	9
BURGLARY	31	27	31	15	104
CURFEW/LOITERING/VAGRANCY VIOLATIONS	1	0	0	0	1
DISORDERLY CONDUCT	2	5	1	5	13
DRIVING UNDER THE INFLUENCE	3	2	6	2	13
DRUG EQUIPMENT VIOLATIONS	0	0	1	3	4
DRUG/NARCOTIC VIOLATIONS	3	5	8	5	21
DRUNKENESS	0	0	2	0	2
EMBEZZLEMENT	6	1	1	1	9
EXTORTION/BLACKMAIL	1	0	0	0	1
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	9	7	5	4	25
FAMILY OFFENSES (NON-VIOLENT)	8	6	3	0	17
FORCIBLE FONDLING	0	2	3	0	5
FORCIBLE RAPE	0	0	1	0	1
FORCIBLE SODOMY	0	0	1	0	1
FORGERY/COUNTERFEITING	2	3	4	1	10
FRAUD CHECK	1	0	0	0	1
FRAUD CREDIT CARD/ATM	7	7	8	3	25
IMPERSONATION	4	3	3	2	12
INCORRIGIBLE	0	2	0	0	2
INTIMIDATION	8	4	6	4	22
KIDNAPPING/ABDUCTION	0	0	1	0	1
LIQUOR LAW VIOLATION	4	2	1	1	8
MISSING PERSON	5	2	4	0	11
MOTOR VEHICLE THEFT	15	10	16	7	48
OBSCENE/HARASSING PHONE CALLS	11	9	14	4	38
OTHER, CIVIL	1	2	2	0	5
OTHER, DOMESTIC	1	1	0	2	4
PORNOGRAPHY/OBSCENE MATERIAL	0	0	1	1	2
PROWLER	0	1	0	0	1
RESISTING ARREST	1	1	0	0	2
ROBBERY	6	2	1	2	11
RUNAWAY	5	3	10	5	23
SHOPLIFTING	6	3	11	3	23
SIMPLE ASSAULT	30	16	17	10	73
STATUTORY RAPE	0	1	0	0	1
STOLEN PROPERTY OFFENSES	0	1	1	0	2
SUSPICIOUS FIRES	1	0	2	0	3
THEFT FROM BUILDINGS	2	3	4	0	9
THEFT FROM COIN-OPERATED MACHINE OR DEVICE	1	1	1	0	3
THEFT FROM MOTOR VEHICLE	88	74	79	28	269
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	13	15	13	4	45
TRAFFIC	10	9	11	8	38
TRESPASSING	2	1	1	0	4
VANDALISM	82	72	56	31	241
WEAPON LAW VIOLATIONS	0	0	1	0	1
WIRE FRAUD	1	2	0	1	4
TOTAL	441	374	414	179	1408

*Only offenses reported to the Richland County Sheriff's Department are included in this data. Data is current as of July 10, 2012 and is subject to change daily.

Source: RCSD Visions

07/17/2012

Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD, between 2:01 AM and 7:00 AM
County Council District 10: Kelvin Washington

CRIME	CY2009	CY2012	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	35	34	37	24	130
ALL OTHER LARCENY	63	102	59	39	263
ALL OTHER OFFENSES	11	10	17	3	41
ALL OTHER RESPONSES	16	27	16	5	64
ARSON	1	1	0	2	4
ASSISTING OTHER AGENCIES	32	35	28	8	103
BREACH OF TRUST	3	2	1	1	7
BURGLARY	67	88	46	27	228
CONTRIBUTING TO THE DELINQUENCY OF A MINOR	0	0	1	0	1
CURFEW/LOITERING/AGRANCY VIOLATIONS	0	0	1	0	1
DISORDERLY CONDUCT	7	3	13	7	30
DRIVING UNDER THE INFLUENCE	6	4	7	3	20
DRUG EQUIPMENT VIOLATIONS	2	1	4	3	10
DRUG/NARCOTIC VIOLATIONS	16	14	14	5	49
DRUNKENESS	1	2	0	0	3
EMBEZZLEMENT	1	0	0	0	1
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	9	12	5	4	30
FAMILY OFFENSES (NON-VIOLENT)	3	8	5	3	19
FORCIBLE FONDLING	1	2	1	1	5
FORCIBLE RAPE	3	3	3	5	14
FORGERY/COUNTERFEITING	5	3	1	1	10
FRAUD CHECK	1	0	0	0	1
FRAUD CREDIT CARD/ATM	1	2	6	7	16
IMPERSONATION	1	3	2	0	6
INCORRIGIBLE	1	3	0	0	4
INDECENT EXPOSURE	0	0	1	0	1
INTIMIDATION	11	12	8	6	37
KIDNAPPING/ABDUCTION	5	0	1	1	7
LIQUOR LAW VIOLATION	2	4	4	4	14
MISSING PERSON	3	2	5	1	11
MOTOR VEHICLE THEFT	52	58	50	30	190
MURDER	2	1	2	0	5
OBSCENE/HARASSING PHONE CALLS	13	15	10	5	43
OTHER, CIVIL	2	4	5	2	13
OTHER, DOMESTIC	7	3	2	4	16
OTHER, INSURANCE	1	0	0	0	1
PEEPING TOM	0	1	0	0	1
RESISTING ARREST	0	0	3	0	3
ROBBERY	7	5	5	0	17
RUNAWAY	9	11	7	3	30
SEXUAL ASSAULT W/ OBJECT	1	1	0	0	2
SHOPLIFTING	6	8	2	4	20
SIMPLE ASSAULT	38	31	24	21	114
STATUTORY RAPE	0	0	1	0	1
STOLEN PROPERTY OFFENSES	5	1	0	0	6
SUICIDE	0	0	1	1	2
SUSPICIOUS FIRES	7	3	6	3	19
THEFT FROM BUILDINGS	1	2	1	0	4
THEFT FROM COIN-OPERATED MACHINE OR DEVICE	0	2	0	0	2
THEFT FROM MOTOR VEHICLE	68	79	47	59	253
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	34	32	36	10	112
TRAFFIC	13	17	13	5	48
TRESPASSING	5	3	5	1	14
TRUANCY	0	2	0	0	2
VANDALISM	92	137	114	36	379
WEAPON LAW VIOLATIONS	1	3	2	3	9
WIRE FRAUD	1	1	1	0	3
TOTAL	672	797	623	347	2439

*Only offenses reported to the Richland County Sheriff's Department are included in this data. Data is current as of July 10, 2012 and is subject to change daily.

Source: RCSD Visions

07/17/2012

Richland County Sheriff's Department

Reported Offenses*: CY2009, CY2010, CY2011, and 2012YTD, between 2:01 AM and 7:00 AM
 County Council District 11: Norman Jackson

CRIME	CY2009	CY2012	CY2011	2012YTD	TOTAL
AGGRAVATED ASSAULT	21	23	19	12	75
ALL OTHER LARCENY	64	85	48	24	221
ALL OTHER OFFENSES	11	11	10	5	37
ALL OTHER RESPONSES	24	9	9	8	50
ARSON	1	3	0	0	4
ASSISTING OTHER AGENCIES	9	9	7	4	29
BREACH OF TRUST	3	2	1	1	7
BURGLARY	51	36	33	17	137
CONTRIBUTING TO THE DELINQUENCY OF A MINOR	0	0	1	0	1
DISORDERLY CONDUCT	1	4	8	4	17
DRIVING UNDER THE INFLUENCE	2	1	0	0	3
DRUG EQUIPMENT VIOLATIONS	0	2	0	0	2
DRUG/NARCOTIC VIOLATIONS	6	7	3	2	18
DRUNKENNESS	0	0	1	0	1
EMBEZZLEMENT	0	1	0	0	1
FALSE PRETENSES/SWINDLE/ CONFIDENCE GAME	8	10	8	2	28
FAMILY OFFENSES (NON-VIOLENT)	5	3	4	2	14
FORCIBLE FONDLING	0	1	2	1	4
FORCIBLE RAPE	0	3	1	0	4
FORCIBLE SODOMY	0	0	1	0	1
FORGERY/COUNTERFEITING	3	1	0	1	5
FRAUD CREDIT CARD/ATM	3	8	7	1	19
IMPERSONATION	1	1	4	1	7
INCORRIGIBLE	0	1	2	1	4
INTIMIDATION	8	5	8	7	28
KIDNAPPING/ABDUCTION	1	0	3	0	4
LIQUOR LAW VIOLATION	0	1	0	0	1
MISSING PERSON	3	5	8	3	19
MOTOR VEHICLE THEFT	52	36	49	21	158
MURDER	0	0	1	0	1
OBSCENE/HARASSING PHONE CALLS	15	22	16	6	59
OTHER, CIVIL	6	1	2	1	10
OTHER, DOMESTIC	3	7	3	3	16
OTHER, INSURANCE	0	0	0	1	1
POCKET PICKING	0	0	1	0	1
PROWLER	1	0	0	0	1
RESISTING ARREST	0	0	1	0	1
ROBBERY	1	2	2	1	6
RUNAWAY	5	8	13	1	27
SHOPLIFTING	3	1	1	1	6
SIMPLE ASSAULT	27	21	23	7	78
STATUTORY RAPE	1	0	1	0	2
STOLEN PROPERTY OFFENSES	3	2	0	0	5
SUICIDE	0	1	0	0	1
SUSPICIOUS FIRES	6	0	4	0	10
THEFT FROM BUILDINGS	3	0	0	0	3
THEFT FROM COIN-OPERATED MACHINE OR DEVICE	0	0	1	0	1
THEFT FROM MOTOR VEHICLE	81	45	31	28	185
THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES	42	26	22	5	95
TRAFFIC	5	13	7	2	27
TRESPASSING	5	3	4	2	14
TRUANCY	0	1	0	0	1
VANDALISM	80	71	82	42	275
WEAPON LAW VIOLATIONS	1	2	1	2	6
WIRE FRAUD	0	1	3	0	4
TOTAL	565	495	456	219	1735

*Only offenses reported to the Richland County Sheriff's Department are included in this data. Data is current as of July 10, 2012 and is subject to change daily.

Source: RCSD Visions

07/17/2012

Richland County Council Request of Action

Subject

Kingville Historical Society Funding Request [**PAGES 163-167**] [**DENIAL**]

Notes

July 31, 2012 - The committee recommended that Council deny this request. The vote was in favor.

Richland County Council Request of Action

Subject: Kingville Historical Foundation Funding Request

A. Purpose

County Council is requested to approve a request to allocate \$20,000 to the Kingville Historical Foundation.

B. Background / Discussion

During the June 19, 2012 County Council meeting Chairman Kelvin Washington brought forward the following motion:

Kingville Historical \$20,000 Funding Request

This motion was forwarded to the July A&F Committee meeting. If approved, these funds will be allocated in addition to the \$20,000 in Hospitality Tax funds awarded to Kingville Historical Foundation through the FY13 budget process.

FY13 is the first year that Kingville Historical Foundation has been eligible to apply to H-Tax funds. They were previously funded under the SERCO.

At the January 10, 2012 meeting, County Council voted to make changes to the Hospitality Tax program. One of these changes included the following language:

1. Reduce Out of Cycle Funding Requests - Funding organizations that do not go through the grant process is not fair to the organizations that put in the time and effort to apply each cycle. Many organizations do not receive funding because there are not enough funds to go around in the Round 1 grant cycle.

- a) ~~No applications/requests will be reviewed between grant periods—Mrs. Kennedy will present a Friendly Amendment to the rule that was voted on in May 2011 stemming from the motion made by Mrs. Kennedy and Mr. Jeter regarding late and incomplete applications.~~
- b) County Council continue to be allotted discretionary H-Tax funds during the budget process that can be used during the year for special funding requests that come up outside of the grant process. In FY 12, this amount was \$25,000. Organizations receiving these funds must be eligible H-Tax organizations, submit a budget and submit a marketing plan that demonstrates how their program/project will draw tourists into the County. Organizations receiving these funds cannot be H-Tax grantees coming back to the table for additional funding in the same fiscal year.

C. Financial Impact

Allocating an additional \$20,000 to this organization will cause a financial impact and may require a budget amendment. A source of funding will need to be identified.

D. Alternatives

1. Approve the request to allocate an additional \$20,000 to the Kingville Historical Foundation.
2. Do not approve the request to allocate an additional \$20,000 to the Kingville Historical Foundation.

E. Recommendation

It is recommended that Council approve the request to fund Kingville Historical Foundation at \$20,000.

Recommended by: Kelvin Washington Department: County Council Date: June 21, 2012

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 7/17/12

Recommend Council approval

Recommend Council denial

✓ Council Discretion (please explain if checked)

Comments regarding recommendation:

All funding appropriations are at the discretion of Council. The recommendation above is not based on the merits of the specific program but on observations of the program/fund:

Program – as stated in the background section

- The Hospitality Tax guidelines encourage the County to reduce the “out of cycle” funding request

- Since the request is “out of cycle” it would not go through the same competitive evaluation process conducted by the Hospitality Tax committee during the budget process

- The guidelines discourage organizations receiving an H-tax appropriation from coming back for additional funding in the same fiscal year.

Fund financial position – continued erosion of available fund balance

- Council approved additional agency funding for FY13 that required the use of \$1.3m of Hospitality Tax fund balance

- The estimated available Hospitality fund balance at 6/30/12 is approximately \$300k

Therefore the recommendation would be for the request to be considered during the FY14 budget development

Procurement

Reviewed by: Rodolfo Callwood

Date: 7/23/12

Recommend Council approval

Recommend Council denial

✓ Council Discretion (please explain if checked)

Comments regarding recommendation:

Grants

Reviewed by: Sara Salley

Date: 7/23/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Seeing that the organization has received an H-Tax allocation for FY13, a different funding source would need to be identified for this additional request. Kingville applied for H-Tax funding and received a \$20,000 allocation through the FY13 budget process.

Legal

Reviewed by: Elizabeth McLean

Date: 7/23/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Policy decision left to Council's discretion; however, this funding appears to be inconsistent with Council's stated H-Tax policy. Again, this is a policy decision, not a legal one.

Administration

Reviewed by: Tony McDonald

Date: 7/27/12

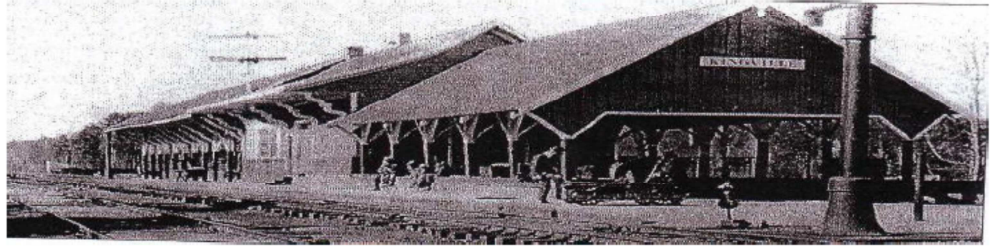
Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: It is at the Council's discretion to provide, or not provide, additional funding to the Kingville Historical Foundation. I would reiterate, however, the points made above by reviewing staff members:

- This is an "out of cycle" funding request.
- The funding request appears to be inconsistent with the Hospitality Tax policy, which provides that agencies funded through H-Tax during the budget process will not be awarded additional H-Tax funds, outside of the budget process, during the same fiscal year. An alternative funding source, therefore, would need to be identified.



KINGVILLE HISTORICAL FOUNDATION

P O BOX 54

GADSDEN, SC 29052

TELEPHONE: (803)920-4983

www.kingvillehistoricalfoundation.org

E-mail: info@kingvillehistoricalfoundation.org

June 14, 2012

To: Richland County Council

Thank you for the opportunity to possibly be considered for additional financial support by the council. In three years since its founding, the Kingville Historical Foundation has played a major role in renewing the rich history of our community.

A priority need for the event which includes tours, historical landmarks indicating the previous businesses in our community, information pertaining to General William Sherman's army, settling in Kingville and upon leaving, they destroyed the town of Kingville on the way to Columbia, SC.

In our proposal, we requested \$55,000.00, but were granted \$20,000.00. We propose a three day event. To help offset this cost we are requesting an additional \$20,000.00, budget permitting, to support this event that makes a meaningful difference in our community. This funding will give us the jumpstart we need to educate and inform visitors from the Congaree National Park as well as the community.

We believe that this event is consistent with the interest of tourism and that you will find it in your budget to further support this event. If I can provide additional information to encourage consideration of this request, please contact me at the above phone number. I would also be happy to personally meet with the council to present this proposal.

Most sincerely,

George Wilson
Chairman

Richland County Council Request of Action

Subject

Lower Richland PSTA/Diamond Day Festival Funding Request [**PAGES 168-171**] [**DENIAL**]

Notes

July 31, 2012 - The committee recommended that Council deny this request. The vote was in favor.

Richland County Council Request of Action

Subject: Lower Richland PTSA/Diamond Day Festival Funding Request

A. Purpose

County Council is requested to approve a request to allocate \$10,150 in Hospitality Tax funds to the Lower Richland PTSA's Diamond Day Festival.

B. Background / Discussion

During the June 19, 2012 County Council meeting Councilman Norman Jackson brought forward the following motion:

During the budget there was a misunderstanding about Lower Richland PTSA. It is actually the Lower Richland Diamond Day Festival which is the largest event in Lower Richland funding by the County at Lower Richland High School. Diamond Day was always funded at a minimum \$15,000 and only received \$4,850. I move that Lower Richland Diamond Day Festival receive additional \$10,150 from the \$25,000 set aside for additional funding since Council decided to eliminate the second round of funding.

This motion was forwarded to the July A&F Committee meeting. If approved, these funds will be allocated in addition to the \$4,978 in Hospitality Tax funds awarded to the Lower Richland PTSA through the FY13 budget process.

Richland County previously funded the Diamond Day Festival with Hospitality Tax dollars in the following amounts:

- FY10 \$17,998
- FY11 \$10,000
- FY12 \$16,502
- FY13 \$ 4,978

At the January 10, 2012 meeting, County Council voted to make changes to the Hospitality Tax program. One of these changes included the following language:

1. Reduce Out of Cycle Funding Requests - Funding organizations that do not go through the grant process is not fair to the organizations that put in the time and effort to apply each cycle. Many organizations do not receive funding because there are not enough funds to go around in the Round 1 grant cycle.

- a) ~~No applications/requests will be reviewed between grant periods — Mrs. Kennedy will present a Friendly Amendment to the rule that was voted on in May 2011 stemming from the motion made by Mrs. Kennedy and Mr. Jeter regarding late and incomplete applications.~~
- b) County Council continue to be allotted discretionary H-Tax funds during the budget process that can be used during the year for special funding requests that come up outside of the grant process. In FY 12, this amount was \$25,000. Organizations receiving these funds must be eligible H-Tax organizations, submit a budget and submit a marketing plan that demonstrates how their program/project will draw tourists into the County. Organizations

receiving these funds cannot be H-Tax grantees coming back to the table for additional funding in the same fiscal year.

C. Financial Impact

Allocating an additional \$10,150 to this organization will cause a financial impact and may require a budget amendment.

D. Alternatives

1. Approve the request to allocate an additional \$10,150 in Hospitality funds to the Lower Richland PTSA’s Diamond Day Festival.
2. Do not approve the request to allocate an additional \$10,150 in Hospitality funds to the Lower Richland PTSA’s Diamond Day Festival.
3. Identify an alternate funding source for the additional \$10,150 to the Lower Richland PTSA’s Diamond Day Festival.

E. Recommendation

1. It is recommended that Council approve the request to fund an additional \$10,150 to the Lower Richland PTSA’s Diamond Day Festival.

Recommended by: Norman Jackson Department: County Council Date: June 21, 2012

F. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 7/10/12
 Recommend Council approval Recommend Council denial
✓ Council Discretion (please explain if checked)
Comments regarding recommendation:

Specific agency funding is an item for Council discretion. Approval of alternative one, using a portion of the \$25k council discretionary dollars would not require a budget amendment however this would be considered an “out of cycle” funding request. If Council approves alternative three, a funding source would need to be identified and depending on the source may require a budget amendment.

Procurement

Reviewed by: Rodolfo Callwood Date:
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Discretionary funds allocation is not covered under the County Procurement Process.

Grants

Reviewed by: Sara Salley Date: July 11, 2012

- Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation: The decision to fund this organization up to Council discretion. The organization received an H-Tax allocation for FY13 and according to rules passed by Council in January 2012 a different funding source would need to be identified for this additional request. Lower Richland PTSA applied for H-Tax funding and received a \$4,978 recommendation from the H-Tax Committee and this recommendation was passed through the FY13 budget process.

Legal

Reviewed by: Elizabeth McLean

Date: 7/11/12

- Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation:

Policy decision left to Council's discretion.

Administration

Reviewed by: Tony McDonald

Date: 7/27/12

- Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation: It is at the Council's discretion to provide, or not provide, additional funding for the Diamond Day Festival. I would reiterate, however, the points made above by reviewing staff members:

- This is an "out of cycle" funding request.
- The funding request appears to be inconsistent with the Hospitality Tax policy, which provides that agencies funded through H-Tax during the budget process will not be awarded additional H-Tax funds, outside of the budget process, during the same fiscal year. An alternative funding source, therefore, would need to be identified.

Richland County Council Request of Action

Subject

Regional Sustainability Plan [PAGES 172-196]

Notes

July 31, 2012 - This item was forwarded to Council without a recommendation. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Regional Sustainability Plan

A. Purpose

County Council is requested to approve the Regional Sustainability Plan.

B. Background / Discussion

In 2009, the Department of Energy awarded Lexington and Richland Counties and the City of Columbia in the Central Midlands of South Carolina with Energy Efficiency and Conservation Block Grant (EECBG) funds. There are needs to conserve energy and reduce greenhouse emissions, while achieving additional environmental, economic, and community benefits in the Midlands region including urban, suburban, and rural areas. Towards that end, Lexington and Richland Counties discussed using these funds from their EECBG allocations to create a Regional Sustainability Plan that would be used as a guide in tackling sustainability issues that affect the Central Midlands Region. The Counties brought the City of Columbia into the discussions, but the City opted out financially, choosing to spend their EECBG funds on other projects.

A partnership was formed between the two Counties who each allocated \$100,000 to launch a new sustainability effort that would provide an opportunity to establish a community consensus to identify and prioritize environmental issues that would develop a comprehensive, strategic sustainability plan for the Midlands Region. The Counties contracted with the Central Midlands Council of Governments to coordinate the project. This contract was approved by Richland County Council on October 5, 2010.

Because more could be accomplished through a concerted effort, the City of Columbia was asked to assist with this process, bringing with them valued experience in sustainability areas. The result was the Central Midlands Regional Sustainability Plan, South Carolina's first plan to focus on regional sustainability. This Plan will be a model for capacity building among local agencies and reflect partnerships across multiple stakeholder groups such as state and local government agencies, utilities, environmental groups, neighborhoods and community groups throughout our region to collectively work to ensure the creation, implementation, and maintenance of a Midlands Regional Sustainability Plan.

The COG and a Plan Steering Committee, comprised of representatives from each local government, worked to select the Cadmus Consulting Group, Inc who partnered with ADCO and Genesis to navigate the committee through the plan's development. All parties worked from June 2011 to June 2012 to come up with the final draft of the Regional Sustainability Plan.

This plan is a 160 page document that includes detailed statistical information and recommendations for tackling sustainability and environmental issues in the following areas:

- Energy Efficiency and Conservation
- Land Use and Transportation
- Water
- Solid waste and Recycling

- Purchasing
- Renewable Energy
- Economic Development and the Green Economy

An executive summary, attached, was also developed.

Once approved by each local government, the Steering Committee will expand, adding members from corporations, nonprofits, and the general public who will work to identify key goals for the region to work on each year, while each individual partner will focus on the plan internally, determining individual goals and projects. The Steering Committee will use the plan as a guide to educate the general public as well, seeing that success in tackling all sustainable issues lies with everyone who lives and works within the Central Midlands Region.

C. Financial Impact

There is no financial impact associated with the adoption of the plan itself. The plan was paid for using funds from the EECBG stimulus grant. Costs may be associated with implementing some of the recommendations in the plan. Any associated costs will be brought to Council’s attention.

D. Alternatives

1. Approve the Regional Sustainability Plan as presented.
2. Approve the Regional Sustainability Plan as amended.

E. Recommendation

It is recommended that Council approve the Regional Sustainability Plan as presented.

Recommended by: Anna Lange Department: Sustainability Coordinator Date: July 10, 2012

F. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 7/16/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood Date: 7/17/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 7/18/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Policy decision left to Council's discretion.

Administration

Reviewed by: Roxanne Ancheta

Date: July 18, 2012

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: It is recommended that Council approve the Sustainability Plan as presented.



Sustainable Energy Plan for the Central Midlands

Executive Summary:

In 2009, the Department of Energy awarded Lexington and Richland Counties and the City of Columbia in the Central Midlands of South Carolina with Energy Efficiency and Conservation Block Grant (EECBG) funds. Lexington and Richland Counties discussed using these funds from their EECBG allocations to create a Regional Sustainability Plan that would be used as a guide in tackling sustainability issues that affect the Central Midlands Region. The Counties brought the City of Columbia into the discussions, but the City opted out financially, choosing to spend their EECBG funds on other projects.

A partnership was formed between the two Counties each of whom allocated \$100,000 to launch a new sustainability effort for the entire Central Midlands Region. The Counties contracted with the Central Midlands Council of Governments to coordinate the project. Because more could be accomplished through a concerted effort, the City of Columbia was asked to assist with this process bringing with them valued experience in sustainability areas. The result was the Sustainable Energy Plan for the Central Midlands Region, South Carolina's first plan to focus on regional sustainability.

There were three motivators for the development of this

The Lexington County Administration Building was one of the County buildings retrofitted with EECBG Program funds.

The projects included the instillation of an Energy Management System (EMS), replaced two HVAC units, and replaced parking lot lighting with energy efficient lamp fixtures. A summary performed September 30, 2011 estimated that since the completion of the upgrades, the Administration Building may save approximately 38, 212 KWh for an annual estimated savings of \$13, 980.

The Richland County Administration Building was one of the buildings retrofitted with EECBG funds. Richland County switched T12s to T8 fluorescent bulbs, installed motion sensors throughout building, installed LED exit signs, upgraded garage lighting from 250W high pressure sodium lights to 2 lamp 56W florescent lights, installed efficient lighting in parking lot from 400W high pressure sodium lights to 100W induction lights. In the last 9 months the county has seen a savings of 532,500kWh resulting in \$38,000 in savings to date.

The City of Columbia changed the 175 watt metal halide fixtures in three of its smallest garages with high efficiency 64 watt 2-lamp fluorescent fixtures. In the 18 months since the last install, the lighting upgrades saved 600,945 kwh of electricity and \$40,000. This amounts to a monthly savings of 3,338 kwh and \$2,222.



Sustainable Energy Plan for the Central Midlands

plan: improving energy efficiency in the region, promoting energy independence, and protecting local air quality. First, energy efficiency is economic efficiency – getting the same amount of output from less energy input – with gains that permeate throughout the economy. Businesses are more profitable because their costs are lower, households have more money to spend on other priorities, and local governments can provide the same level of service without raising taxes to make up for projected budget shortfalls. Second, energy independence and security are additional motivators that resonate within the Central Midlands. Every dollar of fossil fuel consumption in the State necessarily includes a transfer of wealth out of the State to the owner of that resource stock, which may be an unfriendly foreign regime in the case of petroleum. Finally, local air quality is a motivator because it directly contributes to public health problems (e.g. cardiopulmonary problems like heart attacks, as well as respiratory conditions like asthma and bronchitis). According to EPA’s local air quality monitors and regulations, much of the area can experience dangerously high concentrations of ground-level ozone. A nonattainment designation for failure to meet ground level ozone standards could have an unfavorable ripple effect on the Region’s economy, with impacts on activities ranging from transportation planning to industrial recruitment and expansion. To address these motivating concerns the plan was broken into four areas: energy efficiency, decreasing demand through broader initiatives, alternative energy and green jobs.

- Energy Efficiency Recommendations Include:**
- Implement city/county sustainability policy supported by volunteer Green Teams to promote energy efficient behavior among employees.
 - Assess enforcement of the current energy building code.
 - Launch an energy efficiency educational initiative.
 - Conduct energy audits of county buildings.

The first area addressed in the plan provides local governments with specific policy recommendations and activities that could be implemented to



Sustainable Energy Plan for the Central Midlands

improve energy efficiency. When looking for ways to conserve energy, the first place the local governments should look is in areas they have the greatest control, specifically their facilities and policies. South Carolina lacks a statewide energy efficiency resource standard, but even in the

Broader Initiative Recommendations Include:

- Facilitate the implementation of appropriate goals contained in COATS/COG plans.
- Pilot a new program economizing commute of government employees.
- Improve recycling rate by local governments, businesses, and residents.
- Evaluate “greenness” of land use with emphasis on public properties.

absence of a statewide standard, there are many actions available to the Central Midlands local governments to improve the energy efficiency of the built environment.

Regional policies such as actions on land use, transportation, procurement, waste management, and drinking/wastewater while still under local government control, require a level of regional cooperation to see

significant energy efficiency. The plan focuses on reducing the region’s energy footprint through areas over which local government possesses considerable control and expertise but looks at the cooperative nature of these activities. Unlike conventional energy efficiency, which is usually initiated by state-level policymakers and executed by utilities, issues such as transportation and land use, as well as drinking/wastewater, municipal solid waste, green purchasing, etc., are the traditional purview of local governments. Though proactive action on these issues may only affect energy use indirectly, these actions can be quite powerful and may require considerable political will.

Renewable energy can improve local air quality and energy security by offsetting the use of conventional energy sources and diversifying the energy portfolio. In addition, alternative energy development positively

Renewable Energy Recommendations Include:

- Establish an Alternative Energy Task Force.
- Adopt favorable zoning and permitting requirements for alternative energy development.
- Launch alternative energy educational initiatives.
- Identify opportunities for Geothermal heat Pumps and industrial Combined Heat and Power.
- Support Reforms to State's Energy Policy.



