



## **Richland County Council**

### **Regular Session April 05, 2016 - 6:00 PM Council Chambers**

#### **Call to Order**

- 1** The Honorable Torrey Rush

#### **Invocation**

- 2** The Honorable Julie-Ann Dixon

#### **Pledge of Allegiance**

- 3** The Honorable Julie-Ann Dixon

#### **Approval of Minutes**

- 4** Regular Session: March 15, 2016 [PAGES 8-20]
- 5** Special Called Meeting: March 22, 2016 [PAGES 21-22]
- 6** Zoning Public Hearing: March 22, 2016 [PAGES 23-27]

#### **Adoption of Agenda**

**7**

#### **Report of the Attorney for Executive Session Items**

- 8**
  - a. Department of Revenue Update
  - b. Pending Litigation: Jones vs. Richland County
  - c. Personnel Matter



## **Richland County Council**

- d. Conservation Department: Purchase of Parcel
- e. Council Motion Regarding Adherence to County Policies

### **Citizen's Input**

- 9 For Items on the Agenda Not Requiring a Public Hearing

### **Open/Close Public Hearings**

- 10
  - a. An Ordinance Amending the Fiscal Year 2015-2016 General Fund Annual Budget to appropriate \$10,000.00 of General Fund Unassigned Balance to be used for expenses generated for the 2016 Army Ball and Official 100th Anniversary Kick-Off Event
  - b. An Ordinance Amending the Fiscal Year 2015-2016 General Fund Annual Budget to appropriate Sixty Two Thousand Seven Hundred Fifty One Dollars (\$62,751) to increase funding to the Board of Voter Registration & Elections Department Plans to conduct scheduled elections, operating equipment and inc. staffing

### **Report of the County Administrator**

- 11
  - a. Civil Rights: It Still Matters, April 8-9, 2016
  - b. Staff Recognition

### **Report of the Clerk of Council**

### **Report of the Chair**

- 12
  - a. Personnel Matter

### **Approval of Consent Items**

- 13 Amendment to FY 14-15 Annual Action Plan [PAGES 28-31]
- 14 Motion Regarding Future Neighborhood Master Plans [PAGES 32-35]
- 15 Electronics Recycling – Authorization to Increase Purchase Order Over \$100,000 [PAGES 36-38]



## Richland County Council

- 16 Council Motion Regarding Outside Agencies using a Fiscal Agent when Receiving Hospitality Grant Funds [PAGES 39-42]
- 17 Council Motion Regarding the Allocation of Funding to Organizations for Multiple Years [PAGES 43-47]
- 18 Department of Natural Resources – Letter of Support [PAGES 48-53]
- 19 Conservation Department: Transfer of Grant Funds [PAGES 54-57]
- 20 Bus Shelter Easement Request [PAGES 58-65]
- 21 Conservation Department: Purchase of Parcel [Executive Session] [PAGE 66]

### Third Reading Items

- 22 16-03MA  
D. R. Horton-Crown, LLC  
RU to RS-MD (25.34 Acres)  
Hollingshed Rd. & Kennerly Rd.  
05200-01-13 & 18 [PAGES 67-68]
- 23 An Ordinance Amending the Fiscal Year 2015-2016 General Fund Annual Budget to appropriate \$10,000.00 of General Fund Unassigned Balance to be used for expenses generated for the 2016 Army Ball and the Official 100th Anniversary Kick-Off Event [PAGES 69-74]
- 24 An Ordinance Amending the Fiscal Year 2015-2016 General Fund Annual Budget to appropriate Sixty-Two Thousand Seven Hundred Fifty One Dollars (\$62,751) to increase funding to the Board of Voter Registration & Elections Department Plans to conduct scheduled elections, operating equipment and inc. staffing [PAGES 75-139]
- 25 An Agreement Authorizing the execution and delivery of a fee-in-lieu of tax agreement by and between Richland County and Arum Composites, LLC [f/k/a Project Oro], whereby Richland County will enter into a fee-in-lieu of tax arrangement with Arum Composites, LLC [f/k/a Project Oro], and providing for payment by Arum Composites, LLC [f/k/a Project Oro] of certain fees-in-lieu of ad valorem taxes; providing for the allocation of fees-in-lieu of taxes payable under the agreement for the establishment of a multi-county industrial/business park; and other matters relating thereto [PAGES 140-184]



## **Richland County Council**

### **Second Reading Items**

- 26** An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to add cigar bars as a permitted use with special requirements in the NC, GC, M-1, and LI Zoning Districts [PAGES 185-192]

### **Report of Development & Services Committee**

- 27** Intergovernmental Agreement (IGA) between City of Columbia and Richland County for the Hollywood Hills Sewer Project [PAGES 193-208]

### **Report of Administration & Finance Committee**

- 28** Council Motion Regarding the Utilization of a Special Tax District [PAGES 209-238]
- 29** Council Motion Regarding Adherence to County Policies [Executive Session] [PAGE 239]

### **Report of Economic Development Committee**

- 30** A Second Supplemental Ordinance providing for the issuance and sale of Richland County, South Carolina, Hospitality Tax Revenue Bonds, Taxable Series 2015, or such other appropriate series designation, in the principal amount of not exceeding \$13,500,000; delegating authority to the County Administrator to determine certain matters with respect to the bonds; prescribing the form and details of such bonds; and other matters relating thereto [FIRST READING BY TITLE ONLY] [PAGES 240-244]

### **Report of Rules & Appointments Committee**

#### **Notification of Vacancies**

- 31**
- a. Community Relations – 3
  - b. Employee Grievance – 1
  - c. Board of Assessment Appeals – 1
  - d. Hospitality Tax – 1





## **Richland County Council**

### **Notification of Appointments**

**32** Transportation Penny Advisory Committee (TPAC) - 2 [PAGES 245-251]

a. Margaret Middleton Sumpter

b. David Via

c. Jason C. McLees

**33** Board of Zoning Appeals - 1 [PAGES 252-256]

a. Jason C. McLees

b. LaTonya B. Derrick

**34** Music Festival Commission - 1 [PAGES 257-258]

a. Derek Riley

### **Report of the Transportation Ad Hoc Committee**

**35** a. 2016 Bikeway and Sidewalk Projects: PDT Project Development Recommendations [PAGES 259-260]

### **Citizen's Input**

**36** Must Pertain to Items Not on the Agenda

### **Executive Session**

### **Motion Period**

**37** a. All motions must be posted a minimum of 24 hours before a scheduled Council meeting.

Note: When Council made this change it was to eliminate any surprise or intent of secrecy. It eliminated Chairs of committees adding motions to an agenda before the meeting without notice. The change was for all motions not some. [JACKSON]

b. Based on Richland County guideline and grievance procedure I move that



## **Richland County Council**

after all grievance committee hearings are held within the required timeline that the Administrator update and notify Council at the next available Council meeting. This also include any notices of lawsuits or legal matters.

Note: Recently Council was notified of a ruling more than one year later. If there is a timeline for the employee, the chair of the grievance committee and the committee then there must be a timeline to notify Council. [JACKSON]

c. I move that Council approve the release of funds being held in the Stormwater fund balance previously allocated for the dredging of silt from Lake Katherine. The City of Columbia has agreed to fund the balance of this project. [PEARCE]

### **Adjournment**



## Richland County Council



Special Accommodations and Interpreter Services Citizens may be present during any of the County's meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.

# RICHLAND COUNTY COUNCIL

## SOUTH CAROLINA

### REGULAR SESSION MEETING

March 15, 2016  
6:00 PM  
County Council Chambers

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

#### CALL TO ORDER

Mr. Rush called the meeting to order at approximately 6:00 PM

#### INVOCATION

The Invocation was led by the Honorable Greg Pearce

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Greg Pearce

#### PRESENTATION OF RESOLUTION/PROCLAMATIONS

- a. **A Resolution honoring the Honorable Chief Justice Jean Hoefler Toal for her dedicated service to the State of South Carolina [MANNING, JACKSON, LIVINGSTON, ROSE, PEARCE, and DICKERSON]** – Council presented Chief Justice Jean Hoefler Toal with a resolution on behalf of her retirement for her dedicated service to the State of South Carolina.
- b. **Proclamation recognizing Coach Ronnie Robinson [RUSH]** – Mr. Rush presented a proclamation to Coach Ronnie Robinson recognizing his accomplishments with the Lancaster High School Girls Basketball Team.
- c. **Purchasing Professionals Month Proclamation [RUSH]** – Mr. Rush presented a proclamation to the Procurement staff in honor of Purchasing Professionals Month.

#### APPROVAL OF MINUTES

- a. **Regular Session: March 1, 2016** – Ms. Dickerson moved, seconded by Ms. Dixon, to approve the minutes as distributed.

Mr. Malinowski brought to the Clerk's Office attention a Scribner's error on p. 13 of the minutes and requested it be corrected prior to the minutes being placed on the County's website.



#### Committee Members Present

Torrey Rush, Chair  
Greg Pearce, Vice Chair  
Joyce Dickerson  
Julie-Ann Dixon  
Norman Jackson  
Damon Jeter  
Paul Livingston  
Bill Malinowski  
Jim Manning  
Seth Rose

#### Others Present:

Tony McDonald  
Warren Harley  
Kimberly Roberts  
Daniel Driggers  
Kevin Bronson  
Larry Smith  
Brandon Madden  
Rob Perry  
Quinton Epps  
Brad Farrar  
Dwight Hanna  
Ismail Ozbek  
Donny Phipps  
Chad Fosnight  
Tracy Hegler  
Michelle Onley  
Lillian McBride  
Stephany Snowden  
Beverly Harris  
Samuel Selph  
Jennifer Wladischkin  
Christy Swofford  
Roxanne Ancheta  
Bill Peters  
Hayden Davis  
Brenda Parnell  
Kristen Shealy  
Valeria Jackson

Mr. Pearce moved, seconded by Ms. Dixon, to approve the minutes as amended. The vote was in favor unanimous.

### **ADOPTION OF AGENDA**

Mr. Rush requested a Personnel Matter be added to the agenda under the Report of the Chair.

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

### **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION**

Mr. Smith stated the following items were potential Executive Session Items:

- a. Department of Revenue Update**
- b. North Main Street Widening Project: Right of Way Acquisition**
- c. Personnel Matter**

### **EXECUTIVE SESSION**

*Council went into Executive Session at approximately 6:20 p.m.  
and came out at approximately 6:23 p.m.*

### **CITIZENS' INPUT**

**(For Items on the Agenda Not Requiring a Public Hearing)**

Mr. Pearce moved, seconded by Mr. Rose, to waive the rules and give the citizens an opportunity to speak regarding the item(s) that will have a public hearing at a future meeting. Those citizens will not be allowed to speak when the public hearing for this item is held.

Ms. Marjorie Johnson, Mr. Jim Reid and Ms. Nancy Barksdale spoke regarding the Voter Registration and Elections Department budget amendment.

### **REPORT OF THE COUNTY ADMINISTRATOR**

No report was given.

### **REPORT OF THE CLERK OF COUNCIL**

- a. 2<sup>nd</sup> Annual Distinguished Women's Luncheon, March 24<sup>th</sup>, 11:30 a.m. – 2:30 p.m., 4<sup>th</sup> Floor Conference Room – Ms. Onley reminded Council of the upcoming Distinguished Women's Luncheon on March 24<sup>th</sup> in the 4<sup>th</sup> Floor Conference Room.**

**REPORT OF THE CHAIR**

- a. **Personnel Matter** – This item was taken up in Executive Session.

**APPROVAL OF CONSENT ITEMS**

- 15-47MA, Keith Moore, GC to LI (2.58 Acres), Leesburg Road and Pepper Street, 16407-08-04 & 09 [THIRD READING]
- 15-49MA, David Powlen, PDD to PDD (amended PDD) (8.11 Acres), Hardscrabble Rd. & Summit Parkway, 05200-03-12 [THIRD READING]

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

**THIRD READING**

**15-35MA, Cynthia Weatherford, RS-HD to LI (1.27 Acres), 2610 Harlem St., 16204-08-01** – Mr. Jeter moved, seconded by Mr. Manning, to approve this item.

<b><u>FOR</u></b>	<b><u>AGAINST</u></b>
Rose	
Malinowski	
Dixon	
Jackson	
Pearce	
Rush	
Livingston	
Dickerson	
Manning	
Jeter	

The vote in favor was unanimous.

**16-03MA, D. R. Horton-Crown, LLC, RU to RS-MD (25.34 Acres), Hollingshed Rd. & Kennerly Rd., 05200-01-13 & 18** – Mr. Malinowski moved, seconded by Ms. Dickerson, to defer this item. The vote in favor was unanimous.

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site and Performance Standards; Section 26-172, Density and Dimensional Standards; Subsection (B), Required Setbacks; Allowable Encroachment into Required Setbacks; Paragraph (5), Projections into Required Yards; Subparagraph C., Screening and Retaining Walls and Fences; so as to allow fences and walls not over seven (7) feet in height in side and rear yards**

– Ms. Dixon moved, seconded by Ms. Dickerson, to approve this item.

**Richland County Council  
Regular Session Meeting  
Tuesday, March 15, 2016  
Page Four**

Ms. Dickerson inquired how this ordinance will be addressed when the HOA does not allow fences to be seven (7) feet in height.

Ms. Hegler stated the HOA's covenants would supersede the requirements and would be privately managed through those covenants.

The vote in favor was unanimous.

<b><u>FOR</u></b>	<b><u>AGAINST</u></b>
Rose	Manning
Malinowski	Jeter
Dixon	
Jackson	
Pearce	
Rush	
Livingston	
Dickerson	

The vote was in favor.

**SECOND READING**

**An Ordinance Amending the Fiscal Year 2015-2016 General Fund Annual Budget to appropriate \$10,000.00 of General Fund Unassigned Balance to be used for expenses generated for the 2016 Army Ball and the Official 100<sup>th</sup> Anniversary Kick-Off Event** – Ms. Dickerson moved, seconded by Ms. Dixon, to approve this item.

Mr. Malinowski inquired if this item was being forwarded to the budget process.

Mr. Pearce stated the original motion was to “front” them the money and pay it back in the upcoming budget process, but that motion failed. A subsequent motion was made to fully fund the event.

<b><u>FOR</u></b>	<b><u>AGAINST</u></b>
Rose	
Malinowski	
Dixon	
Jackson	
Pearce	
Rush	
Livingston	
Dickerson	
Manning	
Jeter	

The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2015-2016 General Fund Annual Budget to appropriate General Fund Balance to be used for Board of Voter Registration & Elections Department operation, equipment and staffing** – Mr. Jeter moved, seconded by Mr. Jackson, to approve this item.

Mr. McDonald there is revisions to the numbers that were previously presented. There were adjustments to the reimbursements and actual numbers. Included in the agenda packet are detailed budget documents regarding their budget request. Unfortunately, the amount the department requested was not appropriated due to budget constraints and budget cuts had to be made during the budget process.

Mr. Selph or his staff would be better able to address the need for the items the department has requested.

Mr. Jeter inquired if Voter Registration and Elections is included in the County's CAFR.

Mr. McDonald stated all departments, even those that are not direct report departments, are included in the audit if County funds are made available to them.

Mr. Rush inquired as to what the audit looks at.

Mr. McDonald stated the annual audit is a financial audit that looks at the County's own preparation of its own financial statements and makes a determination as to whether those statements/numbers are reported correctly. It does not make a judgment with respect to operations.

Mr. Pearce stated he does not understand how Greenville County conducts an election with more voters more efficiently. He also inquired how to conduct an election properly.

Mr. Selph stated the South Carolina State Election Commission conducts classes that teach election directors and election workers how to conduct elections. Mr. Selph stated he received his certification as an Election Director in October 2015.

Mr. Pearce stated all the County has is a financial audit; therefore, how can the elections department assure the County the funding is being spent correctly without a program audit.

Mr. Selph stated when Greenville County is reimbursed from the municipality the funding is placed in a separate line item. When they are reimbursed from the State Election Commission it is put in a separate line item. They use the revolving fund to pay their poll workers.

Mr. Pearce stated Council appropriated a certain amount of money for the department and this far into the fiscal year the department is requesting almost as much as was appropriated for the whole year.

Mr. Selph stated a number of the voting machines are not operational because they do not have functioning motherboard batteries. The call center to report problems on the day of the election needs phones. The printers are 10 years old and need to be replaced in order to print absentee ballots and voter registration cards. The curbside signage is needed in case the polling site is not operational and to inform the voters where the polling site has been moved to.



**Richland County Council  
Regular Session Meeting  
Tuesday, March 15, 2016  
Page Six**

Every election that is conducted the results have to be sent to the State Election Commission. The Election Commission reports back to the County Elections Office that every vote has been counted. Since Mr. Selph has been with the department the audits have been clean.

Ms. Dickerson inquired how much funding is reimbursed from the State and will it offset the costs.

Mr. McDonald stated the estimated reimbursement from the State is \$702,000.00.

Mr. Selph stated his department needs \$229,208, the projected reimbursement from the State Election Commission and the amount received from the City of Columbia.

Ms. Dickerson inquired if the numbers have been professionally audited.

Mr. Selph stated the Finance Department has reviewed the numbers, but there has not been a professional audit.

Mr. Livingston inquired if the reimbursements have traditionally been placed in the General Fund.

Mr. McDonald responded in the affirmative.

Mr. Selph stated he has requested that henceforth to establish line items and have the reimbursements come directly to the department. This would negate the need for them to come to Council for funding.

Mr. Livingston inquired about the estimated total amount of reimbursements.

Mr. McDonald stated the estimated amount this year is \$855,203.00, but the amount will vary depending on the number of elections that are held.

Mr. Pearce made a substitute motion, seconded by Mr. Malinowski, to not fund the request and direct the County Administrator to expedite a program audit.

Mr. Jeter stated it was his understanding the department did not have adequate funding to conduct a program audit. In addition, is this to be a program and financial audit?

Mr. Pearce stated the audit would be paid for out of the General Fund and the program audit should determine the answer to Council's questions.

Mr. Malinowski inquired if Voter Registration and the Elections Department were funded at \$750,000 prior to being combined. When the two were joined they were funded at \$1.2 million.

Mr. McDonald stated those amounts seem to be what he recalls.

Mr. Malinowski inquired why it took over 9 months to request the replacement printers.

Mr. Selph stated the request for replacement printers were contained in last year's budget proposal.