Sustainable Energy Plan for the Central Midlands

impacts the region's economic development by generating green collar jobs and keeping spending on energy within the region. The Central Midlands is blessed with a reasonably good endowment of renewable resources. Yet renewable energy projects are relatively rare. State-level energy policy has succeeded in keeping electricity prices relatively low, which presents a major challenge for competing renewable generation with slightly higher unit costs at current scales. However, state-level policy has also erected (perhaps inadvertently) other barriers to the success of alternative energy throughout South Carolina. Nonetheless, the state has succeeded in attracting some renewable energy technology manufacturers. A growing commitment to developing technical expertise within the State's higher education and other training institutions, relatively low property taxes, and a handful of tax incentives and other programs targeting alternative energy technologies have prompted some manufacturers of wind and solar energy system components to locate production facilities in the state. Yet, the State's generally favorable business climate could be improved for the alternative energy industry. Although local governments have limited influence over state-level policies aimed at creating demand for renewable energy development, there are many things they can do to improve the environment for small-scale, customer-sited renewable energy installations in the region. The region's local

Green Job Recommendations Include:

- Develop a survey to better classify and enumerate the existing green and clean jobs to verify/quantify the number of jobs and identify what makes the region attractive for green business.
- Jointly prepare a Targeted Marketing Study focused on manufacturing facilities for renewable and alternative energy generators.
- Promote the technology/engineering design and planning industries for other alternative energy generation plants – advanced hydropower, biomass, solar, wind, geothermal, etc.

governments could take action like installing more demonstration projects and improving local permitting requirements. By designing, developing, and launching a thoughtful, collaborative, regional effort, the three governments can achieve significant economies of scale and broaden their reach beyond what would be attainable on their own.

A key consideration of this plan is its potential



Sustainable Energy Plan for the Central Midlands

effect on the local economy. Economic development, particularly at the local level, is often measured in terms of new jobs – a measure of economic opportunities created for individuals. If local governments are successful in their efforts to reduce the energy footprints of Richland and Lexington Counties, then some green jobs will surely be created, but other economic activity might get curtailed. Likewise, the alternative to implementing a sustainable energy plan may also cause some jobs to be created and others to be lost. On balance, pursuing energy sustainability produces greater net benefits for a local economy than the alternative.

Regional Sustainable Energy Plan



Lexington County Council Meeting
July 24, 2012

Background

- ARRA 2009 (stimulus funds) directed towards DOE – energy efficiency and conservation block grant (EECBC) to Lexington county, Richland county, and the city of Columbia.
- Lexington and Richland county set aside a portion of those funds to be dedicated towards creation of a regional sustainability plan.
- County administrators met with CMCOG to discuss a contract.
- City of Columbia was asked to join as an in kind partner.
- Core committee from Lexington, Richland, and Columbia staff.
- CMCOG was directed to hire a consulting group.
- CMCOG, CADMUS, Genesis Consulting Group, ADCO.



Motivating Concerns

- Create a roadmap for sustainability.
- Economic: improving energy efficiency in the region.
- Political: promoting energy independence.
- Environmental health: protecting local air quality.



Goals

- To maintain current attainment status for ground level ozone and meet future air quality requirements.
- Increase the number of alternative energy demonstration projects by an average of 3 per year.
- Decrease the participating governments total energy usage by 10% relative to a baseline of the usage in 2011.
- Decrease the total energy usage of non-governmental entities by 1% relative to a baseline of the usage in 2011.
- Increase the number of green jobs by an average of 1,500 per year.



Overview of the Plan

- Decreasing demand through energy efficiency and conservation.
- Indirectly decreasing demand through broader initiatives.
- Increasing supply through renewable energy generation.
- Economic development and the green economy.



Recommendations

- Near term (0-12 months).
- Medium-term (1-5 years).
- Long-term (beyond 5 years).
- Two to five major category recommendations in each timeframe.
- Numerous specific recommendations within each major category.
- Total of 151 specific recommendations.



Decreasing Demand through Energy Efficiency and Conservation

- Nationally, approximately 8% of a municipality's budget goes to energy expenses.
- Governments have the most influence on their own facilities – start at home.
- Support regional initiatives where possible for private consumers.
- Buildings account for 30% of our energy use over all.



Selected Recommendations

Timeframe	Action
Near-term (0-12 months)	<ul style="list-style-type: none">● Implement city/county sustainability policy supported by volunteer Green Teams to promote energy efficient behavior among employees. (Turn off lights, recycle, make sure vents are clear, <u>establish green team</u>)● Assess enforcement of the current energy building code.● Launch an energy efficiency educational initiative.● Conduct energy audits of municipal/county buildings.
Medium-term (1-5 years)	<ul style="list-style-type: none">● Adopt a green building resolution for all municipal/county buildings.● Implement incentives for green building practices. Try and influence private sector● Support reforms to State Energy Policy. Set legislative priorities and lobby legislature● Improve the efficiency of municipal/county building stock. Set efficiency goal
Long-term (beyond 5 years)	<ul style="list-style-type: none">● Enact a more efficient local building energy code. Set a local code rather than State● Assess options for local incentive or loan programs.



Decreasing Demand through Broader Initiatives

- Land Use – reduce sprawl.
- Transportation – commuting Routes – congestion. Management.
- Procurement.
- Waste Management.
- Water – both drinking and waste.



Selected Recommendations

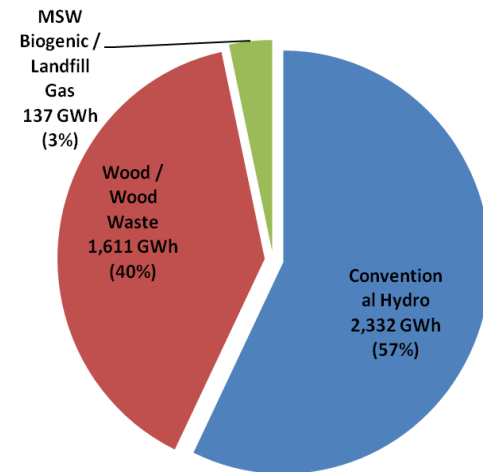
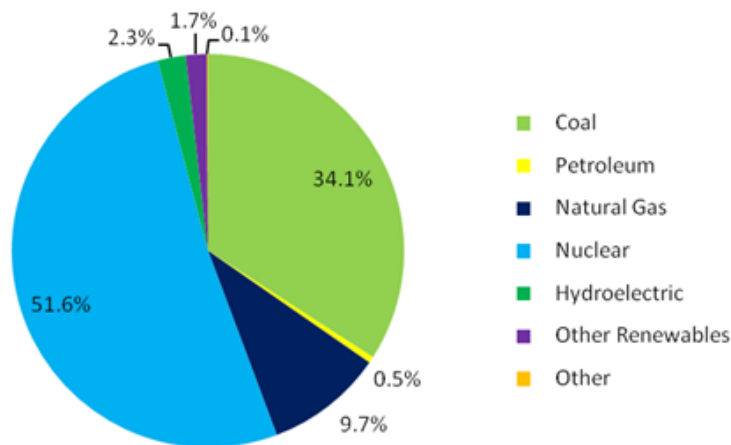


Timeframe	Action
<p>Near-term (0-12 months)</p>	<ul style="list-style-type: none"> ● Facilitate the implementation of appropriate goals contained in COATS/COG plans ● Pilot a new program economizing commute of government employees. <ul style="list-style-type: none"> ● Develop a rideshare program with own employees ● Improve recycling rate by local governments, businesses, and residents. ● Encourage Low Impact Development and/or Smart Growth Principles with emphasis on public properties. <ul style="list-style-type: none"> ● Identify undeveloped land where growth should be discouraged ● Identify ribbons of land for greenways
<p>Medium-term (1-5 years)</p>	<ul style="list-style-type: none"> ● Encourage alternatives to single-passenger vehicles. ● Guide denser development clustered along growth corridors. <ul style="list-style-type: none"> ● Changes to zoning to allow pockets of density ● Phase-in improvements to municipal solid waste disposal ● Increase efficiency of drinking/waste water systems. <ul style="list-style-type: none"> ● Consolidation of systems ● Form a Regional Procurement Process that utilizes a “green” criteria for goods and services
<p>Long-term (beyond 5 years)</p>	<ul style="list-style-type: none"> ● Implement HOV lanes and commuter transit alternative along major commuting corridors. <ul style="list-style-type: none"> ● Convert lanes on I-20, I-126, and I-26 to HOV-2 lanes ● Convert majority of waste stream into economic inputs to production.




Increasing Supply via Renewable Energy Generation

- Current brown energy low cost.
- Dominated by coal and nuclear.
- Region's energy policy set at state level.
- No renewable portfolio standard (RPS).
- Midlands has renewable resources – state policy an obstacle – cogeneration policy.

Biomass – Biofuels - Hydroelectric – Biogas - Combined Heat and Power – Solar – Geothermal - Wind



Recommendations

Timeframe	Action
 <p>Near-term (0-12 months)</p>	<ul style="list-style-type: none">• Establish an alternative energy Task Force Geared toward development of infrastructure required to make alternative energy competitive• Adopt favorable zoning and permitting requirements for alternative energy development• Launch alternative energy educational initiatives• Identify opportunities for GHP and industrial CHP DOE Grants, Partner with SCEG and Co-ops
 <p>Medium-term (1-5 years)</p>	<ul style="list-style-type: none">• Support reforms to State Energy Policy Remove roadblocks to Cogeneration• Explore public alternative energy projects Lead the way – pilot programs – CHP at Columbia WWTP, Rooftop Solar
 <p>Long-term (beyond 5 years)</p>	<ul style="list-style-type: none">• Consider local incentive programs• Expand Landfill Gas to Energy Project Private and Public Methane Harvesting

Economic Development and the Green Economy

- Direct businesses/industries that create green.
- Indirect business/industries that might manufacture equipment, etc used in the green economy.
- Potential economic clusters:
 - Renewable and alternative energy generation industry.
 - Manufacturing of equipment and supplies for green industry.
 - Recycling and re-use operations and industries
 - Green construction and retrofit industry.
 - Academic research and development.
 - Traditional industries aligned with the “green economy”.






Economic Development and the Green Economy

- **Recommendations**

- Green economy business climate.
- Direct green economy jobs.
- Indirect green economy jobs.



Selected Recommendations

Timeframe	Action
 <p>Business Climate</p>	<ul style="list-style-type: none"> • Take steps to prevent the region from being designated “Non-attainment” - Important for Economic Development – Transportation a key. • Implement a Marketing Campaign to encourage green businesses to locate in the area -Survey to better classify existing green jobs and what would make us more attractive to green companies. • Implement government policies that support green businesses - Regional Procurement that focuses on green.
 <p>Direct Green Economy Jobs</p>	<ul style="list-style-type: none"> • Fuel Cells - Tax incentives for pilot projects. • Fort Jackson - Tap into Fort for military uses for alternate fuels, etc. • Target Marketing Study – Focus on luring industries in the Green Economy. • Small Nuclear Reactors – Pilot program tapping into the nuclear industry in the Midlands. • Other Renewable/Alternate Energy Generation – Cogeneration Plants. • Recycle Waste – survey the existing waste streams looking for cogeneration opportunities.
 <p>Indirect Green Economy Jobs</p>	<ul style="list-style-type: none"> • Nuclear Industry Technicians – Partner with MTC. • Wastewater – City of Columbia pilot program for methane generation. • Solid Waste – expand pilot program to all three stakeholders and private landfills. • LEED Certified Construction – Rebated Permit Fees (now in City), reduced buffers or setbacks, etc. • Other Energy Efficient Construction – Incentives for upgrades, retrofits.

Where do we go from here

- **Presentation to Councils.**
- **Adoption.**
- **Lots of recommendations, start.**
- **Pick some ideas to start with:**
 - Regional green team.
 - Survey of green jobs/companies.
 - Adopt a green building resolution for all municipal/county facilities.
 - Create a regional rideshare program.
 - Develop a green procurement policy.
- **Funding.**
- **Metrics.**
- **Monitoring.**



Richland County Council Request of Action

Subject

- a. A Resolution Authorizing the Execution and Delivery of a Memorandum of Understanding by and among Richland County, South Carolina, the State of South Carolina, and a company known as Project Resolve and other matters related thereto **[PAGES 198-199]**
- b. An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$730,000 of General Fund Restricted Fund Balance for Economic Development Projects **[FIRST READING] [PAGES 200-201]**
- c. Economic Development Office Space Lease **[PAGES 202-214]**

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MEMORANDUM OF UNDERSTANDING BY AND AMONG RICHLAND COUNTY, SOUTH CAROLINA, THE STATE OF SOUTH CAROLINA, AND A COMPANY KNOWN AS PROJECT RESOLVE AND OTHER MATTERS RELATED THERETO

WHEREAS, Richland County, South Carolina (“County”), acting by and through its County Council (“County Council”) is authorized and empowered under and pursuant to the provisions of Title 4, Chapter 9, Code of Laws of South Carolina, 1976, as amended, to make and execute contracts;

WHEREAS, the County and the State of South Carolina (“State”) are negotiating with a company known as Project Resolve (“Company,” together with the County and the State, “Parties,” each, a “Party”) regarding a potential, significant investment in the County (“Investment”);

WHEREAS, the commitments of each Party regarding the Investment are set forth in a confidential Memorandum of Understanding (“MOU”) by and among the Parties; and

WHEREAS, the terms of the MOU relating to the County have been negotiated by the County’s Economic Development Director, and County Council has been advised regarding the terms of the MOU in executive session.

NOW, THEREFORE, BE IT RESOLVED by the County Council in meeting duly assembled:

1. In the name of and on behalf of the County, the Chairman of the County Council (“Chairman”) or the County Administrator (“Administrator”) is authorized and directed to execute the MOU on behalf of the County. The Clerk of the County Council is authorized and directed to attest the MOU, and the Chairman or the Administrator is authorized and directed to deliver the MOU to the State and the Company. The Chairman or the Administrator may approve and execute modifications and amendments to the MOU, which, after consultation with counsel and the County’s Economic Development Director, do not substantially modify the terms of the MOU as presented to County Council in executive session.

2. The County Council and the duly elected or appointed officials of the County shall take any and all further action as may be reasonably necessary to effect the Investment contemplated by this Resolution and the MOU.

3. All resolutions, and parts thereof in conflict with this Resolution are, to the extent of such conflict, hereby repealed.

4. Should any part, provision, or term of this Resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such finding or determination shall not affect the rest and remainder of the Resolution or any part, provision or term thereof, all of which is hereby deemed separable.

DONE AND PASSED this 11th day of September, 2012.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Kelvin Washington
Chairman, Richland County Council

ATTEST:

Michelle Onley
Clerk, Richland County Council

STATE OF SOUTH CAROLINA
COUNTYCOUNCILFORRICHLANDCOUNTY
ORDINANCE NO. __-

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$730,000 OF GENERAL FUND RESTRICTED FUND BALANCE FOR ECONOMIC DEVELOPMENT PROJECTS.

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

SECTION I. That the amount of seven hundred thirty thousand dollars (\$730,000) be appropriated for economic development projects. Therefore, the Fiscal Year 2012-2013 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2012 as amended:	\$ 146,913,504
Appropriation of General Fund restricted fund balance	<u>730,000</u>
Total General Fund Revenue as Amended:	\$ 147,643,504

EXPENDITURES

Expenditures appropriated July 1, 2012 as amended:	\$ 146,913,504
Increase to Industrial Park	<u>730,000</u>
Total General Fund Expenditures as Amended:	\$ 147,643,504

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 _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin Washington, Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

Clerk of Council

RICHLANDCOUNTYATTORNEY'S OFFICE

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

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

SUBLEASE

THIS SUBLEASE (“Sublease”) is made and entered into effective this _____ day of September, 2012, by and between Parker Poe Adams & Bernstein LLP (“Landlord”) and Richland County, South Carolina (“Tenant”).

1. BASIC LEASE PROVISIONS.
 - A. Property Address: 1201 Main Street, Suite 1400
 - B. Tenant’s Address: 2020 Hampton Street, Columbia 29204, Attn: Nelson Lindsay, Richland County Economic Development Office
 - C. Landlord’s Address (for notices): 1201 Main Street, Suite 1450, Columbia, SC 29201: Attn: Ronald J. Tryon
 - D. Prime Landlord: U.S. REIF/MJW Capitol Center Fee, LLC (successor in interest to Parkway Capitol Center, LLC)
 - E. Prime Landlord’s Address (for notices): c/o M&J Wilkow Properties, LLC, Attn: Asset Manager, Capitol Center, 180 North Michigan Avenue, Suite 200, Chicago, Illinois 60601, with copy to: c/o M&J Wilkow Properties, LLC, Attn: Property Manager, Capitol Center, 1201 Main Street, Suite 230, Columbia, SC 29201.
 - F. Identification of Prime Lease and all amendments thereto: Lease dated June 30, 2005, by and between Parkway Capitol Center, LLC and Parker Poe Adams & Bernstein LLP, as amended by First Amendment to Lease dated January 11, 2007 and Second Amendment to Lease dated January 11, 2007
 - G. Sublease Term: 365 days; provided, the Sublease shall continue on a month-to-month basis thereafter upon the same terms and conditions as contained herein, until either party notifies the other party, with thirty (30) days prior written notice, that they intend to terminate the hold-over occupancy
 - H. Commencement Date (subject to change as specified in Section 4 or Section 5 hereof): October 15, 2012
 - I. Expiration Date: October 14, 2013, 11:59 p.m. (subject to extension as set forth in Item G).
 - J. Rent: \$1,611.75 per calendar month through 6/30/13; commencing 7/1/13, Rent will increase to \$1,688.50 per calendar month
 - K. Payee of Rent: Parker Poe Adams & Bernstein LLP

- L. Address for Payment of Rent: c/o Parker Poe Adams & Bernstein LLP, 1201 Main Street, Suite 1450, Columbia, SC 29201
- M. Omitted.
- N. Premises: Approximately 921 square feet (see attached Exhibit A)
- O. Security Deposit: \$0.00
- P. Tenant's Use : General Office Use
- Q. Broker: None

2. PRIME LEASE. Landlord is the tenant under a Prime Lease (the "Prime Lease") with the Prime Landlord identified in *Section 1(D)*, bearing the date specified in *Section 1(F)*. Landlord represents and warrants to Tenant that (a) Landlord has delivered to Tenant a full and complete copy of the Prime Lease and all other agreements between Prime Landlord and Landlord relating to the leasing, use, and occupancy of the Premises, (b) the Prime Lease is, as of the date hereof, in full force and effect, and (c) no event of default has occurred under the Prime Lease and, to Landlord's knowledge, no event has occurred and is continuing which would constitute an event of default but for the requirement of the giving of notice and/or the expiration of the period of time to cure.

3. SUBLEASE. Landlord, for and in consideration of the rents herein reserved and of the covenants and agreements herein contained on the part of the Tenant to be performed, hereby subleases to the Tenant, and the Tenant accepts from the Landlord, certain space described in *Section 1(N)* (the "Premises") and located in the building (the "Building"), situated on and a part of the property (the "Property") as legally described in the Prime Lease.

4. TERM. Subject to *Section 5*, the term of this Lease (hereinafter "Term") shall commence on the date (hereinafter "Commencement Date") which is the earlier to occur of:

A. The date specified in *Section 1(H)*; or

B. The date Tenant first occupies all or part of the Premises. The Term shall expire on the date ("Expiration Date") specified in *Section 1(I)*, unless sooner terminated as otherwise provided elsewhere in this Sublease.

5. POSSESSION. Landlord agrees to deliver possession of the Premises on or before the date specified in *Section 1(H)* in their condition as of the execution and delivery hereof, reasonable wear and tear excepted, except with respect to certain improvements to be made by Landlord between the execution date hereof and the Commencement Date, as more fully set forth on Exhibit B attached hereto (the "Landlord Work"). Landlord shall be solely responsible for the cost of the Landlord Work.

6. TENANT'S USE. The Premises shall be used and occupied only for the Tenant's Use set forth in *Section 1(P)*.

7. RENT. Beginning on the Commencement Date, Tenant agrees to pay the Rent set forth in *Section 1(J)* to the Payee specified in *Section 1(K)*, at the address specified in *Section 1(L)*, or to such other payee or at such other address as may be designated by notice in writing from Landlord to Tenant, without prior demand therefor and without any deduction whatsoever. Rent shall be paid in advance on the first business day of each month of the Term. Rent shall be prorated for partial months at the beginning and end of the Term.

8. ADDITIONAL RENT. If and to the extent that Landlord is obligated to pay additional rent under the Prime Lease, whether such additional rent is to reimburse Prime Landlord for taxes, operating expenses, common area maintenance charges, utilities, or other expenses incurred by the Prime Landlord in connection with the Property, Tenant shall not be obligated to pay such amounts to Landlord, except as provided in Section 9 below.

9. TENANT'S OBLIGATIONS. Tenant shall be responsible for, and shall pay the following:

A. All costs or other charges incurred in connection with (i) telephone service to the Premises (ii) information technology services to the Premises and (iii) janitorial services for the Premises. Tenant shall hold Landlord harmless from all costs or expenses Landlord may incur from Tenant's failure to pay or to perform any of its obligations with respect thereto.

B. All maintenance, repairs and replacements as to the Premises and its equipment, to the extent Landlord is obligated to perform the same under the Prime Lease.

10. QUIET ENJOYMENT. Landlord represents that it has full power and authority to enter into this Sublease, subject to the consent of the Prime Landlord, if required under the Prime Lease. So long as Tenant is not in default in the performance of its covenants and agreements in this Sublease, Tenant's quiet and peaceable enjoyment of the Premises shall not be disturbed or interfered with by Landlord, or by any person claiming by, through, or under Landlord.

11. TENANT'S INSURANCE. Tenant shall procure and maintain, at its own cost and expense, such liability insurance as is required to be carried by Landlord under the Prime Lease, naming Landlord, as well as Prime Landlord, in the manner required therein, and such property insurance as is required to be carried by Landlord under the Prime Lease to the extent such property insurance pertains to the Premises. If the Prime Lease requires Landlord to insure leasehold improvements or alterations, then Tenant shall insure such leasehold improvements which are located in the Premises, as well as alterations in the Premises made by Tenant. Tenant shall furnish to Landlord a certificate of Tenant's insurance required hereunder upon execution of this Sublease. Each party hereby waives claims against the other for property damage provided such waiver shall not invalidate the waiving party's property insurance; each party shall attempt to obtain from its insurance carrier a waiver of its right of subrogation. Tenant hereby waives claims against Prime Landlord and Landlord for property damage to the Premises or its contents if and to the extent that Landlord waives such claims against Prime Landlord under the Prime Lease. Tenant agrees to obtain, for the benefit of Prime Landlord and Landlord, such waivers of subrogation rights from its insurer as are required of Landlord under the Prime Lease. Landlord agrees to use reasonable efforts in good faith to obtain from Prime Landlord a waiver

of claims for insurable property damage losses and an agreement from Prime Landlord to obtain a waiver of subrogation rights in Prime Landlord's property insurance, if and to the extent that Prime Landlord waives such claims against Landlord under the Prime Lease or is required under the Prime Lease to obtain such waiver of subrogation rights.

12. ASSIGNMENT OR SUBLETTING. Tenant shall not (i) assign, convey or mortgage this Sublease or any interest under it; (ii) allow any transfer thereof or any lien upon Tenant's interest by operation of law; (iii) further sublet the Premises or any part thereof; or (iv) permit the occupancy of the Premises or any part thereof by anyone other than Tenant. Landlord's consent to an assignment of this Sublease or a further sublease of the Premises shall not be unreasonably withheld, and if Landlord consents thereto, Landlord shall use reasonable efforts to obtain the consent of Prime Landlord if such consent is required to be obtained under the Prime Lease. Any cost of obtaining Prime Landlord's consent shall be borne by Tenant.

A. No permitted assignment shall be effective and no permitted sublease shall commence unless and until any default by Tenant hereunder shall have been cured. No permitted assignment or subletting shall relieve Tenant from Tenant's obligations and agreements hereunder and Tenant shall continue to be liable as a principal and not as a guarantor or surety to the same extent as though no assignment or subletting had been made.

13. RULES. Tenant agrees to comply with all rules and regulations that Prime Landlord has made or may hereafter from time to time make for the Building. Landlord shall not be liable in any way for damage caused by the non-observance by any of the other tenants of such similar covenants in their leases or of such rules and regulations.

14. REPAIRS AND COMPLIANCE. Tenant shall promptly pay for the repairs set forth in *Section 9(B)* hereof and Tenant shall, at Tenant's own expense, comply with all laws and ordinances, and all orders, rules and regulations of all governmental authorities and of all insurance bodies and their fire prevention engineers at any time in force, applicable to the Premises or to Tenant's particular use or manner of use thereof, except that Tenant shall not hereby be under any obligation to comply with any law, ordinance, rule or regulation requiring any structural alteration of or in connection with the Premises, unless such alteration is required by reason of Tenant's particular use or manner of use of the Premises, or a condition which has been created by or at the sufferance of Tenant, or is required by reason of a breach of any of Tenant's covenants and agreements hereunder. As used herein "structure" or "structural" shall have the definition ascribed to it in the Prime Lease or if no specific definition is given therein "structure" or "structural" shall mean that portion of the Building which is integral to the integrity of the Building as an existing enclosed unit and shall, in any event, include footings, foundation, outside walls, skeleton, bearing columns and interior bearing walls, floor slabs, roof and roofing system.

15. FIRE OR CASUALTY OR EMINENT DOMAIN. In the event of a fire or other casualty affecting the Building or the Premises, or of a taking of all or a part of the Building or Premises under the power of eminent domain, Landlord shall not exercise any right which may have the effect of terminating the Prime Lease without first obtaining the prior written consent of Tenant. In the event Landlord is entitled, under the Prime Lease, to a rent abatement as a result of a fire or other casualty or as a result of a taking under the power of eminent domain, then Tenant shall

be entitled to the Sublease Share of such rent abatement unless the effect on the Premises of such fire or other casualty or such taking shall be substantially disproportionate to the amount of the abatement, in which event the parties shall equitably adjust the abatement as between themselves, based on the relative impact of the fire or other casualty, or the taking, as the case may be. If the Prime Lease imposes on Landlord the obligation to repair or restore leasehold improvements or alterations, Tenant shall be responsible for repair or restoration of leasehold improvements or alterations; Tenant shall make any insurance proceeds resulting from the loss which Landlord is obligated to repair or restore available to Landlord and shall permit Landlord to enter the Premises to perform the same, subject to -such conditions as Tenant may reasonably impose.

16. ALTERATIONS. Tenant shall not make any alterations in or additions to the Premises (“Alterations”) if to do so would constitute a default under the Prime Lease. If Tenant’s proposed Alterations would not constitute a default under the Prime Lease, Landlord’s consent (in its sole discretion) thereto shall nonetheless be required, , and if Landlord consents thereto, Landlord shall use reasonable efforts to obtain the consent of Prime Landlord, if such consent is required under the Prime Lease. If Alterations by Tenant are permitted or consented to as aforesaid, Tenant shall comply with all of the covenants of Landlord contained in the Prime Lease pertaining to the performance of such Alterations. In addition, Tenant shall indemnify, defend and hold harmless Landlord against liability, loss, cost, damage, liens and expense imposed on Landlord arising out of the performance of Alterations by Tenant.

17. SURRENDER. Upon the expiration of this Sublease, or upon the termination of the Sublease or of the Tenant’s right to possession of the Premises, Tenant will at once surrender and deliver up the Premises, together with all improvements thereon, to Landlord in good condition and repair, reasonable wear and tear excepted; conditions existing because of Tenant’s failure to perform maintenance, repairs or replacements as required of Tenant under this Sublease shall not be deemed “reasonable wear and tear.” Said improvements shall include all plumbing, lighting, electrical, heating, cooling and ventilating fixtures and equipment and other articles of personal property used in the operation of the Premises (as distinguished from operations incident to the business of Tenant). Tenant shall surrender to Landlord all keys to the Premises and make known to Landlord the combination of all combination locks which Tenant is permitted to leave on the Premises. All Alterations in or upon the Premises made by Tenant shall become a part of and shall remain upon the Premises upon such termination without compensation, allowance or credit to Tenant; provided, however, that Landlord shall have the right to require Tenant to remove any Alterations made by Tenant, or portion thereof. Said right shall be exercisable by Landlord’s giving written notice thereof to Tenant on or before thirty (30) days prior to such expiration or on or before twenty (20) days after such termination. Tenant shall also remove any Alterations made by Tenant, or portion thereof, which Prime Landlord may require Landlord to remove, pursuant to the terms of the Prime Lease. In any such event, Tenant shall restore the Premises to their condition prior to the making of such Alteration, repairing any damage occasioned by such removal or restoration. If Landlord or Prime Landlord requires removal of my Alteration made by Tenant, or a portion thereof, and Tenant does not make such removal in accordance with this Section, Landlord may remove the same (and repair any damage occasioned thereby), and dispose thereof, or at its election, deliver the same to any other place of business of Tenant, or warehouse the same. Tenant shall pay the costs of such removal, repair, delivery and warehousing on demand. As between Landlord and Tenant, Tenant shall not be required to

remove any Alterations performed by Landlord prior to the Commencement Date or to restore the Premises to their condition prior to the making of such Alterations. If, however, the term of the Sublease expires at or about the date of the expiration of the Prime Lease, and if Landlord is required under or pursuant to the terms of the Prime Lease to remove any Alterations performed prior to the Commencement Date, Tenant shall permit Landlord to enter the Premises for a reasonable period of time prior to the expiration of the Sublease, subject to such conditions as Tenant may reasonably impose, for the purpose of removing its Alterations and restoring the Premises as required.

18. REMOVAL OF TENANT'S PROPERTY. Upon the expiration of this Sublease, Tenant shall remove Tenant's articles of personal property incident to Tenant's business ("Trade Fixtures"); provided, however, that Tenant shall repair any injury or damage to the Premises which may result from such removal, and shall restore the Premises to the same condition as prior to the installation thereof. If Tenant does not remove Tenant's Trade Fixtures from the Premises prior to the expiration or earlier termination of the Term, Landlord may, at its option, remove the same (and repair any damage occasioned thereby and restore the Premises as aforesaid) and dispose thereof or deliver the same to any other place of business of Tenant, or warehouse the same, and Tenant shall pay the cost of such removal, repair, restoration, delivery or warehousing to Landlord on demand, or Landlord may treat said Trade Fixtures as having been conveyed to Landlord with this Lease as a Bill of Sale, without further payment or credit by Landlord to Tenant.

19. HOLDING OVER. Tenant shall have no right to occupy the Premises or any portion thereof after the expiration of this Sublease or after termination of this Sublease or of Tenant's right to possession in consequence of an Event of Default hereunder. In the event Tenant or any party claiming by, through or under Tenant holds over, Landlord may exercise any and all remedies available to it at law or in equity to recover possession of the Premises, and to recover damages, including without limitation, damages payable by Landlord to Prime Landlord by reason of such holdover. For each and every month or partial month that Tenant or any party claiming by, through or under Tenant remains in occupancy of all or any portion of the Premises after the expiration of this Sublease or after termination of this Sublease or Tenant's right to possession, Tenant shall pay, as minimum damages and not as a penalty, monthly rental at a rate equal to double the rate of Rent payable by Tenant hereunder immediately prior to the expiration or other termination of this Sublease or of Tenant's right to possession. The acceptance by Landlord of any lesser sum shall be construed as payment on account and not in satisfaction of damages for such holding over.

20. ENCUMBERING TITLE. Tenant shall not do any act which shall in any way encumber the title of Prime Landlord in and to the Building or the Property, nor shall the interest or estate of Prime Landlord or Landlord be in any way subject to any claim by way of lien or encumbrance, whether by operation of law by virtue of any express or implied contract by Tenant, or by reason of any other act or omission of Tenant. Any claim to, or lien upon, the Premises, the Building or the Property arising from any act or omission of Tenant shall accrue only against the subleasehold estate of Tenant and shall be subject and subordinate to the paramount title and rights of Prime Landlord in and to the Building and the Property and the interest of Landlord in the premises leased pursuant to the Prime Lease. Without limiting the generality of the foregoing, Tenant shall not permit the Premises, the Building or the Property to

become subject to any mechanics', laborers' or materialmen's lien on account of labor or material furnished to Tenant or claimed to have been furnished to Tenant in connection with work of any character performed or claimed to have been performed on the Premises by, or at the direction or sufferance of, Tenant, provided, however, that if so permitted under the Prime Lease, Tenant shall have the right to contest in good faith and with reasonable diligence, the validity of any such lien or claimed lien if Tenant shall give to Prime Landlord and Landlord such security as may be deemed satisfactory to them to assure payment thereof and to prevent any sale, foreclosure, or forfeiture of the Premises, the Building or the Property by reason of nonpayment thereof, provided further, however, that on final determination of the lien., or claim of lien, Tenant shall immediately pay any judgment rendered, with all proper costs and charges, and shall have the lien released and any judgment satisfied.

21. INDEMNITY. Tenant agrees to indemnify Landlord and hold Landlord harmless from all losses, damages, liabilities and expenses which Landlord may incur, or for which Landlord may be liable to Prime Landlord, arising from the acts or omissions of Tenant which are the subject matter of any indemnity or hold harmless of Landlord to Prime Landlord under the Prime Lease.

22. LANDLORD'S RESERVED RIGHTS. Landlord reserves the right, on reasonable prior notice, to inspect the Premises, or to exhibit the Premises, to persons having a legitimate interest at any time during the Sublease term.

23. DEFAULTS. Tenant further agrees that any one or more of the following events shall be considered Events of Default as said term is used herein, that is to say, if:

A. Tenant shall be adjudged an involuntary bankrupt, or a decree or order approving, as properly filed, a petition or answer filed against Tenant asking reorganization of Tenant under the Federal bankruptcy laws as now or hereafter amended, or under the laws of any State, shall be entered, and any such decree or judgment or order shall not have been vacated or stayed or set aside within sixty (60) days from the date of the entry or granting thereof; or

B. Tenant shall file, or admit the jurisdiction of the court and the material allegations contained in, any petition in bankruptcy, or any petition pursuant or purporting to be pursuant to the Federal bankruptcy laws now or hereafter amended, or Tenant shall institute any proceedings for relief of Tenant under any bankruptcy or insolvency laws or any laws relating to the relief of debtors, readjustment of indebtedness, reorganization, arrangements, composition or extension; or

C. Tenant shall make any assignment for the benefit of creditors or shall apply for or consent to the appointment of a receiver for Tenant or any of the property of Tenant; or

D. Tenant shall admit in writing its inability to pay its debts as they become due; or

E. The Premises, are levied on by any revenue officer or similar officer; or

F. A decree or order appointing a receiver of the property of Tenant shall be made and such decree or order shall not have been vacated, stayed or set aside within sixty (60) days from the date of entry or granting thereof; or

G. Tenant shall abandon the Premises during the Term hereof; or

H. Tenant shall default in any payment of Rent required to be made by Tenant hereunder when due as herein provided and such default shall continue for five (5) days after notice thereof in writing to Tenant; or

I. Tenant shall default in securing insurance or in providing evidence of insurance as set forth in *Section 11* of this Sublease or shall default with respect to lien claims as set forth in *Section 20* of this Sublease and either such default shall continue for five (5) days after notice thereof in writing to Tenant; or

J. Tenant shall, by its act or omission to act, cause a default under the Prime Lease and such default shall not be cured within the time, if any permitted for such cure under the Prime Lease; or

K. Tenant shall default in any of the other covenants and agreements herein contained to be kept, observed and performed by Tenant, and such default shall continue for thirty (30) days after notice thereof in writing to Tenant.

24. REMEDIES. Upon the occurrence of any one or more Events of Default, Landlord may exercise any remedy against Tenant which Prime Landlord may exercise for default by Landlord under the Prime Lease.

25. NOTICES AND CONSENTS. All notices, demands, requests, consents or approvals which may or are required to be given by either party to the other shall be in writing and shall be deemed given when received or refused if sent by United States registered or certified mail, postage prepaid, return receipt requested or if sent by overnight commercial courier service (a) if to Tenant, addressed to Tenant at the address specified in *Section I(B)* or at such other place as Tenant may from time to time designate by notice in writing to Landlord or (b) if for Landlord, addressed to Landlord at the address specified in *Section I(C)* or at such other place as Landlord may from time to time designate by notice in writing to Tenant. Each party agrees promptly to deliver a copy of each notice, demand, request, consent or approval from such party to Prime Landlord and promptly to deliver to the other party a copy of any notice, demand, request, consent or approval received from Prime Landlord. Such copies shall be delivered by overnight commercial courier.

26. PROVISIONS REGARDING SUBLEASE. This Sublease and all the rights of parties hereunder are subject and subordinate to the Prime Lease. Each party agrees that it will not, by its act or omission to act, cause a default under the Prime Lease. In furtherance of the foregoing, the parties hereby confirm, each to the other, that it is not practical in this Sublease agreement to enumerate all of the rights and obligations of the various parties under the Prime Lease and specifically to allocate those rights and obligations in this Sublease agreement. Accordingly, in order to afford to Tenant the benefits of this Sublease and of those provisions of the Prime Lease which by their nature are intended to benefit the party in possession of the Premises, and in order to protect Landlord against a default by Tenant which might cause a default or event of default by Landlord under the Prime Lease:

A. Provided Tenant shall timely pay all Rent when and as due under this Sublease, Landlord shall pay, when and as due, all Rent, additional rent and other charges payable by Landlord to Prime Landlord under the Prime Lease;

B. Except as otherwise expressly provided herein, Landlord shall perform its covenants and obligations under the Prime Lease which do not require for their performance possession of the Premises and which are not otherwise to be performed hereunder by Tenant on behalf of Landlord. For example, Landlord shall at all times keep in full force and effect all insurance required of Landlord as tenant under the Prime Lease.

C. Except as otherwise expressly provided herein, Tenant shall perform all affirmative covenants and shall refrain from performing any act which is prohibited by the negative covenants of the Prime Lease, where the obligation to perform or refrain from performing is by its nature imposed upon the party in possession of the Premises. If practicable, Tenant shall perform affirmative covenants which are also covenants of Landlord under the Prime Lease at least five (5) days prior to the date when Landlord's performance is required under the Prime Lease. Landlord shall have the right to enter the Premises to cure any default by Tenant under this Section.

D. Landlord shall not agree to an amendment to the Prime Lease which might have an adverse effect on Tenant's occupancy of the Premises or its use of the Premises for their intended purpose, unless Landlord shall first obtain Tenant's prior written approval thereof.

E. Landlord hereby grants to Tenant the right to receive all of the services and benefits with respect to the Premises which are to be provided by Prime Landlord under the Prime Lease. Landlord shall have no duty to perform any obligations of Prime Landlord which are, by their nature, the obligation of an owner or manager of real property. For example, Landlord shall not be required to provide the services or repairs which the Prime Landlord is required to provide under the Prime Lease. Landlord shall have no responsibility for or be liable to Tenant for any default, failure or delay on the part of Prime Landlord in the performance or observance by Prime Landlord of any of its obligations under the Prime Lease, nor shall such default by Prime Landlord affect this Sublease or waive or defer the performance of any of Tenant's obligations hereunder except to the extent that such default by Prime Landlord excuses performance by Landlord, under the Prime Lease. Notwithstanding the foregoing, the parties contemplate that Prime Landlord shall, in fact, perform its obligations under the Prime Lease and in the event of any default or failure of such performance by Prime Landlord, Landlord agrees that it will, upon notice from Tenant, make demand upon Prime Landlord to perform its obligations under the Prime Lease and, provided that Tenant specifically agrees to pay all costs and expenses of Landlord and provides Landlord with security reasonably satisfactory to Landlord to pay such costs and expenses, Landlord will take appropriate legal action to enforce the Prime Lease.

27. **ADDITIONAL SERVICES.** Landlord shall cooperate with Tenant to cause Prime Landlord to provide services required by Tenant in addition to those otherwise required to be provided by Prime Landlord under the Prime Lease. Tenant shall pay Prime Landlord's charge for such services promptly after having been billed therefor by Prime Landlord or by Landlord. If at any time a charge for such additional services is attributable to the use of such services both

by Landlord and by Tenant, the cost thereof shall be equitably divided between Landlord and Tenant.

28. PRIME LANDLORD'S CONSENT. This Sublease and the obligations of the parties hereunder are expressly conditioned upon Landlord's obtaining prior written consent hereto by Prime Landlord, if such written consent is required under the Prime Lease. Tenant shall promptly deliver to Landlord any information reasonably requested by Prime Landlord (in connection with Prime Landlord's approval of this Sublease) with respect to the nature and operation of Tenant's business and/or the financial condition of Tenant. Landlord and Tenant hereby agree, for the benefit of Prime Landlord, that this Sublease and Prime Landlord's consent hereto shall not (a) create privity of contract between Prime Landlord and Tenant; (b) be deemed to have amended the Prime Lease in any regard (unless Prime Landlord shall have expressly agreed in writing to such amendment); or (c) be construed as a waiver of Prime Landlord's right to consent to any assignment of the Prime Lease by Landlord or any further subletting of premises leased pursuant to the Prime Lease, or as a waiver of Prime Landlord's right to consent to any assignment by Tenant of this Sublease or any sub-subletting of the Premises or any part thereof. Prime Landlord's consent shall, however, be deemed to evidence Prime Landlord's agreement that Tenant may use the Premises for the purpose set forth in *Section 1(R)* and that Tenant shall be entitled to any waiver of claims and of the right of subrogation for damage to Prime Landlord's property if and to the extent that the Prime Lease provides such waivers for the benefit of Landlord. If Prime Landlord fails to consent to this Sublease within thirty (30) days after the execution and delivery of this Sublease, either party shall have the right to terminate this Sublease by giving written notice thereof to the other at any time thereafter, but before Prime Landlord grants such consent.

29. BROKERAGE. Each party warrants to the other that it has had no dealings with any broker or agent in connection with this Sublease other than the Broker as specified in *Section 1(O)*, whose commission shall be paid by Landlord, and covenants to pay, hold harmless -and indemnify the other party from and against any and all costs (including reasonable attorneys' fees), expense or liability for any compensation, commissions and charges claimed by any other broker or other agent with respect to this Sublease or the negotiation thereof on behalf of such party.

30. FORCE MAJEURE. Landlord shall not be deemed in default with respect to any of the terms, covenants and conditions of this Sublease on Landlord's part to be performed, if Landlord's failure to timely perform same is due in whole or in part to any strike, lockout, labor trouble (whether legal or illegal), civil disorder, failure of power, restrictive governmental laws and regulations, riots, insurrections, war, shortages, accidents, casualties, acts of God, acts caused directly by Tenant or Tenant's agents, employees and invitees or any other cause beyond the reasonable control of Landlord. This Section shall not be applicable, however, if Landlord's failure timely to perform creates a default by Landlord under the prime Lease.

31. ADDITIONAL PROVISIONS.

The parties have executed this Sublease the day and year first above written.

In Witness Whereof, the undersigned have set their hands and seals this ___ day of August, 2012.

Signed in the Presence of:

Landlord:

Parker Poe Adams & Bernstein LLP

By: _____

Name: _____

Its: _____

Richland County, South Carolina

By: _____

Name: _____

Its: _____

The undersigned Prime Landlord does hereby acknowledge and consent to the terms and conditions of this Sublease.

M&J Wilkow, Ltd.

By: _____

Name: _____

Its: _____

Date: _____

EXHIBIT A

See attached floor plan of the Premises

EXHIBIT B

See attached list of work to be completed by Landlord prior to the Commencement Date

Richland County Council Request of Action

Subject

Board of Zoning Appeals-1; Sheldon L. Cooke, Sr., October 7, 2012*

Eligible for reappointment

Richland County Council Request of Action

Subject

Building Codes Board of Adjustment-3; Isabel Berry (Engineer), October 6, 2012*; Michael Lowman (Building), October 6, 2012*; Greg Mackie (Gas), October 6, 2012*

*Eligible for reappointment

Richland County Council Request of Action

Subject

Employee Grievance Committee-1; Sonia Fells, October 6, 2012*

Eligible for reappointment

Richland County Council Request of Action

Subject

Planning Commission-1; B. Deas Manning, October 7, 2012

Richland County Council Request of Action

Subject

Accommodations Tax Committee-4; (positions needed: 2 persons employed in hospitality, 1 person employed in lodging, and 1 person from the cultural industry); one application was received for this committee from: Bill McCracken. **[PAGES 219-224]**



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Bill McCracken

Home Address: 105 Red Coat Lane, Colo-SC 29223

Telephone: (home) 803-788-3952 (cell/work) 803-960-5210

Office Address:

Email Address: bmccracken51@gmail.com

Educational Background: H.S grad. + some college

Professional Background: Food Service & Hospitality 40 yrs +

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

Name of Committee in which interested: Accommodations Tax Committee

Reason for interest: Community Service person

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

Hospitality background

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give? Resume attached

Recommended by Council Member(s): N.A.

Hours willing to commit each month: what ever needed

CONFLICT OF INTEREST POLICY

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

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all

Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

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

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

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes _____ No _____

If so, describe: _____

Bill McCracken
Applicant's Signature

8/27/12
Date

**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

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

WILLIAM J. MCCRACKEN

EDUCATION

- 1965-1969 Bristol Tennessee High School Bristol, Tennessee
high school diploma
- 1969-1971 East Tennessee State University Johnson City, Tennessee
Business major

PROFESSIONAL EXPERIENCE

- 2011-Present Hospitality Resource Service Columbia, SC
Operations Director
- Management, training, and consulting services for hotels, restaurants, event venues, and related purveyors.
- 2006-2010 Dupre Catering and Events Columbia, SC
Operations Director
- Over see day to day operations of the company
 - Responsible for hiring of all new employees
 - Staffing of events to include set-up and breakdown both on site and off site deals
 - Complete payroll on a bi-weekly basis.
 - Coordinate delivery by and payment to vendors
- 2002-2006 Sumter School District 17 Sumter, SC
Food Service Director
- Responsible for daily operation of eleven school cafeterias and feeding of nine thousand students
 - Responsible for running the second largest summer feeding program in the state of South Carolina, feeding four thousand meals daily throughout the summer
 - Oversaw the acquisition of new equipment at all schools
 - Implemented a universal “free breakfast” program in all schools responsible for increasing breakfast participation over twenty-five percent
 - Reduced lunch prices by over thirty percent district wide, making prices the lowest in any school district in South Carolina
 - Added a million dollar profit to the bottom line of the food service program within three years
 - Designed and successfully implemented a “Food Court” at Sumter High School, which was one of the first of its kind in South Carolina, serving as a model and has been visited by other school districts in North and South Carolina
 - Consistently had the largest number of employees, seventy percent, attending the annual *SNA Professional Training Conference*

1997-2002 Fairfield County Schools Winnsboro, SC
Food Service Supervisor

- Responsible for daily operations of seven school cafeterias and feeding of four thousand students

1969-1997 Flagstar Corporation Columbia, SC

Area Manager for seven Hardee's

- All areas of management, including multi-unit responsibility
- Introduction and training of employees of new products, such as the breakfast program and fried chicken
- Testing of new programs and concepts within the company such as the five-day work week for Managers and Area Managers Level II position
- Opening of new restaurants, to include planning, setting up of new accounts, initial ordering of products and hiring of fifty new crew members (opened three restaurants in the Columbia area)
- Part of the team for developing and opening of new restaurant concepts for the company

STUDY COURSES COMPLETED

- Food Safety
- Diversity
- Train the Trainer
- Etiquette
- Sanitation
- Leadership Development
- HACCP
- Nutrient Analysis
- Culinary Techniques
- Healthy Edge 2000
- Target Your Market
- ServSafe

PROFESSIONAL MEMBERSHIPS

Former member of Richland County School District Two Board of Trustees; serving as Chairman five times, Vice-Chairman two times, and Secretary twice

Past chairperson of the *South Carolina School Food Service Purchasing Alliance Advisory Board*.

Former member of Executive Board of SCSNA

Former member of American SNA

Former member of the Blythewood Middle School Foundation

Former member of Ridgeview High School Band Boosters

Former member of the South Carolina School Board Association Board of Directors

Former member of the North Springs Elementary School Improvement Council

Member of the Northeast Columbia Chamber of Commerce

COMMUNITY ACTIVITIES

Chairperson Fall Festival committee at Clemson Sandhill REC

President of Foxcroft Homeowners Association

Chairperson of Bridge Creek Elementary School Improvement Council

Member of the Board of Directors for the Sparkleberry County Fair, which has returned over two hundred thousand dollars back to the local school district within ten years

Instrumental in organizing my former neighborhood Homeowners Association; served as president for two years

Served four years as chairman of North Springs Elementary spring fundraiser, "Cricket Day", raising over ten thousand dollars for the school

Former sponsor in the Dentsville Youth Softball League for six years

AWARDS RECEIVED

1990 recipient of Partners in Education award

Inducted into the Spring Valley High School Order of Thor in 1991

Winner of awards within Flagstar Corporation including the following: *Store of the Year*, profit and sales increase awards, and a trip to Bermuda

Richland County Council Request of Action

Subject

Airport Commission-3; applications were received from: Jeff Allen; James E. Christopher, Jr.*; Tom Clark; Dennis L. Dabney*; Mattie Davis, Ph.D; and Robert C. Pulliam* **[PAGES 225-240]**

* Eligible for reappointment



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: JEFF ALLEN

Home Address: 133 ELSTON ROAD, IRMO, SC 29063

Telephone: (home) Cell 800-7486 (work) 798-4979

Office Address: 6017 ST. ANDREWS ROAD, COLUMBIA, SC 29212

Email Address: MARSHALONE@IRMOFIRE.ORG

Educational Background: DID NOT COMPLETE COLLEGE

Professional Background: 15 YEARS SENIOR CORPORATE MANAGEMENT, 17 YEARS PUBLIC SAFETY

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

Name of Committee in which interested: RICHLAND COUNTY AIRPORT COMMISSION

Reason for interest: FORMER PILOT. FORMER MEMBER OF THE FAGE. FATHER WAS PILOT. MOTHER HAD INST., AEROBATIC AND INSTRUCTOR RATINGS. YOUNGEST SISTER IS FLT. ATTEND.

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

FLYING IS IN MY FAMILY AND BLOOD. I HAVE ALWAYS HAD A STRONG INTEREST AND FAMILY LINK TO THIS AREA.

Presently serve on any County Committee, Board or Commission? No.

Any other information you wish to give? _____

Recommended by Council Member(s): _____

Hours willing to commit each month: AS MUCH AS NECESSARY. IF APPOINTED (WILL PARTICIPATE)

CONFLICT OF INTEREST POLICY

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

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

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

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

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No ✓ _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes _____ No ✓ _____

If so, describe: _____


Applicant's Signature

2012, 2, 21
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

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

2



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

Applicant must reside in Richland County.

Name: James E. Christopher, Jr.

Home Address: 15 Dennis Lane, Blythewood, SC 29016

Telephone: (home) (803) 735-9414 (work) (803) 799-0033

Office Address: 1907 Thurmond Mall, Columbia, SC 29201

Email Address: jcacdi@aol.com

Educational Background: B.S. Erskine College

Professional Background: President, Asbill-Christopher Development, Inc.

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

Name of Committee in which interested: Richland County Airport Commission

Reason for interest: I am a pilot who regularly uses the Jim Hamilton / LB Owens Airport for both business and recreational purposes and desire to see it utilized to its fullest potential.

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

As a pilot I understand what characteristics are important to make an airport a viable enterprise. As a real estate professional and businessman I hope to bring a good combination of skills and knowledge to bear on the issues facing the airport.

Presently serve on any County Committee, Board or Commission? R.C. Airport Commission.

Any other information you wish to give? I presently serve on the Commission and hope that my service on the marketing and operations committees added value to the Commission particularly with regards to my work on the Curtis Wright Hanger project, Airport Consultant selection and adjacent property procurement.

Recommended by Council Member(s): _____

Hours willing to commit each month: I am available as needed by the Commission and will serve the hours necessary to fulfill my duties as a Commissioner.

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No **X**

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes _____ No **X**

If so, describe: None

_____ 1/28/2012

Applicant's Signature Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

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

Page 229 of 348



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Tom Clark

Home Address: 300 Berry Tree Lane Columbia

Telephone: (home) 786 4337 (work) 737 0498

Office Address: 1205 Pendleton St Columbia

Email Address: tlc@tcsquaredmarketing.com

Educational Background: Some college

Professional Background: Executive management (see attached)

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

Name of Committee in which interested: Airport Commission

Reason for interest: interested in the future of the county

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

Management, public relations, town governance experience. Commercial Pilot Flight instructor

Presently serve on any County Committee, Board or Commission? no

Any other information you wish to give? attached

Recommended by Council Member(s):

Hours willing to commit each month: as needed

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No X _____

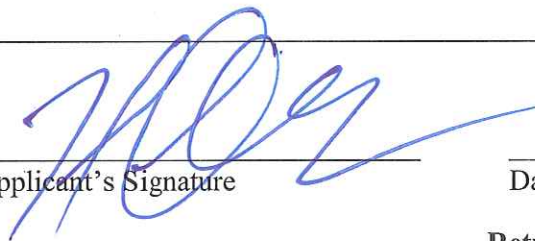
STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes _____ No X _____

If so, describe: _____

Applicant's Signature



Date

Return to:

Clerk of Council, Post Office Box 192, Columbia, SC 29202.

For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only

Date Received: _____ Received by: _____

Date Sent to Council: _____

Status of Application: Approved Denied On file

2

waltersm@rcgov.us

Tom Clark

300 Berry Tree Lane
Columbia, SC 29223-7400
803.786.4337

2005-2012 South Carolina Film Commission

Project Manager

- Manage the operations of the State Film Office, which includes advising on changing and updating legislation; review, assess, and recommend incentive grants to production companies per the SC Motion Picture Incentive Act with an annual \$18 million dollar budget. Goals include: promote SC through tourism, create a minimum of 200 jobs per year, and economic stimulus through production spending in South Carolina.
- Manage the South Carolina Film Incentives Program: meet with studio executives, attorneys and accounting staff; Continuously monitor budgeting process and spending; audit and asses budgets ranging from 1 to 75 million dollars; recommend wage and supplier rebates for films according to legislated guidelines.
- Create, direct, and manage a film grant program mandated by the Legislature. Create and develop an internship program for college students and recent graduates.
- Originate and manage training programs for students, producers, and crew wishing to improve their education or advancement in the film industry.
- Recruit the film and entertainment industry to South Carolina as an account manager providing location discovery, marketing, planning, and mediation services in-state when film companies arrive.
- Plan and execute special events such familiarization trips for industry executives.
- Project manager and liaison for the motion picture industry advising producers, accountants, and attorneys.

2003-2005 TC Squared Marketing and Advertising

Account Manager

- Management of new and existing accounts that require public relations planning, cause related marketing, public education and social marketing.
- Project management. Planning and coordination of special events, site selection and logistics. Clients included The South Carolina Film Office (2004 Film Guide and development of the SC Film Grant), SC Bar Association, and the SC Department of Transportation
- Film, television, radio, and aviation consulting.
- Creative: Creative Director, Producer, Copywriting, on camera talent, voice-over/narration talent.

Vice President, Production

- Executive in Charge of more than 80 creative personnel producing some 900 hours of national, regional, and local film/television, multimedia, and radio projects annually for nationally acclaimed Public Broadcasting Network.
- Develop and manage operational strategies to support state, federal, and local initiatives in the most efficient and effective way.
- Oversee, negotiate and approve expenditures for department's annual budget of \$4,000,000.
- Conceive, develop, and manage production of all local programs, including growing the commitment to African American programming by three times its levels prior to 2000.
- Executive in charge of transformation of the Network's New Media Department from a technology driven approach to providing content for South Carolina's K-12 School Technology Initiative, to a curriculum and needs-based approach, taking this department from a four technician unit to a staff of twenty-eight part time and full time content specialists, designers, and technicians.
- Suggest and seek funding for national and international film/television/radio/multimedia products to increase audience share and earnings through distribution and sale of related products after broadcast.
- Project manager for the pilot program, which led to the first Star Schools distance learning teaching by satellite. Working with the South Carolina Department of Education, the United States Information Agency, U.S. State Department and Russian government began the Russian language courses offered through SERC. Actively involved through the project's lifetime with Department of Education personnel to continue and develop other offerings by satellite.
- Production Designer (one of three) for 300,000 square foot renovation and new construction of South Carolina ETV Telecommunications Center.
- Recommend and approve purchases of equipment and new construction; work with State Materials Management Office on procurement.
- Project Manager/Designer of a 6500 square foot production facility at the College of Charleston.
- Strategic planner and participant in department and network long-range goal creation and achievement among network and department staff.
- Executive producer for Marian McPartland's *Piano Jazz*, *The African American Music Tree* series, and *Just Plain Folks* aired on National Public Radio.
- Spokesperson for agency on-air and during public and private sector functions.

1983-1986 Congaree Broadcasters Inc.
Columbia, SC

Station Manager

- Managed WSCQ-FM staff of 35 creative personnel
- Fiduciary responsibility for insurance, labor, and Federal Communications Commission regulations and Public Inspection files.
- Assured compliance with all federal and state regulations
- Created promotions and on-air campaigns to increase ratings, income, and brand awareness.
- Changed format of the station from Middle of the Road to Adult Contemporary and increased audience share and ratings from near last to third place within two years.
- Implemented the station's first computerized cost accounting, billing, and logging systems.

1977-1983 WIS-AM Columbia, SC

Producer

- Producer and host of daily four-hour program, *Midday Magazine*, featuring national and local actors, artists, and newsmakers. First live, call-in program of its type in the market.
- Production Manager for department
- Assigned commercial production to announcers and produced station promotions.
- Compliance officer for legal and NAB code requirements of the station.

(2007) South Carolina Economic Developer's School

(1996-98) Center for Education and Quality Assessment: Fourth Generation Management

(1994) The South Carolina Executive Institute

(1986) The University of Wisconsin/Harvard Business School Public Television Managers Course

Certified Master Diver (Annual recurrent training), Professional Association of Diving Instructors

FAA Certificated Flight Instructor/ Instrument (Bi-annual training)

Commercial Pilot, multi-engine, single engine, glider

Conversant in Arbitron and Strata media software, MS Word, Excel, and Windows, Movie Magic scheduling and budgeting.

Past President of Palmetto Sport Aviation Association, a 330-member organization of pilots

Board of Advisors, Celebrate Freedom Foundation

Columbia Owens Downtown Airport Historic Preservation Committee

Town Councilman, Town of Arcadia Lakes



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: DENNIS L. DABNEY
Home Address: 1829 SENATE ST. 150
Telephone: (home) 803-528-3300 (work) _____
Office Address: _____
Email Address: ddabney1@mindspring.com
Educational Background: BS CLEMSON
Professional Background: CPA

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

Name of Committee in which interested: AIRPORT COMMISSION RE-APPM'T
Reason for interest: WOULD LIKE TO CONTINUE MY CONTRIBUTION

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

JUST FINISHING A 4 YEAR TERM, AND THE 2ND YEAR AS CHAIRMAN

Presently serve on any County Committee, Board or Commission? AIRPORT COMMISSION

Any other information you wish to give? _____

Recommended by Council Member(s): GREG PEARCE

Hours willing to commit each month: AS NEEDED

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No ✓

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes ✓ No _____

If so, describe: I CURRENTLY LEASE A HANGAR AND HAVE AN INTEREST IN AN AIRPLANE

[Signature] _____ Date 7-28-12

Applicant's Signature

Date

**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only
Date Received: _____ Received by: _____
Date Sent to Council: _____



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

Applicant must reside in Richland County.