**Richland County Council  
Regular Session Meeting  
Tuesday, March 15, 2016  
Page Seven**

Mr. Malinowski inquired if the funding to run the elections for the municipalities is included in the department's budget at the beginning of the fiscal year.

Mr. McDonald stated the budget at the beginning of the budget year operates the department, and its services, including the elections. Any reimbursements have historically gone to the General Fund General Revenue stream to support the County's revenue and operations.

Mr. Livingston expressed his concern with the substitute motion since it may not address the non-recurring capital needs.

Ms. Dixon inquired how long the audit will take and the cost of the audit. Additionally, she inquired of Mr. Selph how often the equipment is serviced, the life of the motherboard batteries and how often the licensing fee has to be paid.

Mr. Selph responded the equipment is serviced after every election. The motherboard batteries last approximately 5 years. The licensing fee must be paid annually.

Mr. McDonald stated he would estimate that it would take 2-3 months to conduct the audit and based on other similar audit he would approximate the cost to be \$15,000 - \$20,000.

Ms. Dickerson suggested moving forward with the capital expenditures to prevent the issues experienced during the 2012 election, but to also move forward with the financial and program audit.

Mr. McDonald stated there is an additional request for \$25,000 to cover attorney's fees.

Mr. Rush inquired if the Election Commission had approached the legislature regarding the attorneys' fees, as well as, the capital needs expenses.

Mr. Selph stated the legislature has been approached and they referred him back to County Council.

Mr. Livingston made a second substitute motion, seconded by Ms. Dickerson, to move forward with a budget amendment in the amount of \$229,208.90 to cover the non-recurring capital costs, maintenance and licensing fees and to direct staff to move forward with a program and financial audit of the department.

Mr. Selph stated he is researching if he can charge the costs for the office personnel back to the municipalities when they are assisting with an election.

Mr. Manning inquired if the Parties Presidential Primaries are fully reimbursed.

Mr. Selph stated they are not fully reimbursed. The State has a formula for reimbursement and the County election offices have to abide by that formula. He believes the percentage that is reimbursable is approximately 85%.

<u>FOR</u>	<u>AGAINST</u>
Dixon	Rose
Jackson	Malinowski
Livingston	Pearce
Dickerson	Rush
Manning	
Jeter	

The vote was in favor of the second substitute motion.

Mr. Pearce moved, seconded by Mr. Livingston, to reconsider this item. The motion failed.

### **REPORT OF ADMINISTRATION AND FINANCE COMMITTEE**

**Approve the Dock Donation from EZ Dock, Inc. For Use At The Richland County Rowing Center** – Mr. Pearce stated EZ Dock, Inc. is wishing to donate a \$60,000 dock to the Rowing Center to replace the dock that was destroyed in the flood. The item was deferred to in order to draft a hold harmless agreement to be executed between the County and EZ Dock. The dock company does not wish to execute a hold harmless agreement.

Mr. Smith stated the hold harmless is not required, but was suggested by the Legal Department because the County had no involvement in the design, installation or construction of the dock.

Mr. Pearce stated if the dock is not accepted without the hold harmless agreement, the dock will not be constructed. The County does not have the funding to replace the dock; therefore, there will be no rowing at the Rowing Center until there is funding available.

Mr. Pearce moved, seconded by Mr. Livingston, to approve this item.

Mr. Malinowski inquired if the dock was submitted for reimbursement.

Mr. McDonald stated the FEMA packet for reimbursement has not been completed for all of the damages incurred. The dock could be submitted to see if there are any FEMA dollars available for reimbursement when the packet is submitted.

Mr. Livingston inquired if staff has reviewed the design and approved it.

Mr. McDonald stated staff has reviewed the design and approved it.

Ms. Dickerson inquired if there is any liability attached to acceptance of the dock.

Mr. Smith stated if the County were to be sued if someone were injured or property was damaged due to the construction of the dock, the hold harmless agreement would allow the County to be held harmless because the County did not construct/install the dock.

Mr. Livingston stated the County will be held liable if they construct the dock; therefore, the County should approve the donation since the County could be sued either way.

Mr. Jeter inquired about who has access to the dock.

Mr. McDonald stated the Rowing Club has been the primary user, but recently public access has been granted during daylight hours.

Ms. Ancheta stated the gate is open unless there is maintenance being conducted or there are flooding/safety issues to the public.

<b><u>FOR</u></b>	<b><u>AGAINST</u></b>
Rose	
Malinowski	
Dixon	
Jackson	
Pearce	
Rush	
Livingston	
Dickerson	
Manning	
Jeter	

The vote in favor was unanimous.

### **REPORT OF ECONOMIC DEVELOPMENT COMMITTEE**

**A Second Supplemental Ordinance providing for the issuance and sale of Richland County, South Carolina, Hospitality Tax Revenue Bonds, Taxable Series 2015, or such other appropriate series designation, in the principal amount of not exceeding \$13,500,000; delegating authority to the County Administrator to determine certain matters with respect to the bonds; prescribing the form and details of such bonds; and other matters relating thereto [FIRST READING BY TITLE ONLY]** – Mr. Livingston stated the committee recommended approval of this item.

Mr. Malinowski inquired about what the funding is to be used for.

Mr. McDonald stated the intended use for the funding is for the water park.

Mr. Jackson stated there were no details about the intended use of the funds; therefore, he cannot support this item. In the future, if the Economic Development Committee discusses a project at least attach a “false” name to it until the project can be publicly announced.

Ms. Dixon inquired about how many projects is a part of the bond. She stated that Kelly Mill Park was recently opened up, but the remaining phase has not been completed due to lack of funding.

Mr. McDonald responded it was his understanding the funding is intended for only the water park.

Mr. Livingston moved, seconded by Ms. Dickerson, to defer this item until the April 5<sup>th</sup> Council meeting. The vote was in favor.

## RULES AND APPOINTMENTS COMMITTEE

### I. ITEMS FOR ACTION FROM RULES AND APPOINTMENTS:

- a. **Terms of Service** – Mr. Malinowski stated this item was held in committee.
- b. **Determine if an act that amended Section 27-2-105, Code of Laws of South Carolina, 1976, approved in June 2014, is a violation of Home Rule.**

**Background:** The above amended bill gives the state the authority to change county boundaries with no input from the county/counties being affected. This could have a tremendous financial impact on a county by the transfer of millions of dollars of property from one county to another or even changing a county line to put property in a neighboring county to assist with economic incentives for a new business.

**I also question why the Richland County Lobbyist did not make Richland County aware of this bill as it proceeded at the state level?**

**Currently the Richland County/Lexington County line is being looked into for change and neither county has requested this change or disputed the lines.** – Mr. Malinowski stated this item was held in committee.

- c. **Membership Requirements for Business Service Center Appeals Board** – Mr. Malinowski stated this item was held in committee.
- d. **Add to Council Rules – All Regular and Special Called meetings will be broadcast** – Mr. Malinowski stated the committee recommended approval of this item. The vote in favor was unanimous.

## REPORT OF THE TRANSPORTATION AD HOC COMMITTEE

- a. **Bluff Road Widening Phase I: Supplemental IGA with SCDOT** – Mr. Livingston stated the committee recommended approval of this item. The vote in favor was unanimous.
- b. **North Main Street Widening Project**
  - 1. **Four Party Railroad Agreement** – Mr. Livingston stated the committee recommended approval of this item. The vote in favor was unanimous.
  - 2. **Supplemental IGA with SCDOT** – Mr. Livingston stated the committee recommended approval of this item. The vote in favor was unanimous.
  - 3. **IGA with City of Columbia** – Mr. Livingston stated the committee recommended approval of this item. The vote in favor was unanimous.

- 4. Right of Way Acquisition [EXECUTIVE SESSION]** – Mr. Livingston stated the recommendation is to move forward as discussed in Executive Session. The vote in favor was unanimous.
- c. County Transportation Improvement Program (CTIP)** – Mr. Livingston stated the committee recommended approval of this item. The vote in favor was unanimous.
- d. FY 2016 TIGER Discretionary Grant Program: Potential Candidates** – Mr. Livingston stated staff recommends submitting two (2) grant applications: Decker Boulevard Neighborhood Improvement Project and the Broad River Corridor Neighborhood Project. The committee’s recommendation is for approval. The vote in favor was unanimous.

### **REPORT OF THE BLUE RIBBON ADVISORY COMMITTEE**

- a. A Resolution requesting the State of South Carolina to appropriate funding to Richland County in an amount that is commensurate with the level of damage Richland County incurred as a result of the 2015 Historic Flood Event** – Mr. Rush stated this resolution will be forwarded to all members of the Legislative Delegation. The committee’s recommendation is for approval. The vote in favor was unanimous.
- b. Blue Ribbon Recommendations from March 10<sup>th</sup> Meeting** – Mr. Rush stated the Intermediate Implementation Plan was presented to the committee. The plan is an internal County plan on how the County departments will conduct intermediate recovery operations within the State’s recovery timeline. It is designed to be a part of the SC Intermediate Recovery Implementation Plan and the Richland County Long-Term Recovery Plan. It outlines the County’s strategy for implementation and support of the intermediate recovery operation.

The committee’s recommendation is to approve the adoption of the Richland County Intermediate Implementation Plan and plan mission.

Mr. Malinowski stated one of the goals is to provide safe housing for all residents, but the majority of the funding is directed toward low-moderate income residents. Therefore, if the residents are not low-moderate income residents will they be excluded?

Mr. Bronson stated the plan will be amended to replace “low-moderate” to “all residents”.

Mr. Malinowski inquired if the locations for the public meetings chosen due to those areas incurring flood damage. He further stated there was not a public meeting location in the Northwest.

Mr. Bronson stated the meeting locations were developed by staff to address the areas that were most impacted by the flooding event. The Blue Ribbon Committee added three (3) additional locations.

Mr. Malinowski requested, if needed, a public meeting in the Northwest. (i.e. Dutch Fork Middle or High School).

Mr. Malinowski inquired why the school districts are not addressed in the listed tasks.

Mr. Bronson stated the school districts will be included in the County's assessment.

Mr. Jackson inquired if the locations were chosen based on claims or report of damages by the flood.

Mr. Bronson stated the starting point was the areas that had the greatest concentration. Then meetings were held with community leaders to determine the best locations to hold the meetings. Staff is currently working with the community leaders to determine the dates to hold the meetings.

The vote was in favor of adopting the Richland County Intermediate Implementation Plan and plan mission.

Mr. Rush stated the committee discussed a project entitled "Richland Restores". It is a pilot program developed by County staff and local non-profit organizations to utilize current Richland County CDBG funds for owner occupied housing rehabilitation. Up to 5 homes in unincorporated areas of Richland County will be selected for rehabilitation. The homes must be owner occupied and adversely impacted by the October floods. Work through Richland Restores would be completed through St. Bernard's Project. All work must be completed and all funds must be spent prior to July 31, 2016. The \$300,000 in funding for this pilot program will come from re-programmed CDBG funding and not CDBG-DR funding. The project may be expanded and funded by disaster recovery funds, such as the CDBG-DR Program.

The committee recommended approval of this pilot program.

Mr. Malinowski stated Council approved Item 22(b), which is outlined on pp. 241-305; therefore, he does not believe anything additional needs to be taken up.

Mr. Rose moved, seconded by Mr. Malinowski, to reconsider the items forwarded from the Blue Ribbon Advisory Committee. The motion failed.

**CITIZENS' INPUT  
(Must Pertain to Items Not on the Agenda)**

Mr. Toney Forrester spoke regarding problems with drug dealers in his neighborhood and their abuse of his dog.

Ms. Helen Taylor Bradley spoke regarding the Lower Richland Sewer Project.

**EXECUTIVE SESSION**

*Council went into Executive Session at approximately 8:20 p.m.  
and came out at approximately 8:35 p.m.*

- a. **Department of Revenue Update** – No action was taken.
- b. **Personnel Matter** – No action was taken.

**ADJOURNMENT**

The meeting adjourned at approximately 8:39 PM.

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Torrey Rush, Chair

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Greg Pearce, Vice-Chair

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Joyce Dickerson

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Julie-Ann Dixon

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Norman Jackson

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Damon Jeter

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Paul Livingston

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Bill Malinowski

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Jim Manning

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Seth Rose

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Kelvin E. Washington, Sr.

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council



# RICHLAND COUNTY COUNCIL

## SOUTH CAROLINA

### SPECIAL CALLED MEETING

March 22, 2016  
Immediately Following D&S Committee  
County Council Chambers

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

#### CALL TO ORDER

Mr. Rush called the meeting to order at approximately 5:42 PM

#### SPECIAL ELECTION – COUNTY COUNCIL DISTRICT 10

Mr. Pearce moved, seconded by Mr. Jackson, to hold a special election, pursuant to State Law, to fill the recently vacated Richland County Council Seat for District 10.

Mr. Malinowski inquired as to where the funds are to come from to pay for the special election.

Mr. McDonald stated there are potentially three elections that could result from the special called election: the primary (\$33,540.90), a run-off (\$29,210.00) and the general election (\$33,540.90). If all three elections were to be held it would cost approximately \$96,291.80.

Mr. Livingston recommended the County Administrator review the expenditures and to make a recommendation to Council.

Mr. McDonald recommended referring this item to April 5<sup>th</sup> Council Meeting for Second Reading, but to only include the costs for the primary and run-off elections in the budget amendment.

#### **FOR**

Rose  
Malinowski  
Dixon  
Jackson  
Pearce  
Rush  
Livingston  
Dickerson  
Manning

#### **AGAINST**

The vote in favor was unanimous.



#### Committee Members Present

Torrey Rush, Chair  
Greg Pearce, Vice Chair  
Joyce Dickerson  
Julie-Ann Dixon  
Norman Jackson  
Paul Livingston  
Bill Malinowski  
Jim Manning  
Seth Rose

#### Others Present:

Tony McDonald  
Warren Harley  
Kimberly Roberts  
Daniel Driggers  
Kevin Bronson  
Larry Smith  
Brandon Madden  
Brad Farrar  
Ismail Ozbek  
Michelle Onley  
Lillian McBride  
Samuel Selph  
Roxanne Ancheta  
Valeria Jackson  
Rudy Curtis

**ADJOURNMENT**

The meeting adjourned at approximately 5:54 PM.

\_\_\_\_\_  
Torrey Rush, Chair

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Greg Pearce, Vice-Chair

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Joyce Dickerson

\_\_\_\_\_  
Julie-Ann Dixon

\_\_\_\_\_  
Norman Jackson

\_\_\_\_\_  
Damon Jeter

\_\_\_\_\_  
Paul Livingston

\_\_\_\_\_  
Bill Malinowski

\_\_\_\_\_  
Jim Manning

\_\_\_\_\_  
Seth Rose

\_\_\_\_\_  
Vacant

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council

# RICHLAND COUNTY COUNCIL

## SOUTH CAROLINA

### ZONING PUBLIC HEARING

March 22, 2016  
7:00 PM  
County Council Chambers

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

#### CALL TO ORDER

Mr. Rush called the meeting to order at approximately 7:02 PM

#### ADDITIONS/DELETIONS TO THE AGENDA

Ms. Hegler requested Text Amendment #3 be deferred.

#### ADOPTION OF THE AGENDA

Mr. Malinowski moved, seconded by Ms. Dixon, to defer Text Amendment #3. The vote in favor was unanimous.

Mr. Pearce moved, seconded by Mr. Malinowski, to adopt the agenda as amended. The vote in favor was unanimous.

#### MAP AMENDMENTS

**16-05MA, Keith Utheim, RU to RS-MD (27.52 Acres), Bookman Rd., 26000-03-02 [FIRST READING]** - Ms. Dixon moved, seconded by Mr. Malinowski, to deny the re-zoning request. Ms. Dixon also requested staff to contact her regarding the future land map use for this area to ensure it properly reflects its rural character.

#### **FOR**

Rose  
Malinowski  
Dixon  
Jackson  
Pearce  
Rush  
Livingston  
Dickerson  
Manning

#### **AGAINST**

The vote in favor was unanimous.



#### Committee Members Present

Torrey Rush, Chair  
Greg Pearce, Vice Chair  
Joyce Dickerson  
Julie-Ann Dixon  
Norman Jackson  
Paul Livingston  
Bill Malinowski  
Jim Manning  
Seth Rose

#### Others Present:

Warren Harley  
Kimberly Roberts  
Tracy Hegler  
Michelle Onley  
Tommy DeLage  
Amelia Linder  
Geo Price

**Richland County Council  
Zoning Public Hearing  
Tuesday, March 22, 2016  
Page Two**

**16-06MA, David Stuck, RU to RS-HD (16.25 Acres), 825 Hallbrook Dr., 19100-07-01 & 02 [FIRST READING]**

Mr. Rush opened the floor to the public hearing.

Mr. Robert Darr spoke in favor of this item.

Ms. Virginia Sanders, Ms. Wilma Magar, Mr. Gary Robinson, Mr. Morgan Graham, Mr. Frank DuBose, Ms. Sherry Katz and Ms. Sue Lakin spoke in opposition of this item.

The floor to the public hearing was closed.

Mr. Jackson moved, seconded by Ms. Dixon, to deny the re-zoning request.

- | <b><u>FOR</u></b> | <b><u>AGAINST</u></b> |
|-------------------|-----------------------|
| Rose              |                       |
| Malinowski        |                       |
| Dixon             |                       |
| Jackson           |                       |
| Pearce            |                       |
| Rush              |                       |
| Livingston        |                       |
| Dickerson         |                       |
| Manning           |                       |

The vote in favor was unanimous.

**TEXT AMENDMENTS**

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-173, Off-Street Parking Standards; Subsection (F), Parking of Recreational Vehicles, Boats, and Travel Trailers; so as to add utility trailers and to allow all such vehicles and trailers to be parked on any lot within the County [FIRST READING]**

Mr. Rush opened the floor to the public hearing.

Mr. Ed Dixon spoke in favor of this item.

Mr. Frank DuBose spoke in opposition of this item.

The floor to the public hearing was closed.

Ms. Dixon moved, seconded by Mr. Malinowski, to approve this item.

Mr. Jackson inquired if the change is to make it more convenient to park your vehicle in the front yard.

**Richland County Council  
Zoning Public Hearing  
Tuesday, March 22, 2016  
Page Three**

Mr. Price stated the current ordinance restricts where you can park boats, RVs, trailers, etc. Residents cannot park the vehicle in the front yard setbacks, side yard setbacks or in front of the principal structure. The proposed ordinance would remove all restrictions and residents would be allowed to park the vehicles anywhere on their property.