Name: Mattie Davis, Ph.D

Home Address: Post Office Box 3731; Columbia, SC 29230

Telephone: (home) 803 754 5369; Cell 803 348 5629 (work) Same

Office Address: Same as above

Email Address: mattiedavis@earthlink.net

Educational Background: terminal degree: Doctor of Philosophy in Education

Professional Background: Teacher/administrator on both the high school and college levels for
30-plus years

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

Name of Committee in which interested: Airport Commission

Reason for interest: Desire to know more about the operation of the airport and view my work
on a commission as a great way to fulfill my citizenship obligations.

Your characteristics/qualifications, which would be an asset to Committee, Board or
Commission: computer literacy, patience, cooperative, good listener, analytical, punctual, hard
worker, task oriented, service oriented, good organizational skills, and good writer

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give? _____

Recommended by Council Member(s): Volunteerer

Hours willing to commit each month: Negotiable

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.


Yes _____ No X _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes _____ No X _____

If so, describe: _____


Applicant's Signature

8/28/12
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

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



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Robert C. Pulliam

Home Address: 1117 Enclave Way Columbia, SC 29223

Telephone: (home) _____ (work) 803-600-8060

Office Address: SAA

Emailaddress:bob@climbhighassociates.com

Educational Background: BS Degree USC

Professional Background: CEO/President large automotive company for 35 years

Male Age: Over 50

Name of Committee in which interested: Richland County Airport Commission

Reason for interest: Current Member, Professional Pilot with a lot of experience working with airports.

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

Aviation Hall of Fame Inductee, SC Aviator of the Year

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give? No

Recommended by Council Member(s): Mr. Pearce

Hours willing to commit each month: 5

CONFLICT OF INTEREST POLICY

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through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

No _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

No _____

If so, describe: _____


Applicant's Signature

9/4/12
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

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

Richland County Council Request of Action

Subject

Richland County/City of Columbia Animal Care Advisory Committee-2; applications were received from: Patrick Greg Brown; Louise C. Emmott*; Joel Osmelowski; Peggy O'N. Wilson* **[PAGES 241-252]**



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Patrick Greg Brown
Home Address: 117 Bridle Bridge Rd, Irmo
Telephone: (home) 803.407.2825 (work) 803.201.5575
Office Address: 127 Professional Ave W, Columbia
Email Address: brown_patrick@bell-south.net
Educational Background: U. Georgia DVM
Professional Background: 32 yrs. local veterinarian
Male [checked] Female [] Age: 18-25 [] 26-50 [] Over 50 [checked]
Name of Committee in which interested: Animal
Reason for interest: Experience in field & civic duty/pride; grown kids = extra time
Your characteristics/qualifications, which would be an asset to Committee, Board or Commission: Animal clinic/control experience; work well with people; healthy
Presently serve on any County Committee, Board or Commission? No
Any other information you wish to give? Will be "out spoken"
Recommended by Council Member(s): Tim Manning
Hours willing to commit each month: 5-20

CONFLICT OF INTEREST POLICY

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1

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No ✓

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes ✓ No _____
If so, describe: Veterinarian for Rich Co. Sheriff Dept.

PG Brown
Applicant's Signature

4 Sept '12
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

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

2



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

Applicant must reside in Richland County.

Name: Louise C. Emmott

Home Address: 2211 Screaming Eagle Road, Lugoff, SC 29078 (Richland)

Telephone: (home) 803-834-9131 (work) _____

Office Address: _____

Email Address: yankiewoman@msn.com

Educational Background: Midlands Tech Associates In Science, Business Mgt; Southern Wesleyan 4th year in Bachelors of Science In Business MGT; Midlands Tech Certificate in Medical Coding; Texas A&M Certificate in Truck Maintenance; United States Army Drill Sergeant School; Chemical NCO and Senior NCO Leadership School; Truck Driving School; Nuclear, Biological, Chemical Specialist School; Senior Instructor School for Live Nerve Agent Instructor; Small Arms School; Schools attended: Newman Prep School, Boston MA; University of MD; University of South Carolina; Gadsden State AL; Coker College; Midlands Tech; Southern Wesleyan.

Professional Background: 21.5 years United States Army (Retired First Sergeant); 5 Years ADT Security Services, sales and sales trainer/instructor; 3 years General Motors Corp, state wide parts coordinator/delivery; SQ Rescue, volunteer transport driver (in and out of state), kennel worker, marketing and event coordinator, dog food coordinator; transport coordinator; President, Business Network International (BNI) Northeast Chapter; currently, Office Manager for Jacobs HVAC

Male

Female

Age: 18-25 26-50 Over 50

Name of Committee in which interested: Richland County/City of Columbia Animal Control Board

Reason for interest: It's not so much an interest as it is an essential need to do Gods work to help the animals, whether domestic or wild in our community. We as board members devote our

(Cont) Louise C. Emmott

time communicating for this earths beings that cannot speak for themselves and create a safe and secure environment for them and humans to co exist in their communities.

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

My love for animals is beyond reproach. I am presently a volunteer with SQ Rescue, a local no kill dog rescue (we love cats, but we have no facilities for them).

My qualifications are from the rescue as well as my own dogs that are all originally rescues; working with abused, stray and rejected animals;

I work with The HEART Program (help every animal reach tomorrow). This program was designed and created by Palmetto Paws Lifeline that opened up rescues country wide to pull dogs off Death Row. I have transported several to their new forever homes in and out of state.

Presently serve on any County Committee, Board or Commission? Yes, I am currently the Chair of the Richland County/City of Columbia Animal Control Board. _____

Any other information you wish to give? I am adamant about the spay and neuter program, It is the key answer to the stray, neglected animals we have on the streets now. I talk spay, neuter and Micro Chipping at any events that I attend; and to make an effort to educate the domestic animal owners in our communities about the positive points of spay and neuter; I welcome and assist our community leaders about this issue and the programs available to the public.

Hours willing to commit each month: All the hours needed in order to accomplish the mission of the board.

Recommended by Council Member(s).

(Cont) Louise C. Emmott

CONFLICT OF INTEREST POLICY

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

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No X

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes _____ No X _____

If so, describe:

Although I am a volunteer for SQ Rescue, I have assisted many various state wide county shelters and rescues with their programs. During my past year on the board, I have not found in any way that my volunteer status with SQ Rescue has interfered with board business. My loyalty is to the improvement of all animal welfare in Richland County.

It's "FOR THE ANIMALS"

(Cont) Louise C. Emmott

Louise C. Emmott
Applicant's Signature

24 July 2012
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

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



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

Applicant must reside in Richland County.

Name: Joel Osmelowski

Home Address: 1600 Park Circle, APT 703, Columbia, SC 29201

Telephone: (home) (803) 315-0722 (work) _____

Office Address: N/A

Email Address: josmelowski1@catamount.wcu.edu

Educational Background: BA Psychology, Minor Sociology, currently in Masters program, HR

Professional Background: Management at a non-profit animal shelter, sales, education.

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

Name of Committee in which interested: County-city animal care advisory committee

Reason for interest: Public service and improving the community.

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

My past experience with animal shelters, higher education, ties to the community, and
dedicated work ethic would make me a valuable asset to the committee.

Presently serve on any County Committee, Board or Commission? No.

Any other information you wish to give? No.

Recommended by Council Member(s): _____

Hours willing to commit each month: Whatever it takes.

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ ^X _____ No _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes _____ No _____ ^X _____

If so, describe: _____

Joel Osmelowski 8/31/2012

Applicant's Signature Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

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Applications are current for one year.

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



Att: Sandra Haynes
(3 pgs.)

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

Applicant must reside in Richland County.

Name: Peggy O'N. Wilson

Home Address: 908 Cedar Springs Rd., Blythewood, SC, 29016

Telephone: (home) (803) 754-4880 (work) -----

Office Address: -----

Email Address: Peggy Wilson <djwilson@bellsouth.net>

Educational Background: Graduated from Eau Clair High School and from the University of South Carolina. Have degrees in Education and in Library Science.

Professional Background: Taught in the Head Start Program in Richland County, SC; librarian in the Virginia Beach, VA, public school system.

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

Name of Committee in which interested: Richland County Animal Care & Advisory Committee

Reason for interest: Pets/animals have enriched my life; responsible ownership and care must be assured; this committee helps to assure such care by county residents and by county officials.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission: I am a lifetime member of the Greater Columbia Obedience Club, the Columbia Kennel Club, and the Chihuahua Club of America. I believe that effective, professional city/county animal care and control is important for residents and for their pets.

Presently serve on any County Committee, Board or Commission? I am currently a member of the Animal Care & Advisory Committee.

Any other information you wish to give? -----

Recommended by Council Member(s): Ms. Joyce Dickerson

Hours willing to commit each month: As many as are required/needed by the committee.

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No X _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes _____ No X _____

If so, describe: _____

Peggy O. Wilson
Applicant's Signature

August 28, 2012
Date

**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

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

Richland County Council Request of Action

Subject

Appearance Commission-2 (positions needed are Horticulturalist and Landscape Architect); applications were received from Alan D. Roblee; **Ryan Nevius** and Kenneth B. Simmons [**PAGES 253-260**]



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

Applicant must reside in Richland County.

Name: ALAN D. ROBLEE
Home Address: 3701 MCGREGOR DRIVE COLUMBIA SC 29206 2825
Telephone: (home) 803 363 0065 (work) N/A
Office Address: _____
Email Address: adr 29 @ cornell.edu CERT. WOODY PLANTS
Educational Background: BS GENERAL AGRICULTURE CERT. LANDSCAPE DESIGN
CORNELL UNIVERSITY 1973 THE GEORGE WASHINGTON UNIV
CORNELL TURFGRASS SCHOOL 1992 1995
Professional Background: PAST MEMBER - ALPD (WORK - SEE OVER)
Male Female Age: 18-25 26-50 Over 50
Name of Committee in which interested: APPEARANCE COMMISSION
Reason for interest: FIELD OF EXPERTISE & INTEREST

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

PAST WORK HISTORY, WORKED ON ARCHITECTURAL REVIEW
COMMITTEE, KENMORE, FRAT ROCK, NC., SEC'Y - TREAS OR SEC'Y FOR
Presently serve on any County Committee, Board or Commission? NO NUMEROUS BOARDS
AND ORGANIZATIONS.
Any other information you wish to give? _____
Recommended by Council Member(s): _____
Hours willing to commit each month: AS REQUIRED

CONFLICT OF INTEREST POLICY

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

LANDSCAPE DESIGNER & CONSULTANT 1990 - PRESENT

OWNER / OPERATOR - GARTHRYNGE - FULL SERVICE LANDSCAPE
DESIGN, INSTALLATION & MAINTENANCE COMPANY
HORTICULTURAL CONSULTANT 1988 - 1994
SOUTH BETHLEM NY

CREW CHIEF - DESIGNS BY LEE 1986 - 1987
LANDSCAPE INSTALLATION & MAINTENANCE
STAMFORD CT.

CHEMLAWN - TECHNICIAN - LAWN CARE 1985 - 1986
NORWALK CT.

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

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No ✓ _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes _____ No ✓ _____

If so, describe: _____

Alan Dexter Roblee
Applicant's Signature

09-01-2012
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	

2



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

Applicant must reside in Richland County.

Name: Ryan Nevius

Home Address: 1620 Crestwood Drive

Telephone: (home) 803-381-8747 (work) same

Office Address: 701 Whaley Street Suite 209 Columbia SC 29205

Email Address: _ryannevius@gmail.com

Educational Background: AS in Business & Marketing, Widener College

Professional Background: Executive Director Sustainable Midlands, Chair Richland County

Appearance, President Richland County Master Gardeners, VP Marketing Paperplast

International, AT&T Marketing & Planning (17 years)

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

Name of Committee in which interested: Appearance Commission

Reason for interest: To assist current chair to rewrite ordinance and bylaws and to reset the
direction of the Commission

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

Former Chairperson of Commission

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give? _____

Recommended by Council Member(s): Seth Rose

Hours willing to commit each month: 8 hours

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No X

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes _____ No: X

If so, describe: _____

C. Ryan Nevius July 18, 2012

Applicant's Signature Date

**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

2	Staff Use Only	
	Date Received: _____	Received by: _____
	Page 258 of 348	
Date Sent to Council: _____		



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

Applicant must reside in Richland County.

Name: Kenneth B Simmons, Jr.

Home Address: 610 Spring Lake Drive, Columbia, SC 29206

Telephone: (home) (803) 787-8379 (work) (803) 254-3791

Office Address: 3135 Millwood Avenue, Columbia, SC 29205

Email Address: ksimmons@kbsala.com

Educational Background: BA – Clemson University & MSLA – University of Georgia

Professional Background: Practiced landscape architecture in Richland County over 40 years

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

Name of Committee in which interested: Appearance Commission

Reason for interest: Registered landscape architect, have lived in Richland County my entire life and want to make Richland County a better place to live

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

Registered landscape architect and has owned business and practiced in Richland County for 40 years

Presently serve on any County Committee, Board or Commission? Chairman-RC Conservation Commission

Any other information you wish to give? _____

Recommended by Council Member(s): _____

Hours willing to commit each month: What ever is needed to get the job done

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes No _____

If so, describe: Maybe if this occurs, I will excuse myself from any actions. By way of being a registered landscape architect, this may happen.



Applicant's Signature

September 4, 2012
Date

**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

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

Richland County Council Request of Action

Subject

Building Codes Board of Appeals-2 (positions needed; 1 architect and 1 person from the fire protection industry); one application was received from E. Ralph Walden, Architect* **[PAGES 261-263]**

Eligible for reappointment



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: E. RALPH WALDEN

Home Address: 524 POLTIA RD, BLYTHEWOOD, SC 29016

Telephone: (home) 803 333 9610 (work) 333 9610

Office Address: PO Box 690, BLYTHEWOOD, SC 29016

Email Address: ERWALDEN@AOL.COM

Educational Background: ZYUS COLLEGE

Professional Background: PRACTICING ARCHITECT 30+ YRS -

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

Name of Committee in which interested: BUILDING CODES BOARD OF ADJUSTMENT

Reason for interest: HAVE SERVED BEFORE

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

LICENSED ARCHITECT, HAVE BEEN RESIDENTIAL AND COMMERCIAL CONTRACTOR FOR 20 YRS - (NOT PRES. LICENSED IN CONSTRUCTION)

Presently serve on any County Committee, Board or Commission? YES BUDG CODE BOARD OF ADJUSTMENT

Any other information you wish to give?

Recommended by Council Member(s):

Hours willing to commit each month: WHAT IS NECESSARY

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

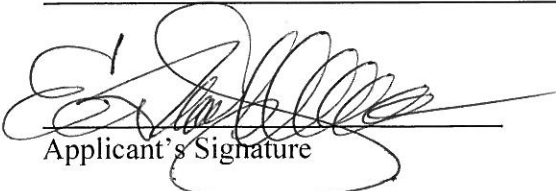
Yes _____ No X

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes X No _____

If so, describe: I AM A LICENSED ARCHITECT MANY OF MY PROJECTS ARE PERMITTED THRU RICHLAND COUNTY


Applicant's Signature

 8/1/12
Date

**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

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

2

Richland County Council Request of Action

Subject

Business Service Center Appeals Board-3 (1 position is for a CPA); applications were received from: Nancy Kauffman; Robert A. Leichtle (pronounced Likely), CPA; and Jake Sello **[PAGES 264-271]**



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Nancy Kauffman

Home Address: 404 Holly Ridge Lane, Columbia, SC 29229

Telephone: (home) 419-8183 (work)

Office Address:

Email Address: nancykauffman@bellsouth.net

Educational Background: Ph.D. in Personnel and Industrial Relations

Professional Background: Arbitrator, Mediator, retired university professor

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

Name of Committee in which interested: Business Service Center Appeals Board

Reason for interest: My background appears to be uniquely suited for this board. Served on a similar board in Asheville, NC

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

Experience in hearing appeals in a business setting.

Presently serve on any County Committee, Board or Commission? no

Any other information you wish to give?

Recommended by Council Member(s):

Hours willing to commit each month: as needed

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No no

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes _____ No no

If so, describe: _____

Marcy Kauffman
Applicant's Signature

8/29/12
Date

**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

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

2



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

Name: Robert A. Leichtle (pronounced Likely)

Home Address: 8 Oak Bluff Ct., Columbia, SC 29223

Telephone: (home) 803-788-4362 (work) retired

Office Address: Retired from Blue Cross, 2 ½ months short of 40 years, CFO last 27 years

Email Address: RALIKELY@GMail.com

Educational Background: BS Degree, Major Accounting, 1968, University of SC

Professional Background: CPA, 1972, Texas License #10531

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

Name of Committee in which interested: Business Service Center Appeals Board

Reason for interest: Retired. Looking for something of interest to do. Would like to know more about this board, what it does and frequency and times of meetings. Saw article in paper and sent information request to Councilman Val Hutchinson and was sent an application.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission: I am a CPA. I have a significant financial background in private industry. A responsible CFO for 27 years. Responsible for all financial, treasury, M&A activities, two subsidiaries, Human Resources, General Services, and Law Department.

Am on Blue Cross Board, Investment Committee and Planning Committee.

Am on St. John Neumann School Board.

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give? Lived in Columbia since 1957 except three years.

Recommended by Council Member(s):

Hours willing to commit each month: I would like to know a little more about the Board.

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No X _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes _____ No X _____

If so, describe: I checked "no" because in my career at Blue Cross we never had an issue or conflict with the Business Service Center of Richland County.

Applicant's Signature



Date



**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Staff Use Only

Date Received:

Received by:

Date Sent to Council:

Status of Application: Approved Denied On file
Applications are current for one year.



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Jake Sello
Home Address: 11241 Gist Street Columbia, SC 29201
Telephone: (home) 803 708-5732 (work)

Office Address:

Email Address: JaSello@aol.com

Educational Background: BA-MA-Ed.S. Ed.D

Professional Background: Teacher, School Administrator-District Supt.

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

Name of Committee in which interested: Business Service

Reason for interest: A desire to play an active role in helping to make Richland County a better place to live.

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

Commission:

Effective leader, Organizer, Communicator, Lobbyist

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give?

Recommended by Council Member(s):

Hours willing to commit each month: 15 to 20 or as needed

CONFLICT OF INTEREST POLICY

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

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all

Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

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

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

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

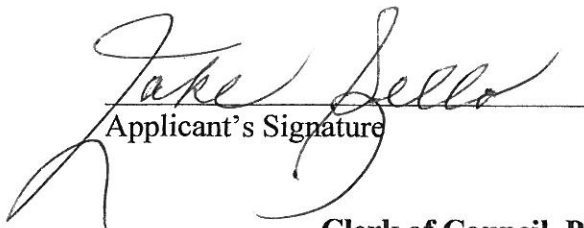
Yes _____ No _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes _____ No _____

If so, describe: _____


Applicant's Signature

8/20/12
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

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

Richland County Council Request of Action

Subject

Community Relations Council-2; applications were received from: Mattie Davis, Ph.D and Josephine A. McRant
[PAGES 272-276]



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

Applicant must reside in Richland County.

Name: Mattie Davis, Ph.D

Home Address: Post Office Box 3731; Columbia, SC 29230

Telephone: (home) 803 754 5369; Cell 803 348 5629 (work) Same

Office Address: Same as above

Email Address: mattiedavis@earthlink.net

Educational Background: terminal degree: Doctor of Philosophy in Education

Professional Background: Teacher/administrator on both the high school and college levels for
30-plus years

Male

Female

Age: 18-25

26-50

Over 50

Name of Committee in which interested: Community Relations Council

Reason for interest: Desire become a tremendous force in helping to improve community
relations and view my work on a council of this nature as a great way to fulfill my citizenship
obligations. I am applying to serve on two committees but this is my first choice

Your characteristics/qualifications, which would be an asset to Committee, Board or
Commission: computer literacy, patience, cooperative, good listener, analytical, punctual, hard
worker, task oriented, service oriented, good organizational skills, and good writer

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give? _____

Recommended by Council Member(s): Volunteerer

Hours willing to commit each month: Negotiable (I am a retiree, therefore, I have available
time

CONFLICT OF INTEREST POLICY

through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

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

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

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No X _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes _____ No X _____

If so, describe: _____


Applicant's Signature

8/28/12
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

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



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

Applicant must reside in Richland County.

Name: Josephine A. McRant

Home Address: 1425 Friendly Woods Road, Blythewood, SC 29016

Telephone: (home) 803 – 754-6517 (work) N/A

Office Address: N/A

Email Address: _jmcrant@aol.com

Educational Background: M. A Degree, Management; B. S. Degree, Business Administration

Professional Background: 15 years as Human Resource Mgr., 10 yrs. Administrator of SC Atty. Gen. and SC Lottery;

Male (Female) Age: 18-25 26-50 over (50)

Name of Committee in which interested: Community Relations Council

Reason for interest: As a former RCGOV employee, I would like to continue serving the citizens of RC through researching issues, engaging citizens and exploring amicable solutions to cross-community problems.

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

Commission: Familiar with County Ordinances, State and Federal Laws; have strong communication and negotiation skills; comfortable in diverse environments and work well with others.

Presently serve on any County Committee, Board or Commission? No. Was on Grievance Committee.

Any other information you wish to give? I am fair and objective and a logical thinker.

Recommended by Council Member(s): N/A

Hours willing to commit each month: Flexible to meet the time requirements of the Council.

CONFLICT OF INTEREST POLICY

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

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing

through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

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

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

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No X _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes _____ No X _____

If so, describe: _____

 8-7-12
Applicant's Signature Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

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

Richland County Council Request of Action

Subject

East Richland Public Service Commission-1; one application was received from William H. Hancock (deferred from July 24, 2012 meeting) [**PAGES 277-279**]



APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: WILLIAM H. HANCOCK

Home Address: 3746 ROCKBRIDGE ROAD, COLUMBIA, SC 29206

Telephone: (home) (803) 787-8413 (work) (803) 739-3090

Office Address: P.O. Box 5949, 501 STATE STREET, WEST COLUMBIA, SC 29171

Email Address: whancock @ bbphcpa.com

Educational Background: B.S. BUSINESS ADMINISTRATION, THE CITADEL, 1990

Professional Background: PRACTICING CPA / GOVERNMENTAL AUDITOR - LOCAL CPA FIRM

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

Name of Committee in which interested: ERPSD

Reason for interest: PUBLIC SERVICE / FISCAL AWARENESS

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

20+ YEARS OF BEING PRACTICING ACCOUNTANT / GOVERNMENTAL AUDITOR

Presently serve on any County Committee, Board or Commission? NO

Any other information you wish to give? _____

Recommended by Council Member(s): _____

Hours willing to commit each month: 20 (UP TO)

CONFLICT OF INTEREST POLICY

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

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

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

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

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No X _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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

Yes _____ No X _____

If so, describe: _____

William H. Hamade
Applicant's Signature

5/30/2010
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

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

Richland County Council Request of Action

Subject

Employee Grievance Committee-2; no applications were received for this committee

Richland County Council Request of Action

Subject

REPORT OF THE REGIONAL RECREATION COMPLEX AD HOC COMMITTEE

- a. An Ordinance Amending the Fiscal Year 2012-2013 Hospitality Tax Budget to appropriate \$1,217,201 of Hospitality Tax Restricted Fund Balance for the Recreation Sports Complex **[FIRST READING] [PAGES 281-283]**

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 HOSPITALITY TAX BUDGET TO APPROPRIATE \$1,217,201 OF HOSPITALITY TAX RESTRICTED FUND BALANCE FOR THE RECREATION SPORTS COMPLEX.

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

SECTION I. That the amount of one million two hundred seventeen thousand two hundred and one dollars (\$1,217,201) be appropriated in the Hospitality Tax Fund. Therefore, the Fiscal Year 2012-2013 Hospitality Tax Annual Budget is hereby amended as follows:

HOSPITALITY TAX - REVENUE

Revenue appropriated July 1, 2012 as amended:	\$6,707,284
Appropriation of restricted fund balance:	<u>\$1,217,201</u>
Total Hospitality Tax Revenue as Amended:	\$7,924,485

HOSPITALITY TAX - EXPENDITURES

Expenditures appropriated July 1, 2012 as amended:	\$6,707,284
For Recreation Sports Complex:	<u>\$1,217,201</u>
Total Hospitality Tax Expenditures as Amended:	\$7,924,485

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 _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____

ATTEST THIS THE ____ DAY

OF _____, 2012

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

Tax Increment Financing (TIF):

- a. TIF Chronology **[FOR INFORMATION] [PAGES 284-285]**
- b. Authorizing, pursuant to Chapter 6 of Title 31, of the South Carolina Code of Laws, 1976, the execution and delivery of an Intergovernmental Agreement relating to the Columbia Renaissance Redevelopment Plan among Richland County, South Carolina, the City of Columbia, South Carolina, and School District No. 1 of Richland County, South Carolina; and other matters relating thereto **[FIRST READING BY TITLE ONLY] [PAGE 286]**
- c. Columbia Renaissance Redevelopment Plan IGA **[PAGES 287-317]**
- d. Authorizing pursuant to Chapter 6 of Title 31, of the South Carolina Code of Laws, 1976, the execution and delivery of an Intergovernmental Agreement relating to the Innovista Redevelopment Plan among Richland County, South Carolina, the City of Columbia, South Carolina, and School District No. 1 of Richland County, South Carolina; and other matters relating thereto **[FIRST READING BY TITLE ONLY] [PAGE 318]**
- e. Innovista Redevelopment Plan IGA **[PAGES 319-343]**

TIF CHRONOLOGY

- September 2009 - City distributes copies of Columbia Renaissance Redevelopment Plan and Innovista Redevelopment Plan (together “Original Redevelopment Plans”);
- November 9, 2009 – County receives letter from City indicating City has cancelled public hearings on the Original Redevelopment Plans scheduled for November 18, 2009;
- November 12, 2009 – County acknowledges City has withdrawn Original Redevelopment Plans from consideration and the County formally objects to and declines to participate in the Original Redevelopment Plans;
- December 2009 – City distributes copies of Revised Columbia Renaissance Redevelopment Plan and Innovista Redevelopment Plan (together “Revised Redevelopment Plans”) to County and School District, with notice of February public hearing;
- January 27, 2010 - County objects to Revised Redevelopment Plans on the basis of: length of plan term; bond markets for TIF; expansive scope; and feasibility;
- February 4, 2010 – City holds public hearing and gives First Reading to Revised Redevelopment Plans;
- February 17, 2010 - City gives Second Reading to Revised Redevelopment Plans;
- February 2010 – January 2012 – City, County and School District have sporadic and informal discussions about the possibility of intergovernmental agreements that would provide for limits on percentage and duration of participation, and that would establish an oversight committee to monitor the plans;
- January 2012 – City, County and School District deputize smaller working groups to meet regularly on the proposed intergovernmental agreements (“IGA”);
- August 2010 – City gives First Reading to IGA Ordinance;
- September 11, 2012 – County to give First Reading to IGA Ordinance;
- September 18, 2012 - County to give Second Reading to IGA Ordinance; City to adopt resolution calling for public hearing on Plan amendments;
- September 25, 2012 – School District to approve IGA by resolution;
- Before September 28, 2012 – City to deliver notice to taxing districts;
- October 2, 2012 - City to give Second Reading to IGA Ordinance; City to give First Reading to Amendment Ordinance; County to give Third Reading to IGA ordinance;

- October 3 – November 13, 2012 - Parties to sign IGA;
- October 14 – October 29, 2012 – City to publish notice of public hearing;
- November 13, 2012 – City to hold public hearing and give Second Reading to Amendment Ordinance.

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

AUTHORIZING, PURSUANT TO CHAPTER 6 OF TITLE 31, OF THE SOUTH CAROLINA CODE OF LAWS, 1976, THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT RELATING TO THE COLUMBIA RENAISSANCE REDEVELOPMENT PLAN AMONG RICHLAND COUNTY, SOUTH CAROLINA, THE CITY OF COLUMBIA, SOUTH CAROLINA, AND SCHOOL DISTRICT NO. 1 OF RICHLAND COUNTY, SOUTH CAROLINA; AND OTHER MATTERS RELATING THERETO.

SUBJECT TO REVISION

INTERGOVERNMENTAL AGREEMENT (Columbia Renaissance Redevelopment Plan)

This **INTERGOVERNMENTAL AGREEMENT** (the "Agreement") is dated as of this ___ day of _____, 2012, and is by and among **RICHLAND COUNTY, SOUTH CAROLINA**, a corporate body politic and a political subdivision of the State of South Carolina (the "County"), **SCHOOL DISTRICT NO. 1 OF RICHLAND COUNTY, SOUTH CAROLINA**, a school district and political subdivision of the State of South Carolina (the "School District"), and the **CITY OF COLUMBIA, SOUTH CAROLINA**, a municipal corporation and a political subdivision of the State of South Carolina (the "City," and together with the County and the School District, the "Parties" and each individually, a "Party").

WITNESSETH:

(a) Pursuant to the "Tax Increment Financing Law," now codified in Sections 31-6-10 to 31-6-120 (herein the "Act") of the South Carolina Code of Laws of 1976, as amended (the "S.C. Code"), the governing bodies of incorporated municipalities within the State of South Carolina are vested with all powers consistent with the South Carolina Constitution necessary, useful, and desirable to enable them to accomplish redevelopment in areas which are or threaten to become blighted.

(b) The City caused to be prepared and adopted in 2010 a redevelopment plan entitled, "Columbia Renaissance Redevelopment Plan," attached hereto as Exhibit A (the "Original Renaissance Redevelopment Plan"), which contains a statement of objectives of the City with regard to such Renaissance Redevelopment Plan. As described further below, the City now proposes to approve certain amendments to the Original Renaissance Redevelopment Plan. The proposed amendments to the Original Renaissance Redevelopment Plan are attached hereto as Exhibit B (such amendments being referred to as the "Renaissance Plan Amendments"). The term "Renaissance Redevelopment Plan" as used herein shall refer to the Original Renaissance Redevelopment Plan as amended by the Renaissance Plan Amendments.