Ms. Dickerson stated she could support the proposed changes if someone lives in the rural area and has an acre or more of land to place the vehicles on, but in subdivisions the proposed changes would detract from the overall appearance of the community.

Mr. Pearce made a substitute motion, seconded by Ms. Dixon, to refer this item back to the Ordinance Review Committee.

Ms. Dixon stated the proposed ordinance does not need to be a “one shoe fits all” but to take into consideration all of the residents of Richland County.

Mr. Manning made a friendly amendment to hold an additional public hearing and to allow the citizens that previously spoke on this item to speak again, if they so choose.

Mr. Malinowski stated he is in agreement with Ms. Dixon’s statement that “one shoe” does not fit all. He further stated that staff should go back and take a look at the building ordinances to make the streets wider and the larger setbacks for the properties. In addition, those residents that have owned their property for a number of years should not be penalized.

<u>FOR</u>	<u>AGAINST</u>
Rose	
Malinowski	
Dixon	
Jackson	
Pearce	
Rush	
Livingston	
Dickerson	
Manning	

The vote in favor was unanimous.

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to establish special requirements for cigar bars [FIRST READING]**

Mr. Rush opened the floor to the public hearing.

Mr. Tom Burns spoke in favor of this item.

The floor to the public hearing was closed.

**Richland County Council  
Zoning Public Hearing  
Tuesday, March 22, 2016  
Page Four**

Mr. Rose moved, seconded by Mr. Livingston, to approve this item.

Mr. Jackson stated he recommended amending the proposed ordinance to state that “at least seventy-five (75) percent of the bar’s revenue must be from the on-site sale of tobacco products”. If the ordinance is passed as presented, it would increase the number of inspections required due to the number of restaurants/bars that are “popping up”.

Mr. Price stated the fifty-one (51) percent came about from an analysis of various ordinances from other municipalities and jurisdictions.

Mr. Malinowski requested a statement in the ordinance that would prohibit the smoking of commercially made cigarettes.

Mr. Rose stated he would like to approve the ordinance before Council and if Mr. Jackson wishes to amend the ordinance to bring back a motion to that effect.

Ms. Dickerson inquired about what a cigar bar consists of.

Mr. Price stated a cigar bar is an establishment where the primary activity is to purchase cigar products and to enjoy the smoking of the cigars while there. While customers are smoking their cigars at the establishment they may also purchase an alcoholic beverage.

Mr. Rush inquired of Mr. Price if the revenue amounts for other cigar bar establishments in the County is 75% or higher.

Mr. Price stated he has not visited many because most are located in the City of Columbia.

Mr. Manning made a substitute motion, seconded by Ms. Dickerson, to amend the proposed ordinance to state that 75% of the establishment’s revenue must come from the sale of on-site tobacco products.

<u>FOR</u>	<u>AGAINST</u>
Dixon	Rose
Jackson	Malinowski
Dickerson	Pearce
Manning	Rush
	Livingston

The substitute motion failed.

<u>FOR</u>	<u>AGAINST</u>
Rose	Dixon
Malinowski	Jackson
Pearce	Dickerson
Rush	Manning
Livingston	

The vote was in favor of the original motion.

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to amend the special requirements for bars and other drinking places** - This item was deferred.

### **ADJOURNMENT**

The meeting adjourned at approximately 7:56 PM.

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council

## Richland County Council Request of Action

**Subject:**

Amendment to FY 14-15 Annual Action Plan

March 22, 2016 – The Committee recommended that Council approve the request to amend the FY 14-15 CDBG Action Plan to allow \$200,000 to be used by Trinity Housing/St. Lawrence Place to acquire up to four (4) houses to supply affordable rental housing units.



# Richland County Council Request of Action

**Subject:** Amendment to FY 14-15 Annual Action Plan

## **A. Purpose**

County Council is requested to approve an amendment to the FY 14-15 Community Development Block Grant (CDBG) Action Plan to award \$200,000 to St. Lawrence Place/Trinity Housing to use funds for acquisition and other soft costs for housing to assist families that are at-risk and/or homeless.

## **B. Background / Discussion**

Richland County Community Development has received a request to use current CDBG funds. An amendment of the FY 14-15 Annual Action Plan to award \$200,000 to St. Lawrence Place/Trinity Housing to use funds for acquisition and other soft costs would be necessary. Four initial homes have been identified for potential purchase. They are:

- 122 New Way Road, Columbia 29223 (Council District 10)
- 3147 Harrison Road, Columbia 29204 (Council District 3)
- 2531 Glenwood Dr., Columbia 29204 (Council District 3)
- 2413 Reynolds Dr., Columbia 29204 (Council District 3)

These homes are a part of a larger “cluster plan” of scattered-site homes to be purchased to assist homeless persons. The majority of the persons assisted originated from Richland County before becoming homeless. The units were selected due to be more “shovel ready”. The larger plan also involves applying for SC State Housing funds (\$300,000) and City of Columbia funds to complete these efforts. This reflects leveraging and regionalism.

These scattered site homes would supply affordable rental units to house formally at-risk/homeless families. Trinity Housing will own the properties and the provide site and case management. The locations will keep families close to public transportation and relative short travel distance to St. Lawrence Place for additional case management assistance. The waiting list for these homes are standing at a current list of 60 families in addition to those who call daily seeking housing. The eligible families will not exceed 60% LMI. Trinity will provide some of their own resources for rehabilitation on the housing units for this project.

HUD’s response to the amendment will also be sought to achieve an approved amendment by use of a public comment period and public advertised.

## **C. Legislative / Chronological History**

- County Council approved the FY 14-15 CDBG budget on July 1, 2014. This action would amend this Action Plan for the above purpose. This information was included for your convenience.

## **D. Financial Impact**

There is no financial impact to the County. This action would amend Community Development Department’s FY 14-15 Action Plan in the amount of \$200,000. The overall budget was \$1,296,072 for that fiscal year.

**E. Alternatives**

1. Approve the request to amend the FY 14-15 CDBG Action Plan to allow \$200,000 to be used by Trinity Housing/St. Lawrence Place to acquire up to 4 homes as noted above.
2. Do not approve request to amend the FY 14-15 CDBG Action Plan to allow \$200,000 to be used by Trinity Housing/St. Lawrence Place to acquire up to 4 homes as noted above.

**F. Recommendation**

It is recommended that Council approve the request to amend the FY 14-15 CDBG budget to allow \$200,000 to be used by Trinity Housing/St. Lawrence Place to acquire up to 4 homes as noted above.

Recommended by: Valeria Jackson  
Department: Community Development  
Date: 3/1/16

**G. Reviews**

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

**Finance**

Reviewed by: Daniel Driggers Date: 3/9/16  
✓ Recommend Council approval  Recommend Council denial  
Comments regarding recommendation:

Recommendation supports the Community Development Director’s recommendation on amending the action plan based on no financial impact on the County.

**Grants**

Reviewed by: Natashia Dozier Date: 03/10/2016  
✓ Recommend Council approval  Recommend Council denial  
Comments regarding recommendation:

**Legal**

Reviewed by: Brad Farrar Date: 3/10/16  
 Recommend Council approval  Recommend Council denial  
Comments regarding recommendation: Policy decision of Council.

**Administration**

Reviewed by: Warren Harley Date: 3/10/16  
✓ Recommend Council approval  Recommend Council denial  
Comments regarding recommendation:



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## **Notice of Award**

### **Home Investment Partnerships Program**

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**Date: March 30, 2016**

The City of Columbia Community Development Department has awarded HOME Investment Partnership Program funds (HOME Programs) to Trinity Housing Corporation in the amount of \$210,703.00. These funds have been awarded to purchase three (3) single family homes zoned in the City Of Columbia (Druid Hill) as a part of the Live Oak II Project for affordable rental housing.

This HOME award will increase the number of affordable single family homes for rent to low-moderate income households and may also provide contracting and employment opportunities. The HOME Program is an Equal Housing Opportunity Program and is subject to the requirements of the Fair Housing Act of 1988, as amended. Minority, women and Section 3 businesses (as defined by 24 CFR 135) are encouraged to participate.

Trinity Housing Corporation does not discriminate on the basis of age, race, color, religion, sex, national origin, familial status or disability in the admission or access to, or treatment of or employment in, it federally assisted program or activities. Anyone with questions concerning this HOME funded project should contact: Lila Anna H. Sauls, CEO of Trinity Housing Corporation at (803) 256-3999.



City Of Columbia – Community Development Department  
1225 Lady Street Columbia SC 29201  
Ph. (803) 545-3046

## Richland County Council Request of Action

**Subject:**

Motion Regarding Future Neighborhood Master Plans

March 22, 2016 – The Committee recommended that Council approve the creation of a set of criteria for determining the necessity of future Neighborhood Master Plans in unincorporated Richland County and an analysis of District Nine (9) to be initiated by the Neighborhood Improvement Program prior to December 31, 2016.

# Richland County Council Request of Action

**Subject:** Motion Regarding Future Neighborhood Master Plans

## A. Purpose

County Council is requested to approve the creation of a set of criteria for determining the necessity of future Neighborhood Master Plans in unincorporated Richland County by the Neighborhood Improvement Program (NIP) as well as a full analysis of District Nine [9] for the purpose of determining the necessity of drafting a Neighborhood Master Plan for the area. This set of criteria will serve as a guide to direct NIP staff master planning efforts and funding as pertains to the drafting of future Neighborhood Master Plans. The completion of the criteria and analyses will better ensure that Neighborhood Redevelopment Funding is appropriately allocated to areas of unincorporated Richland County that exhibit the greatest need and ability to benefit from master planning efforts.

## B. Background / Discussion

On March 1, 2016, the honorable Julie-Ann Dixon brought forth the following motion:

“I move that the Richland County Neighborhood Improvement Program develop a set of criteria for determining the necessity of future Neighborhood Master Plans in unincorporated Richland County and that staff begin their analysis with District 9 no later than the end of the calendar year [December 31, 2016]”

The Neighborhood Improvement Program was established by County Council in Fiscal Year 2004 to coordinate and fund Neighborhood Master Plans and improvement projects in Richland County. On March 1, 2005, County Council approved the first 10 priority focal areas for Neighborhood Master Planning. The table below displays the completed Master Planning Areas, along with the date each plan was adopted by County Council.

<b>Master Planning Area</b>	<b>Date Adopted</b>
Southeast Richland Neighborhoods	1/3/2006
Broad River Neighborhoods	10/19/2006
Decker Blvd / Woodfield Park	7/10/2007
Candlewood	3/12/2009
Crane Creek	1/19/2010
Trenholm Acres / Newcastle Neighborhoods	1/19/2010
Broad River Road Corridor and Community	12/14/2010
Lower Richland	3/18/2014
Spring Hill	3/18/2014
Mill District (Olympia)	<i>In progress</i>
Ridgewood Master Plan*	August 2004
Arthurtown Revitalization**	Project Completed

*\*Project initiated prior to the establishment of the Neighborhood Improvement Program. This project was funded and implemented by the Community Development Department.*

*\*\*Project initiated prior to the establishment of the Neighborhood Improvement Program. This project was funded and implemented by the Community Development Department and did not include a master plan. This project has been completed and included the paving of all dirt roads, installation of underground drainage pipes, installation of sidewalks and street enhancements that promote safety and awareness, and upgrading of existing outdoor recreation facilities in the Arthurtown community.*

As the Neighborhood Improvement Program is, for the first time since its inception, in a phase of deliberate implementation, staff also recognizes a need to proactively prepare for the possibility of drafting future plans.

The establishment of a set of criteria for assessing the necessity of future Neighborhood Master Plans in unincorporated Richland County is essential to the progression of the program and the targeted, lucrative revitalization and/or conservation of areas of unincorporated Richland County in accordance with the prescriptions of the recently updated Richland County Comprehensive Plan.

**C. Legislative / Chronological History**

This is a council-initiated request; therefore, there is no legislative history.

**D. Financial Impact**

There is no direct financial impact associated with this request. However, the Neighborhood Improvement Program may request additional funding to draft and implement future Neighborhood Master Plans.

**E. Alternatives**

1. Approve the creation of a set of criteria for determining the necessity of future Neighborhood Master Plans in unincorporated Richland County and an analysis of District Nine [9] to be initiated by the Neighborhood Improvement Program prior to December 31, 2016.
2. Approve the creation of a set of criteria for determining the necessity of future Neighborhood Master Plans in unincorporated Richland County but do not approve an analysis of District Nine [9] to be initiated by the Neighborhood Improvement Program prior to December 31, 2016.
3. Do not approve the creation of a set of criteria for determining the necessity of future Neighborhood Master Plans in unincorporated Richland County or an analysis of District Nine [9] to be initiated by the Neighborhood Improvement Program prior to December 31, 2016.

**F. Recommendation**

It is recommended that Council approve the creation of a set of criteria for determining the necessity of future Neighborhood Master Plans in unincorporated Richland County and an analysis of District Nine (9) to be initiated by the Neighborhood Improvement Program prior to December 31, 2016.

Recommended by: Tracy Hegler

Department: Planning

Date: March 7, 2016

**G. Reviews**

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

**Finance**

Reviewed by: Daniel Driggers

Date: 3/11/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

**Legal**

Reviewed by: Brad Farrar

Date: 3/11/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision of Council.

**Administration**

Reviewed by: Warren Harley

Date: 3/18/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

## Richland County Council Request of Action

**Subject:**

Electronics Recycling – Authorization to Increase Purchase Order Over \$100,000

March 22, 2016 – The Committee recommended that Council approve the request to increase the purchase order for eCycle Secure from \$90,000 to \$130,000 to handle the County's waste stream until the end of FY16.



## Richland County Council Request of Action

**Subject:** Electronics Recycling – Authorization to Increase Purchase Order Over \$100,000

**A. Purpose**

County Council is requested to approve an increase in the blanket purchase orders for eCycle Secure to continue to manage our electronics recyclables.

**B. Background / Discussion**

Solid Waste & Recycling has an agreement with eCycle Secure to take all of our residential electronics which for the most part are banned from landfills. The electronics recycling market has been encountering more than it normal turbulence and our residents have been recycling more. This is a request to increase eCycle Secure’s purchase order from \$90,000 to \$130,000 with the intent of handling the waste stream until the end of FY16.

**C. Legislative / Chronological History**

This is a staff-initiated request. Therefore, there is no legislative history.

**D. Financial Impact**

Solid Waste has sufficient funds in the FY16 budget to handle the increase.

Council approval of this request will authorize an increase in the purchase order totaling \$40,000. No new funds are being requested.

**E. Alternatives**

1. Approve the request to increase the purchase order from \$90,000 to \$130,000. This increase will allow the County to manage this state mandated program.
  
2. Do not approve the request to increase the purchase order from \$90,000 to \$130,000. If this alternative is chosen we can increase the PO to \$99,000, likely leaving the county with no means to recycle electronics for a couple of months and could impact Richland Recycles Day in May.

**F. Recommendation**

It is recommended that Council approve the request to increase Blanket Purchase Order B1600256 to \$130,000.

Recommended by: Rudy Curtis  
Department: Solid Waste & Recycling  
Date: 3/15/2016

**G. Reviews**

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

**Finance**

Reviewed by: Daniel Driggers

Date: 3/16/16

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Recommendation based on availability of budgeted funds.

**Procurement**

Reviewed by: Christy Swofford

Date: 3/15/16

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

**Legal**

Reviewed by: Brad Farrar

Date: 3/15/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision of Council.

**Administration**

Reviewed by: Kevin Bronson

Date: 3/16/16

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Funds are available within the current FY budget. Approval will allow electronics recycling to continue at current projected service levels.

## Richland County Council Request of Action

**Subject:**

Council Motion Regarding Outside Agencies using a Fiscal Agent when Receiving Hospitality Grant Funds

March 22, 2016 – The Committee recommended that Council approve that beginning in FY18 all organizations that use a fiscal agent to administer grant funded projects through Hospitality Tax grant program can only do so for one fiscal year, after which they must have a 501(c)(3) tax exempt status to receive future Hospitality Tax grant funds from the County.

## Richland County Council Request of Action

**Subject:** Council Motion Regarding Outside Agencies using a Fiscal Agent when Receiving Hospitality Grant Funds

### **A. Purpose**

County Council is requested to consider a Council motion regarding outside agencies using a fiscal agent when receiving hospitality grant funds.

### **B. Background / Discussion**

At the February 9, 2016 Council meeting, Council members Livingston and Malinowski brought forth the following motion:

“As a part of the eligibility requirements of outside agencies receiving funding from Richland County, regardless of the funding source (i.e., Discretionary Grant Program/General Fund, Accommodations Tax & Hospitality Tax), organizations must provide the following:

1. Current organizational line item operating budget reflecting sources and amounts of income and expenditures for the organization as a whole, not just the program or project being supported by County funds
2. IRS determination letter indicating the organization’s 501 c 3 charitable status
3. Proof of current registration as a charity with the SC Secretary of State’s Office
4. Current list of board of directors
5. Most recent 990 tax return

In addition to the abovementioned requirements, the eligibility requirements of outside agencies receiving funding from Richland County through the Hospitality Tax must be met:

1. Applicant organizations must have been in existence for at least one (1) year prior to requesting funds
2. Primary goal is to attract additional visitors through tourism promotion
3. Agencies cannot be an individual, fraternal organization, religious organization, or an organization that supports and/or endorses political campaigns
4. All funds must be spent on direct program expenditures by the organization that is granted the allocation

Given this information, I move that beginning in FY18 all organizations that use a fiscal agent to administer grant funded projects through the Hospitality Tax grant program can only do so for one fiscal year, after which they must have a 501(c)(3) tax exempt status to receive future Hospitality Tax grant funds from the County.”

In FY16, four (4) organizations received Hospitality tax dollars using a fiscal agent to administer the funds:

- SC Pro Am (Richland County Recreation Commission) - \$19,728
- Northeast Community Festivals (SC Uplift) - \$25,454

- Bluegrass, Blues & Barbeque Festival (Fiscal Agent TBD) - \$30,815
- Pinewood Lakes Foundation / Wet and Wild Family Fun Fest (Richland County Recreation Foundation) - \$15,454,54

**C. Legislative / Chronological History**

- February 9, 2016 – Motion made by Council members Livingston and Malinowski

**D. Financial Impact**

There is no financial impact associated with this request.

**E. Alternatives**

1. Consider the motion and proceed accordingly.
2. Consider the motion and do not proceed accordingly.

**F. Recommendation**

This is a policy decision for Council.

Recommended by: Paul Livingston and Bill Malinowski

Department: Council District(s) 4 and 1

Date: 2/9/16

**G. Reviews**

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

**Finance**

Reviewed by: Daniel Driggers

Date: 3/4/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

This is a policy decision for Council however the recommendation supports the concept of reducing the organizational recurring dependency on County Hospitality Tax funds.

**Grants**

Reviewed by: Natashia Dozier

Date: 3/7/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

**Legal**

Reviewed by: Brad Farrar

Date: 3/7/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision of Council.

**Administration**

Reviewed by: Roxanne Ancheta

Date: March 7, 2016

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation: While this is a policy decision for Council, it is recommended that Council approve this item so as to provide greater clarification regarding which agencies are the true recipients of County funds, which will ensure greater accountability and oversight.

## Richland County Council Request of Action

**Subject:**

Council Motion Regarding the Allocation of Funding to Organizations for Multiple Years

March 22, 2016 – The Committee recommended that Council approve that all organizations that request one (1) year funding from the County will not receive funding from the County in subsequent years for the same purpose.

## Richland County Council Request of Action

**Subject:** Council Motion Regarding the Allocation of Funding to Organizations for Multiple Years

### **A. Purpose**

County Council is requested to consider a Council motion regarding allocating funding to organizations that initially received one-time funding but have been receiving it for multiple years.

### **B. Background / Discussion**

At the February 9, 2016 Council meeting, Council member Malinowski brought forth the following motion:

“Prior to budget meetings, Council needs to decide if they will not provide funding to organizations that initially received one-time funding but have been receiving it for multiple years”

Below is a list of the 10 year funding history for agencies that may have initially received one-time funding but have been receiving it for multiple years. Typically, these organizations are funded out the County’s General Fund via Contractual & Statutory (C&S) funds.

### **C. Legislative / Chronological History**

- May 21, 2015 – Funding of C&S agencies were discussed as a Council Retreat Directive for the Community Relations Strategic Plan at the Budget Ad Hoc Committee meeting. However, no actions were taken on this item.
  
- February 9, 2016 – Motion made by Council member Malinowski

### **D. Financial Impact**

The financial impact of this request is contingent upon Council action on this motion. Not providing funding to organizations that initially received one-time funding but have been receiving it for multiple years may result in additional funds available to the County for general fund purposes prior to the County’s budget work sessions.

### **E. Alternatives**

1. Consider the motion and proceed accordingly.
  
2. Consider the motion and do not proceed accordingly.

### **F. Recommendation**

This is a policy decision for Council.

Recommended by: Bill Malinowski

Department: Council District 1

Date: 2/9/16

### **G. Reviews**



(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

**Finance**

Reviewed by: Daniel Driggers

Date: 3/4/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

The recommendation supports a decision on a funding strategy being considered prior to the budget work sessions. Developing and implementing strategies early can improve the budget process and provide more anticipated outcomes.

**Legal**

Reviewed by: Brad Farrar

Date: 3/7/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision of Council.

**Administration**

Reviewed by: Roxanne Ancheta

Date: March 7, 2016

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: It is recommended that Council provide specific direction to staff regarding funding for outside (a.k.a. Contractual and Statutory – C&S) agencies. This will assist staff tremendously in the development of the FY 17 budget.



10 Year Funding History for General Fund CS Agencies

Organization Name	FY07	FY08	FY09	FY10	FY11	FY12	FY 13	FY14	FY15	Budget FY16	Total	Comments
<b><u>Contract/Mandated</u></b>												
Business Improvement District - City of Columbia	\$0.00	\$0.00	\$50,000.00	\$47,500.00	\$47,500.00	\$47,500.00	\$47,500.00	\$47,500.00	\$47,500.00	\$47,500.00	\$432,500.00	BID Agreement - City Center Partnership
Central Midlands Council of Governments	\$140,155.00	\$140,155.00	\$140,155.00	\$140,155.00	\$140,155.00	\$178,432.00	\$178,432.00	\$178,432.00	\$178,432.00	\$178,432.00	\$2,191,832.00	Annual Membership
City of Cola - Business License	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$929,127.00	
Economic Development (Central SC Alliance)	\$72,000.00	\$72,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$360,000.00	Moved to Industrial Park in FY09
LRADAC	\$650,000.00	\$600,000.00	\$600,000.00	\$600,000.00	\$600,000.00	\$600,000.00	\$600,000.00	\$600,000.00	\$600,000.00	\$600,000.00	\$8,425,000.00	Pass Through
Public Defender	\$1,237,000.00	\$1,387,000.00	\$1,387,000.00	\$1,317,650.00	\$1,317,650.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$9,857,300.00	Moved To Transfer Out
<b><u>Discretionary</u></b>												
Capital Senior Center (Sen. Isadore Lourie Center)	\$175,000.00	\$175,000.00	\$168,000.00	\$159,600.00	\$159,600.00	\$159,600.00	\$159,600.00	\$159,600.00	\$159,600.00	\$159,600.00	\$2,404,671.00	
American Red Cross	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00	
Clemson Extension	\$32,460.00	\$32,460.00	\$47,460.00	\$55,087.00	\$46,663.00	\$46,663.00	\$46,663.00	\$46,663.00	\$46,663.00	\$46,663.00	\$591,816.00	
COC - Military Affairs (Greater Columbia Chamber of Commerce)	\$4,779.00	\$4,779.00	\$4,779.00	\$4,540.00	\$4,540.00	\$4,540.00	\$4,540.00	\$4,540.00	\$4,540.00	\$4,540.00	\$65,042.00	The Chamber also receives funds for BRAC, applies annually for H-Tax funds and through work with the Good to Great Foundation.
COG - Meals to Seniors	\$31,628.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$31,628.00	
Columbia Area Mental Health	\$0.00	\$32,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$32,000.00	
Columbia COC-Good to Great	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50,000.00	\$50,000.00	\$50,000.00	\$0.00	\$0.00	\$150,000.00	Funding in FY by Council motion. FY14 amount was allocated through Council motion.
Columbia Urban League	\$49,500.00	\$50,000.00	\$50,000.00	\$47,500.00	\$47,500.00	\$47,500.00	\$47,500.00	\$50,000.00	\$50,000.00	\$50,000.00	\$698,500.00	
Communities in Schools	\$70,699.00	\$70,699.00	\$70,699.00	\$67,164.00	\$67,164.00	\$67,164.00	\$67,164.00	\$67,164.00	\$67,164.00	\$67,164.00	\$962,222.00	
Discretionary Funds (Grant Program)	\$150,000.00	\$155,000.00	\$164,000.00	\$150,000.00	\$149,995.00	\$149,996.00	\$215,000.00	\$150,000.00	\$200,000.00	\$200,000.00	\$2,333,991.00	Discretionary Grant program was increased to \$200,000 in the FY14 budget cycle.
Eau Claire Maternal Health	\$0.00	\$100,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$100,000.00	
Greater Columbia Community Relations Council	\$100,334.00	\$100,334.00	\$100,334.00	\$95,317.00	\$95,317.00	\$95,250.00	\$95,250.00	\$95,250.00	\$95,250.00	\$95,250.00	\$1,365,151.00	
Midlands Com on Homelessness	\$100,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$100,000.00	
Midlands Education & Business Alliance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$13,000.00	\$13,000.00	\$0.00	\$0.00	\$0.00	\$26,000.00	
Office of the Adjutant General	\$9,850.00	\$9,850.00	\$31,000.00	\$30,535.00	\$30,535.00	\$30,535.00	\$25,535.00	\$25,535.00	\$15,535.00	\$15,535.00	\$269,334.00	
SC Military Museum	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00	\$0.00	\$10,000.00	
Santee Wateree RTA	\$10,074.00	\$10,074.00	\$10,074.00	\$10,074.00	\$10,074.00	\$10,074.00	\$10,074.00	\$0.00	\$0.00	\$0.00	\$100,535.00	Moved to Transportation Penny
Senior Resources	\$286,694.00	\$318,322.00	\$318,322.00	\$302,406.00	\$302,406.00	\$302,406.00	\$302,406.00	\$302,406.00	\$302,406.00	\$302,406.00	\$4,859,586.00	
Sexual Trauma Services	\$51,312.00	\$51,312.00	\$51,312.00	\$48,746.00	\$48,746.00	\$48,746.00	\$48,746.00	\$48,746.00	\$48,746.00	\$48,746.00	\$577,782.00	
Sistercare	\$11,312.00	\$11,312.00	\$11,312.00	\$10,746.00	\$10,746.00	\$10,746.00	\$10,746.00	\$0.00	\$10,746.00	\$10,746.00	\$131,782.00	CDBG funds used in FY14 & 15
<b>Total</b>	<b>\$3,192,797.00</b>	<b>\$3,320,297.00</b>	<b>\$3,204,447.00</b>	<b>\$3,087,020.00</b>	<b>\$3,078,591.00</b>	<b>\$1,862,152.00</b>	<b>\$1,922,156.00</b>	<b>\$1,825,836.00</b>	<b>\$1,836,582.00</b>	<b>\$1,524,176.00</b>		

## Richland County Council Request of Action

**Subject:**

Department of Natural Resources – Letter of Support

March 22, 2016 – The Committee recommended that Council approve the request to provide a letter of support to the South Carolina Department of Natural Resources for the acquisition of approximately 131 acres in the County for the development of a public shooting range.

## Richland County Council Request of Action

**Subject:** Department of Natural Resources – Letter of Support

### **A. Purpose**

County Council is requested to provide the SC Department of Natural Resources (DNR) with a letter of support for the acquisition of approximately 131 acres in the County for the development of a public shooting range.

### **B. Background / Discussion**

The DNR Board approved the acquisition of approximately 131 acres located at 14068 Garners Ferry Road, near Eastover, SC – see attached map.

The property is currently owned by Wateree Timber Company, LLC.

Per DNR, the site contains an operational shooting range known as the Indigo Club, which the DNR intends to renovate and open to the public. The existing site has been used as a shooting range since the 1960s.

Per DNR, they have four shooting ranges located throughout the state, but none in the Midlands and there are no public shooting facilities in the Greater Columbia area. The proposed shooting range will be open to the public Tuesday through Saturday each week. Hunting will not be allowed on the property, per DNR.

Per their property acquisition policy, DNR must obtain a letter of support from the County Council before prior to completing the project.

The property is located in Council District 10.

### **C. Legislative / Chronological History**

- DNR held a public meeting in December 2015 for public feedback
- February 19, 2016 – letter from DNR to Richland County requesting a letter of support from County Council (see attached).

### **D. Financial Impact**

The financial impact associated with this project pertains to the property taxes collected by the County for this property. Since the property will be purchased by a state agency, property taxes will no longer be remitted to the County.

The annual property taxes collected by the County is approximately \$2,000

### **E. Alternatives**

1. Approve the request for a letter of support for the acquisition of approximately 131 acres in the County for the development of a public shooting range.
2. Do not approve the request for a letter of support for the acquisition of approximately 131 acres in the County for the development of a public shooting range. If this alternative is

selected, DNR may not be able to meet their April 13, 2016 deadline for the submission of all required documentation (including the letter of support from the County) to complete their property acquisition process.

**F. Recommendation**

It is recommended that Council provide the SC Department of Natural Resources with a letter of support for the acquisition of approximately 131 acres in the County for the development of a public shooting range.

Recommended by: Roxanne Ancheta

Department: Administration

Date: 3/7/16

**G. Reviews**

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

**Finance**

Reviewed by: Daniel Driggers

Date: 3/10/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Request for a letter of support is a policy item for Council discretion. Based on the ROA, the incremental loss of taxes is considered an immaterial impact to the County.

**Assessor**

Reviewed by: Liz McDonald

Date: 3/14/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

**Legal**

Reviewed by: Brad Farrar

Date: 3/14/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision of Council.

**Administration**

Reviewed by: Roxanne Ancheta

Date: March 14, 2016

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Because the incremental loss of taxes (\$2,000 annually) is considered “immaterial,” and because the site will be open to the public, it is recommended that Council provide the SC Department of Natural Resources with a letter of support for the acquisition of approximately 131 acres in the County for the development of a public shooting range.

South Carolina Department of  
**Natural Resources**



**DNR**

Alvin A. Taylor  
**Director**

Emily C. Crisp  
Deputy Director for  
Wildlife and Freshwater Fisheries

February 19, 2016

Tony McDonald  
Richland County Administrator  
County Administration Building  
2020 Hampton Street, Room 4058  
Columbia, South Carolina 29201

RE: DNR Property Acquisition (Richland County)

Dear Mr. McDonald:

The South Carolina Department of Natural Resources (DNR) Board has approved the acquisition of approximately 131 acres in Richland County. The property is located at 14068 Garners Ferry Road near Eastover and is delineated at Tax Map Parcel R39400-01-09. The site contains an operational shooting range known as the Indigo Club that DNR intends to renovate and open to the public. Following state guidelines, we must obtain a letter of support for the acquisition from Richland County Council before completing the project.

DNR has four shooting ranges located throughout the state, but none in the Midlands. Also, there are no public shooting facilities in the Greater Columbia area. The demand for recreational shooting opportunities in the region is high and providing a public range at this location would help satisfy this demand. Also, it would be a great asset to the State's Hunter Education Program. A public meeting about the proposed range was held in December and none of the 190 people notified by mail or almost 100 people in attendance spoke against the project. In fact, the overall sentiment was one of support for the proposal.

The existing site has been used as a shooting range since the 1960s. It contains amenities that are in compliance or can be easily adapted to meet National Rifle Association guidelines for range construction. Finding a comparable facility and installing new infrastructure would be time consuming and difficult. DNR owns land on the eastern side of the property, but it is dedicated as a heritage preserve and cannot be developed. Attached is a map of the area.

Following operating guidelines of other DNR shooting ranges, the proposed facility will be open to the public Tuesday through Saturday each week. Ranges are closed on Sundays in deference to religious services and Mondays are reserved for normal maintenance activities. Hunting will not be allowed on the property.

Tony McDonald  
February 19, 2016  
Page Two

I respectfully request a letter from the Council in support of the project. If you need any additional information, please contact me at 803-734-3914, or Captain Billy Downer, who oversees DNR's Hunter Education Program, at 803-609-6875.

Thank you for your consideration.

Sincerely,



Kenneth M. Prosser, Jr.  
Assistant Deputy Director  
Wildlife and Freshwater Fisheries

Attachment

C: Alvin Taylor, DNR  
Emily Cope, DNR  
Billy Downer, DNR  
Jeff Boyer, DNR





## Richland County Council Request of Action

**Subject:**

Conservation Department: Transfer of Grant Funds

March 22, 2016 – The Committee recommended that Council approve the request to transfer \$20,000 from the FY16 grant funds awarded to the Gills Creek Watershed Association to Professional Services for use in funding trail and stormwater improvements at Owens Field in the Gills Creek watershed.

## Richland County Council Request of Action

**Subject:** Conservation Department: Transfer of Grant Funds

### **A. Purpose**

Richland County Conservation Commission (RCCC) requests County Council approve a transfer of \$20,000 from a grant to Gills Creek Watershed Association to a special project at Owens Field Park.

### **B. Background / Discussion**

In FY16 RCCC awarded a \$20,000 grant to Gills Creek Watershed Association (GCWA) to develop a conceptual plan for a greenway along Wildcat Creek that would include a walking trail, best management practices, and stream restoration for the creek. The proposal would serve as a support tool for stakeholders and property owners, and as a resource for the Penny Transportation Project Development Team since Wildcat Creek is number five on the ranking list.

As members of the Greenway Advisory Committee, GCWA and staff of the RCCC have worked with Penny greenway staff this year and have come to realize that a grant-funded conceptual plan is probably a duplication of effort. The on-call engineering team will develop its own plan and we can provide input. Neighborhood opposition has already been voiced and planning for the greenway won't begin until 2018 so GCWA concluded it was not a good use of time and money to proceed with developing a plan. GCWA submitted a letter (see attached) requesting approval to relinquish the grant which RCCC took up at their February 22 meeting. A motion was approved unanimously to cancel the grant and to transfer \$20,000 to the Owens Field project.

Richland County owns the Owens Field Park property but leases the land to the City of Columbia. RCCC has been working for several years to design and fund trail and stormwater improvements at Owens Field Park. As of December a request for bids was issued jointly with the City which is also making improvements at the park. The lowest bid was more than RCCC has budgeted, hence the request to move funds from a grant project that now doesn't seem advantageous or timely to a project that is shovel ready, in need of funds, and will place stormwater best management practices in the Gills Creek watershed.

### **C. Legislative / Chronological History**

This is a staff-initiated request; therefore, there is no legislative history.

### **D. Financial Impact**

There is no financial impact in the RCCC budget.

### **E. Alternatives**

1. Approve the request to transfer \$20,000 from FY16 grant funds for GCWA to Professional Services for use in funding trail and stormwater improvements at Owens Field in the Gills Creek watershed.

2. Do not approve the request to transfer funds. This will require a change in scope of work to reduce costs which will decrease the extent of the improvements and delay the project.

#### **F. Recommendation**

It is recommended that Council approve the request to transfer \$20,000 from FY16 grant funds for GCWA to Professional Services for use in funding trail and stormwater improvements at Owens Field.

Recommended by: Quinton Epps, Director

Department: Conservation

Date: March 2, 2016

#### **G. Reviews**

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

##### **Finance**

Reviewed by: Daniel Driggers

Date: 3/9/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Approval based on recommendation of Committee and Conservation Director. Funds are available in appropriated budget.

##### **Grants**

Reviewed by: Natashia Dozier

Date: 03/10/2016

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

##### **Legal**

Reviewed by: Brad Farrar

Date: 3/10/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision of Council. Ensure nothing in grant prevents transfer of funds to a different project.

##### **Administration**

Reviewed by: Warren Harley

Date: 3/10/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:





# GILLS CREEK WATERSHED ASSOCIATION

712 Main St, ENS 603 Columbia, SC 29208 • 803-727-6326 • [info@gillscreekwatershed.org](mailto:info@gillscreekwatershed.org) • [www.gillscreekwatershed.org](http://www.gillscreekwatershed.org)

February 18, 2016

Nancy Stone-Collum  
Richland County Conservation Department  
2020 Hampton Street  
Columbia, SC 29204

RE: RCCC Grant 2420, Wildcat Creek Greenway Master Plan, Request to Relinquish

Dear Nancy,

In July, 2015 the GCWA was awarded a Richland County Conservation Commission grant for \$20,000 to create a conceptual plan for a greenway along Wildcat Creek in Columbia, SC. In light of recent events surrounding another Penny greenway project, the GCWA would like to relinquish these grant funds.