(c) The Renaissance Redevelopment Plan provides a comprehensive program for the redevelopment of certain areas of the City that are defined and described in the Renaissance Redevelopment Plan, namely the "Columbia Renaissance Redevelopment District" (the "Renaissance Redevelopment Project Area").

(d) The Renaissance Redevelopment Plan provides for or describes, as applicable: (i) a generic and functional list of the types and nature of projects that may be undertaken within the Renaissance Redevelopment Project Area (the "Renaissance Redevelopment Projects"); (ii) various parcels of real property to be included within the Renaissance Redevelopment Project Area; (iii) the issuance of "obligations" within the meaning of the Act, the proceeds of which will be used to finance or refinance the costs of the Renaissance Redevelopment Projects, as contemplated herein (the "Obligations"); and (iv) the duration of the Renaissance Redevelopment Plan. Exhibit C attached hereto contains a list of specific projects, together with the estimated costs thereof, that are within the scope of the Renaissance Redevelopment Projects and which the Parties have expressly approved pursuant to this Agreement (the "Pre-Approved Renaissance Redevelopment Projects"). The term "Obligations" as used herein includes only those obligations issued to pay all or a portion of Maximum Project Costs defined in Section 6(a) hereof.

SUBJECT TO REVISION

(e) Section 31-6-80 of the Act provides that before a municipality approves any redevelopment plan under the Act, the governing body of such municipality must hold a public hearing on the redevelopment plan after published notice in a newspaper of general circulation in the county in which the municipality and any taxing district affected by the redevelopment plan are located not less than 15 days and not more than 30 days prior to the hearing.

(f) The aforesaid section further provides that not less than 45 days prior to the date set for the public hearing, the municipality shall give notice to all taxing districts of which taxable property is included in the redevelopment project area, which notice also shall include such other matters required by the Act.

(g) After appropriate and timely notice to the County and the School District, the City approved the Original Renaissance Redevelopment Plan on February 17, 2010. The County and School District, at or prior to the time of such approval, objected to and did not consent to participate in the Original Renaissance Redevelopment Plan.

(h) Since the approval of the Original Renaissance Redevelopment Plan, the Parties have negotiated terms and conditions under which the County and the School District are willing to participate in the Renaissance Redevelopment Plan. In connection with such negotiations, the City has agreed (1) to amend the Original Renaissance Redevelopment Plan to shorten the maximum term thereof and reduce the percentage at which the County and the School District will participate thereunder, and (2) to enhance timely reporting to the County and the School District of information related to the Renaissance Redevelopment Plan and the Renaissance Redevelopment Projects. The Parties have further agreed to create and empower an oversight committee to represent the on-going interests of the Parties.

(i) Accordingly, the Parties hereto are now entering into this Agreement to memorialize the terms and conditions under which the Parties will participate in the Renaissance Redevelopment Plan. Each Party acknowledges that this Agreement is supplemental and in addition to the Renaissance Redevelopment Plan, and is expressly intended to create contractual rights enforceable by the Parties with respect to the Renaissance Redevelopment Plan, all as provided in Section 11 hereof.

Section 1. Representations and Warranties of the Parties. Each of the Parties represents and warrants that:

(a) It has the full legal right, power, and authority to enter into this Agreement and carry out and consummate all other transactions contemplated by this Agreement;

(b) It has duly authorized the execution, delivery, and performance of its obligations under this Agreement and the taking of any and all actions as may be required on its part to carry out, give effect to, and consummate the transactions contemplated by this Agreement; and

(c) This Agreement constitutes a legal, valid, and binding obligation of it, enforceable in accordance with its terms, subject to applicable bankruptcy, insolvency and similar laws affecting creditors' rights generally, and subject, as to enforceability, to general principles of equity regardless of whether enforcement is sought in a proceeding in equity or at law.

SUBJECT TO REVISION

Section 2. Acknowledgments; Approval of and Consent to Renaissance Plan Amendments. (a) The County and School District acknowledge and agree that the City gave appropriate and timely notice to the County and School District of the adoption of the Original Renaissance Redevelopment Plan and the Renaissance Plan Amendments.

(b) The City acknowledges and agrees that the County's and the School District's participation in the Renaissance Redevelopment Plan is conditioned upon the terms and conditions established herein, including the specific content of the Renaissance Plan Amendments as attached hereto, and that neither the County nor the School District would consent to such participation in the absence of this Agreement.

(c) The County and the School District hereby approve and consent to the Renaissance Plan Amendments, but only if and to the extent that the Renaissance Plan Amendments are approved by the City in exactly the form attached hereto as Exhibit B. The City agrees that the County and the School District shall have the right to approve or reject any changes that may be required to be made to the Renaissance Plan Amendments prior to final approval thereof.

(d) The County and School District expressly acknowledge that the City will be issuing the Obligations in reliance upon the undertakings and agreements of the County and School District set forth herein, and hereby consent to the City's issuance of the Obligations, as contemplated by the Renaissance Redevelopment Plan, subject to the terms of this Agreement.

Section 3. Renaissance Oversight Committee. (a) Establishment of Renaissance Oversight Committee. The Parties will cause the establishment and maintenance of the Renaissance Oversight Committee (the "Renaissance Oversight Committee") which will review, comment on, provide advice, and have certain approval powers with respect to the operation and affairs of the Renaissance Redevelopment Project Area and the Renaissance Redevelopment Projects as provided in this Agreement. The Renaissance Oversight Committee will consist of twelve members, each of whom shall represent the interest of the Party appointing such member, as follows: (i) four members representing and appointed by the City; (ii) four members representing and appointed by the County; and (iii) four members representing and appointed by the School District. In appointing one of its four members to the Renaissance Oversight Committee, each Party shall consider recommendations from the Greater Columbia Chamber of Commerce, provided, however, that such recommendations are not binding and such recommendations must include only persons who are then active in the business community.

(b) Term. Each member of the Renaissance Oversight Committee shall serve at the pleasure of the Party that appointed such member.

(c) Relationship to Innovista Oversight Committee. The members of the Renaissance Oversight Committee and the members of the Innovista Oversight Committee created pursuant to that certain Intergovernmental Agreement (Innovista Redevelopment Plan) among the Parties, dated the date hereof and relating to the Innovista Redevelopment Project Area, shall consist of the same appointees. The Renaissance Oversight Committee and the Innovista Oversight Committee shall be fully empowered to meet as a single body and, in a single meeting, receive such information and take such action as it deems appropriate with respect to both the Renaissance Redevelopment Project Area and the Innovista Redevelopment Project Area.

SUBJECT TO REVISION

(d) Membership Criteria. Each Party will use its best efforts to ensure that the overall membership of the Renaissance Oversight Committee is diverse with respect to ethnicity, culture, and gender. The Parties will also cooperate in an effort to cause the Renaissance Oversight Committee to contain: (i) at least one member with a professional background in finance; (ii) at least one member with a professional background in real estate development; (iii) at least one member with a professional background in engineering or architecture; and (iv) at least one member who is actively involved in the business community in Richland County. At least one member selected by each of the Parties shall be a member of the administrative or finance staff of that Party. In the event that a Party selects a person who serves on the governing body of that Party to serve as a member of the Renaissance Oversight Committee, such person shall be serving in an ex officio capacity as a part of his official duties but shall be entitled to full participation and voting rights. Each member of the Renaissance Oversight Committee that is not an elected official shall be required to provide full disclosure in writing of all actual or potential conflicts of interest that such member may have with respect to the business and affairs of the Renaissance Oversight Committee and the Renaissance Redevelopment Projects.

(e) Reporting Requirements. Not later than each December 1 following the end of each fiscal year of the City (the "Fiscal Year") during the duration of the Renaissance Redevelopment Plan, the City will provide to the Renaissance Oversight Committee and to both the County Administrator and the Superintendent of the School District information summarizing the business and financial aspects of the activities conducted within the Renaissance Redevelopment Project Area. Such information shall be provided in substantially the form attached hereto as Exhibit D and shall include, at a minimum and without limitation, the following information:

(i) based on timely receipt of such information from the County (including, particularly, the County Auditor, the County Assessor or the County Treasurer, as the case may be), (1) the then-current total equalized assessed value of the Renaissance Redevelopment Project Area, as defined in and described by the Act; (2) the amount of the incremental tax revenues attributable to the Renaissance Redevelopment Project Area that have been collected from the levy imposed by each Party during such Fiscal Year together with the amounts paid to each Party; and (3) the amount of the incremental tax revenues remitted to the City to be deposited in the special tax allocation fund established in connection with the Renaissance Redevelopment Plan (the "Special Tax Allocation Fund") during such Fiscal Year;

(ii) an itemized description of the expenditures during such Fiscal Year from the Special Tax Allocation Fund and from the proceeds of any series of Obligations with cross-references to the Renaissance Redevelopment Project being implemented thereby;

(iii) the outstanding principal balance of and debt service requirements on all Obligations as of the last day of the Fiscal Year to which such report relates; and

(iv) an estimated budget for debt service on Obligations and for amounts of incremental tax revenues to be spent on Renaissance Redevelopment Projects during the upcoming Fiscal Year with cross-references to the Renaissance Redevelopment Project being implemented.

SUBJECT TO REVISION

The County shall coordinate with the County Assessor, the County Auditor, and the County Treasurer, and shall use its best efforts to cooperate with the City, to promptly provide information reasonably requested by the City no later than October 1 of each year in order for the City to satisfy its reporting obligations described herein. Any direct costs incurred by the County Assessor, the County Auditor, or the County Treasurer in complying with such requests shall be payable from available incremental tax revenues in the Special Tax Allocation Fund. The information required under Sections 3(e)(ii) and (iii) above shall be either (1) verified by an independent third-party firm of certified public accountants selected by the Renaissance Oversight Committee (provided that the costs and expenses of such verification may be payable from incremental tax revenues in the Special Tax Allocation Fund, if then available) or (2) included as a supplemental report within the audited financial report of the City for such Fiscal Year, in either case provided to the Renaissance Oversight Committee on or before February 1 following the end of such Fiscal Year.

(f) Right of City to Implement Renaissance Redevelopment Plan; Approval of Pre-Approved Renaissance Redevelopment Projects. The City shall have the right to implement the Renaissance Redevelopment Plan, including but not limited to the issuance of Obligations, in accordance with its stated terms and the terms and conditions of this Agreement without further approval by the Renaissance Oversight Committee. The Parties hereby approve the Pre-Approved Renaissance Redevelopment Projects. The City shall have the right to acquire, construct, improve, equip, finance, and otherwise implement the Pre-Approved Renaissance Redevelopment Projects as described in Exhibit C hereto without further approval by the Renaissance Oversight Committee or the Parties.

(g) Role of Renaissance Oversight Committee. The Parties acknowledge that the Renaissance Redevelopment Plan includes generic and functional descriptions of the Renaissance Redevelopment Projects. Exhibit C hereto provides a detailed list of the Pre-Approved Renaissance Redevelopment Projects. It is the specific intention of the Parties that: (1) any modifications of the Pre-Approved Renaissance Redevelopment Projects that are consistent with the generic and functional description of the Renaissance Redevelopment Projects set forth in the Renaissance Redevelopment Plan must be approved by the Renaissance Oversight Committee; and (2) any amendments to the generic and functional description of the Renaissance Redevelopment Projects contained in the Renaissance Redevelopment Plan must be approved pursuant to the procedures set forth in Section 31-6-80 of the Act. The Pre-Approved Renaissance Redevelopment Projects and any modifications thereto that are hereafter approved by the Renaissance Oversight Committee as provided by this Agreement are collectively referred to as the “Approved Renaissance Redevelopment Projects.” In light of the foregoing, the Renaissance Oversight Committee shall have the following purposes and powers:

(i) to approve any modifications to the Approved Renaissance Redevelopment Projects that may be requested by the City and that do not require an accompanying amendment to the generic and functional list of the Renaissance Redevelopment Projects contained in the Renaissance Redevelopment Plan;

(ii) to approve any reordering of the prioritization (if any) of the Approved Renaissance Redevelopment Projects that may be requested by the City;

(iii) to approve reallocations as described in Section 6(a) of this Agreement that may be requested by the City;

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(iv) to recommend the disposition of Surplus Revenues (as defined in Section 6(b) of this Agreement), which recommendation will be subject to approval by the governing bodies of each Party, including (A) the use of Surplus Revenues to prepay or defease outstanding Obligations, to the extent that such Obligations are then subject to prepayment or defeasance; (B) the use of Surplus Revenues to fund Approved Renaissance Redevelopment Projects; or (C) the release of Surplus Revenues to participating entities;

(v) to provide other related recommendations and oversight functions as necessary and appropriate; and

(vi) to approve any request by the City that a portion of the Aggregate Annual TIF Revenues (as defined in Section 4(e)(iv) of this Agreement) be used to pay for maintenance of one or more Approved Renaissance Redevelopment Projects, subject to the provisions of Section 7 of this Agreement.

To clarify, the Renaissance Oversight Committee shall have the right to exercise the approval powers described in clauses (i), (ii), (iii), and (vi) above only upon request by the City, and shall not have the power to approve any of the described modifications, reorderings, reallocations, or expenditures on its own motion.

(h) Supermajority Requirement. With respect to matters requiring “approval” by the Renaissance Oversight Committee described in Section 3(g)(i), (ii), (iii), and (vi) above, such approval shall require a supermajority vote such that: (i) at least nine of the members vote in favor of the matter, and (ii) at least three members representing each Party vote in favor of the matter.

(i) Limitation on Powers of Renaissance Oversight Committee. Notwithstanding the provisions of Section 3(g) above, the approval of the Renaissance Oversight Committee shall not be required in order for the City to take any action that is required to comply with any applicable federal or state law or regulation or any order or judgment of a court or other administrative or regulatory body, or to sell or otherwise dispose of any real property acquired with incremental tax revenues or proceeds of Obligations, provided the proceeds from such sale or other disposition are deposited into the Special Tax Allocation Fund.

(j) Organizational Matters Relating to Renaissance Oversight Committee. The Renaissance Oversight Committee shall establish rules and procedures for the conduct of its business (the “Procedures”), which Procedures shall be approved by each Party. The Renaissance Oversight Committee shall hold regular meetings at least once in each calendar quarter and shall be entitled to call special meetings as set forth in the Procedures. Any matter requiring affirmative action, whether a recommendation or approval, by the Renaissance Oversight Committee must be conducted at a duly called and scheduled meeting at which a quorum is in attendance, with a “quorum” meaning at least nine members in total and at least three members representing each Party. The Renaissance Oversight Committee shall, in the Procedures, establish attendance requirements and the method by which the Renaissance Oversight Committee shall elect a chairman, a vice-chairman, and a secretary whose primary responsibility shall be to record the attendance of the members and provide written minutes of each meeting. The Procedures shall include a process to ensure compliance with the requirements of the Freedom of Information Act.

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Section 4. Limited Participation; Term. (a) Participation. As used herein, the term “Participation,” with respect to each Party, means that specified percentage set forth in paragraph (d) below of the collections of incremental tax revenues attributable to the respective millage rates imposed by each Party on taxable real property within the Renaissance Redevelopment Project Area and which will be deposited in the Special Tax Allocation Fund and applied to the extent and in the manner permitted by the Act and this Agreement.

(b) Term. The Parties hereby consent to the deposit of the collections of the specified percentage of incremental tax revenues, set forth in paragraph (d) below, attributable to their respective millage rates in the Special Tax Allocation Fund for a period not to exceed the lesser of (1) fifteen (15) years from the first day of the first Fiscal Year in which the principal of or interest on Obligations shall be scheduled to be payable or is in fact paid from incremental tax revenues, or (2) twenty (20) years from the date of the enactment by the City of the ordinance approving the Renaissance Plan Amendments (the “Actual Participation Term”).

(c) Payment of Initial Incremental Tax Revenues. The Parties agree that the City may, during the first five years of the Actual Participation Term, issue Obligations the principal of and interest on which (i) shall not be secured by or payable from incremental tax revenues at all, or (ii) shall not be payable from incremental tax revenues until more than one year after the issuance thereof. In such event, all incremental tax revenues collected by the County Treasurer during the period prior to which such Obligations shall be or become payable from incremental tax revenues shall be paid to the Parties in the amounts of such incremental tax revenues generated by the levies of the respective Parties. The determination of whether and when incremental tax revenues will be used to pay principal and interest on a particular Obligation or series of Obligations shall be made by the City (and notice of such determination shall be given by the City to the County, the School District, the County Auditor and County Treasurer) on the date of delivery of such Obligations.

(d) Percentage Participations. The City hereby consents to its Participation in the Renaissance Redevelopment Plan in the amount of seventy-five percent (75%) of the collections of the incremental tax revenues derived from the Renaissance Redevelopment Project Area attributable to its millage (the “City Percentage Participation”); the County hereby consents to its Participation in the Renaissance Redevelopment Plan in the amount of seventy-five percent (75%) of the collections of the incremental tax revenues derived from the Renaissance Redevelopment Project Area attributable to its millage (the “County Percentage Participation”), and the School District hereby consents to its Participation in the Renaissance Redevelopment Plan in the amount of seventy-five percent (75%) of the collections of the incremental tax revenues derived from the Renaissance Redevelopment Project Area attributable to its millage, excluding, specifically, however, in this computation any revenue attributable to the reimbursement from the State of South Carolina pursuant to Section 11-11-156(D) of the S.C. Code, all of which is to be remitted to the School District (the “School District Percentage Participation”).

(e) Allocation Methodology. The County shall utilize its best efforts to ensure that the County Treasurer will implement, every tax year during the Actual Participation Term, the respective Percentage Participations described above pursuant to the following methodology:

(i) Determination of Total Renaissance Tax Incremental Revenues. In each tax year during the Actual Participation Term, there shall first be implemented the provisions of Section 31-6-70(2)(b) of the Act by determining that portion, if any, of tax revenues that are

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received from the Renaissance Redevelopment Project Area and which are attributable to the increase in the then-current total equalized assessed valuation of all taxable real property in the Renaissance Redevelopment Project Area over and above the total initial equalized assessed value of taxable real property in the Renaissance Redevelopment Project Area (the amount of the increase in assessed value with respect to each Party being referred to as the “Increased Assessed Value,” and all of such incremental taxes being referred to as the “Total Renaissance Incremental Taxes”). Prior to depositing any amount of the Total Renaissance Incremental Taxes into the Special Tax Allocation Fund, however, there shall be performed the calculations required by the remainder of this Section 4(e).

(ii) Allocation Among Parties. There shall then be allocated the portion of the Total Renaissance Incremental Taxes attributable to the levies of the Parties among the Parties by multiplying the amount of each Party’s millage imposed during such tax year by the Increased Assessed Value of property subject to *ad valorem* taxation by such Party. The resulting amounts shall be expressed in dollars and shall be defined, with respect to each Party, as the “City Attributable Incremental Taxes,” the “County Attributable Incremental Taxes,” and the “School District Attributable Incremental Taxes” for such tax year.

(iii) Application of Percentages; Deposit. Unless paid to each Party in accordance with the provisions of Section 4(c) hereof, as of each May 1 of each tax year, there shall then be allocated and distributed such Total Renaissance Incremental Taxes as follows:

(A) With respect to the City, the City Attributable Incremental Taxes shall be multiplied by the City Percentage Participation (the “City TIF Revenues”). The City TIF Revenues shall be deposited into the Special Tax Allocation Fund. City Attributable Incremental Taxes in excess of the City TIF Revenues, i.e. 25% of such revenues, shall be promptly remitted to the City to be applied] as provided by general law.

(B) With respect to the County, the County Attributable Incremental Taxes shall be multiplied by the County Percentage Participation (the “County TIF Revenues”). The County TIF Revenues shall be deposited into the Special Tax Allocation Fund. County Attributable Incremental Taxes in excess of the County TIF Revenues, i.e. 25% of such revenues, shall be promptly remitted to the County to be applied as provided by general law.

(C) With respect to the School District, the School District Attributable Incremental Taxes shall be multiplied by the School District Percentage Participation (the “School District TIF Revenues”). The School District TIF Revenues shall be deposited into the Special Tax Allocation Fund. School District Attributable Incremental Taxes in excess of the School District TIF Revenues, i.e. 25% of such revenues, shall be promptly remitted to the School District to be applied as provided by general law.

(D) Any remaining amounts of the Total Renaissance Incremental Taxes that are attributable to the levies of taxing entities other than the Parties shall be deposited into the Special Tax Allocation Fund.

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(E) If any portion of Total Renaissance Incremental Taxes is received after the initial annual distribution is made, then such portion shall be distributed by the end of the calendar quarter in which it was received in accordance with the foregoing distribution method.

(iv) Aggregate Annual TIF Revenues. The aggregate of the City TIF Revenues, the County TIF Revenues, the School District TIF Revenues, and any amounts described in Section (4)(e)(iii)(D) and (E) above in any given tax year is referred to herein as the “Aggregate Annual TIF Revenues.” The Parties agree that the City shall have the conclusive right, without approval or review by the Renaissance Oversight Committee, to apply Aggregate Annual TIF Revenues to Debt Service Requirements and Other Requirements (as such terms are defined in Section 6(b) of this Agreement) and to the costs of Approved Renaissance Redevelopment Projects on a “pay-as-you-go” basis, all as more particularly described in Section 6(b).

(v) No Responsibility for Shortfall. With respect to this Agreement and as provided by the Act, neither the County nor the School District shall be responsible for any shortfalls in the Aggregate Annual TIF Revenues relative to the projections contained in the Renaissance Redevelopment Plan or relative to Debt Service Requirements (as defined in Section 6(b) of this Agreement). Insofar as any shortfall is to be offset from rate increases for the users of the City’s water and sewer systems, the City agrees to use its best efforts to ensure that there is no disproportionately high rate increase for customers in the unincorporated portions of the County.

An example illustrating the operation of the foregoing allocation is attached hereto as Exhibit E.

Section 5. Act 388 True-Up. Each of the City and the County hereby agree that it shall promptly remit to the School District, as and when received and in the full amount so received, any payments received pursuant to Section 11-11-156(D) of the S.C. Code, and the City hereby waives any statutory right to receive such funds the City would have otherwise been granted under said Section 11-11-156(D). The Parties acknowledge and agree that the purpose of this undertaking is to ensure that the School District receives reimbursement for the exemption provided to owner-occupied residential property from all property taxes imposed for school operating purposes pursuant to Section 12-37-220(47) of the S.C. Code. In the event that applicable law is changed during the term of this Agreement to provide for a different reimbursement mechanism, each of the City and the County will remit to the School District the entire amount of the reimbursement received by them (if any) and due to the School District for the exemption provided to owner-occupied residential property from all property taxes imposed for school operating purposes pursuant to Section 12-37-220(47) of the S.C. Code.

Section 6. Maximum Project Costs; Surplus Revenues; Dissolution. (a) Reduction in Project Costs. The Approved Renaissance Redevelopment Projects may be funded, in whole or in part, directly with Aggregate Annual TIF Revenues on a “pay-as-you-go” basis or indirectly with the principal of Obligations. To the extent that the cost of an individual Approved Renaissance Redevelopment Project is less than indicated (either because the cost is less than estimated, because funds are available from sources other than Aggregate Annual TIF Revenues or principal of Obligations, or otherwise), the City shall have the right, after receiving the approval of the Renaissance Oversight Committee, to reallocate the Aggregate Annual TIF Revenues or principal of

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Obligations intended to pay such project costs to other Approved Renaissance Redevelopment Projects that are consistent with the generic and functional description in the Renaissance Redevelopment Plan. In no event during the Actual Participation Term shall the total costs of Approved Renaissance Redevelopment Projects and Other Requirements (as defined herein) paid directly by Aggregate Annual TIF Revenues and from the principal of Obligations exceed Forty Million (\$40,000,000) Dollars (the “Maximum Project Costs”). Subsequent to the date that the costs of Approved Renaissance Redevelopment Projects and Other Requirements paid from Aggregate Annual TIF Revenues and principal of Obligations equal Forty Million (\$40,000,000) Dollars, Aggregate Annual TIF Revenues collected thereafter and not used to pay Debt Service Requirements on Obligations delivered prior to such date constitute “Surplus Revenues” as such term is further defined and described below.

(b) Surplus Revenues. For purposes of this Agreement, the term “Surplus Revenues” shall be interpreted by reference to the description of “surplus funds” contained in Section 31-6-40 of the Act: “monies not required for payment and securing of obligations and the excess funds are surplus funds” **and** “any monies remaining in the Special Tax Allocation Fund after complying with the requirements of the pledge are also considered surplus funds.” Consistent with the foregoing description and for purposes of this Agreement, “Surplus Revenues” shall mean Aggregate Annual TIF Revenues that are required to be deposited or that are deposited into the Special Tax Allocation Fund in any tax year in excess of the aggregate of (1) the total amount of Debt Service Requirements (defined below) on all Obligations, (2) the total amount of Other Requirements (defined below) related to the Obligations and the Renaissance Redevelopment Projects, and (3) the total amount of expenditures made to defray the costs of Approved Renaissance Redevelopment Projects on a “pay-as-you-go” basis in such tax year to the extent and in the manner permitted by the Act and this Agreement. The term “Debt Service Requirements” shall be deemed to include all payments of principal, interest, redemption premium (if any), optional or mandatory redemptions of Obligations, and reimbursements for such payments previously made by the City from sources other than incremental tax revenues. The term “Other Requirements” shall include professional fees and expenses (including fees and expenses of trustees, registrars, paying agents, escrow agents, financial advisors, continuing disclosure agents, attorneys, accountants, consultants and the like), which are incurred by the Parties or the Renaissance Oversight Committee in connection with the Obligations or the Renaissance Redevelopment Projects (including but not limited to costs and expenses of any audit attributable to the Renaissance Redevelopment Project Area described in Section 3(e) above), arbitrage rebate liability associated with tax-exempt Obligations and any costs and expenses related to the foregoing, and required deposits to reserve or cushion funds or similar funds and accounts), which amount shall count against Maximum Project Costs.

(c) Notwithstanding any other provision of this Intergovernmental Agreement, no pledge is made by this Agreement of any Surplus Revenues. Any expenditure of Surplus Revenues may be made only pursuant to the terms of a supplemental written agreement providing for such expenditures, which written agreement must be formally approved by the Parties.

(d) As described in Section 3(g)(iv) of this Agreement, the Renaissance Oversight Committee shall have the right to recommend a particular use of Surplus Revenues, subject to approval by formal action of the respective governing bodies of the Parties. The Renaissance Oversight Committee shall make such a recommendation prior to March 31 of each year during the Actual Participation Term. Each of the Parties will, prior to May 1 of each year during the Actual Participation Term, consider and act on such recommendation with respect to the use of any

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Surplus Revenues deposited to the Special Tax Allocation Fund in such year. If requested by the Parties, the Renaissance Oversight Committee and the Parties will endeavor to permit differing dispositions of Surplus Revenues for each Party; provided, however, that the Parties acknowledge and agree that implementation of such differing dispositions may require an amendment to this Agreement to provide for a revised allocation methodology. If the Parties cannot, on or before the June 1 of a given year, agree on a suitable amendment to allow differing dispositions then the default outcome (absent agreement among all Parties) shall be that Surplus Revenues will be returned to the County Treasurer to be distributed to the Parties as required by general law, and more particularly by Sections 31-6-40 and 31-6-70 of the Act.

(e) Dissolution upon Completion. The City further agrees that promptly upon the full payment of the Maximum Project Costs from Aggregate Annual TIF Revenues and proceeds of Obligations, and the discharge of such Obligations, the City will dissolve the Renaissance Redevelopment Project Area as to the School District and the County pursuant to the procedure described in the Act, but to the extent allowed by law, may keep the Renaissance Redevelopment Plan open pending amendments to the Plan and other developments, including offering the County and the School District the opportunity to further participate in the redevelopment of the area.

Section 7. Maintenance Costs. The Parties agree that, in any given tax year, the City may request that the Renaissance Oversight Committee approve pursuant to Section 3(g)(vi) of this Agreement the application of a portion of the Aggregate Annual TIF Revenues to the actual costs of long-term maintenance of the Approved Renaissance Redevelopment Projects. In the absence of such approval, the City will have no right to apply Aggregate Annual TIF Revenues for such purpose. To the extent that the Renaissance Oversight Committee approves the application of Aggregate Annual TIF Revenues for such purpose, the approved amount shall not count against Maximum Project Costs.

Section 8. Notice and Right to Cure. If any Party defaults under any of this Agreement's terms, either or both of the non-defaulting parties may give written notice of the default to the defaulting Party. The defaulting Party shall have thirty days after receipt of such written notice to cure the default. If the defaulting Party fails to cure the default within this time period, the non-defaulting Parties shall then be entitled to exercise any rights or remedies granted under this Agreement or under applicable law.

Section 9. No Personal Liability. No obligation or agreement contained herein shall be deemed to be an obligation or agreement of any present or future member, officer, agent or employee of the City, the County or the School District in any other than his or her official capacity, and neither the members of the City Council, the County Council or the Board of Trustees of the School District (as applicable), nor any official executing this Agreement shall be personally liable thereon or be subject to any personal liability or accountability by reason of the obligations or agreements of the City, the County or the School District contained in this Agreement.

Section 10. Binding Nature of Agreement. This Agreement shall inure to the benefit of and shall be binding in accordance with its terms upon the governing bodies of the City, the County and the School District and their respective successors in office.

Section 11. Effect of Agreement. This Agreement constitutes and is intended by the parties to constitute the entire agreement between the Parties, and all obligations of the Parties, each to the

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other, contained in any memorandum and any other document or based upon any other communications prior to the execution of this Agreement have been satisfied or are superseded by this Agreement and are no longer valid and enforceable, provided this Agreement is properly executed and duly authorized by the Parties. Accordingly, the Parties hereto are now entering into this Agreement to memorialize the terms and conditions on which each Party will participate in the Renaissance Redevelopment Plan. Each Party acknowledges that this Agreement is supplemental and in addition to the Renaissance Redevelopment Plan, and is expressly intended to create contractual rights enforceable by the City, the County and the School District with respect to the Renaissance Redevelopment Plan and the distribution of real property taxes and tax increment revenues received from the properties described in such Redevelopment Plan as being included in the Redevelopment Project Area.