Gills Creek Greenway Section B (Wildcat Creek Greenway) is currently listed as the fifth greenway project to be funded by the Penny Sales Tax with design work slated to begin in 2018. Currently, the Penny Development Team and the Gills Creek Watershed Association are finalizing design on Gills Creek Greenway Section A. In the past few weeks a large group of very vocal opponents have mounted an effort to stop any greenway projects along Gills Creek. This includes a group from the Kings Grant neighborhood where the Wildcat Creek Greenway would have to go. Without the full support of the Kings Grant neighborhood the Wildcat Creek Greenway will likely never be designed nor constructed and the Penny proceeds allocated for it will be redirected to another greenway project.

Also, it has become clear that the Richland County Penny Development Team will be creating their own conceptual plans for future greenway projects, just as they have with Gills Creek Greenway Section A. This appears to be a duplication of efforts and although a Wildcat Creek Conceptual Plan could help foster community support, it will not provide enough benefit to this project to warrant spending those grant funds.

According to the Penny Project Development Team, planning of the Wildcat Greenway is not scheduled to begin until 2018. If the Kings Grant Homeowners Association changes its view of greenways in the near future we can certainly pursue another grant to complete a master plan to help push the greenway concept further. However, it does not seem likely at this point that a Wildcat Creek Greenway will be built at all so any funds spent on a Wildcat Creek Greenway conceptual plan would be wasted.

Please contact me at the number above if I can be of any further assistance. I look forward to hearing back from you about this matter.

Sincerely,

Erich Miarka  
Executive Director

## Richland County Council Request of Action

**Subject:**

Bus Shelter Easement Request

March 22, 2016 – The Committee recommended that Council approve the request to grant an easement to the Central Midlands Regional Transit Authority (CMRTA) for the purpose of installing a bus shelter at the County Library's St. Andrews location.

# Richland County Council Request of Action

**Subject:** Bus Shelter Easement Request

**A. Purpose**

County Council is requested to grant an easement to the Central Midlands Regional Transit Authority (CMRTA) for the purpose of installing a bus shelter.

**B. Background / Discussion**

The Richland County library wishes to have a COMET bus shelter at their St. Andrews location. Richland County owns the property at this location and is being requested to provide an easement for the area needed to install the bus shelter – see attached map.

Council approval of this easement will require an ordinance (three readings and a public hearing) – see attached.

**C. Legislative / Chronological History**

There is no legislative history associated with this request.

**D. Financial Impact**

There is no financial impact associated with this request. The construction and maintenance cost associated with the bus shelter will be assumed by the CMRTA.

**E. Alternatives**

1. Approve the request to grant an easement to the Central Midlands Regional Transit Authority (CMRTA) for the purpose of installing a bus shelter.
  
2. Do not approve the request to grant an easement to the Central Midlands Regional Transit Authority (CMRTA) for the purpose of installing a bus shelter.

**F. Recommendation**

This is a policy decision for Council.

Recommended by: Roxanne Ancheta

Department: Administration

Date: 3/4/16

**G. Reviews**

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

**Finance**

Reviewed by: Daniel Driggers

Date: 3/4/16

✓ Recommend Council approval  
Comments regarding recommendation:

Recommend Council denial

### **Support Services**

Reviewed by: John Hixon  
 Recommend Council approval  
Comments regarding recommendation:

Date: 3/7/16  
 Recommend Council denial

Based on the information in this ROA, the Support Services Department will not have any construction or maintenance responsibility for this new site.

### **Risk Management**

Reviewed by: Brittney Hoyle  
 Recommend Council approval  
Comments regarding recommendation:

Date: 3/8/16  
 Recommend Council denial

### **Legal**

Reviewed by: Brad Farrar  
 Recommend Council approval  
Comments regarding recommendation: Policy decision of Council. Ensure no future use of the easement area is desired or intended by the County, as such use may or may not be compatible with the easement.

Date: 3/8/16  
 Recommend Council denial

### **Administration**

Reviewed by: Roxanne Ancheta  
 Recommend Council approval  
Comments regarding recommendation: While this is a policy decision for Council, it is recommended that Council approve the easement to the CMRTA for the purpose of installing a bus shelter, similar to that which currently exists outside the County's Administration Complex at 2020 Hampton Street. The Support Services Department will not have any construction or maintenance responsibility at this site, and there is no known use for this site at this time, nor in the foreseeable future.

Date: March 8, 2016  
 Recommend Council denial







[notarial seal]

\_\_\_\_\_  
Notary Public  
Name of Notary: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

EXHIBIT A

[ATTACHED]



## Richland County Council Request of Action

**Subject:**

Conservation Department: Purchase of Parcel [Executive Session]

March 22, 2016 – The Committee recommended that Council direct Staff to move forward as discussed in Executive Session.

## Richland County Council Request of Action

**Subject:**

16-03MA  
D. R. Horton-Crown, LLC  
RU to RS-MD (25.34 Acres)  
Hollingshed Rd. & Kennerly Rd.  
05200-01-13 & 18

FIRST READING: February 23, 2016  
SECOND READING: March 1, 2016  
THIRD READING: April 5, 2016 {Tentative}  
PUBLIC HEARING: February 23, 2016

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-16HR

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 # 05200-01-13 & 18 FROM RU (RURAL DISTRICT) TO RS-MD (RESIDENTIAL, SINGLE-FAMILY – MEDIUM DENSITY 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 # 05200-01-13 & 18 from RU (Rural District) zoning to RS-MD (Residential, Single-Family – Medium Density 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 \_\_\_\_\_, 2016.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Torrey Rush, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2016.

\_\_\_\_\_  
S. Monique McDaniels  
Clerk of Council

Public Hearing: February 23, 2016  
First Reading: February 23, 2016  
Second Reading: March 1, 2016 (tentative)  
Third Reading:



## Richland County Council Request of Action

**Subject:**

An Ordinance Amending the Fiscal Year 2015-2016 General Fund Annual Budget to appropriate \$10,000.00 of General Fund Unassigned Balance to be used for expenses generated for the 2016 Army Ball and the Official 100th Anniversary Kick-Off Event [PAGES ]

February 23, 2016 - The Committee recommended that Council deny this request.

FIRST READING: March 1, 2016

SECOND READING: March 15, 2016

THIRD READING: April 5, 2016 {Tentative}

PUBLIC HEARING: April 5, 2016

## **Richland County Council Request of Action**

**Subject:** Sponsorship Request: 2016 Army Ball and the Official 100<sup>th</sup> Anniversary Kick-Off event

### **A. Purpose**

County Council is requested to approve \$10,000 to be a Presenting Sponsor of the 2016 Army Ball and the Official Kick-Off event for a yearlong celebration of the 100th Anniversary of Fort Jackson.

### **B. Background / Discussion**

This request came from a constituent, Bill Dukes. While this is not a Military Task Force initiative, per Mr. Dukes, it is another great opportunity for the greater community to show that we are a military friendly community. The County previously worked with Mr. Dukes to fund the Purple Heart Bus in 2015. The City of Columbia, Richland County, and Central Midlands Regional Transit Authority (The COMET) partnered to wrap a COMET bus to honor Purple Heart Recipients.

The City of Columbia is also being approached by Mr. Dukes to participate in this request.

The 2016 Army Ball will be the official kickoff for a one year celebration of the 100<sup>th</sup> Anniversary of Fort Jackson. Fort Jackson and the Midlands community are developing plans for a full calendar of events between June 2016 and June 2017 to celebrate the Centennial event. The “Official Birthday” will be celebrated on June 2, 2017 at Fort Jackson.

Mr. Dukes noted that last year he was able to convince the Fort Jackson leadership to contract with the Columbia Convention Center to bring the 2015 Army Ball event into the community. Mr. Dukes noted that he was able to garner financial support from 30 businesses and individuals to support the Ball.

Per Mr. Dukes, the sponsorships from local businesses and individuals last year helped keep the cost of attendance at a reasonable price for the soldiers and their guest(s), and as a result of this support, over 700 soldiers were able to attend the Army Ball.

Also, per Mr. Dukes, a large number of non-military guests attended. Mr. Dukes noted that the 2015 Army Ball was very successful and the attendance was over 800, which was a record attendance for the Fort Jackson sponsored Army Ball.

Per Mr. Dukes, since the 2015 Army Ball was such a success, the Fort Jackson leadership made a decision to have the 2016 Army Ball at the Columbia Convention Center. The 2016 Army Ball will be expanded and will include soldiers and guests from Fort Jackson, Army Central Command and the South Carolina Army National Guard.

Mr. Dukes noted that the goal for the 2016 Army Ball is to request the City of Columbia and Richland County to be Presenting Sponsors at \$10,000 each. Additional sponsorship opportunities will be made available to businesses, organizations and individuals in the community.

Mr. Dukes noted that he has met with the CFO of the City of Columbia regarding the Presenting Sponsor request, and the conversations have been favorable.

According to Mr. Dukes the Presenting Sponsorships and other sponsorships will allow the organizing committee to structure the cost of tickets for soldiers and their guests at a very reasonable rate. This will enable a higher percentage of lower ranking soldiers to be able to afford the cost of the Army Ball and will result in a larger attendance.

The sponsorships will also allow the organizing committee the opportunity to enhance the Army Ball experience for 2016. Funds were limited last year and there were limits on what could be offered for the soldiers and their guests.

Per Mr. Dukes, over 70% of the soldiers assigned permanently to Fort Jackson and Army Central Command live off base and in our community. The soldiers and family members will recognize that the local governments and members of the community stepped up to provide support for the Army Ball.

Per Mr. Dukes, the community support of the Army Ball and attendance by elected officials, business and civic leaders will send a strong message about how our community supports Fort Jackson, Army Central Command and our Army National Guard soldiers and their families.

**C. Legislative / Chronological History**

There is no legislative history associated with this request.

**D. Financial Impact**

The financial impact to the County will be \$10,000. A funding source will need to be identified (e.g., Council's discretionary accounts, County General Fund).

Council may consider making the County's participation as a Presenting Sponsor contingent upon the City of Columbia agreeing to also be a Presenting Sponsor.

**E. Alternatives**

1. Approve \$10,000 to be a Presenting Sponsor of the 2016 Army Ball and the Official Kick-Off event for a yearlong celebration of the 100th Anniversary of Fort Jackson.
2. Approve \$10,000 to be a Presenting Sponsor of the 2016 Army Ball and the Official Kick-Off event for a yearlong celebration of the 100th Anniversary of Fort Jackson, contingent upon the City of Columbia also providing equal (or greater) funds to be a Presenting Sponsor.
3. Do not approve \$10,000 to be a Presenting Sponsor of the 2016 Army Ball and the Official Kick-Off event for a yearlong celebration of the 100th Anniversary of Fort Jackson.

**F. Recommendation**

This is a policy decision at the discretion of Council.

Recommended by: Richland County Administration on behalf of Bill Dukes

Department: Administration

Date: 2/11/16

**G. Reviews**

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

**Staff review of this item is ongoing. Staff recommendations on this request will be provided to Council under separate cover on Monday (2/22/16).**

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_GF\_01\_\_\_\_

AN ORDINANCE AMENDING THE FISCAL YEAR 2015-2016 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$10,000.00 OF GENERAL FUND UNASSIGNED BALANCE TO BE USED FOR EXPENSES GENERATED FOR THE 2016 ARMY BALL AND THE OFFICIAL 100<sup>TH</sup> ANNIVERSARY KICK-OFF EVENT.

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 Ten Thousand Dollars (\$10,000.00) be appropriated to cover cost of 2016 Army Ball and Official 100<sup>th</sup> Anniversary Kick-Off event. Therefore, the Fiscal Year 2015-2016 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2015 as amended:	\$ 151,503,127
Appropriation of General Fund unassigned fund balance:	\$ <u>10,000</u>
Total General Fund Revenue as Amended:	\$ 151,513,127

EXPENDITURES

Expenditures appropriated July 1, 2015 as amended:	\$ 151,503,127
2016 Army Ball and the Official 100 <sup>th</sup> Anniversary Kick-Off event:	\$ <u>10,000</u>
Total General Fund Expenditures as Amended:	\$ 151,513,127

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 \_\_\_\_\_, 2016.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Torrey Rush, Chair

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2015

\_\_\_\_\_  
S. Monique McDaniels  
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 2015-2016 General Fund Annual Budget to appropriate Sixty-Two Thousand Seven Hundred Fifty One Dollars (\$62,751) to increase funding to the Board of Voter Registration & Elections Department Plans to conduct scheduled elections, operating equipment and inc. staffing [PAGES ]

February 23, 2016 - The Committee forwarded this item to Council without a recommendation.

FIRST READING: March 1, 2016

SECOND READING: March 15, 2016

THIRD READING: April 5, 2016 {Tentative}

PUBLIC HEARING: April 5, 2016

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. GF\_2

AN ORDINANCE AMENDING THE FISCAL YEAR 2015-2016 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE SIXTY TWO THOUSAND SEVEN HUNDRED FIFTY ONE DOLLARS (\$62,751) TO INCREASE FUNDING TO THE BOARD OF VOTER REGISTRATION & ELECTIONS DEPARTMENT PLANS TO CONDUCT SCHEDULED ELECTIONS, OPERATING EQUIPMENT AND INC. STAFFING.

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. Approval to redirect reimbursement amounts to the Board of Voter Registration Elections Department for scheduled elections, equipment repairs, equipment replacements and additional staffing. Therefore, the Fiscal Year 2015-2016 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2015 as amended:	\$ 1,248.584
Appropriation of General Fund Balance:	\$ <u>62,751</u>
Total General Fund Revenue as Amended:	\$ 1,311,335

EXPENDITURES

Expenditures appropriated July 1, 2015 as amended:	\$ 1,248.584
Increase to Board of Voter Registration Department Budget:	\$ <u>62,751</u>
Total General Fund Expenditures as Amended:	\$ 1,311.335

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 \_\_\_\_\_, 2015.



RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Torrey Rush, Chair

ATTEST THIS THE \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2015

\_\_\_\_\_  
S. Monique McDaniels  
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 GOVERNMENT

Office of the County Administrator

## MEMORANDUM

**TO:** Richland County Council  
**CC:** Tony McDonald, County Administrator  
Sam Selph, Director of Voter Registration & Elections  
Monique McDaniels, Clerk of Council  
**FROM:** Brandon Madden, Research Manager  
**DATE:** March 10, 2016  
**RE:** County Council Request for Information - Elections

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This memo is a follow-up to County Council's request for budget information at the March 1, 2016 County Council meeting concerning the County's Voter Registration & Elections Department (Elections).

County Council requested the following information:

- The FY16 line item budgets from other counties (i.e., Greenville, Charleston, Spartanburg)
- A table / spreadsheet that details the total dollar amount of the Elections Department's budget amendment request minus the total dollar amount of the actual municipal reimbursements and the estimated statewide reimbursements
- The backup documentation (e.g., copies of invoices, price/number of items being purchased) relative to the Elections Department's recurring / non-recurring capital costs.

This requested information is enclosed with this memo.

Please note that Appendix A in this memo includes the backup documentation provided by the Elections Department and a reference guide for the reimbursement expenses provided by the State Elections Commission for statewide elections.

<b>Budget Amendment Request Summary</b>	
<b>Item</b>	<b>Cost</b>
Actual Municipal Election Reimbursement	\$ 153,203.29
Estimated State Election Reimbursement	\$ 702,000.00
Recurring Cost	\$ 106,739.10
Non-Recurring Capital Cost	\$ 122,469.80
<b>Total Budget Amendment Request*</b>	<b>\$ 1,084,412.19</b>

\*This does not include any costs for legal services

### Budget Amendment Request Detail

<b>Municipal and Statewide Election Reimbursement Summary</b>					
<b>Municipal Elections</b>		<b>Statewide Elections</b>		<b>Variance Between Budget Amendment Request and the Total Reimbursement</b>	
<b>Municipality</b>	<b>Actual Reimbursement</b>	<b>Election</b>	<b>Estimated Reimbursement</b>		
Irmo	\$4,380.35	SEC 2016 Republican PPP & Democratic PPP	\$360,000.00	Budget Amendment Request	\$1,084,412.19
Blythewood	\$1,341.94				
Columbia	\$147,481.00	June Primary / Runoff	\$342,000.00	Total Reimbursement Combined	\$855,203.29
<b>Total Actual Reimbursement</b>	<b>\$153,203.29</b>	<b>Total Estimated Reimbursement</b>	<b>\$702,000.00</b>	<b>Variance</b>	<b>\$229,208.90</b>

<b>Richland County Elections Recurring Costs</b>	
<b>Item</b>	<b>Cost</b>
Maintenance & License Fee	\$106,739.10
<b>Total Recurring Cost</b>	<b>\$106,739.10</b>

<b>Richland County Elections Non-Recurring Capital Costs</b>	
<b>Item</b>	<b>Cost</b>
Motherboard Batteries	\$70,937.69
Phones	\$6,750.00
Printers	\$11,777.68
Curbside Signage - Election Equipment	\$3,296.52
Polling Location Supplies - Laptop Batteries	\$9,519.30
Related Equipment / Supplies	\$20,188.61
<b>Totals</b>	<b>\$122,469.80</b>

**County Election's Budget Comparison**

<b>Greenville County</b>		<b>Charleston County</b>		<b>Richland County</b>		<b>Spartanburg County</b>	
<b>FY2016 Budget</b>		<b>FY2016 Budget</b>		<b>FY2016 Budget</b>		<b>FY2016 Budget</b>	
Personnel Services	\$825,072.00	Personnel Services	\$1,381,455.00	Personnel Services	\$1,038,412.00	Personnel Expenses	\$857,356.00
Operating Expenses	\$111,557.00	Operating Expenses	\$577,142.00	Operating Expenses	\$210,172.00	Operating Expenses	\$163,604.00
Contractual Charges	\$90,002.00						
<b>Totals</b>	<b>\$1,026,631.00</b>	<b>Totals</b>	<b>\$1,958,597.00</b>	<b>Totals</b>	<b>\$1,248,584.00</b>	<b>Totals</b>	<b>\$1,020,960.00</b>

**RICHLAND COUNTY FY16 ELECTIONS BUDGET DETAIL**



# Board of Elections & Voter Registration

## Budget Highlights

The Board of Elections and Voter Registration were combined into one department in FY12.

The Board of Election and Voter Registration is funded through the countywide General Fund. The expenditures roll up into the Election sub-category for reporting purposes.

## Fiscal Plan

	2014 Actual	2015 Adopted	2016 Adopted	Difference (\$)	Difference (%)
Personnel Expenditures	\$ 1,383,348	\$ 1,041,080	\$ 1,038,412	\$ (2,668)	-0.3%
Operating Expenditures	\$ 743,883	\$ 222,848	\$ 210,172	\$ (12,676)	-5.7%
<b>Total</b>	<b>\$ 2,127,231</b>	<b>\$ 1,263,928</b>	<b>\$ 1,248,584</b>	<b>\$ (15,344)</b>	<b>-1.2%</b>
<b>Authorized FT Positions</b>	<b>16</b>	<b>16</b>	<b>16</b>	<b>-</b>	<b>-</b>

**County of Richland-PROD**  
**Budget Inquiry Report**

As of 3/31/2016

Ledger: GL

Budget Version: C

Object	Description	Budget	Actual	Encumbrance	Balance
<b>Key: 1100168000 - Board of Elections &amp; Voter Reg</b>					
<b>Expenditure</b>					
511100	Salaries and Wages	739,593.64	487,793.29	0.00	251,800.35
511200	Overtime	5,000.00	18,479.12	0.00	(13,479.12)
511300	RC Part-time Wages	130,000.00	80,990.55	0.00	49,009.45
511400	Per Diem - Board/Baliff	8,000.00	5,233.20	0.00	2,766.80
511800	Temporary employment agency	0.00	128,484.80	0.00	(128,484.80)
512200	FICA Employer's Share	66,906.24	45,654.55	0.00	21,251.69
513100	SC Regular Retirement	82,351.78	68,228.79	0.00	14,122.99
513200	SC Police Retirement	0.00	368.25	0.00	(368.25)
521000	Office Supplies	26,400.00	6,627.05	8,030.25	11,742.70
521300	Copy Machines	2,000.00	1,399.08	0.00	600.92
521400	Membership and Dues	1,000.00	320.00	0.00	680.00
521500	Travel	300.00	0.00	0.00	300.00
521600	Oil & Lubricants	1,183.00	689.37	0.00	493.63
521700	Repairs - Vehicles	2,130.00	1,457.44	0.00	672.56
521900	Automotive - NonContract	1,000.00	90.40	409.60	500.00
522100	Telephone Service	800.00	424.13	375.87	0.00
525300	Voting Machines	1,000.00	69.75	0.00	930.25
526100	Advertising	1,400.00	0.00	0.00	1,400.00
526200	Beepers/Cell Phones/Pagers	2,000.00	1,493.70	356.30	150.00
526300	Rent	890.00	850.00	40.00	0.00
526400	Employee Training	10,890.00	2,220.00	1,377.00	7,293.00
526500	Professional Services	26,250.00	0.00	6,461.07	19,788.93
526501	Temporary Employment Agency	26,189.90	0.00	0.00	26,189.90
529500	Non-Capital Assets Under \$5000	0.00	0.00	0.00	0.00
529600	Computer Equipment Under 5000	0.00	0.00	0.00	0.00
529999	Prior Year Expense Credits	0.00	0.00	0.00	0.00
531200	Machines & Other Equipment	0.00	0.00	0.00	0.00
547100	Program Maintenance & Licens	106,739.10	106,739.10	0.00	0.00
<b>Expenditure Total:</b>		<b>1,242,023.66</b>	<b>957,612.57</b>	<b>17,050.09</b>	<b>267,361.00</b>
<b>Key 1100168000 Total:</b>		<b>(1,242,023.66)</b>	<b>(957,612.57)</b>	<b>(17,050.09)</b>	<b>(267,361.00)</b>

**CHARLESTON COUNTY FY16 ELECTIONS BUDGET DETAIL**



# ELECTIONS & VOTER REGISTRATION

## GENERAL FUND

## GENERAL GOVERNMENT

**Mission:** The Elections and Voter Registration Office conducts local, State, and Federal elections and ensures every eligible citizen in Charleston County has the opportunity to register and vote in an efficient, transparent, and equitable manner as mandated by Federal and State laws.

**Services Provided:**

- Serve as Absentee Precinct for all elections
- Provide petition verification
- Educate civic groups, students, and public groups about election procedures

**Departmental Summary:**

	<u>FY 2013 Actual</u>	<u>FY 2014 Actual</u>	<u>FY 2015 Adjusted</u>	<u>FY 2016 Approved</u>	<u>Change</u>	<u>Percent Change</u>
Positions/FTE	10.00	14.00	14.00	14.00	-	0.0
Intergovernmental	\$ 394,584	\$ 342,958	\$ 176,500	\$ 473,387	\$ 296,887	168.2
Charges and Fees	-	8	-	-	-	0.0
<b>TOTAL REVENUES</b>	<b>\$ 394,584</b>	<b>\$ 342,966</b>	<b>\$ 176,500</b>	<b>\$ 473,387</b>	<b>\$ 296,887</b>	<b>168.2</b>
Personnel	\$ 1,515,430	\$ 1,342,097	\$ 1,311,982	\$ 1,381,455	\$ 69,473	5.3
Operating	428,691	327,114	460,129	577,142	117,013	25.4
Capital	-	-	-	-	-	0.0
<b>TOTAL EXPENDITURES</b>	<b>\$ 1,944,121</b>	<b>\$ 1,669,211</b>	<b>\$ 1,772,111</b>	<b>\$ 1,958,597</b>	<b>\$ 186,486</b>	<b>10.5</b>

**Funding Adjustments for FY 2016 Include:**

- Revenues represent local government contributions which supplement operating costs for local and national elections.
- Personnel costs reflect projected compensation, including the continuation of the longevity program and the addition of a merit pay program. Personnel costs also include temporary costs for the Presidential Preference Primary in January 2016 and the National Primary in June 2016.
- Operating expenditures reflect an increase in election costs to support the Presidential Preference Primary, National Primary, and some municipal elections in fiscal year 2016. This increase is offset by reduced costs allocated for the purchase of replacement batteries for the voting machines.

# ELECTIONS & VOTER REGISTRATION (continued)

**GENERAL FUND**

**GENERAL GOVERNMENT**

**Performance Measures:**

**Initiative I: Service Delivery**

**Department Goal 1:** Provide voter education to the citizens of Charleston County through the demonstration of the iVotronic Voting System and distribution of election process brochures.

Objective 1: Conduct and participate in training programs and public outreach events to educate the citizens of Charleston County.

MEASURES:	Objective	FY 2014 Actual	FY 2015 Actual	FY 2016 Projected
<b>Output:</b>				
Number of active voters	1	247,892	254,696	260,000
Number of voters using iVotronic	1	65,715	104,271	145,979
Number of poll workers attending one or more required training sessions	1	2,156	1,000	2,525
Average number of classes conducted	1	48	24	63
<b>Efficiency:</b>				
Total cost per training class	1	\$180	\$220	\$240
Total hours to train	1	250	180	375
<b>Outcome:</b>				
Poll Managers issued passing score upon completion of training sessions.	1	2,094	1,000	2,525
Percent of poll managers with passing score	1	98.0%	99.0%	100%
Percent of precincts utilizing electronic poll books	1	100%	100%	100%

**2016 ACTION STEPS**

**Department Goal 1**

- Recruit and educate trainers to assist in poll worker training.
- Continue dialog with legislation to allow super-precinct concept.
- Participate in workshops to develop requirements for new statewide voting system.
- Implement Vote in Honor of a Veteran Program.
- Schedule an open house with voter outreach concept.
- Secure off-site absentee location for 2015-16 Presidential Preference Primaries and June Primary.
- Conduct polling location accessibility survey.

Charleston County  
Organizational Budget  
Run Date: 06/04/15

134500001 Election/Voter Registration

Description Object Code	FY 2013 Actual	FY 2014 Actual	FY 2015 Adjusted	FY 2016 Approved	Amount Change	Percent Change
=====	=====	=====	=====	=====	=====	=====
Revenues						
42806 State Salary Supplement	7,639	11,847	12,500	12,500	0	0.0
42807 State Grants-Operating	382,866	202,315	160,000	310,587	150,587	94.1
42811 Local Govt Contrib-Operating	4,079	128,796	4,000	150,300	146,300	3,657.5
42930 Copy Charges	0	8	0	0	0	0.0
<b>Total Revenues</b>	<b>394,584</b>	<b>342,966</b>	<b>176,500</b>	<b>473,387</b>	<b>296,887</b>	<b>168.2</b>
Expenses Personnel						
54001 Salaries and Wages - Regular	454,549	559,768	589,737	633,107	43,370	7.4
54002 Temporaries	668,247	441,972	318,273	368,769	50,496	15.9
54004 Boards and Commissions - Temp	58,730	60,892	58,143	58,143	0	0.0
54006 Non Exempt Overtime - Regular	27,125	3,917	18,362	18,362	0	0.0
54038 Merit Pay	0	0	0	1,059	1,059	0.0
54201 Fringe Benefits - Regular	299,865	272,101	315,067	294,592	(20,475)	(6.5)
54209 Fringe Merit	0	0	0	423	423	0.0
54400 Contracted Temporary Svc	6,914	3,447	12,400	7,000	(5,400)	(43.5)
<b>Total Expenses Personnel</b>	<b>1,515,430</b>	<b>1,342,097</b>	<b>1,311,982</b>	<b>1,381,455</b>	<b>69,473</b>	<b>5.3</b>
Expenses Operating						
64603 Office Expenses	12,160	8,848	8,500	8,500	0	0.0
64617 Food and Related Supplies	621	450	600	600	0	0.0
64642 Repair and Maint Supplies	16,011	29	81,000	15,888	(65,112)	(80.4)
64654 Noncapital FF&E	8,015	0	10,750	0	(10,750)	(100.0)
64802 Special Legal Services	43,611	12,965	9,000	9,000	0	0.0
64826 Printing and Binding	4,131	2,428	3,664	3,664	0	0.0
64925 Radio Communications Fee	756	912	912	912	0	0.0
65404 Tort Liability Insurance	5,307	5,307	5,307	5,307	0	0.0
65500 Leases Land and Building	28,439	32,616	12,065	12,065	0	0.0
65504 Leases Miscellaneous Charges	0	0	19,200	19,200	0	0.0
65801 Training and Conference	8,355	6,662	10,365	10,365	0	0.0
66600 Telephone ISF Charges	20,614	16,253	11,937	11,898	(39)	(0.3)
66602 Wireless Tech ISF Charges	4,544	6,804	6,792	6,792	0	0.0
66701 Maint Contract Machinery	66,839	86,392	98,486	98,486	0	0.0
66702 Advertising	1,550	1,318	2,000	2,000	0	0.0
66703 Publications and Subscriptions	819	757	841	841	0	0.0

Charleston County  
Organizational Budget  
Run Date: 06/04/15

134500001 Election/Voter Registration

Description Object Code	FY 2013 Actual	FY 2014 Actual	FY 2015 Adjusted	FY 2016 Approved	Amount Change	Percent Change
=====	=====	=====	=====	=====	=====	=====
66706 Dues Member & Accreditation	570	967	843	843	0	0.0
66709 Local Mileage Reimbursement	2,771	2,547	2,100	2,100	0	0.0
66719 Election Expenses-Reimbursable	54,144	30,701	27,127	27,391	264	1.0
66740 Election Expense-Non Reimburse	27,240	12,749	9,526	34,805	25,279	265.4
66750 Municipal Election Expense	200	20,892	4,000	150,300	146,300	3,657.5
66767 Maint Contract Software	0	0	0	27,895	27,895	0.0
66802 Motor Pool ISF	647	120	100	700	600	600.0
66806 Fleet Fuel ISF	1,512	1,340	1,012	900	(112)	(11.1)
66902 Copier ISF	12,929	18,738	19,472	22,580	3,108	16.0
66905 Postage ISF	100,030	53,794	74,532	100,000	25,468	34.2
66907 Messenger Service ISF	3,027	3,027	3,027	3,027	0	0.0
67000 Records Storage ISF	772	498	772	1,083	311	40.3
67001 Records Services ISF	3,077	0	36,199	0	(36,199)	(100.0)
Total Expenses Operating	428,691	327,114	460,129	577,142	117,013	25.4
REVENUE	394,584	342,966	176,500	473,387	296,887	168.2
INTERFUND TRANSFER IN	0	0	0	0	0	0.0
AVAILABLE	394,584	342,966	176,500	473,387	296,887	168.2
=====	=====	=====	=====	=====	=====	=====
Personnel	1,515,430	1,342,097	1,311,982	1,381,455	69,473	5.3
Operating	428,691	327,114	460,129	577,142	117,013	25.4
Capital	0	0	0	0	0	0.0
EXPENDITURES	1,944,121	1,669,211	1,772,111	1,958,597	186,486	10.5
INTERFUND TRANSFER OUT	0	0	0	0	0	0.0
DISBURSEMENTS	1,944,121	1,669,211	1,772,111	1,958,597	186,486	10.5
=====	=====	=====	=====	=====	=====	=====

**GREENVILLE COUNTY FY16 ELECTIONS BUDGET DETAIL**

# REGISTRATION AND ELECTION



## Description

The Registration and Election Division is responsible for registering all voters in Greenville County and placing them in the proper precinct, Senate, House, School, and Public Service Districts, special taxing districts, and City Council districts and/or municipalities. This division is also responsible for conducting local, state, and federal elections.

## Financial Data

The two-year budget for the Registration and Election Office for FY2016 and FY2017 is \$2,068,470, which is 5.69% greater than the previous biennium budget. This increase is due to the inclusion of merit and benefit adjustments to personnel services and additional funding for licensing/maintenance for State mandated voting machines and software. A total of 12.42 full-time equivalent positions are provided for in the budget.

REGISTRATION AND ELECTION	FY2014 BUDGET	FY2014 ACTUAL	FY2015 BUDGET	FY2015 ACTUAL *	FY2016 BUDGET	FY2017 BUDGET	TOTAL BUDGET
PERSONNEL SERVICES	\$ 781,744	\$ 763,659	\$ 806,970	\$ 923,889	\$ 825,072	\$ 840,280	\$ 1,665,352
OPERATING EXPENSES	111,557	57,179	111,557	93,934	111,557	111,557	223,114
CONTRACTUAL CHARGES	72,672	83,933	72,672	87,382	90,002	90,002	180,004
CAPITAL OUTLAY	-	-	-	-	-	-	-
TOTALS	\$ 965,973	\$ 904,771	\$ 991,199	\$ 1,105,205	\$ 1,026,631	\$ 1,041,839	\$ 2,068,470
POSITION SUMMARY	33.00	33.00	33.00	33.00	33.00	33.00	
FTE SUMMARY	12.42	12.42	12.42	12.42	12.42	12.42	

\* FY2015 actual revenues/expenditures are unaudited as of the printing date of this document.

## Goals and Performance Measures

Supports Long-Term Goal(s): III–Fiscal Condition

Performance Indicators	Actual 2014	Projected 2015	Target 2016	Target 2017
<b>Program Goal 1:</b> To ensure the integrity of the electoral process by maintaining accurate voter registration rolls.				
<i>Objective 1(a):</i> To conduct a proactive public information process that increases the total number of registered voters by 3% annually.				
# registered voters	289,000	298,000	312,000	320,000
% increase in number of registered voters	2.20%	3.11%	4.70%	2.56%
<i>Objective 1(b):</i> To record changes and make corrections to voter registration records and provide proper precinct assignments with 95% accuracy within 1 week of notification to Registration and Election Office.				
# changes in voter registration records	7,000	2,000	9,000	2,500
% errors in voter registration data	3%	2%	2%	2%
% accuracy	97%	98%	98%	98%
% changes in data made within 1 week	75%	80%	85%	90%
<b>Program Goal 2:</b> To ensure the integrity of the electoral process by administering efficient elections.				
<i>Objective 2(a):</i> To plan, organize, and execute elections within 150 days.				
# precincts supported	160	160	180	180
# elections held (including runoff & special)	8	3	5	2
Average time to execute an election	120 days	120 days	120 days	120 days

**Greenville County Voter Registration and Elections**  
**Budget for 2015-2016**

Account Number	Account Name	Orig Approp
401603405001110100	SALARIES- FULL TIME	332926.00
401603405001110200	SALARIES- PART TIME	300242.00
401603405001110300	SALARIES- FT OVERTIME	.00
401603405001110400	SALARIES- PT OVERTIME	.00
401603405001111000	FICA	48433.00
401603405001111100	POLICE RETIREMENT	.00
401603405001111200	SC RETIREMENT	70023.00
401603405001111300	DENTAL INSURANCE	2156.00
401603405001111400	LIFE INSURANCE	875.00
401603405001111500	WORKERS COMPENSATION	2148.00
401603405001111600	UNEMPLOYMENT INSURANCE	19.00
401603405001112700	HEALTH INSURANCE	68250.00
TOTALS FOR 1 SALARIES		825072.00

CLASS 2 OPERATING EXPENSES

Account Number	Account Name	Orig Approp
401603405001200100	COPY EXPENSE	3000.00
401603405001200300	PRINTING & BINDING	10800.00
401603405001200700	ADVERTISING	1000.00
401603405001200900	MEMBERSHIPS & DUES	640.00
401603405001201000	PUBLICATIONS	.00
401603405001202900	OPERATIONAL SUPPORT	1000.00
401603405001220100	GENERAL TRANSPORTATION	4000.00
401603405001220200	TRAINING/TRAVEL/CONFERENCE	12600.00
401603405001222100	OFFICE SUPPLIES	8300.00
401603405001225200	GENERAL MAINTENANCE	53217.00
401603405001227100	TECHNICAL/PROFESSIONAL SERVICE	17000.00
TOTALS FOR 2 OPERATING EXPENSES		111557.00

CLASS 3 CONTRACTUAL AGREEMENTS

Account Number	Account Name	Orig Approp
401603405001337000	SERVICE CONTRACTUAL AGREEMENTS	90002.00
401603405001337300	OPERATING LEASE AGREEMENTS	.00
TOTALS FOR 3 CONTRACTUAL AGREEMENTS		90002.00
TOTALS FOR 40500 REGISTRATION & ELECTION		1026631.00

**SPARTANBURG COUNTY FY16 ELECTIONS BUDGET DETAIL**



# REGISTRATION AND ELECTIONS

The Registration and Elections Department must comply with all Federal, State and local laws pertaining to registration and elections. It also is responsible for all voter registration functions, preparation of ballots, establishing polling locations, training and assigning poll managers, conducting elections and runoffs when necessary, and processing absentee ballot requests.