Section 12. Amendments. This Agreement may not be effectively amended, changed, modified, altered or terminated, except in accordance with the express provisions of this Agreement or with the written consent of all Parties hereto.

Section 13. Captions; Sections; Headings. The sections, headings and other titles to paragraphs of this Agreement are inserted solely for the convenience of reference. None shall in any way define, limit, extend or aid in the construction of the scope, extent, meaning or intent of this Agreement.

Section 14. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be regarded as an original and all of which shall constitute but one and the same instrument.

Section 15. No Construction Against Drafter. The Parties hereby acknowledge that they have reviewed this Agreement, that each of the Parties has offered suggested changes and concur that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of any provision of this Agreement.

Section 16. Severability. If any provision of this Agreement or any obligation or agreement contained herein is determined by a court of competent jurisdiction to be invalid or unenforceable, that determination shall not affect any other provision, obligation or agreement, each of which shall be construed and enforced as if the invalid or unenforceable portion were not contained herein. That invalidity or unenforceability shall not affect any valid and enforceable application thereof, and each such provision, obligation, or agreement shall be deemed to be effective, operative, made, entered into, or taken in the manner and to the full extent permitted by law.

Section 17. Governing Law. This Agreement shall be deemed to be a contract made under the laws of the State and for all purposes shall be governed by and construed in accordance with the laws of the State, and by their signatures herein below, the parties consent to the exclusive jurisdiction of the courts of the State, in Richland County, for resolution of any dispute arising hereunder.

Section 18. Dispute Resolution; Mediation. In the event of any dispute, claim, question, or disagreement arising from or relating to this Agreement or the breach thereof, the Parties shall use their best efforts to settle the dispute, claim, question, or disagreement. To that end, the Parties shall consult and negotiate with each other in good faith and, recognizing their mutual interests,

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attempt to reach a just and equitable solution satisfactory to all Parties. If the Parties do not reach such solution within a period of sixty days, then the Parties agree to promptly submit to non-binding mediation any dispute that might otherwise have to be litigated, with each Party paying one-third of the costs of the mediator's services and necessary expenses.

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IN WITNESS WHEREOF, the City, the County, and the School District, by their authorized representatives, have hereunto set forth their hands as of the day first above written.

CITY OF COLUMBIA, SOUTH CAROLINA

By: _____
Its: _____

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Its: _____

**SCHOOL DISTRICT NO. 1 OF RICHLAND
COUNTY, SOUTH CAROLINA**

By: _____
Its: _____

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Exhibit A

Original Renaissance Redevelopment Plan
[to be attached]

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Exhibit B

Renaissance Plan Amendments

I. ADOPTION OF THE ORIGINAL COLUMBIA RENAISSANCE REDEVELOPMENT PLAN

At a meeting held on February 17, 2010, the City Council (the “Council”) of the City of Columbia, South Carolina (the “City”) enacted Ordinance No. 2010-031, pursuant to Sections 31-6-10 through 31-6-120, Code of Laws of South Carolina 1976, as amended (the “Tax Increment Financing Law”), which provided for, among other matters, the adoption of the Columbia Renaissance Redevelopment Plan, as a “redevelopment plan” within the meaning of such term under the Tax Increment Financing Law (the “Original Columbia Renaissance Redevelopment Plan”). The Original Columbia Renaissance Redevelopment Plan designated certain real property located within the territorial limits of the City as a redevelopment project area (the “Columbia Renaissance Redevelopment Project Area”) under the Tax Increment Financing Law. The Original Columbia Renaissance Redevelopment Plan also provided for the issuance of Tax Increment Bonds in a principal amount of not exceeding \$40,000,000. As of the date hereof, the City has not issued any Tax Increment Bonds contemplated by the Original Columbia Renaissance Redevelopment Plan.

Capitalized terms not otherwise defined herein shall have the meanings set forth in the Original Columbia Renaissance Redevelopment Plan.

II. FIRST AMENDMENT TO COLUMBIA RENAISSANCE REDEVELOPMENT PLAN

By adopting this First Amendment to Columbia Renaissance Redevelopment Plan (the “First Amendment”; the Columbia Renaissance Redevelopment Plan as amended by this First Amendment to be referred to herein as the “Columbia Renaissance Redevelopment Plan as Amended”), the City proposes: (1) to modify the participation of the City, Richland County, South Carolina (the “County”) and the School District No. 1 of Richland County (the “School District”), with respect to incremental tax revenues generated within the Columbia Renaissance Redevelopment Project Area to an amount equal to seventy-five percent (75%) of the incremental tax revenues attributable to the respective millages of the City, the County and the School District; (2) to shorten the total duration of the Original Columbia Renaissance Redevelopment Plan; (3) to replace and update the information relating to Catalyst Projects and Public Projects (as such terms are defined in the Original Columbia Renaissance Redevelopment Plan) proposed to be financed from the proceeds of Tax Increment Bonds, incremental tax revenues generated within the Columbia Renaissance Redevelopment Project Area, or a combination of the foregoing; (4) to provide for the creation of the Renaissance Oversight Committee having such functions, powers and authority as described herein; and (5) to establish the “initial equalized assessed value” and “total initial equalized assessed value” (as such terms are defined in Section 31-6-100 of the Tax Increment Financing Law) for all taxable real property within the Columbia Redevelopment Project Area, based on the equalized assessed values of such real property for the tax year beginning on January 1, 2011.

On or prior to the date of approval of this First Amendment, the City has obtained the consent of the County and the School District to the modifications to the Original Columbia Renaissance Plan contained herein, as evidenced by the Intergovernmental Agreement (Columbia Renaissance Redevelopment Plan) dated _____, 2012 (the “County/School District Agreement”), among the

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City, the County and the School District, as authorized by resolution or other legislative action of the governing bodies thereof.

The findings and objectives of the City as set forth in the Original Columbia Renaissance Redevelopment Plan as initially adopted are hereby confirmed, approved and ratified (except as updated or supplemented herein) by this First Amendment.

III. PARTICIPATION OF CITY, COUNTY AND SCHOOL DISTRICT; DURATION

During the term of the Columbia Renaissance Redevelopment Plan as Amended, each of the City, the County and the School District will Participate (as defined herein) in the Original Columbia Renaissance Redevelopment Plan in the amount of seventy-five percent (75%) of the incremental tax revenues from the Columbia Renaissance Redevelopment Project attributable to the respective millages of the City, the County and the School District. The term “Participate” means that a specified percentage of the collections of incremental tax revenues attributable to the respective millage rates of the City, the County and the School District will be deposited in the “special tax allocation fund” (as defined in the Tax Increment Financing Law), and applied to the extent and in the manner permitted by the Act, the County/School District Agreement and the Columbia Renaissance Redevelopment Plan as Amended.

The duration of the Original Columbia Renaissance Redevelopment Plan shall be reduced as follows:

- The percentage of incremental tax revenues attributable to the respective millage rates of the City, the School District and the County (as described in the foregoing paragraph) and the incremental tax revenues attributable to the respective millage rates of Richland-Lexington Riverbanks Park District (the “Riverbanks Park District”) and Richland-Lexington Airport District (the “Airport District”), shall be deposited into the “special tax allocation fund” (as defined in the Tax Increment Financing Law) in the Original Columbia Renaissance Redevelopment Plan for a period of not to exceed the lesser of (1) fifteen (15) years from the first day of the first fiscal year of the City in which the principal of or interest on Tax Increment Bonds shall be scheduled to be payable or is in fact paid from incremental tax revenues or (2) twenty (20) years from the date of the enactment by the City of the ordinance approving this First Amendment (the “Actual Participation Term”).
- Provided, however, that (a) for purposes of the definition of “Actual Participation Term” above, the term “Tax Increment Bonds” (as defined in the Original Columbia Renaissance Redevelopment Plan) does not include obligations issued by the City under the Tax Increment Financing Law during the first five years of the Actual Participation Term (the “Interim Bonds”), if the principal of and interest on such Interim Bonds (1) are not secured by or payable from incremental tax revenues at all or (2) are not payable from incremental tax revenues until more than one year after the issuance thereof; and (b) for all other purposes of the Columbia Renaissance Redevelopment Plan as Amended, the term “Tax Increment Bonds” means all obligations issued by the City under the Tax Increment Financing Law with respect to the CRRD, but the \$40,000,000 limit on the issuance of Tax Increment Bonds does not include refundings.

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IV. UPDATED PROJECT INFORMATION

The Original Columbia Renaissance Redevelopment Plan (specifically in Chapters 5 and 6 thereof and Appendix A attached thereto) included non-exclusive examples of private development (originally defined in the Original Columbia Renaissance Redevelopment Plan as the “Catalyst Projects”) which the City intended to promote, foster and facilitate within the CRRD through the City’s funding of capital expenditures and other public investments (defined in the Original Columbia Renaissance Redevelopment Plan as the “Public Projects”).

This First Amendment intends to update and supplement the information in the Original Columbia Renaissance Redevelopment Plan related to the Public Projects and eliminate all references and descriptions therein of the Catalyst Projects. Without affecting the validity of the Original Columbia Renaissance Redevelopment Plan (or the findings made by the City with respect thereto), Chapters 5 and 6 of the Original Columbia Renaissance Redevelopment Plan should be disregarded in their entirety and replaced with the information in Schedule A attached hereto, and the information in Appendix A of the Original Columbia Renaissance Redevelopment Plan should be disregarded in its entirety.

V. CREATION OF RENAISSANCE OVERSIGHT COMMITTEE AND RESPONSIBILITIES THEREOF; USE OF INCREMENTAL TAX REVENUES

The Original Columbia Renaissance Redevelopment Plan is hereby amended to add a new heading (entitled “D. Renaissance Oversight Committee”) in Chapter 5 – Tax Increment Financing (TIF), and include the text attached as Schedule B hereto.

VI. UPDATED ASSESSED VALUES

The assessed value of all taxable real property within the CRRD for the tax year beginning January 1, 2011, is \$31,024,430; a full listing of all real properties that are included in the CRRD (as of the tax year beginning January 1, 2011) is set forth in Schedule C hereto. As described in Chapter 6 of the Columbia Renaissance Redevelopment Plan as Amended, (1) the “initial equalized assessed value” and the “total initial equalized assessed value” (as such terms are defined in the Tax Increment Financing Law) of all taxable real property within the CRRD shall be determined with respect to the equalized assessed values of such real property for the tax year beginning on January 1, 2011 (as more particularly described herein and in Schedule C attached hereto) and (2) it is estimated that after completion of the redevelopment of the CRRD, the equalized assessed value of all of the taxable real property within the CRRD will be approximately **[\$insert]**, which is an increase of **[\$insert]** from the total initial equalized assessed value of such taxable real property stated above.

VII. IMPACT ON TAXING DISTRICTS

The Original Columbia Renaissance Redevelopment Plan (and the findings of City Council in connection therewith) included statements as to the effect of the estimated impact upon the revenues of the taxing districts (e.g., the City, the County, the School District, the Airport District and the Zoo District) of the Original Columbia Renaissance Redevelopment Plan. The City believes that the overall financial impact on the taxing districts from the Columbia Renaissance Redevelopment Plan as Amended is expected to be minimal because:

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- (a) Such taxing districts will continue to collect real property tax revenues attributable to the initial equalized assessed value of properties in the Innovista Redevelopment Project Area;
- (b) The City, the County and the School District will collect a portion of the incremental real property tax revenues (e.g., 25%) attributable to properties in the Innovista Redevelopment Project Area; although taxing districts will forgo a small portion of their future revenue growth for a period of time, all will benefit from a stronger, more diverse tax base and economy, improved roads, utilities and other infrastructure and a more attractive community;
- (c) The Columbia Renaissance Redevelopment Project Area represents a small portion of the overall tax base of the taxing districts;
- (d) Without the Columbia Renaissance Redevelopment Plan as Amended, it is expected that tax revenues within the Columbia Renaissance Redevelopment Project Area would remain static or decline; and
- (e) Property taxes paid on vehicles, machinery and equipment and other personal property are not affected. Each taxing district will continue to receive the full benefit of growth of personal property values.

VIII. OBJECTIVES OF COLUMBIA RENAISSANCE REDEVELOPMENT PLAN AS AMENDED

The Columbia Renaissance Redevelopment Plan as Amended is being implemented to accomplish the following objectives in addition to those described in the Original Columbia Renaissance Redevelopment Plan:

- A. To promote and protect health, safety and welfare of the public.
- B. To eradicate blighted conditions by instituting measures to redevelop blighted areas.
- C. To remove and alleviate adverse conditions necessary to encourage private development.
- D. To restore and enhance the tax base through redevelopment.
- E. To utilize property in the Columbia Renaissance Redevelopment Project Area for its highest and best use.

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Schedule A: Replacement of Chapters 5 and 6 of Original Columbia Renaissance Redevelopment Plan

The following text shall be substituted for Chapters 5 and 6 of the Original Columbia Renaissance Redevelopment Plan:

CHAPTER 5 – TAX INCREMENT FINANCING (TIF)

A. TIF DEVELOPMENT STATEMENT OF BENEFITS

This redevelopment plan supports the construction of several publicly-owned projects (defined herein as the “Public Projects”), which will assist in the elimination of blighted conditions in business districts addressing unfit, unsafe, and economically unproductive buildings.

This redevelopment plan for the CRRD provides opportunities to develop unused land space to positively impact neighborhoods and foster economic development. Doing so will attract private developers to make investments in, and assist in the development of, lagging communities and accelerate the revitalization efforts of several communities and ultimately providing jobs.

This redevelopment plan contemplates that the Public Projects will foster and encourage private developers and landowners to redevelop their properties in conjunction and/or cooperation with the Public Projects; it combines the strengths of the private sector to those of the CRRD. However, such private development and/or redevelopment is unlikely to be undertaken successfully without the public investment contemplated by this redevelopment plan and incentives for developers.

B. TIF DEVELOPMENT OBJECTIVES

The objectives of this redevelopment plan are as follows:

- Expand Columbia’s economy to create more living-wage jobs, emphasizing job opportunities for unemployed and underemployed residents.
- Attract and expand new and existing services, developments, and employers to position the City to compete in the economy of the 21st century.
- Provide an array of housing choices with an emphasis on affordable housing that meets the needs of current residents and attracts new residents to the city.
- Eliminate blighting influences throughout the CRRD.
- Increase neighborhood retail services; develop commercial corridors and employment centers.
- Support redevelopment initiatives that enhance and preserve unique urban features and amenities, including downtown, the waterfront and historic structures and communities.

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C. TIF REAL ESTATE IMPROVEMENTS

Redevelopment of the Columbia Renaissance Redevelopment District is a massive undertaking that will require multi-faceted investments, and cooperation and support from all sectors. Many projects cannot succeed with private investment alone and will require public investment incentives, loans, grants and other public investment.

The estimated capital investment associated with developing all components of the CRRD are estimated for the purpose of this redevelopment plan. The final costs may vary significantly from actual costs depending on final development decisions, unforeseen obstacles and facilitating factors.

The City intends to use incremental tax revenues, proceeds of obligations issued by the City under the TIF Act with respect to the CRRD (the “Tax Increment Bonds”) and/or a combination of the foregoing, as well as other available sources of funding (including grants, loans and contributions from private developers) to finance certain capital expenditures and other publicly-owned investments (collectively, the “Public Projects”) within the CRRD. Although a small portion of the incremental tax revenues may be used to defray long-term project maintenance costs (included within the description of Public Projects), it is the City’s expectation that virtually all of the incremental tax revenues will be applied to the capital costs of the Public Projects which will, in turn, foster, encourage and enhance private development (together with the Public Projects, the “Projects”).

The following list describes the types of Public Projects that the City intends to finance pursuant to this redevelopment plan:

Street/Pedestrian Improvements

1. Improvement to or replacement of existing streets, including extensions, realignments, relocations, resurfacing of or changes to pavement or lane widths and intersection improvements. Construction, reconstruction, addition, improvement, expansion, relocation, renovation, upfitting, or formalization of new streets and rights of way; existing streets and rights of ways; rail crossings; bridges and pedestrian overpasses; traffic or pedestrian squares, promenades, paths, or crossings; signalization; off-street or on-street parking; sidewalks; and/or curbs, gutters and storm drainage.
2. Landscaping, lighting, signage, and related infrastructure.
3. An improved vehicular connection and relocation of streets as needed.
4. Entry/gateway features including landscaping, lighting, signage and other improvements at entry points.
5. Replacement of asphalt and concrete.
6. Pedestrian improvements (including street furnishings, landscaping and tree plantings, signage and lighting).

Utility System Improvements

1. Improvements (including distribution, treatment, transmission and realignment) to public water, sewer, electric, stormwater and communication systems
2. Acquisition of utility easements, rights-of-way or other property rights associated with the provision of new and improved utility services or removal of obsolete systems

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3. Installation, relocation, reconstruction, renovation, or removal of overhead utility lines and/or replacement with new below ground systems; installation, relocation, reconstruction, renovation, or removal of gas lines.
4. Construction or improvements to administration spaces relating to utility systems
5. Public safety Shot-spotter gunshot location plat
6. Tactical wireless video/audio surveillance system
7. Broad band wireless (Wi-Fi and Wi-Max)

Recreational or Public Spaces

1. Construction, reconstruction, addition, improvement, expansion, relocation, renovation, upfitting, or equipping of public parks and/or recreational spaces.

Related Expenses and Financing Costs

1. Land acquisition; land assembly; and acquisition of easements and rights-of-way.
2. Demolition and disposal of existing components or improvements; soil replacement/removal
3. Surveys and appraisals related to all projects
4. Historic preservation surveys, nominations and design
5. Planning, design, engineering, architectural and other professional services related to all projects
6. Environmental studies and abatement for all projects
7. Legal services for all projects
8. Marketing, advertising and related costs for all projects
9. Financing costs, including fees and costs associated with bond issuance or re-issuances, reporting and ongoing management of bond funds
10. Construction period interest/accrued interest
11. Debt service reserves
12. Issuance costs
13. Costs arising in connection with activities of oversight committee.
14. Associated long-term maintenance expenses.*

Total Expected Qualifying TIF Costs: \$40,000,000

* Does not count against \$40,000,000 limit to be funded from Tax Increment Bonds, Interim Bonds or incremental tax revenues.

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CHAPTER 6 - REDEVELOPMENT FINANCING

Estimated Project and Operating Costs – Anticipated Sources of Funds

Financing for the redevelopment will come from a mixture of public and private investment. The Public Projects will be funded from the proceeds of up to \$40 million principal amount of Tax Increment Bonds and/or incremental tax revenues or any combination thereof (provided, however, that long-term maintenance expenses associated with the Public Projects which are payable from incremental tax revenues shall not count against the \$40,000,000 limit described in Chapter 5 above) and other available sources of funding described herein. Private sector sources of funding include financing from developers and private investors.

The City will not solely rely on tax increment financing to implement the CRRD. It will aggressively seek to attract investment from local, state and federal governments (in the form of grants and loans) and from private sources as well. Success in attracting other funding will lessen the need for tax increment financing and will reduce the possible impact of the plan on all local governments. Other possible sources of funding include the City of Columbia Utilities and Engineering Capital Improvement Program, federal grant funding opportunities, Community Development Block Grant funding (CDBG), and other taxable and tax exempt bond financing, some of which private developers may qualify.

The Tax Increment Financing Law allows incremental tax revenues from a “redevelopment project area” (as defined in the Tax Increment Financing Law) to be utilized to pay operating and long-term maintenance expenses (whether direct or indirect) associated with the “redevelopment projects” (as defined in the Tax Increment Financing Law) financed thereby. The City intends to apply such incremental tax revenues as may be permitted by applicable law and the County/School District Agreement for such purpose.

Creating an environment that is attractive to new private investment is the fundamental objective of the CRRD. The areas where this new investment will need to occur are presently vacant or blighted and not a productive part of the community’s tax base. New investment in the CRRD is the opportunity to create new jobs, additional businesses and residents, and long term increases in the tax base.

As a condition to obtaining the consents of the County and the School District to the First Amendment to Columbia Renaissance Redevelopment Plan, the City has agreed that the “initial equalized assessed value” (as defined in the Tax Increment Financing Law) of all taxable real property within the CRRD shall be determined with respect to the most recently ascertained equalized assessed values thereof (e.g., the tax year beginning January 1, 2011), namely \$31,024,430. It is estimated that after completion of the redevelopment of the CRRD (e.g., that all of the contemplated Public Projects are completed), the equalized assessed value of all taxable real property within the CRRD will be approximately **[\$insert]**, which is an increase of **[\$insert]** from the total initial equalized assessed values thereof described above.

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Schedule B: Renaissance Oversight Committee and Functions and Responsibilities Thereof

D. RENAISSANCE OVERSIGHT COMMITTEE

In order to ensure that the redevelopment of the CRRD is consistent with this redevelopment plan, as amended, and responsive to future development needs, there shall be created a committee (the “Renaissance Oversight Committee”) which will review, comment on, provide advice, and have certain approval powers with respect to the operation and affairs of the Columbia Renaissance Redevelopment Project Area. The composition and maintenance of the Renaissance Oversight Committee, as well as its powers and responsibilities, shall be determined by agreement among the City, the County and the School District; provided, however, that the City shall have the right to implement this Original Columbia Renaissance Redevelopment Plan, as amended, including but not limited to the issuance of Tax Increment Bonds, in accordance with its stated terms and the terms and conditions of the County/School District Agreement, without further approval by the Renaissance Oversight Committee.

As described in the County/School District Agreement, after application of incremental tax revenues for the payment of debt service requirements on Tax Increment Bonds or to fund redevelopment project costs for the Public Projects pursuant to Chapter 8 hereof, incremental tax revenues may be used to pay long-term maintenance expenses with respect to the Public Projects and for such other purposes related to “Surplus Revenues” (as defined in the County/School District Agreement), subject to the recommendation and/or approval (as applicable) of the Renaissance Oversight Committee and the governing bodies of the taxing districts, in each case prior to any disposition of surplus amounts as described in Chapter 8 hereof.

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Schedule C: Complete Property Listing for Columbia Renaissance (Tax Year Beginning January 1, 2011)

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Exhibit C

Pre-Approved Renaissance Redevelopment Projects

Capitalized terms used and not otherwise defined in this Exhibit C shall have the meanings given to such terms in the Intergovernmental Agreement to which this Exhibit C is attached (the “Intergovernmental Agreement”).

Specific Project Description for Renaissance Redevelopment District:

The following discussion includes examples of development which the City intends to promote, foster and facilitate within the Renaissance Redevelopment Project Area. The City intends to use Aggregate Annual TIF Revenues, proceeds of Obligations, and/or a combination of the foregoing, as well as other available sources of funding (including grants, loans and contributions from private developers) to finance certain capital expenditures and other publicly-owned investments (collectively, the “Public Projects”) within the Renaissance Redevelopment Project Area. It is the City’s expectation that the Public Projects will in turn foster, encourage and enhance private development.

The portion of the Public Projects described in the following pages to be financed with Aggregate Annual TIF Revenues, proceeds of Obligations, or a combination of the foregoing are defined herein as the “TIF Projects”.

As described in the Intergovernmental Agreement, the Maximum Project Costs are limited to \$40,000,000.

Public Projects

The proposed Public Projects within the Renaissance Redevelopment Project Area comprise two separate but interrelated components, more specifically referenced herein as the “Bull Street Projects” and the “Other Public Projects.” This document includes descriptions of the Public Projects (including the portions thereof comprising the TIF Projects) and provides, where appropriate, estimates of construction costs therefor. **It should be noted that nothing herein is intended to order or prioritize a Public Project (or TIF Project) over another Public Project (or TIF Project), nor is the City required to undertake, finance, or complete any particular Public Project (or TIF Project) before commencing one or more other Public Projects (or TIF Projects).** The City expects that the Public Projects (including the TIF Projects) will be funded and constructed at the time and in the manner (including, if necessary, concurrently) as construction conditions, development opportunities, and financial market conditions dictate.

The estimated construction costs of the Public Projects are expressed in present-day terms, and the actual costs may be higher than estimated because of contingencies, inflation, unexpected limitations on materials, supplies, or labor, or other conditions that may arise in the future. In addition, development needs, growth patterns, unforeseen occurrences, and other contingencies may cause some or all of the following Public Projects to be modified, supplemented, replaced, or otherwise varied, or for the accompanying cost estimates to be reduced or increased, as permitted by applicable law.

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Bull Street Projects

The “Bull Street Campus” represents a sprawling 183-acre tract of land, the main entrance to which is marked by the intersection of Elmwood Avenue and Bull Street, which has been historically used and dedicated to the treatment of the mentally ill by the South Carolina Department of Mental Health. The Bull Street Campus is the most obvious area for focused redevelopment in the Project Area, as it is a large, open site near downtown which features some historical structures and enjoys beneficial road access. However, in order to redevelop this site, almost all of the existing infrastructure of the site will need to be replaced. Successful redevelopment of the Bull Street Campus is expected to positively impact the Harden Street corridor, the lower end of the Farrow Road corridor, and the northeastern quadrant of the original City grid bounded by Calhoun, Taylor, Bull, and Harden.

Based on information obtained from Hughes Development Corporation, the master developer for the Bull Street Campus, the anticipated Bull Street Projects consist of road construction, paving, storm drainage, stormwater ponds and/or improvements (including parking facilities); water and sewer infrastructure and other utilities; landscaping, lighting, earthwork and erosion control, asbestos abatement and demolition and site clearing; stream daylighting and/or restoration; and development of parks, plazas, ponds and a minor league baseball stadium. Excluding the costs of the parking garages and baseball stadium, the total cost of the Bull Street Projects for the Bull Street Campus is approximately \$31.2 million.

However, the above information is preliminary in nature. The Bull Street Projects (including the components and costs thereof) are highly dependent upon a variety of factors beyond the control of the City, not the least of which is influenced by the market and to a lesser extent the method, manner and scope of the development by the master developer and sub-developers of the Bull Street Campus.

The portion of the above-described Bull Street Projects that constitutes TIF Projects will not exceed \$20,000,000.

Other Public Projects

The second area benefited by the Renaissance Redevelopment Project Area contemplates Public Projects undertaken in areas within the Renaissance Redevelopment Project Area but outside of the Bull Street Campus (the “Other Public Projects”).

The City has identified several target areas within the Renaissance Redevelopment Project Area in which it intends to construct Other Public Projects. Within each target area, the City will endeavor to support high-quality development that maximizes the overall economic and demographic benefit to the Renaissance Redevelopment Project Area as a whole, which in some cases create positive interrelationships with the development at the Bull Street Campus.

The portion of the Other Public Projects that constitutes TIF Projects will not exceed \$20,000,000.

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Target Area 1: Gonzales Gardens and Allen-Benedict Court

A. Gonzales Gardens.

Gonzales Gardens is a 22-acre mixed-use redevelopment project located at 1505 Garden Plaza, Columbia, SC 29204, and is comprised of single-family housing units for sale and affordable rental housing units. Upon redevelopment, it will also contain commercial, medical, and institutional office space.

The Other Public Projects for Gonzalez Gardens consist of (1) a utilities program featuring improved systems for water distribution, sanitary drainage, and storm drainage and (2) a street program including a new on-site street, street realignment, a new off-site street, street relocation, street formalization and reconstruction, pedestrian improvements/road diet measures, a new intersection, vehicular improvements, reinforced concrete pipes, and grading and cut/fill measures. The total cost of the Other Public Projects for Gonzales Gardens is approximately \$13,000,000.

B. Allen-Benedict Court.

Allen-Benedict Court contains 244 obsolete barracks style dwelling units, 201 of which are occupied. Living quarters are cramped; systems are outdated; and electrical and plumbing facilities are antiquated. Units contain lead-based paint, inefficient heating, no air conditioning, insufficient ventilation, and virtually no storage. The units are not accessible to persons with physical disabilities because all bedrooms and bathrooms are located on the second floor.

The Other Public Projects for the Allen-Benedict Court include new streets, streetscapes, site utilities, and storm water systems, and extraordinary site costs, including utilities, demolition, site water and sewer replacement, storm drainage system replacement, and soil removal/replacement, intended to support a larger development plan proposed by the Columbia Housing Authority. The total cost of the Other Public Projects for Allen-Benedict Court is approximately \$6.5 million.

The portion of the above-described Other Public Projects that constitutes TIF Projects will not exceed \$2,000,000.

Target Area 2: North Main Street

The North Main Street Improvements Corridor (a joint project between the City and the South Carolina Department of Transportation) will upgrade and improve US-21 (North Main Street) by pavement widening, intersection and signal improvements, curb and gutter replacements, storm drainage system repairs, sidewalk construction, and removal/replacement of asphalt pavement (to include raised pavement markings). This project is divided into several segments, some of which have already been completed. The City is presently seeking to complete the following remaining segments (from south to north), with construction progressing as funds are acquired:

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- 1) Anthony Avenue to Cook Street* \$12.5 million
- 2) Cook Street to Kortright Avenue* \$6.68+ million
- 3) Kortright Avenue to Jackson Avenue \$11+ million
- 4) Jackson Avenue to Fuller Avenue \$10+ million

The Other Public Projects comprise the costs associated with construction, engineering and inspection, construction management, and any remaining design work in the project segments described above.

The portion of the above-described Other Public Projects that constitutes TIF Projects will not exceed \$12,500,000. The City has applied for grants to fund all or a portion of the costs of the segments marked above with an asterisk. Should such grants be awarded to the City, other segments of the Other Public Projects described above would be funded with Aggregate Annual TIF revenues, proceeds of Obligations, or a combination of the foregoing.

Target Area 3: Two Notch Road

The City intends to undertake a streetscaping project for the portion of Two Notch Road, from Taylor Street to Beltline Boulevard, representing approximately 1.8 miles. This Other Public Project is expected to cost approximately \$30 million, and generally includes new sidewalks, new or upgraded utilities (water and sewer), storm water drainage improvements, "undergrounding" of electrical distribution systems, traffic control improvements, a street program that addresses pedestrian connectivity and street resurfacing (not widening). However, this cost estimate could be influenced, either upward or downward, by the scope of proposed improvements.