DEPT NUMBER: 1-9123	REGISTRATION AND ELECTIONS					
FUNDING SOURCE(S)	FY 2011/12 ACTUAL	FY 2012/13 ACTUAL	FY 2013/14 ACTUAL	FY 2014/15 BUDGET	FY 2016/16 BUDGET	INC/DEC FY 16 - 15
General Fund	709,955	741,754	764,801	782,933	<b>1,020,960</b>	238,027
<b>EXPENDITURES</b>						
Personnel Services Expenditures	623,034	605,859	650,354	630,023	<b>857,356</b>	227,333
Operating Expenditures	78,892	135,894	102,741	152,910	<b>163,604</b>	10,694
Minor Capital	8,029	0	11,706	0	<b>0</b>	0
Other Expenditures	0	0	0	0	<b>0</b>	0
<b>EXPENDITURE TOTAL</b>	<b>\$709,955</b>	<b>\$741,754</b>	<b>\$764,801</b>	<b>\$782,933</b>	<b>\$1,020,960</b>	<b>\$238,027</b>
<b>AUTHORIZED PERSONNEL</b>	17	17	18	18	<b>17</b>	(1)

## FY 2015/16 Budget Highlights & Initiatives

- Personnel services incorporate a 3.75% COLA adjustment as well as fund the mandatory South Carolina/Police Retirement System contribution rate increase.
- One part-time Registration & Election Deputy IV position is converted to full-time. During FY 2014/15 one position that had been moved to Registration & Elections during FY 2012/13 was moved back to GIS.
- The FY 2015/16 budget includes funding for a heavy election year, the November election, the GOP and Democratic Presidential preference primaries, the State primary and 4 spring-time municipal elections. The dramatic increase in personnel services includes overtime, temporary help and poll worker increases to man these elections.
- Operating expenses increase as well due to the number of elections; increases are seen in the election supplies accounts, contract service, and motor pool. A portion of the increase is offset by a decrease in one-time maintenance costs budgeted in FY 2014/15.
- Telephone expenses decrease with the change to VoIP. Operational savings repay debt service associated with the project.

### Goal:

To ensure every eligible citizen has the opportunity to register to vote; to conduct fair and impartial elections; to ensure that all citizens have the assurance that their votes will count.

### Objectives:

- Proper care, maintenance and security of the electronic voting machines
- Increase the number of certified poll workers
- Digitization of all voter records to achieve electronic retrieval of voter information to include signature and photo ID when necessary
- Implement Early Voting Centers as required by law

ACCT	DESCRIPTION	ORIGINAL BUDGET	SUPPL BUDGET	TOTAL BUDGET	ENCUMBER	ACTUAL REV/EXP	E PCT 56.95	BALANCE	R PCT 46.95-
09123 REGISTRATION & ELECTIONS									
91010	SALARIES	381,910.93-	2,204.00-	384,114.93-	.00	266,155.12	69.29	117,959.81-	30.71
91011	OVERTIME	11,232.00-	.00	11,232.00-	.00	11,392.82	101.43	160.82	1.43
91055	TEMPORARY HELP	23,625.00-	.00	23,625.00-	.00	5,920.00	25.06	17,705.00-	74.94
91063	POLL WORKERS	296,580.00-	.00	296,580.00-	.00	65,293.86	22.02	231,286.14-	77.98
91510	FICA	31,965.36-	169.00-	32,134.36-	.00	20,995.52	65.34	11,138.84-	34.66
91520	S C RETIREMENT	49,493.76-	245.00-	49,738.76-	.00	32,997.65	66.34	16,741.11-	33.66
91530	POLICE RETIREMENT	500.00-	.00	500.00-	.00	123.67	24.73	376.33-	75.27
91540	GROUP INSURANCE	60,880.00-	.00	60,880.00-	.00	34,879.35	57.29	26,000.65-	42.71
91550	WORKMENS COMPENSATION	1,168.58-	2.00-	1,170.58-	.00	682.51	58.31	488.07-	41.69
92500	MILEAGE	3,738.00-	.00	3,738.00-	.00	711.52	19.03	3,026.48-	80.97
92528	TRAINING	8,990.00-	.00	8,990.00-	.00	1,701.68	18.93	7,288.32-	81.07
92700	OFFICE SUPPLIES & EXPENSE	6,750.00-	.00	6,750.00-	.00	5,181.40	76.76	1,568.60-	23.24
92704	COPIER EXPENSE	600.00-	.00	600.00-	.00	381.21	63.54	218.79-	36.47
92905	ELECTION SUPPLIES - NON R	1,690.00-	.00	1,690.00-	.00	1,589.02	94.02	100.98-	5.98
92906	ELECTION SUPPLIES	28,706.00-	.00	28,706.00-	21.18	24,968.33	87.05	3,716.49-	12.95
93302	CONTRACT SERVICES	33,550.00-	2,620.00	30,930.00-	.00	.00		30,930.00-	100.00
93505	MOTOR POOL CHARGES	5,000.00-	.00	5,000.00-	.00	3,252.46	65.05	1,747.54-	34.95
93600	TELEPHONE/FAX	2,680.00-	.00	2,680.00-	.00	3,906.61	145.77	1,226.61	45.77
94102	MAINTENANCE-VOTING MACHIN	71,900.00-	12,603.00-	84,503.00-	38.72	75,828.14	89.78	8,636.14-	10.22
09123	*REGISTRATION & ELECTIONS	1,020,959.63-	12,603.00-	1,033,562.63-	59.90	555,960.87	53.80	477,541.86-	46.20
	**LEVEL TWO..... 009	1,020,959.63-	12,603.00-	1,033,562.63-	59.90	555,960.87	53.80	477,541.86-	46.20
	***LEVEL ONE..... 001	1,020,959.63-	12,603.00-	1,033,562.63-	59.90	555,960.87	53.80	477,541.86-	46.20
	****G R A N D T O T A L	1,020,959.63-	12,603.00-	1,033,562.63-	59.90	555,960.87	53.80	477,541.86-	46.20

## **APPENDIX A**

# **Voter Registration & Elections**

## **Request of Action**

### **Additional Information**

**March 2016**

## **\*Greenville County\***

**FY2014 Budget**

**FY2015 Budget**

**FY2016 Budget**

\$965,973.00

\$991,199.00

\$1,026,631.00

## **Charleston County**

**FY2014 Actual**

**FY2015 Adjusted**

**FY2016 Approved**

\$1,669,211.00

\$1,772,111.00

\$1,958,597.00

## **Richland County**

**FY2014 - Actual**

**FY2015 - Approved**

**FY2016 - Approved**

\$2,127,231.00

\$1,263,928.00

\$1,248,584.00

## **Spartanburg County**

**FY2013/14 Actual**

**FY2014/15 Budget**

**FY2016/16 Budget**

\$764,801.00

\$782,933.00

\$1,020,960.00

*\*Greenville County's Budget does not reflect election poll worker payments\**

General Fund Department Detail

Key	Key Name:	Object Group	Object	Object Description	FY 15 Approved	Less, One-Time Costs	Salary Adjustments	Preliminary Base Budget	New Positions	Total Request	FY16 Recommended			
1100168000	Elections & Voter Registration	Personnel	511100	Salaries and Wages	\$ 748,382	\$ -	\$ (3,262)	\$ 745,120	\$ 81,000	\$ 826,120	\$ 745,120			
			511200	Overtime	5,000	-	-	5,000	-	27,000	5,000			
			511300	RC Part-time Wages	130,000	-	-	130,000	-	200,000	130,000			
			511400	Per Diem - Board/Baliff	8,000	-	-	8,000	-	8,000	8,000			
			511800	Temporary Employment Agency	-	-	-	-	-	-	-			
			512200	FICA Employer's Share	67,329	-	-	67,329	6,197	156,707	67,329			
			513100	SC Regular Retirement	82,119	-	-	81,763	8,829	213,280	82,963			
			513200	SC Police Retirement	-	-	-	-	-	-	-			
			<b>Personnel Total</b>					<b>\$ 1,041,080</b>	<b>\$ -</b>	<b>\$ (3,262)</b>	<b>\$ 1,037,212</b>	<b>\$ 96,026</b>	<b>\$ 1,431,107</b>	<b>\$ 1,038,412</b>
			Operating	521000	Office Supplies	16,400	-	-	16,400	-	30,000	16,400		
		521300		Copy Machines	1,500	-	-	1,500	-	6,850	1,500			
		521400		Membership and Dues	1,000	-	-	1,000	-	1,000	1,000			
		521500		Travel	300	-	-	300	-	300	300			
		521600		Oil & Lubricants	1,183	-	-	1,183	-	2,500	1,183			
		521700		Repairs - Vehicles	2,130	-	-	2,130	-	2,130	2,130			
		521900		Automotive - NonContract	1,000	-	-	1,000	-	1,000	1,000			
		522100		Telephone Service	575	-	-	575	-	1,000	500			
		525300		Voting Machines	1,000	-	-	1,000	-	30,000	1,000			
		526100		Advertising	1,400	-	-	1,400	-	20,000	1,400			
		526200		Beepers/Cell Phones/Pagers	2,000	-	-	2,000	-	7,300	2,000			
		526300		Rent	750	-	-	750	-	5,600	750			
		526400		Employee Training	4,390	-	-	4,390	-	10,000	4,390			
		526500		Professional Services	1,250	-	-	1,250	-	95,825	1,250			
		526501		Temporary Employment Agency	160,481	-	-	160,481	-	1,146,060	160,481			
		529500		Non-Capital Assets Under \$5000	-	-	-	-	-	90,000	-			
		529600		Non-Capital Computers	-	-	-	-	-	18,000	-			
		<b>Operating Total</b>					<b>\$ 195,359</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 195,359</b>	<b>\$ -</b>	<b>\$ 1,467,565</b>	<b>\$ 195,284</b>	
		Data Processing	547100	Program Maintenance & Licens	27,489	-	-	27,489	-	140,000	27,489			
		<b>Data Processing Total</b>					<b>\$ 27,489</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 27,489</b>	<b>\$ -</b>	<b>\$ 140,000</b>	<b>\$ 27,489</b>	
		Elections & Voter Registration Sum					1,263,928	-	(3,262)	1,260,660	96,026	3,038,672	1,261,185	
		<b>1% budget reduction Total</b>					<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ [12,601]</b>	
		<b>1100168000 Total</b>					<b>\$ 1,263,928</b>	<b>\$ -</b>	<b>\$ (3,262)</b>	<b>\$ 1,260,660</b>	<b>\$ 96,026</b>	<b>\$ 3,038,672</b>	<b>\$ 1,248,585</b>	

**FY2016 Elections**

**Actual Expenses – November 2015**

City of Columbia	\$147,481.00
Town of Blythewood	\$1,341.94
Town of Irmo	\$4,380.35
<b>Actual Expenses Total – November 2015:</b>	<b>\$153,203.29</b>

**Projected Expenses – February 2016**

Republican Presidential Preference Primary	\$180,000
Democratic Presidential Preference Primary	\$180,000
<b>Projected Expenses Total – February 2016:</b>	<b>\$360,000</b>

**Projected Expenses – June 2016**

Primary Election	\$171,000
Run-Off (Potential)	\$171,000
<b>Projected Expenses Total - June 2016:</b>	<b>\$342,000</b>

**Actual & Projected Expenses Total:** **\$855,203.29**

\*

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### Recurring Capital Costs

Maintenance & License Fee	
<b>Total Cost:</b>	<b>\$106,739.10</b>

### Non-Recurring Capital Costs

Item	Cost
Motherboard Batteries	\$70,937.69
Phones	\$6,750.00
Printers	\$11,777.68
Voting Machine Purchase	n/a
Voting Machine Repairs	n/a
Curbside Signage – Election Equipment	\$3,296.52
Polling Location Supplies – Laptop Batteries	\$9,519.30
Related Equipment / Supplies	\$20,188.61
<b>Total:</b>	<b>\$229,208.90</b>



## Motherboard Batteries

Motherboard batteries were last replaced in 2010 for many of the County's iVotronic machines. The iVotronic internal motherboard batteries have an expected '*useful life*' of 5 years which represents the time between the day the battery was installed in an iVotronic terminal until the battery no longer reliably holds a charge thus rendering the iVotronic terminal unusable. With many elections in the future, the department desires to ensure that all iVotronic machines are in proper working condition and ready to be deployed at any and all times for elections.

<b>Quantity</b>	<b>Item Description</b>	<b>Price</b>	<b>Total</b>
939	Replace iVotronic Motherboard Batteries	\$69.95	\$65,683.05
	Taxes:		\$5,254.64
	<b>Grand Total:</b>		<b>\$70,937.69</b>



## Phones – Call Center

Richland County currently has 149 polling locations located within the county. On Election Day, the department responds to calls from the general public, media representatives, legislation members, and Richland County citizens. In the past, due to the high call volume, poll workers experienced difficulties in getting through to department personnel to address critical issues at the polls. In response to this issue, the department implemented an Election Day call center equipped with experienced poll workers who respond to all calls received from Richland County poll workers who are assigned to their respective polling locations.

In past years, the call center has been able to utilize approximately 20 phones that were borrowed from Richland County's IT Department. Unfortunately, beginning in 2016, the department will no longer be able to utilize IT's phones and must purchase their own phones to use during elections.

Quantity	Item Description	Price	Total
20	Cisco Unified IP Phones	\$280.00	\$5,600.00
20	UC Manager Essential – Less than 1K Users	\$28.00	\$560.00
20	SWSS Upgrades UC Manager Essential	\$4.50	\$90.00
	Taxes		\$500.00
	<b>Grand Total:</b>		<b>\$6,750.00</b>



# Quote

NWN Corporation - Charlotte  
 2520 Whitehall Park Dr #250  
 Charlotte NC 28273  
 Phone:704-496-6961  
 Tax ID# 04-3532235

Date: 9/28/2015  
 Quote #: QT105807  
 Expires: 10/31/2015  
 Sales Rep: Christopher, Brent  
 TeleSales Rep: Christopher, Brent  
 Project:  
 Terms: Net 30  
 Quote Title: Cisco Phones

**Quote for:**

Richland County Finance Departm...  
 PO Box 192  
 2020 Hampton St  
 Columbia SC 29202  
 United States

**Ship To:**

Dan Cole  
 Richland County  
 2020 Hampton Street  
 Suite 1007  
 Columbia SC 29204  
 United States

Item	Qty	Description	Unit Price	Total Price
CP-7942G=	20	Cisco Unified IP Phone 7942	280.00	5,600.00
LIC-CUCM-ESS-A	20	UC Manager Essential - Less than 1K Users	28.00	560.00
CON-ECMU-CUCMESS A	20	SWSS UPGRADES UC Manager Essential - Less than 1K User	4.50	90.00

*IT OKAY  
 DAN Cole  
 [Signature]*

**Subtotal** 6,250.00  
**Tax** 500.00  
**Total** \$6,750.00

## Printers

On a daily basis, the department is responsible for printing voter registration cards, disposition letters, photo ID's, absentee applications, absentee ballots, poll clerks and manager letters, as well as daily printing needs of a growing department. Many of the department's printers are over 10 years old and are no longer able to withstand the volume of printing needed for the department. The department is requesting permission to purchase the printers needed to handle the high volume of printing that is required of the department.

Quantity	Item Description	Price	Total
1	HP LaserJet Enterprise Multifunction Printer		\$4,394.90
4	HP LaserJet Enterprise 600 M602x Printers	\$1,381.43	\$5,525.72
4	Envelope Feeders	\$246.16	\$984.64
		Taxes	\$872.43
		<b>Grand Total:</b>	<b>\$11,777.69</b>





**Southern Computer Warehouse**  
 1395 S. Marietta Parkway  
 Building 300  
 Marietta, Georgia 30067  
 United States  
<http://www.scw.com>  
 (P) 877-GOTOSCW  
 (F) 770.579.8937

**Quote # (Print)**

**Date**  
 Jul 27, 2015 10:43 AM EDT

**Doc #**  
 1035804 - rev 1 of 1

**Description**  
 HP LaserJet Enterprise 700 MFP M775f

**SalesRep**  
 Swing, Kelly  
 (P) 770-579-8927 ext. 297

**Customer Contact**  
 Ayers, Jasmine  
 (P) 803.576.2017  
 Ayers.J@rcgov.us

**Customer**  
 Richland County SC (A11279)  
 Ayers, Jasmine  
 Finance Department  
 PO Box 192  
 Columbia, SC 29202  
 United States  
 (P) 803 576-2128

**Bill To**  
 Richland County SC  
 Payable, Accounts  
 Finance Dept.  
 PO Box 192  
 Columbia, SC 29202  
 United States

**Ship To**  
 Richland County SC  
 WHSE, Receiving  
 Information Technology  
 Department  
 2020 Hampton St., Ste. 3014  
 Columbia, SC 29204  
 United States  
 (P) 803 576-2128  
 (F) 803 576-2128

**Customer PO:**

**Terms:**  
 Undefined

**Ship Via:**  
 GROUND

**Special Instructions:**

**Carrier Account #:**

Item #	Description	Part #	Qty	Unit Price	Total
1	HP LaserJet Enterprise 700 MFP M775f Multifunction printer - color - laser - Ledger/A3 (11.7 in x 17 in) (original) - A3/Ledger (media) - up to 30 ppm (copying) - up to 30 ppm (printing) - 1350 sheets - 33.6 Kbps - USB 2.0, Gigabit LAN, USB host, 2 x USB host (internal)	CC523A#BGJ	1	\$4,394.90	\$4,394.90

Note: Pricing includes dock-to-dock shipping; Please let us know if liftgate or inside delivery is needed for your location.

\*\*PROMO EXPIRES 7/30/2015\*\*

Subtotal: \$4,394.90  
 Tax (8.000%): \$351.59  
 Shipping: \$0.00  
**Total: \$4,746.49**

Quote valid for 30 days unless formal bid provides different term.  
 Promotional pricing is valid only during term of promotion and while supplies last.

All returns must be authorized and clearly marked with a valid RMA number. RMA's are subject to restock fees when applicable.

These prices may not include applicable taxes, insurance, shipping, delivery, setup fees, or any cables or cabling services or material unless specifically listed above.

Please note that expedited shipping charges are estimated, and could decrease or increase when invoiced.

All prices are subject to change without notice. Supply subject to availability.