The portion of the above-described Other Public Project that constitutes TIF Projects will not exceed \$1,000,000.

Target Area 4: Farrow Road

The City presently owns a 10-acre site located at the corner of Farrow Road and Tarragon Drive within the Farrow Road corridor that has been targeted for a mixed-use commercial development. Preliminary plans contemplate this parcel to be developed into a new 70,000-square-foot retail and commercial center, including a grocery store, a restaurant, a drug store, a bank, and various retail and specialty shops. Knowing that a large number of patrons may walk to this retail/commercial center, this Other Public Project is designed to address the needs of pedestrian access for the residential communities in the area and to provide site visibility to the adjacent SC-277 freeway, which will also attract patrons. This Other Public Project generally includes new sidewalks, new or upgraded utilities (water and sewer), storm water drainage improvements, "undergrounding" of electrical distribution systems, traffic control improvements, and a street program that addresses pedestrian connectivity.

The portion of the above-described Other Public Project that constitutes a TIF Project will not exceed \$3,000,000.

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Target Area 5: Historic Garden District Pedestrian Linkage

The Historic Garden District Pedestrian Linkage Project connects historic homes in Columbia's Garden District through a pedestrian path system and connects the Garden District to other districts in downtown Columbia. A 2007 comprehensive study, commissioned by Historic Columbia Foundation (HCF) by Robert & Company created a Cultural Landscape Master Plan which includes a pedestrian path system that ties Columbia's historic homes together to create a comprehensive local history experience.

This Other Public Project utilizes a distinct sidewalk system, directional and interpretive signage, street tree plantings, street furnishings, pedestrian lighting, and public art to establish a campus-like setting connecting the six HCF-managed historic homes—Modjeska Simkins, Mann-Simons, Seibels, Hampton-Preston, Robert Mills and Woodrow Wilson.

Garden District gateways will mark the entry points of the path system. A pedestrian promenade will be created along Blanding Street between the Robert Mills and Hampton-Preston homes. Visitors will walk along a one-mile path and experience 200 years of Columbia history told through the historic homes and other elements in the Garden District.

This Other Public Project formalizes the Garden District bounded by Calhoun, Marion, Hampton, and Barnwell streets and provides connectivity between the Garden District and the Bull Street Campus, Main Street, and USC. It also serves as an internal connector to the long-range Vista Greenway Plan.

The portion of the above-described Other Public Project that constitutes a TIF Project will not exceed \$1,500,000.

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Exhibit D

Form of Annual Financial Report

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

AUTHORIZING, PURSUANT TO CHAPTER 6 OF TITLE 31, OF THE SOUTH CAROLINA CODE OF LAWS, 1976, THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT RELATING TO THE INNOVISTA REDEVELOPMENT PLAN AMONG RICHLAND COUNTY, SOUTH CAROLINA, THE CITY OF COLUMBIA, SOUTH CAROLINA, AND SCHOOL DISTRICT NO. 1 OF RICHLAND COUNTY, SOUTH CAROLINA; AND OTHER MATTERS RELATING THERETO.

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INTERGOVERNMENTAL AGREEMENT (Innovista Redevelopment Plan)

This **INTERGOVERNMENTAL AGREEMENT** (the "Agreement") is dated as of this ___ day of _____, 2012, and is by and among **RICHLAND COUNTY, SOUTH CAROLINA**, a corporate body politic and a political subdivision of the State of South Carolina (the "County"), **SCHOOL DISTRICT NO. 1 OF RICHLAND COUNTY, SOUTH CAROLINA**, a school district and political subdivision of the State of South Carolina (the "School District"), and the **CITY OF COLUMBIA, SOUTH CAROLINA**, a municipal corporation and a political subdivision of the State of South Carolina (the "City," and together with the County and the School District, the "Parties" and each individually, a "Party").

WITNESSETH:

(a) Pursuant to the "Tax Increment Financing Law," now codified in Sections 31-6-10 to 31-6-120 (herein the "Act") of the South Carolina Code of Laws of 1976, as amended (the "S.C. Code"), the governing bodies of incorporated municipalities within the State of South Carolina are vested with all powers consistent with the South Carolina Constitution necessary, useful, and desirable to enable them to accomplish redevelopment in areas which are or threaten to become blighted.

(b) The City caused to be prepared and adopted in 2010 a redevelopment plan entitled, "Innovista Redevelopment Plan," attached hereto as Exhibit A (the "Original Innovista Redevelopment Plan"), which contains a statement of objectives of the City with regard to such Innovista Redevelopment Plan. As described further below, the City now proposes to approve certain amendments to the Original Innovista Redevelopment Plan. The proposed amendments to the Original Innovista Redevelopment Plan are attached hereto as Exhibit B (such amendments being referred to as the "Innovista Plan Amendments"). The term "Innovista Redevelopment Plan" as used herein shall refer to the Original Innovista Redevelopment Plan as amended by the Innovista Plan Amendments.

(c) The Innovista Redevelopment Plan provides a comprehensive program for the redevelopment of certain areas of the City that are defined and described in the Innovista Redevelopment Plan, namely the "Columbia Innovista Redevelopment District" (the "Innovista Redevelopment Project Area").

(d) The Innovista Redevelopment Plan provides for or describes, as applicable: (i) a generic and functional list of the types and nature of projects that may be undertaken within the Innovista Redevelopment Project Area (the "Innovista Redevelopment Projects"); (ii) various parcels of real property to be included within the Innovista Redevelopment Project Area; (iii) the issuance of "obligations" within the meaning of the Act, the proceeds of which will be used to finance or refinance the costs of the Innovista Redevelopment Projects, as contemplated herein (the "Obligations"); and (iv) the duration of the Innovista Redevelopment Plan. Exhibit C attached hereto contains a list of specific projects, together with the estimated costs thereof, that are within the scope of the Innovista Redevelopment Projects and which the Parties have expressly approved pursuant to this Agreement (the "Pre-Approved Innovista Redevelopment Projects"). The term "Obligations" as used herein includes only those obligations issued to pay all or a portion of Maximum Project Costs defined in Section 6(a) hereof.

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(e) Section 31-6-80 of the Act provides that before a municipality approves any redevelopment plan under the Act, the governing body of such municipality must hold a public hearing on the redevelopment plan after published notice in a newspaper of general circulation in the county in which the municipality and any taxing district affected by the redevelopment plan are located not less than 15 days and not more than 30 days prior to the hearing.

(f) The aforesaid section further provides that not less than 45 days prior to the date set for the public hearing, the municipality shall give notice to all taxing districts of which taxable property is included in the redevelopment project area, which notice also shall include such other matters required by the Act.

(g) After appropriate and timely notice to the County and the School District, the City approved the Original Innovista Redevelopment Plan on February 17, 2010. The County and School District, at or prior to the time of such approval, objected to and did not consent to participate in the Original Innovista Redevelopment Plan.

(h) Since the approval of the Original Innovista Redevelopment Plan, the Parties have negotiated terms and conditions under which the County and the School District are willing to participate in the Innovista Redevelopment Plan. In connection with such negotiations, the City has agreed (1) to amend the Original Innovista Redevelopment Plan to shorten the maximum term thereof and reduce the percentage at which the County and the School District will participate thereunder, and (2) to enhance timely reporting to the County and the School District of information related to the Innovista Redevelopment Plan and the Innovista Redevelopment Projects. The Parties have further agreed to create and empower an oversight committee to represent the on-going interests of the Parties.

(i) Accordingly, the Parties hereto are now entering into this Agreement to memorialize the terms and conditions under which the Parties will participate in the Innovista Redevelopment Plan. Each Party acknowledges that this Agreement is supplemental and in addition to the Innovista Redevelopment Plan, and is expressly intended to create contractual rights enforceable by the Parties with respect to the Innovista Redevelopment Plan, all as provided in Section 11 hereof.

Section 1. Representations and Warranties of the Parties. Each of the Parties represents and warrants that:

(a) It has the full legal right, power, and authority to enter into this Agreement and carry out and consummate all other transactions contemplated by this Agreement;

(b) It has duly authorized the execution, delivery, and performance of its obligations under this Agreement and the taking of any and all actions as may be required on its part to carry out, give effect to, and consummate the transactions contemplated by this Agreement; and

(c) This Agreement constitutes a legal, valid, and binding obligation of it, enforceable in accordance with its terms, subject to applicable bankruptcy, insolvency and similar laws affecting creditors' rights generally, and subject, as to enforceability, to general principles of equity regardless of whether enforcement is sought in a proceeding in equity or at law.

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Section 2. Acknowledgments; Approval of and Consent to Innovista Plan Amendments. (a) The County and School District acknowledge and agree that the City gave appropriate and timely notice to the County and School District of the adoption of the Original Innovista Redevelopment Plan and the Innovista Plan Amendments.

(b) The City acknowledges and agrees that the County's and the School District's participation in the Innovista Redevelopment Plan is conditioned upon the terms and conditions established herein, including the specific content of the Innovista Plan Amendments as attached hereto, and that neither the County nor the School District would consent to such participation in the absence of this Agreement.

(c) The County and the School District hereby approve and consent to the Innovista Plan Amendments, but only if and to the extent that the Innovista Plan Amendments are approved by the City in exactly the form attached hereto as Exhibit B. The City agrees that the County and the School District shall have the right to approve or reject any changes that may required to be made to the Innovista Plan Amendments prior to final approval thereof.

(d) The County and School District expressly acknowledge that the City will be issuing the Obligations in reliance upon the undertakings and agreements of the County and School District set forth herein, and hereby consent to the City's issuance of the Obligations, as contemplated by the Innovista Redevelopment Plan, subject to the terms of this Agreement.

Section 3. Innovista Oversight Committee. (a) Establishment of Innovista Oversight Committee. The Parties will cause the establishment and maintenance of the Innovista Oversight Committee (the "Innovista Oversight Committee") which will review, comment on, provide advice, and have certain approval powers with respect to the operation and affairs of the Innovista Redevelopment Project Area and the Innovista Redevelopment Projects as provided in this Agreement. The Innovista Oversight Committee will consist of twelve members, each of whom shall represent the interest of the Party appointing such member, as follows: (i) four members representing and appointed by the City; (ii) four members representing and appointed by the County; and (iii) four members representing and appointed by the School District. In appointing one of its four members to the Innovista Oversight Committee, each Party shall consider recommendations from the Greater Columbia Chamber of Commerce, provided, however, that such recommendations are not binding and such recommendations must include only persons who are then active in the business community.

(b) Term. Each member of the Innovista Oversight Committee shall serve at the pleasure of the Party that appointed such member.

(c) Relationship to Renaissance Oversight Committee. The members of the Innovista Oversight Committee and the members of the Renaissance Oversight Committee created pursuant to that certain Intergovernmental Agreement (Columbia Renaissance Redevelopment Plan) among the Parties, dated the date hereof and relating to the Renaissance Redevelopment Project Area, shall consist of the same appointees. The Innovista Oversight Committee and the Renaissance Oversight Committee shall be fully empowered to meet as a single body and, in a single meeting, receive such information and take such action as it deems appropriate with respect to both the Innovista Redevelopment Project Area and the Renaissance Redevelopment Project Area.

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(d) Membership Criteria. Each Party will use its best efforts to ensure that the overall membership of the Innovista Oversight Committee is diverse with respect to ethnicity, culture, and gender. The Parties will also cooperate in an effort to cause the Innovista Oversight Committee to contain: (i) at least one member with a professional background in finance; (ii) at least one member with a professional background in real estate development; (iii) at least one member with a professional background in engineering or architecture; and (iv) at least one member who is actively involved in the business community in Richland County. At least one member selected by each of the Parties shall be a member of the administrative or finance staff of that Party. In the event that a Party selects a person who serves on the governing body of that Party to serve as a member of the Innovista Oversight Committee, such person shall be serving in an ex officio capacity as a part of his official duties but shall be entitled to full participation and voting rights. Each member of the Innovista Oversight Committee that is not an elected official shall be required to provide full disclosure in writing of all actual or potential conflicts of interest that such member may have with respect to the business and affairs of the Innovista Oversight Committee and the Innovista Redevelopment Projects.

(e) Reporting Requirements. Not later than each December 1 following the end of each fiscal year of the City (the "Fiscal Year") during the duration of the Innovista Redevelopment Plan, the City will provide to the Innovista Oversight Committee and to both the County Administrator and the Superintendent of the School District information summarizing the business and financial aspects of the activities conducted within the Innovista Redevelopment Project Area. Such information shall be provided in substantially the form attached hereto as Exhibit D and shall include, at a minimum and without limitation, the following information:

(i) based on timely receipt of such information from the County (including, particularly, the County Auditor, the County Assessor or the County Treasurer, as the case may be), (1) the then-current total equalized assessed value of the Innovista Redevelopment Project Area, as defined in and described by the Act; (2) the amount of the incremental tax revenues attributable to the Innovista Redevelopment Project Area that have been collected from the levy imposed by each Party during such Fiscal Year together with the amounts paid to each Party; and (3) the amount of the incremental tax revenues remitted to the City to be deposited in the special tax allocation fund established in connection with the Innovista Redevelopment Plan (the "Special Tax Allocation Fund") during such Fiscal Year;

(ii) an itemized description of the expenditures during such Fiscal Year from the Special Tax Allocation Fund and from the proceeds of any series of Obligations with cross-references to the Innovista Redevelopment Project being implemented thereby;

(iii) the outstanding principal balance of and debt service requirements on all Obligations as of the last day of the Fiscal Year to which such report relates; and

(iv) an estimated budget for debt service on Obligations and for amounts of incremental tax revenues to be spent on Innovista Redevelopment Projects during the upcoming Fiscal Year with cross-references to the Innovista Redevelopment Project being implemented.

The County shall coordinate with the County Assessor, the County Auditor, and the County Treasurer, and shall use its best efforts to cooperate with the City, to promptly provide information

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reasonably requested by the City no later than October 1 of each year in order for the City to satisfy its reporting obligations described herein. Any direct costs incurred by the County Assessor, the County Auditor, or the County Treasurer in complying with such requests shall be payable from available incremental tax revenues in the Special Tax Allocation Fund. The information required under Sections 3(e)(ii) and (iii) above shall be either (1) verified by an independent third-party firm of certified public accountants selected by the Innovista Oversight Committee (provided that the costs and expenses of such verification may be payable from incremental tax revenues in the Special Tax Allocation Fund, if then available) or (2) included as a supplemental report within the audited financial report of the City for such Fiscal Year, in either case provided to the Innovista Oversight Committee on or before February 1 following the end of such Fiscal Year.

(f) Right of City to Implement Innovista Redevelopment Plan; Approval of Pre-Approved Innovista Redevelopment Projects. The City shall have the right to implement the Innovista Redevelopment Plan, including but not limited to the issuance of Obligations, in accordance with its stated terms and the terms and conditions of this Agreement without further approval by the Innovista Oversight Committee. The Parties hereby approve the Pre-Approved Innovista Redevelopment Projects. The City shall have the right to acquire, construct, improve, equip, finance, and otherwise implement the Pre-Approved Innovista Redevelopment Projects as described in Exhibit C hereto without further approval by the Innovista Oversight Committee or the Parties.

(g) Role of Innovista Oversight Committee. The Parties acknowledge that the Innovista Redevelopment Plan includes generic and functional descriptions of the Innovista Redevelopment Projects. Exhibit C hereto provides a detailed list of the Pre-Approved Innovista Redevelopment Projects. It is the specific intention of the Parties that: (1) any modifications of the Pre-Approved Innovista Redevelopment Projects that are consistent with the generic and functional description of the Innovista Redevelopment Projects set forth in the Innovista Redevelopment Plan must be approved by the Innovista Oversight Committee; and (2) any amendments to the generic and functional description of the Innovista Redevelopment Projects contained in the Innovista Redevelopment Plan must be approved pursuant to the procedures set forth in Section 31-6-80 of the Act. The Pre-Approved Innovista Redevelopment Projects and any modifications thereto that are hereafter approved by the Innovista Oversight Committee as provided by this Agreement are collectively referred to as the “Approved Innovista Redevelopment Projects.” In light of the foregoing, the Innovista Oversight Committee shall have the following purposes and powers:

(i) to approve any modifications to the Approved Innovista Redevelopment Projects that may be requested by the City and that do not require an accompanying amendment to the generic and functional list of the Innovista Redevelopment Projects contained in the Innovista Redevelopment Plan;

(ii) to approve any reordering of the prioritization (if any) of the Approved Innovista Redevelopment Projects that may be requested by the City;

(iii) to approve reallocations as described in Section 6(a) of this Agreement that may be requested by the City;

(iv) to recommend the disposition of Surplus Revenues (as defined in Section 6(b) of this Agreement), which recommendation will be subject to approval by the governing

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bodies of each Party, including (A) the use of Surplus Revenues to prepay or defease outstanding Obligations, to the extent that such Obligations are then subject to prepayment or defeasance; (B) the use of Surplus Revenues to fund Approved Innovista Redevelopment Projects; or (C) the release of Surplus Revenues to participating entities;

(v) to provide other related recommendations and oversight functions as necessary and appropriate; and

(vi) to approve any request by the City that a portion of the Aggregate Annual TIF Revenues (as defined in Section 4(e)(iv) of this Agreement) be used to pay for maintenance of one or more Approved Innovista Redevelopment Projects, subject to the provisions of Section 7 of this Agreement.

To clarify, the Innovista Oversight Committee shall have the right to exercise the approval powers described in clauses (i), (ii), (iii), and (vi) above only upon request by the City, and shall not have the power to approve any of the described modifications, reorderings, reallocations, or expenditures on its own motion.

(h) Supermajority Requirement. With respect to matters requiring “approval” by the Innovista Oversight Committee described in Section 3(g)(i), (ii), (iii), and (vi) above, such approval shall require a supermajority vote such that: (i) at least nine of the members vote in favor of the matter, and (ii) at least three members representing each Party vote in favor of the matter.

(i) Limitation on Powers of Innovista Oversight Committee. Notwithstanding the provisions of Section 3(g) above, the approval of the Innovista Oversight Committee shall not be required in order for the City to take any action that is required to comply with any applicable federal or state law or regulation or any order or judgment of a court or other administrative or regulatory body, or to sell or otherwise dispose of any real property acquired with incremental tax revenues or proceeds of Obligations, provided the proceeds from such sale or other disposition are deposited into the Special Tax Allocation Fund.

(j) Organizational Matters Relating to Innovista Oversight Committee. The Innovista Oversight Committee shall establish rules and procedures for the conduct of its business (the “Procedures”), which Procedures shall be approved by each Party. The Innovista Oversight Committee shall hold regular meetings at least once in each calendar quarter and shall be entitled to call special meetings as set forth in the Procedures. Any matter requiring affirmative action, whether a recommendation or approval, by the Innovista Oversight Committee must be conducted at a duly called and scheduled meeting at which a quorum is in attendance, with a “quorum” meaning at least nine members in total and at least three members representing each Party. The Innovista Oversight Committee shall, in the Procedures, establish attendance requirements and the method by which the Innovista Oversight Committee shall elect a chairman, a vice-chairman, and a secretary whose primary responsibility shall be to record the attendance of the members and provide written minutes of each meeting. The Procedures shall include a process to ensure compliance with the requirements of the Freedom of Information Act.

Section 4. Limited Participation; Term. (a) Participation. As used herein, the term “Participation,” with respect to each Party, means that specified percentage set forth in paragraph (d) below of the collections of incremental tax revenues attributable to the respective millage rates

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imposed by each Party on taxable real property within the Innovista Redevelopment Project Area and which will be deposited in the Special Tax Allocation Fund and applied to the extent and in the manner permitted by the Act and this Agreement.

(b) Term. The Parties hereby consent to the deposit of the collections of the specified percentage of incremental tax revenues, set forth in paragraph (d) below, attributable to their respective millage rates in the Special Tax Allocation Fund for a period not to exceed the lesser of (1) fifteen (15) years from the first day of the first Fiscal Year in which the principal of or interest on Obligations shall be scheduled to be payable or is in fact paid from incremental tax revenues, or (2) twenty (20) years from the date of the enactment by the City of the ordinance approving the Innovista Plan Amendments (the “Actual Participation Term”).

(c) Payment of Initial Incremental Tax Revenues. The Parties agree that the City may, during the first five years of the Actual Participation Term, issue Obligations the principal of and interest on which (i) shall not be secured by or payable from incremental tax revenues at all, or (ii) shall not be payable from incremental tax revenues until more than one year after the issuance thereof. In such event, all incremental tax revenues collected by the County Treasurer during the period prior to which such Obligations shall be or become payable from incremental tax revenues shall be paid to the Parties in the amounts of such incremental tax revenues generated by the levies of the respective Parties. The determination of whether and when incremental tax revenues will be used to pay principal and interest on a particular Obligation or series of Obligations shall be made by the City (and notice of such determination shall be given by the City to the County, the School District, the County Auditor and County Treasurer) on the date of delivery of such Obligations.

(d) Percentage Participations. The City hereby consents to its Participation in the Innovista Redevelopment Plan in the amount of seventy-five percent (75%) of the collections of the incremental tax revenues derived from the Innovista Redevelopment Project Area attributable to its millage (the “City Percentage Participation”); the County hereby consents to its Participation in the Innovista Redevelopment Plan in the amount of seventy-five percent (75%) of the collections of the incremental tax revenues derived from the Innovista Redevelopment Project Area attributable to its millage (the “County Percentage Participation”), and the School District hereby consents to its Participation in the Innovista Redevelopment Plan in the amount of seventy-five percent (75%) of the collections of the incremental tax revenues derived from the Innovista Redevelopment Project Area attributable to its millage, excluding, specifically, however, in this computation any revenue attributable to the reimbursement from the State of South Carolina pursuant to Section 11-11-156(D) of the S.C. Code, all of which is to be remitted to the School District (the “School District Percentage Participation”).

(e) Allocation Methodology. The County shall utilize its best efforts to ensure that the County Treasurer will implement, every tax year during the Actual Participation Term, the respective Percentage Participations described above pursuant to the following methodology:

(i) Determination of Total Innovista Tax Incremental Revenues. In each tax year during the Actual Participation Term, there shall first be implemented the provisions of Section 31-6-70(2)(b) of the Act by determining that portion, if any, of tax revenues that are received from the Innovista Redevelopment Project Area and which are attributable to the increase in the then-current total equalized assessed valuation of all taxable real property in the Innovista Redevelopment Project Area over and above the total initial equalized assessed

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value of taxable real property in the Innovista Redevelopment Project Area (the amount of the increase in assessed value with respect to each Party being referred to as the “Increased Assessed Value,” and all of such incremental taxes being referred to as the “Total Innovista Incremental Taxes”). Prior to depositing any amount of the Total Innovista Incremental Taxes into the Special Tax Allocation Fund, however, there shall be performed the calculations required by the remainder of this Section 4(e).

(ii) Allocation Among Parties. There shall then be allocated the portion of the Total Innovista Incremental Taxes attributable to the levies of the Parties among the Parties by multiplying the amount of each Party’s millage imposed during such tax year by the Increased Assessed Value of property subject to *ad valorem* taxation by such Party. The resulting amounts shall be expressed in dollars and shall be defined, with respect to each Party, as the “City Attributable Incremental Taxes,” the “County Attributable Incremental Taxes,” and the “School District Attributable Incremental Taxes” for such tax year.

(iii) Application of Percentages; Deposit. Unless paid to each Party in accordance with the provisions of Section 4(c) hereof, as of each May 1 of each tax year, there shall then be allocated and distributed such Total Innovista Incremental Taxes as follows:

(A) With respect to the City, the City Attributable Incremental Taxes shall be multiplied by the City Percentage Participation (the “City TIF Revenues”). The City TIF Revenues shall be deposited into the Special Tax Allocation Fund. City Attributable Incremental Taxes in excess of the City TIF Revenues, i.e. 25% of such revenues, shall be promptly remitted to the City to be applied] as provided by general law.

(B) With respect to the County, the County Attributable Incremental Taxes shall be multiplied by the County Percentage Participation (the “County TIF Revenues”). The County TIF Revenues shall be deposited into the Special Tax Allocation Fund. County Attributable Incremental Taxes in excess of the County TIF Revenues, i.e. 25% of such revenues, shall be promptly remitted to the County to be applied as provided by general law.

(C) With respect to the School District, the School District Attributable Incremental Taxes shall be multiplied by the School District Percentage Participation (the “School District TIF Revenues”). The School District TIF Revenues shall be deposited into the Special Tax Allocation Fund. School District Attributable Incremental Taxes in excess of the School District TIF Revenues, i.e. 25% of such revenues, shall be promptly remitted to the School District to be applied as provided by general law.

(D) Any remaining amounts of the Total Innovista Incremental Taxes that are attributable to the levies of taxing entities other than the Parties shall be deposited into the Special Tax Allocation Fund.

(E) If any portion of Total Innovista Incremental Taxes is received after the initial annual distribution is made, then such portion shall be distributed by the end of the calendar quarter in which it was received in accordance with the foregoing

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distribution method.

(iv) Aggregate Annual TIF Revenues. The aggregate of the City TIF Revenues, the County TIF Revenues, the School District TIF Revenues, and any amounts described in Section (4)(e)(iii)(D) and (E) above in any given tax year is referred to herein as the “Aggregate Annual TIF Revenues.” The Parties agree that the City shall have the conclusive right, without approval or review by the Innovista Oversight Committee, to apply Aggregate Annual TIF Revenues to Debt Service Requirements and Other Requirements (as such terms are defined in Section 6(b) of this Agreement) and to the costs of Approved Innovista Redevelopment Projects on a “pay-as-you-go” basis, all as more particularly described in Section 6(b).

(v) No Responsibility for Shortfall. With respect to this Agreement and as provided by the Act, neither the County nor the School District shall be responsible for any shortfalls in the Aggregate Annual TIF Revenues relative to the projections contained in the Innovista Redevelopment Plan or relative to Debt Service Requirements (as defined in Section 6(b) of this Agreement). Insofar as any shortfall is to be offset from rate increases for the users of the City’s water and sewer systems, the City agrees to use its best efforts to ensure that there is no disproportionately high rate increase for customers in the unincorporated portions of the County.

An example illustrating the operation of the foregoing allocation is attached hereto as Exhibit E.

Section 5. Act 388 True-Up. Each of the City and the County hereby agree that it shall promptly remit to the School District, as and when received and in the full amount so received, any payments received pursuant to Section 11-11-156(D) of the S.C. Code, and the City hereby waives any statutory right to receive such funds the City would have otherwise been granted under said Section 11-11-156(D). The Parties acknowledge and agree that the purpose of this undertaking is to ensure that the School District receives reimbursement for the exemption provided to owner-occupied residential property from all property taxes imposed for school operating purposes pursuant to Section 12-37-220(47) of the S.C. Code. In the event that applicable law is changed during the term of this Agreement to provide for a different reimbursement mechanism, each of the City and the County will remit to the School District the entire amount of the reimbursement received by them (if any) and due to the School District for the exemption provided to owner-occupied residential property from all property taxes imposed for school operating purposes pursuant to Section 12-37-220(47) of the S.C. Code.

Section 6. Maximum Project Costs; Surplus Revenues; Dissolution. (a) Reduction in Project Costs. The Approved Innovista Redevelopment Projects may be funded, in whole or in part, directly with Aggregate Annual TIF Revenues on a “pay-as-you-go” basis or indirectly with the principal of Obligations. To the extent that the cost of an individual Approved Innovista Redevelopment Project is less than indicated (either because the cost is less than estimated, because funds are available from sources other than Aggregate Annual TIF Revenues or principal of Obligations, or otherwise), the City shall have the right, after receiving the approval of the Innovista Oversight Committee, to reallocate the Aggregate Annual TIF Revenues or principal of Obligations intended to pay such project costs to other Approved Innovista Redevelopment Projects that are consistent with the generic and functional description in the Innovista Redevelopment Plan. In no event during the Actual Participation Term shall the total costs of Approved Innovista

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Redevelopment Projects and Other Requirements (as defined herein) paid directly by Aggregate Annual TIF Revenues and from the principal of Obligations exceed Seventy Million (\$70,000,000) Dollars (the “Maximum Project Costs”). Subsequent to the date that the costs of Approved Innovista Redevelopment Projects and Other Requirements paid from Aggregate Annual TIF Revenues and principal of Obligations equal Seventy Million (\$70,000,000) Dollars, Aggregate Annual TIF Revenues collected thereafter and not used to pay Debt Service Requirements on Obligations delivered prior to such date constitute “Surplus Revenues” as such term is further defined and described below.

(b) Surplus Revenues. For purposes of this Agreement, the term “Surplus Revenues” shall be interpreted by reference to the description of “surplus funds” contained in Section 31-6-40 of the Act: “monies not required for payment and securing of obligations and the excess funds are surplus funds” **and** “any monies remaining in the Special Tax Allocation Fund after complying with the requirements of the pledge are also considered surplus funds.” Consistent with the foregoing description and for purposes of this Agreement, “Surplus Revenues” shall mean Aggregate Annual TIF Revenues that are required to be deposited or that are deposited into the Special Tax Allocation Fund in any tax year in excess of the aggregate of (1) the total amount of Debt Service Requirements (defined below) on all Obligations, (2) the total amount of Other Requirements (defined below) related to the Obligations and the Innovista Redevelopment Projects, and (3) the total amount of expenditures made to defray the costs of Approved Innovista Redevelopment Projects on a “pay-as-you-go” basis in such tax year to the extent and in the manner permitted by the Act and this Agreement. The term “Debt Service Requirements” shall be deemed to include all payments of principal, interest, redemption premium (if any), optional or mandatory redemptions of Obligations, and reimbursements for such payments previously made by the City from sources other than incremental tax revenues. The term “Other Requirements” shall include professional fees and expenses (including fees and expenses of trustees, registrars, paying agents, escrow agents, financial advisors, continuing disclosure agents, attorneys, accountants, consultants and the like), which are incurred by the Parties or the Innovista Oversight Committee in connection with the Obligations or the Innovista Redevelopment Projects (including but not limited to costs and expenses of any audit attributable to the Innovista Redevelopment Project Area described in Section 3(e) above), arbitrage rebate liability associated with tax-exempt Obligations and any costs and expenses related to the foregoing, and required deposits to reserve or cushion funds or similar funds and accounts), which amount shall count against Maximum Project Costs.

(c) Notwithstanding any other provision of this Intergovernmental Agreement, no pledge is made by this Agreement of any Surplus Revenues. Any expenditure of Surplus Revenues may be made only pursuant to the terms of a supplemental written agreement providing for such expenditures, which written agreement must be formally approved by the Parties.

(d) As described in Section 3(g)(iv) of this Agreement, the Innovista Oversight Committee shall have the right to recommend a particular use of Surplus Revenues, subject to approval by formal action of the respective governing bodies of the Parties. The Innovista Oversight Committee shall make such a recommendation prior to March 31 of each year during the Actual Participation Term. Each of the Parties will, prior to May 1 of each year during the Actual Participation Term, consider and act on such recommendation with respect to the use of any Surplus Revenues deposited to the Special Tax Allocation Fund in such year. If requested by the Parties, the Innovista Oversight Committee and the Parties will endeavor to permit differing dispositions of Surplus Revenues for each Party; provided, however, that the Parties acknowledge

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and agree that implementation of such differing dispositions may require an amendment to this Agreement to provide for a revised allocation methodology. If the Parties cannot, on or before the June 1 of a given year, agree on a suitable amendment to allow differing dispositions then the default outcome (absent agreement among all Parties) shall be that Surplus Revenues will be returned to the County Treasurer to be distributed to the Parties as required by general law, and more particularly by Sections 31-6-40 and 31-6-70 of the Act.

(e) **Dissolution upon Completion.** The City further agrees that promptly upon the full payment of the Maximum Project Costs from Aggregate Annual TIF Revenues and proceeds of Obligations, and the discharge of such Obligations, the City will dissolve the Innovista Redevelopment Project Area as to the School District and the County pursuant to the procedure described in the Act, but to the extent allowed by law, may keep the Innovista Redevelopment Plan open pending amendments to the Plan and other developments, including offering the County and the School District the opportunity to further participate in the redevelopment of the area.

Section 7. Maintenance Costs. The Parties agree that, in any given tax year, the City may request that the Innovista Oversight Committee approve pursuant to Section 3(g)(vi) of this Agreement the application of a portion of the Aggregate Annual TIF Revenues to the actual costs of long-term maintenance of the Approved Innovista Redevelopment Projects. In the absence of such approval, the City will have no right to apply Aggregate Annual TIF Revenues for such purpose. To the extent that the Innovista Oversight Committee approves the application of Aggregate Annual TIF Revenues for such purpose, the approved amount shall not count against Maximum Project Costs.

Section 8. Notice and Right to Cure. If any Party defaults under any of this Agreement's terms, either or both of the non-defaulting parties may give written notice of the default to the defaulting Party. The defaulting Party shall have thirty days after receipt of such written notice to cure the default. If the defaulting Party fails to cure the default within this time period, the non-defaulting Parties shall then be entitled to exercise any rights or remedies granted under this Agreement or under applicable law.

Section 9. No Personal Liability. No obligation or agreement contained herein shall be deemed to be an obligation or agreement of any present or future member, officer, agent or employee of the City, the County or the School District in any other than his or her official capacity, and neither the members of the City Council, the County Council or the Board of Trustees of the School District (as applicable), nor any official executing this Agreement shall be personally liable thereon or be subject to any personal liability or accountability by reason of the obligations or agreements of the City, the County or the School District contained in this Agreement.

Section 10. Binding Nature of Agreement. This Agreement shall inure to the benefit of and shall be binding in accordance with its terms upon the governing bodies of the City, the County and the School District and their respective successors in office.

Section 11. Effect of Agreement. This Agreement constitutes and is intended by the parties to constitute the entire agreement between the Parties, and all obligations of the Parties, each to the other, contained in any memorandum and any other document or based upon any other communications prior to the execution of this Agreement have been satisfied or are superseded by this Agreement and are no longer valid and enforceable, provided this Agreement is properly

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executed and duly authorized by the Parties. Accordingly, the Parties hereto are now entering into this Agreement to memorialize the terms and conditions on which each Party will participate in the Innovista Redevelopment Plan. Each Party acknowledges that this Agreement is supplemental and in addition to the Innovista Redevelopment Plan, and is expressly intended to create contractual rights enforceable by the City, the County and the School District with respect to the Innovista Redevelopment Plan and the distribution of real property taxes and tax increment revenues received from the properties described in such Redevelopment Plan as being included in the Redevelopment Project Area.

Section 12. Amendments. This Agreement may not be effectively amended, changed, modified, altered or terminated, except in accordance with the express provisions of this Agreement or with the written consent of all Parties hereto.

Section 13. Captions; Sections; Headings. The sections, headings and other titles to paragraphs of this Agreement are inserted solely for the convenience of reference. None shall in any way define, limit, extend or aid in the construction of the scope, extent, meaning or intent of this Agreement.

Section 14. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be regarded as an original and all of which shall constitute but one and the same instrument.

Section 15. No Construction Against Drafter. The Parties hereby acknowledge that they have reviewed this Agreement, that each of the Parties has offered suggested changes and concur that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of any provision of this Agreement.

Section 16. Severability. If any provision of this Agreement or any obligation or agreement contained herein is determined by a court of competent jurisdiction to be invalid or unenforceable, that determination shall not affect any other provision, obligation or agreement, each of which shall be construed and enforced as if the invalid or unenforceable portion were not contained herein. That invalidity or unenforceability shall not affect any valid and enforceable application thereof, and each such provision, obligation, or agreement shall be deemed to be effective, operative, made, entered into, or taken in the manner and to the full extent permitted by law.

Section 17. Governing Law. This Agreement shall be deemed to be a contract made under the laws of the State and for all purposes shall be governed by and construed in accordance with the laws of the State, and by their signatures herein below, the parties consent to the exclusive jurisdiction of the courts of the State, in Richland County, for resolution of any dispute arising hereunder.

Section 18. Dispute Resolution; Mediation. In the event of any dispute, claim, question, or disagreement arising from or relating to this Agreement or the breach thereof, the Parties shall use their best efforts to settle the dispute, claim, question, or disagreement. To that end, the Parties shall consult and negotiate with each other in good faith and, recognizing their mutual interests, attempt to reach a just and equitable solution satisfactory to all Parties. If the Parties do not reach such solution within a period of sixty days, then the Parties agree to promptly submit to non-binding mediation any dispute that might otherwise have to be litigated, with each Party paying one-third of

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the costs of the mediator's services and necessary expenses.

IN WITNESS WHEREOF, the City, the County, and the School District, by their authorized representatives, have hereunto set forth their hands as of the day first above written.

CITY OF COLUMBIA, SOUTH CAROLINA

By: _____
Its: _____

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Its: _____

SCHOOL DISTRICT NO. 1 OF RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Its: _____

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Exhibit A

Original Innovista Redevelopment Plan
[to be attached]

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Exhibit B

Form of Innovista Plan Amendments

I. ADOPTION OF THE ORIGINAL INNOVISTA REDEVELOPMENT PLAN

At a meeting held on February 17, 2010, the City Council (the “Council”) of the City of Columbia, South Carolina (the “City”) enacted Ordinance No. 2010-031, pursuant to Sections 31-6-10 through 31-6-120, Code of Laws of South Carolina 1976, as amended (the “Tax Increment Financing Law”), which provided for, among other matters, the adoption of the Innovista Redevelopment Plan, as a “redevelopment plan” within the meaning of such term under the Tax Increment Financing Law (the “Original Innovista Redevelopment Plan”). The Original Innovista Redevelopment Plan designated certain real property located within the territorial limits of the City as a redevelopment project area (the “Innovista Redevelopment Project Area”) under the Tax Increment Financing Law. The Original Innovista Redevelopment Plan also provided for the issuance of Tax Increment Bonds in a principal amount of not exceeding \$150,000,000. As of the date hereof, the City has not issued any Tax Increment Bonds contemplated by the Original Innovista Redevelopment Plan.

Capitalized terms not otherwise defined herein shall have the meanings set forth in the Original Innovista Redevelopment Plan.

II. FIRST AMENDMENT TO INNOVISTA REDEVELOPMENT PLAN

By adopting this First Amendment to Innovista Redevelopment Plan (the “First Amendment”; the Innovista Redevelopment Plan as amended by this First Amendment to be referred to herein as the “Innovista Redevelopment Plan as Amended”), the City proposes: (1) to modify the participation of the City, Richland County, South Carolina (the “County”) and the School District No. 1 of Richland County (the “School District”), with respect to incremental tax revenues generated within the Innovista Redevelopment Project Area to an amount equal to seventy-five percent (75%) of the incremental tax revenues attributable to the respective millages of the City, the County and the School District; (2) to shorten the total duration of the Original Innovista Redevelopment Plan; (3) to reduce the maximum principal amount of Tax Increment Bonds which may be issued under the Original Innovista Redevelopment Plan from \$150,000,000 to \$70,000,000; (4) to replace the information relating to the public infrastructure improvements proposed to be financed from the proceeds of Tax Increment Bonds, incremental tax revenues generated within the Innovista Redevelopment Project Area, or a combination of the foregoing; (5) to eliminate the Innovista Advisory Committee described in the Original Innovista Redevelopment Plan and replace it with the Innovista Oversight Committee having such functions, powers and authority as described herein; and (6) to establish the “initial equalized assessed value” and “total initial equalized assessed value” (as such terms are defined in Section 31-6-100 of the Tax Increment Financing Law) for all taxable real property within the Innovista Redevelopment Project Area, based on the equalized assessed values of such real property for the tax year beginning on January 1, 2011.

On or prior to the date of approval of this First Amendment, the City has obtained the consent of the County and the School District to the modifications to the Original Innovista Plan contained herein, as evidenced by the Intergovernmental Agreement (Innovista Plan) dated _____, 2012 (the “County/School District Agreement”), among the City, the County and the School District, as authorized by resolution or other legislative action of the governing bodies thereof

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The findings and objectives of the City as set forth in the Original Innovista Redevelopment Plan as initially adopted are hereby confirmed, approved and ratified (except as updated or supplemented herein) by this First Amendment.

III. PARTICIPATION OF CITY, COUNTY, AND SCHOOL DISTRICT; DURATION

During the term of the Innovista Redevelopment Plan as Amended, each of the City, the County and the School District will Participate (as defined herein) in the Innovista Redevelopment Plan as Amended in the amount of seventy-five percent (75%) of the incremental tax revenues from the Innovista Redevelopment Project attributable to the respective millages of the City, the County and the School District. The term “Participate” means that a specified percentage of the collections of incremental tax revenues attributable to the respective millage rates of the City, the County and the School District will be deposited in the “special tax allocation fund” (as defined in the Tax Increment Financing Law), and applied to the extent and in the manner permitted by the Act, the County/School District Agreement and the Innovista Redevelopment Plan as Amended.

The duration of the Original Innovista Redevelopment Plan shall be reduced as follows:

- The percentage of incremental tax revenues attributable to the respective millage rates of the City, the School District and the County (as described in the foregoing paragraph) and the incremental tax revenues attributable to the respective millage rates of Richland-Lexington Riverbanks Park District (the “Riverbanks Park District”) and Richland-Lexington Airport District (the “Airport District”), shall be deposited into the “special tax allocation fund” (as defined in the Tax Increment Financing Law) and applied to the extent and in the manner permitted by the Act, the County/School District Agreement and the Innovista Redevelopment Plan as Amended for a period of not to exceed the lesser of (1) fifteen (15) years from the first day of the first fiscal year of the City in which the principal of or interest on Tax Increment Bonds shall be scheduled to be payable or is in fact paid from incremental tax revenues or (2) twenty (20) years from the date of the enactment by the City of the ordinance approving this First Amendment (the “Actual Participation Term”)
- Provided, however, that (a) for purposes of the definition of “Actual Participation Term” above, the term “Tax Increment Bonds” (as defined in the Original Innovista Redevelopment Plan) does not include obligations issued by the City under the Tax Increment Financing Law during the first five years of the Actual Participation Term (the “Interim Bonds”), if the principal of and interest on such Interim Bonds (1) are not secured by or payable from incremental tax revenues at all or (2) are not payable from incremental tax revenues until more than one year after the issuance thereof; and (b) for all other purposes of the Innovista Redevelopment Plan as Amended, the term “Tax Increment Bonds” means all obligations issued by the City under the Tax Increment Financing Law with respect to the Innovista District.

IV. MAXIMUM PRINCIPAL AMOUNT OF TAX INCREMENT BONDS; UPDATED PROJECT INFORMATION

The Original Innovista Redevelopment Plan (specifically in Chapters 4 and 7 thereof) includes an itemized, prioritized list of the public infrastructure projects that the City intends to undertake

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within the Innovista Redevelopment Project Area (estimated to be \$153,938,587, not including certain “soft” costs and other costs described therein) and provides that the City may finance such costs by issuing up to \$150,000,000 of Tax Increment Bonds during the term of the Original Innovista Redevelopment Plan.

This First Amendment reduces the maximum principal amount of Tax Increment Bonds which may be issued from \$150,000,000 to \$70,000,000 (not including refundings) and updates and supplements the information in the Original Innovista Redevelopment Plan related to the public infrastructure projects. Without affecting the validity of the Original Innovista Redevelopment Plan (or the findings made by the City with respect thereto), Chapter 4 of the Original Innovista Redevelopment Plan should be disregarded in its entirety and replaced with the information in Schedule A attached hereto.

V. ELIMINATION OF INNOVISTA ADVISORY COMMITTEE; CREATION OF INNOVISTA OVERSIGHT COMMITTEE AND RESPONSIBILITIES THEREOF; USE OF INCREMENTAL TAX REVENUES

The Original Innovista Redevelopment Plan is hereby amended to delete Section 1.5 thereof in its entirety and replace it with the text attached as Schedule B hereto. All references generally to the Innovista Advisory Committee in the Original Innovista Redevelopment Plan are hereby deleted.

VI. UPDATED ASSESSED VALUES; ESTIMATE AS TO EQUALIZED ASSESSED VALUE AFTER REDEVELOPMENT

The assessed value of all taxable real property within the Innovista District for the tax year beginning January 1, 2011, is \$9,908,070; a full listing of all real properties that are included in the Innovista District (as of the tax year beginning January 1, 2011) is set forth in Schedule C hereto. For purposes of the Innovista Redevelopment Plan as Amended, the “initial equalized assessed value” and the “total initial equalized assessed value” (as such terms are defined in the Tax Increment Financing Law) of the parcels within the Innovista District shall be determined with respect to the equalized assessed values of such real property for the tax year beginning on January 1, 2011.

Section 5.2 of the Original Innovista Redevelopment Plan included an estimate as to equalized value after redevelopment of the Innovista District. Such estimate included the then-current initial equalized value of \$9,041,680, and assumed that the redevelopment of the Innovista District would achieve complete build-out during the 25-year term of the Original Innovista Redevelopment Plan. Because the assessed value of all taxable real property within the Innovista District for the tax year beginning January 1, 2011, has increased from \$9,041,680 to \$9,908,070, and applying all other assumptions as stated in the Original Innovista Redevelopment Plan, it is now estimated that, after completion of the redevelopment of the Innovista District, the equalized assessed value of such area will be approximately \$60,680,452, representing an increase of \$50,772,382 from the total initial equalized assessed value stated above.

Given the reduction in the duration of the Original Innovista Redevelopment Plan, it is no longer expected that redevelopment of the Innovista District will achieve complete build-out during the duration of the Innovista Redevelopment Plan as Amended. Instead, it is estimated that at the conclusion of the Innovista Redevelopment Plan as Amended, the equalized assessed value of such

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area will be approximately \$[insert], representing an increase of \$[insert] from the initial equalized assessed value stated above. This calculation was generated by assuming level annual absorption over the maximum 20-year term under the “moderate” scenario contained in the ERA Report, applying a value of \$156.25 per square foot for commercial development and \$125 per square foot for residential development, excluding real property that is anticipated to be absorbed by the University of South Carolina as indicated in the ERA Report, and applying appropriate assessment ratios.

VII. IMPACT ON TAXING DISTRICTS

The Original Innovista Plan (and the findings of City Council in connection therewith) included statements as to the effect of the estimated impact upon the revenues of the taxing districts (e.g., the City, the County, the School District, the Airport District and the Zoo District) of the Original Innovista Plan. The City believes that the overall financial impact on the taxing districts from the Innovista Plan as Amended is expected to be minimal because:

- (a) Such taxing districts will continue to collect real property tax revenues attributable to the initial equalized assessed value of properties in the Innovista Redevelopment Project Area;
- (b) The City, the County and the School District will collect a portion of the incremental real property tax revenues (e.g., 25%) attributable to properties in the Innovista Redevelopment Project Area; although taxing districts will forgo a small portion of their future revenue growth for a period of time, all will benefit from a stronger, more diverse tax base and economy, improved roads, utilities and other infrastructure and a more attractive community;
- (c) The Innovista Redevelopment Project Area represents a small portion of the overall tax base of the taxing districts;
- (d) Without the Innovista Plan as Amended, it is expected that tax revenues within the Innovista Redevelopment Project Area would remain static or decline; and
- (e) Property taxes paid on vehicles, machinery and equipment and other personal property are not affected. Each taxing district will continue to receive the full benefit of growth of personal property values.

VIII. OBJECTIVES

The Innovista Redevelopment Plan as Amended is being implemented to accomplish the following objectives, in addition to those described in the Original Innovista Redevelopment Plan:

- A. To promote and protect health, safety and welfare of the public.
- B. To eradicate blighted conditions by instituting measures to redevelop blighted areas.
- C. To remove and alleviate adverse conditions necessary to encourage private development.
- D. To restore and enhance the tax base through redevelopment.
- E. To utilize property in the Innovista Redevelopment Project Area for its highest and best use.

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Schedule A: Replacement Chapter 4 of Original Innovista Redevelopment Plan

The following text shall be substituted for Chapter 4 of the Original Innovista Redevelopment Plan:

CHAPTER 4 – TAX INCREMENT FINANCING (TIF)

4.1 Public Infrastructure Improvements

The City intends to use incremental tax revenues, proceeds of Tax Increment Bonds and/or a combination of the foregoing, as well as other available sources of funding (including grants, loans and contributions from private developers) to finance certain public infrastructure improvements. Although a small portion of the incremental tax revenues may be used to defray long-term project maintenance costs (included within the description of public infrastructure improvements), it is the City's expectation that virtually all of the incremental tax revenues will be applied to the capital costs of the public infrastructure improvements which will, in turn, foster, encourage and enhance private development.

The following list describes the types of public infrastructure improvements that the City intends to finance pursuant to this redevelopment plan:

Street/Pedestrian Improvements

1. Improvement to or replacement of existing streets, including extensions, realignments, relocations, resurfacing of or changes to pavement or lane widths and intersection improvements. Construction, reconstruction, addition, improvement, expansion, relocation, renovation, upfitting, or formalization of new streets and rights of way; existing streets and rights of ways; rail crossings; bridges and pedestrian overpasses; traffic or pedestrian squares, promenades, paths, or crossings; signalization; off-street or on-street parking; sidewalks; and/or curbs, gutters and storm drainage.
2. Landscaping, lighting, signage, and related infrastructure.
3. An improved vehicular connection and relocation of streets as needed.
4. Entry/gateway features including landscaping, lighting, signage and other improvements at entry points.
5. Replacement of asphalt and concrete.
6. Pedestrian improvements (including street furnishings, landscaping and tree plantings, signage and lighting).

Utility System Improvements

1. Improvements (including distribution, treatment, transmission and realignment) to public water, sewer, electric, stormwater and communication systems
2. Acquisition of utility easements, rights-of-way or other property rights associated with the provision of new and improved utility services or removal of obsolete systems
3. Installation, relocation, reconstruction, renovation, or removal of overhead utility lines and/or replacement with new below ground systems; installation, relocation, reconstruction, renovation, or removal of gas lines.
4. Construction or improvements to administration spaces relating to utility systems
5. Public safety Shot-spotter gunshot location plat

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6. Tactical wireless video/audio surveillance system
7. Broad band wireless (Wi-Fi and Wi-Max)

Recreational or Public Spaces

1. Construction, reconstruction, addition, improvement, expansion, relocation, renovation, upfitting, or equipping of public parks and/or recreational spaces.

Related Expenses and Financing Costs

1. Land acquisition; land assembly; and acquisition of easements and rights-of-way.
2. Demolition and disposal of existing components or improvements; soil replacement/removal
3. Surveys and appraisals related to all projects
4. Historic preservation surveys, nominations and design
5. Planning, design, engineering, architectural and other professional services related to all projects
6. Environmental studies and abatement for all projects
7. Legal services for all projects
8. Marketing, advertising and related costs for all projects
9. Financing costs, including fees and costs associated with bond issuance or re-issuances, reporting and ongoing management of bond funds
10. Construction period interest/accrued interest
11. Debt service reserves
12. Issuance costs
13. Costs arising in connection with activities of oversight committee.
14. Associated long-term maintenance expenses.*

Total Expected Qualifying TIF Costs: \$70,000,000

*Does not count against \$70,000,000 limit to be funded from Tax Increment Bonds or incremental tax revenues.

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Schedule B – Innovista Oversight Committee and Functions and Responsibilities Thereof

Section 1.5 of the Original Innovista Redevelopment Plan is hereby deleted in its entirety and replaced with the following text:

1.5 Innovista Oversight Committee

In order to ensure that the redevelopment of the Innovista District is consistent with this Redevelopment Plan, as amended, and responsive to future development needs, there shall be created a committee (the “Innovista Oversight Committee”) which will review, comment on, provide advice, and have certain approval powers with respect to the operation and affairs of the Innovista Redevelopment Project Area. The composition and maintenance of the Innovista Oversight Committee, as well as its powers and responsibilities, shall be determined by agreement among the City, the County and the School District; provided, however, that the City shall have the right to implement this Original Innovista Redevelopment Plan, as amended, including but not limited to the issuance of Tax Increment Bonds, in accordance with its stated terms and the terms and conditions of the County/School District Agreement, without further approval by the Innovista Oversight Committee.

As described in the County/School District Agreement, after application of incremental tax revenues for the payment of debt service requirements on Tax Increment Bonds or to fund redevelopment project costs for the public infrastructure projects pursuant to Chapter 7 hereof, incremental tax revenues may be used to pay long-term maintenance expenses with respect to the public infrastructure projects and for such other purposes related to “Surplus Revenues” (as defined in the County/School District Agreement), subject to the recommendation and/or approval (as applicable) of the Innovista Oversight Committee and the governing bodies of the taxing districts, in each case prior to any disposition of surplus amounts as described in Chapter 7 hereof.

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Schedule C: Complete Property Listing for Innovista (Tax Year Beginning January 1, 2011)

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Exhibit C

Pre-Approved Innovista Redevelopment Projects

The Master Plan (as defined in the Original Innovista Redevelopment Plan) contains an itemized estimate of the project costs within the Innovista Redevelopment Project Area. These project costs were prepared in 2007 and accordingly have been updated in the list below to present-day value estimates. In addition, certain projects have been added, either to reflect more recent development plans and conditions or to provide for public infrastructure improvements in areas that were not included in the Master Plan. The following table presents a conceptual overview of the components of the public infrastructure projects, establishes the order of priority in which the public infrastructure projects are currently intended to be constructed, and provides the estimated, aggregate, present-day cost of each component. The cost estimates provided below are expressed in present-day terms, and the actual costs may be higher than estimated because of contingencies, inflation, unexpected limitations on materials, supplies, or labor, or other conditions that may arise in the future. In addition, development needs, growth patterns, unforeseen occurrences, and other contingencies may cause some or all of the following public infrastructure projects to be modified, supplemented, replaced, or otherwise varied, or for the accompanying cost estimates to be reduced or increased.

The Maximum Projects Costs to be funded with Aggregate Annual TIF Revenues and/or the proceeds of Obligations are limited to \$70,000,000, notwithstanding that the itemized projects below aggregate \$153,938,587.

Priority I: Greene Street [Assembly St. to Congaree River Parkway]

Greene Street	\$1,445,500
Rail Crossing	7,500,000
Foundation Square	5,756,770
Greene Street Promenade	<u>2,273,600</u>
Subtotal Estimated Construction Costs	\$16,975,870
PLUS	
Contingency and Design	5,092,761
Land Acquisition for Green Street Promenade	<u>3,550,000</u>
TOTAL	\$25,618,631

Priority II: Congaree River Parkway, Powerline and Gas Line Relocation & Senate Street

Congaree River Parkway	\$3,566,000
Powerline Relocation	7,000,000
Senate Street	1,186,500
Greene Street [Williams to Huger]	204,000
Gas Line Relocation	<u>1,080,000</u>
Subtotal Estimated Construction Costs	\$13,036,500
PLUS	
Contingency and Design	3,910,950
Land Acquisition for Parkway and Greene Street Connector	<u>6,960,000</u>
TOTAL	\$23,907,450

Priority III: New & Improved Streets in Waterfront District

Pendleton	\$531,600
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Devine	1,170,500
College.....	703,200
Wheat.....	460,000
Gist.....	230,000
Pulaski.....	1,610,000
Catawba	<u>2,176,000</u>
Subtotal Estimated Construction Costs	\$6,881,300
PLUS	
Contingency and Design.....	2,064,390
Land Acquisition for College & Devine.....	<u>2,878,750</u>
TOTAL	\$11,824,440

Priority IV: Granby and Olympia Mills Neighborhood Improvements

Improve Existing Streets	\$9,966,000
Park and Parking Lot Refurbishment	<u>1,742,400</u>
Subtotal Estimated Construction Costs	11,708,400
PLUS	
Contingency and Design.....	<u>3,512,520</u>
TOTAL	\$15,220,920

Priority V: Riverfront Park at Ballpark

Park	\$6,729,685
Wheat Street.....	460,000
Subtotal Estimated Construction Costs	\$7,189,685
PLUS	
Contingency and Design.....	<u>2,156,906</u>
TOTAL	\$9,346,591

Priority VI: Congaree Regional Waterfront Park

Park	\$39,512,904
PLUS	
Contingency and Design.....	<u>11,853,871</u>
TOTAL	\$51,366,775

Priority VII: Remaining Improvements

Remaining Improvements in Waterfront District.....	\$4,556,000
Remaining Improvements in Innovation District.....	<u>8,254,600</u>
Subtotal Estimated Construction Costs	12,810,600
PLUS	
Contingency and Design.....	<u>3,843,180</u>
TOTAL	\$16,653,780

TOTAL PROJECTED COSTS..... \$153,938,587

The above schedule does not include other costs, such as architectural and engineering costs, surveys, environmental, legal and other “soft” costs, capitalized interest and/or debt service reserves associated with the design, financing, and construction of the public infrastructure projects.

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Exhibit D

Form of Annual Financial Report

Richland County Council Request of Action

Subject

- a. To develop a master plan for the Olympia Neighborhood that takes into account the community's residential character and revitalization **[ROSE and WASHINGTON]**
- b. Palmetto Health "Women at Heart" Resolution **[WASHINGTON] [PAGE 346]**
- c. Motion that we remove the parking meters in the County's satellite parking lot. The parking lot will be for those doing business at 2020 Hampton Street only and legal notice will stipulate violators of this policy will be towed. In addition, there will be a 2-hour time limit enforced by having those that enter the lot receive a time-stamped ticket. **[ROSE and MANNING]**
- d. Green Code Text Amendments, Development Roundtable's Recommendations and Ordinance for Fostering more Environmentally-Sensitive Site Development Work Session **[WASHINGTON]**
- e. Resolution honoring Joanne Martin for outstanding service at Columbia High School and the St. Andrews Community **[DICKERSON]**

**Richland County Council
Palmetto Health “Women at Heart”
RESOLUTION**

WHEREAS cardiovascular disease continues to be the **single leading cause of death** for South Carolina and all American women,

WHEREAS more than 42 million women are living with some form of cardiovascular disease in the United States,

WHEREAS cardiovascular disease kills twice as many women over age 25 as the next **seven causes** of death combined, including all forms of cancer,

WHEREAS cardiovascular disease and stroke account for more than one third of all female deaths in South Carolina,

WHEREAS more women than men die from a first heart attack or stroke in South Carolina and nationally,

WHEREAS most cardiovascular disease can be prevented and treated if women understand the seven risk factors of heart disease, implement healthy lifestyle changes and are diagnosed early;

WHEREAS, Palmetto Health and its partners continue to recognize the need to be proactive in providing heart health information and health screening services to the women of the Midlands by implementing the fifth annual **free Women at Heart Forum and Exhibition** at the Columbia Convention Center on **September 15, 2012**;

NOW, THEREFORE BE IT RESOLVED, that the Richland County Council agrees to enter into a collaborative partnership with Palmetto Health in implementing the 2012 **Palmetto Health Women at Heart Forum and Exhibition** in the following ways:

To encourage all female County employees to attend this event and avail themselves of the free heart health information and health screening;

To provide assistance in getting the word out to as many women as possible about the upcoming Heart Health Event by including the information in County employee newsletters and other electronic media; posting Women at Heart announcement information in County administrative, recreational and other facilities;

To allow event announcements, posters and Women at Heart electronic media to reflect the County logo as a supporting partner in this important Women's Heart Health initiative in the Midlands;

Richland County Council Resolution

To support the efforts of the Richland County Emergency Medical Services Staff in a providing a presentation and information on available County emergency and trauma services to the more than 1,000 women attending the 2012 Women at Heart Forum and Exhibition;

To provide a participating County representative to serve on the Women at Heart Event Coordinating Committee; and

To declare **September 15, 2012** as “Women at Heart Awareness Day” in recognition and support of the collaborative community efforts to curb heart disease related deaths among women in Richland County and the surrounding geographic areas.

Richland County Council Request of Action

Subject

Must Pertain to Items Not on the Agenda