*A. Weatherly*  
 7-28-15  
*[Signature]* 7/28/15



**Southern Computer Warehouse**  
 1395 S Marietta Parkway  
 Bldg 300 Suite 106  
 Marietta, Georgia 30067  
 United States  
<http://www.scw.com>

**Quotation**

**Date**  
 Aug 7, 2014 10:32 AM EDT

**Doc #**  
 923457 - rev 1 of 1

**Description**  
 HP LaserJet Enterprise 600 M602x;  
 Envelope Feeder

**SalesRep**  
 Taylor, Brenna  
 (P) 877-468-6729 ext. 289

**Customer Contact**  
 Weathersby, Angela  
 (P) 803-576-2012  
 aw@rcgov.us

**Customer**  
 Richland County SC (A11279)  
 Finance Department  
 PO Box 192  
 Columbia, South Carolina 29202  
 (P) 803 576-2128

**Bill To**  
 Richland County SC  
 Payable, Accounts  
 Finance Dept.  
 PO Box 192  
 Columbia, South Carolina 29202

**Ship To**  
 Richland County SC  
 WHSE, Receiving  
 Information Technology Department  
 2020 Hampton St., Ste. 3014  
 Columbia, South Carolina 29204  
 (P) 803 576-2128

**Customer PO:**  
 None

**Terms:**  
 Undefined

**Ship Via:**  
 GROUND

**Special Instructions:**  
 None

**Carrier Account #:**  
 None

Item #	Description	Part #	Qty	Unit	Price	Total Price
1	HP LaserJet Enterprise 600 M602x Printer - monochrome - Duplex - laser - A4/Legal - 1200 dpi - up to 52 pppm - capacity: 1100 sheets - USB, Gigabit LAN	CE993A#BGJ	1	Yes	\$1,381.43	\$1,381.43
2	HP Envelope Feeder Envelope feeder - 75 sheets in 1 tray(s) - for LaserJet Enterprise 600 MG01, 600 M602, 600 M603	CE399A	1	Yes	\$246.16	\$246.16

Subtotal: \$1,627.59  
 Tax (8.000%): \$130.21  
 Shipping: \$0.00  
**Total: \$1,757.80**

Quote valid for 30 days unless formal bid provides different term. Promotional pricing is valid only during term of promotion and while supplies last.

All returns must be authorized and clearly marked with a valid RMA number.

These prices may not include applicable taxes, insurance, shipping, delivery, setup fees, or any cables or cabling services or material unless specifically listed above.

Please note that expedited shipping charges are estimated, and could decrease or increase when invoiced.

All prices are subject to change without notice. Supply subject to availability.

*A. Weathersby*  
 8-7-14

## Maintenance & License Fee

The department is required to pay a yearly maintenance and licensing fee to Election Systems & Software which provides hardware maintenance, software maintenance and technical support of the following:

### Hardware Maintenance, Software Maintenance & Support

- 1142 iVotronic Machines
- On-Site Repairs of iVotronic Machines & Equipment
- Model 650 Scanner
- Unity Ballot Image Manager
- Unity Ballot on Demand
- Unity Data Acquisition Manager
- Unity Election Data Manager
- Unity Election Reporting Manager
- Unity Hardware Program Manager
- Unity iVotronic Image Manager

Quantity	Item Description	Price	Total
	Maintenance & Licensing Agreement		
	<b>Grand Total:</b>		\$106,739.10





**Election Systems & Software**  
 6055 Paysphere Circle  
 Chicago, IL 60674  
 (877) 377-8683

INVOICE NO. 925286	PAGE 1
INVOICE DATE 04/02/15	

BILL TO: Richland County, South Carolina  
 PO Box 192

SHIP TO: Richland County, South Carolina  
 Election Commission  
 2020 Hampton St

Columbia, SC 29202-0192

Columbia, SC 29202-0192

ACCOUNT NO.	CUSTOMER P.O. NUMBER	TERMS	ORDER NO.	SALES REP	SHIP VIA
R30345	HMA/FMA/SMA 2015-2016	NET 90 DA	1014859	2861	ES&S DEL
QTY. ORDERED	DESCRIPTION	UNIT PRICE	UOM	DISC. %	EXTENDED PRICE

	Coverage Date 07/01/15-06/30/16				
	Election Ref: NA				
1.00	Annual Firmware Mtc	14964.400000	EA		14,964.40
1.00	Firmware Usage Agrmt-650	.000000	EA		.00
947.00	Firmware Usage Agrmt-iVotronic	.000000	EA		.00
195.00	Firmware Usage Agrmt-iVotronic	15.800000	EA		3,081.00
1.00	Gold-HDW Mtc/Support-650	3097.650000	EA		3,097.65
1.00	Sftw Maint Agrmt-Unity EDM Election Data Manager	.000000	EA		.00
1.00	Sftwr Maint Agrmt-BOD Ballot on Demand	.000000	EA		.00
1.00	Sftwr Maint Agrmt-Unity BIM Ballot Image Manager	.000000	EA		.00
1.00	Sftwr Maint Agrmt-Unity DAM Data Acquisition Manager	.000000	EA		.00
1.00	Sftwr Maint Agrmt-Unity ERM Election Reporting Manager	.000000	EA		.00
1.00	Sftwr Maint Agrmt-Unity HPM Hardware Programming Manager	.000000	EA		.00
1.00	Sftwr Maint Agrmt-Unity IVIM Ivotronic Image Manager	.000000	EA		.00
195.00	Silver-Hardware Mtc Ivotronic	33.560000	EA		6,544.20
947.00	Silver-Hardware Mtc Ivotronic	65.000000	EA		61,555.00

FREIGHT DISCOUNT  
 SHIPPING & HANDLING  
 TOTAL

INVOICE NO	ACCOUNT NO	AMOUNT

PLEASE DETACH AND RETURN THIS STUB WITH YOUR PAYMENT.  
 THANK YOU!



**Election Systems & Software**  
 6055 Paysphere Circle  
 Chicago, IL 60674  
 (877) 377-8683

937

INVOICE NO. 925286	PAGE 2
INVOICE DATE 04/02/15	

BILL TO: Richland County, South Carolina  
 PO Box 192

SHIP TO: Richland County, South Carolina  
 Election Commission  
 2020 Hampton St

Columbia, SC 29202-0192

Columbia, SC 29202-0192

ACCOUNT NO.	CUSTOMER P.O. NUMBER	TERMS	ORDER NO.	SALES REP.	SHIP VIA
R30345	HMA/FMA/SMA 2015-2016	NET 90 DA	1014859	2861	ES&S DEL
QTY ORDERED	DESCRIPTION	UNIT PRICE	UOM	DISC. %	EXTENDED PRICE

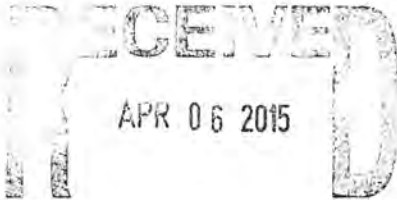
Coverage Date 07/01/15-06/30/16

Election Ref: NA

1.00 Unity Software Mtc  
 Maintenance

17496.850000 EA

17,496.85



BY: \_\_\_\_\_

SC USD .00  
 .00  
 .00

FREIGHT DISCOUNT .00  
 SHIPPING & HANDLING 106,739.10  
 TOTAL USD

INVOICE NO.	ACCOUNT NO.	AMOUNT
925286	R30345	106,739.10 USD

PLEASE DETACH AND RETURN THIS STUB WITH YOUR PAYMENT.  
 THANK YOU!

Election Systems & Software

ABA Routing No: 071000039

Account No: 5800923558

SC

## Curbside Signage – Election Equipment

The Protection and Advocacy for People With Disabilities released a report titled *The Right to Vote in South Carolina: People with Disabilities Still Have Unequal Access to the Electoral Process* which summarized the findings of the polling place accessibility surveys conducted at 303 polling places in 38 counties across South Carolina on November 4, 2014.

Based on the report that Richland County received, the department is requesting to purchase 150 disabled parking signs and cones to ensure all polling locations are equipped with curbside voting areas marked with signage.

Quantity	Item Description	Price	Total
150	Handicap Signage		\$1,901.29
150	Premium 28" Traffic Cones Revolution Series w/2 Reflective Collars 4" and 6"	\$18.96	\$2,844.00
	Shipping		\$225.00
	Taxes		\$379.62
	<b>Grand Total:</b>		<b>\$5,349.91</b>



**Creating great  
impressions!**

**Another Printer, Inc.  
10 Bush River Court  
Columbia, SC 29210  
( 803 ) 798-1380**

**1166  
ESTIMATE**

No. **E#44987**

Date **8/21/2015**

Customer P.O. No.

Richland County Election Commission  
2020 Hampton Street (PO Box 192)  
Columbia SC 29204  
Becky Brown  
Phone: 576-2241  
Fax: 576-1510  
E-mail: brownb@rcgov.us

QUANTITY	DESCRIPTION	AMOUNT
150	Handicap Signs for Street Cones, In Color Printed 2 Sided, Appox. 13" x 13" , Standard Handicap Layout, House Delivery to ( 1 ) Location Included	1,901.29
ALL PRICES ARE QUOTED CAMERA READY , IF PROVIDED FILES ARE NOT CAMERA READY, THERE WILL BE A CHARGE TO MAKE FILES CAMERA READY. BECAUSE IT IS ON A DISK DOES NOT MAKE IT CAMERA READY .TAX IS NOT INCLUDED IN PRICES. PRICES ARE GOOD FOR 30 DAYS FROM DATE ON QUOTE		<b>SUB</b>
		<b>TAX</b>
		<b>SHIPPING</b>
		<b>TOTAL</b>



## Polling Location Supplies – Laptop Batteries

Laptop batteries are needed on Election Day, for poll managers to utilize laptops containing the electronic version of the paper voter registration lists to search for voters and record voting participation. At the end of the day, poll clerks return the laptops to the county election office. The election staff then extracts the participation information from the precinct and it is transmitted to the State Election Commission to provide voters credit for voting in the election.

Using laptops instead of paper voter registration lists enables poll managers to process voters quicker on Election Day and makes it is easier to find and mark the proper voter. Additionally, poll managers are able to search for voters and direct them to their proper precinct as well as create reports that detail the number of individuals who voted at a particular polling location on Election Day.

Quantity	Item Description	Price	Total
125	Battery Packs	\$70.43	\$8,803.75
	Shipping		\$11.25
	Taxes		\$704.30
	<b>Grand Total:</b>		<b>\$9,519.30</b>





## HP Parts Ordering Quote sheet

### Customer information

Contact name	Name
Company name	Name
Phone number	-
Fax number	-
Date	01/26 /2016
Customer account number	-

### Quote information

The following are list prices for the parts you requested, including shipping cost options

The following are discounted prices based your HP PDO account for the parts you requested. Shipping options are included.

The exchange part[s] listed does have an associated core charge. This core charge will either be returned to you or not billed [depending on method of payment] upon core return to HP. Please return defective core within 30 days of receiving replacement.

#### Part Information

Part	List Price (USD)	Defective Core Charge (USD)	Qty	Total Price (USD)
7-0715-001 Contact HP Battery pack (Primary) - 4-cell lithium-ion (Li-Ion), 2.8Ah, 41Wh	70.43	0.00	125	3365.75
Order subtotal (USD)				3365.75

A. Weathersky  
1-26-16

#### Shipping Methods

**Standard Standard** 3-4 business day delivery \$11.25 (USD).

**Expedite** 1-2 business day delivery \$16.95 (USD).

Shipping will appear as a separate line item. Please note Shipping and Handling charges can only be determined if the shipping address has been provided.

- **Taxes are not included**
- Standard Shipping is 3-4 business days. Next business day Shipping is same day or 1-2 business days.
- If claiming tax exempt; please fax a copy of a signed tax exempt certificate email it to the following email address or fax #, email : [hppstax@hp.com](mailto:hppstax@hp.com) or fax # 866 894 4717.

## Related Equipment / Supplies

Quantity	Item Description	Total
360	PEB Batteries	\$5,812.56
20	Communication Pack Printer Cables	\$445.25
40	PEB Bands – Green	\$110.50
2000	Pull Up Seals – Red Bar Coded	\$478.05
2000	Tamper Evident Seals – Red Bar Coded	\$583.20
40	Red/Blue Barcode Seals- Barcode & Numbered	\$1,627.64
20	Barcode Large Pull Seals - Blue Barcode	\$830.42
	Election Ballots & Signage	\$8,390.52
12	Window Envelopes – Cases	\$1,200.00
50	Disposable Headphones – ADA Voting Machines	\$89.50
3	File Cabinets	\$160.50
	TBD – Miscellaneous Election / Office Supplies	\$460.47
	<b>Grand Total:</b>	<b>\$20,188.61</b>



Make Checks Payable to:  
Owen G. Dunn Co., dba Printelect  
PO Box 13216 New Bern, NC  
28561-3216  
(252)633-3197x106  
lindacongdon@printelect.com



**BILL TO**  
Richland Regist. & Elections  
2020 Hampton Street  
Columbia, SC 29201

INVOICE # 6603  
DATE 12/31/2015  
DUE DATE 01/30/2016  
TERMS Net 30

ACTIVITY	DATE	QTY	RATE	AMOUNT
<b>Field Services</b>				
Replace PEB Battery	12/31/2015	360	14.95	5,382.00

OS6652

BALANCE DUE

**\$5,382.00**

Make Checks Payable to:  
Owen G. Dunn Co., dba Printelect  
PO Box 13216 New Bern, NC  
28561-3216  
(252)633-3197x106  
lindacongdon@printelect.com



BILL TO  
Richland Regist. & Elections  
2020 Hampton Street  
Columbia, SC 29201

INVOICE # 6584  
DATE 12/31/2015  
DUE DATE 01/30/2016  
TERMS Net 30

ACTIVITY	DATE	QTY	RATE	AMOUNT
<b>Field Services</b>				
Comm. Pack Printer Cables - SC Pigtail	12/31/2015	20	20.00	400.00
<b>FRT</b>				
Shipping and Handling	12/31/2015	1	13.25	13.25

OS06648

BALANCE DUE

**\$413.25**

Make Checks Payable to:  
Owen G. Dunn Co., dba Printelect  
PO Box 13216 New Bern, NC  
28561-3216  
(252)633-3197x106  
lindacongdon@printelect.com



BILL TO  
Richland Regist. & Elections  
2020 Hampton Street  
Columbia, SC 29201

INVOICE # 6584  
DATE 12/31/2015  
DUE DATE 01/30/2016  
TERMS Net 30

ACTIVITY	DATE	QTY	RATE	AMOUNT
<b>Field Services</b>	12/31/2015	20	20.00	400.00
Comm. Pack Printer Cables - SC Pigtail				
<b>FRT</b>	12/31/2015	1	13.25	13.25
Shipping and Handling				

OS06648

BALANCE DUE

**\$413.25**



Make Checks Payable to:  
Owen G. Dunn Co., dba Printelect  
PO Box 13216 New Bern, NC  
28561-3216  
(252)633-3197x106  
lindacongdon@printelect.com

BILL TO  
Richland Regist. & Elections  
2020 Hampton Street  
Columbia, SC 29201

INVOICE # 6803  
DATE 02/24/2016  
DUE DATE 03/25/2016  
TERMS Net 30

ACTIVITY	DATE	QTY	RATE	AMOUNT
<b>Field Services</b>				
Green PEB Color Bands	02/24/2016	40	2.25	90.00
<b>FRT</b>				
Shipping and Handling	02/24/2016	1	13.30	13.30

OS06692

BALANCE DUE

**\$103.30**



UNITED AMERICAN  
ELECTION SUPPLY CO.

ELECTION EQUIPMENT • SERVICES • SYSTEMS & SUPPLIES

P.O. Box 769  
Blythewood, SC 29016  
803-333-8001

# Invoice

Date	Invoice #
2/8/2016	01-1012

**Bill To:**

Voter Reg. & Elections  
2020 Hampton St.  
Suite 1007  
Columbia, S.C. 29204

**Ship To:**

SAME

P.O. No.	Date Ordered	Ship Date	Ship Via	FOB
Verbal	01/20/16	01/20/16	Best Way	Origin
Rep	Terms	Due Date	Notes	
HSE	Net 30	3/9/2016	Thank you!	

Item	Ordered	Shipped	Description	Rate	Amount
9001	2000	2,000	Model 9001 Pull Up Seal - Red Bar Coded	0.21	420.00T
TMPR-EV	2000	2,000	Tamper Evident Seals - Red Bar Coded - Non Residue	0.27	540.00T
Shipping Ch...			Cost to ship item to customer	24.45	24.45

Thank you for your Business!

**Subtotal:** \$984.45

**Sales Tax: (8.0%)** \$76.80

**Total:** **\$1,061.25**





Intab, LLC.  
 P.O. Box 1589  
 Hillsborough NC 27278  
 Phone 1.800.232.1872  
 Fax 336.578.6597  
 Fed. I.D. 47-4241841

Page	Date	Order Number
1	02/22/16	145110A

SOLD TO

CHERYL GOODWIN  
 RICHLAND COUNTY  
 ELECTION SYSTEMS COORDINATOR  
 2020 HAMPTON ST STE 1062  
 COLUMBIA, SC 29204

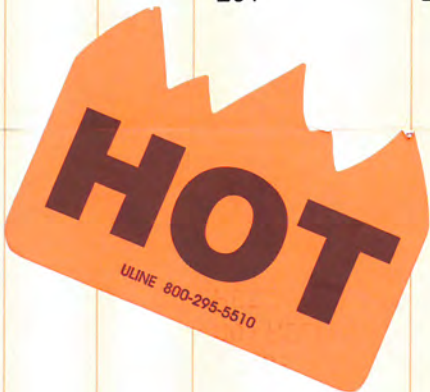
SHIP TO

Customer Number	Sales I.D.	Purchase Order Number	Media Code	Terms			
27304	EB /EB	lillian mcbride	E11/	NET 30, DUE:03/23/16			
Credit Card Number	Type	Phone Number	Total Weight	Zone	Pkgs.	Ship Via	
		(803) 576-2240	50.0 Lbs	3	4	UPC	

Message:

Try shopping online at [www.intab.net](http://www.intab.net)!

Quantity	B/O	Shipped	Item Number	Description	Unit Price	Disc.	Extension
20	0	20	03-1331 003 BLUE	Barcode Large Pull Tite Seals Blue, Barcode and Numbered, 100 Seals	35.9500	--	719.00
20	0	20	03-1331 001 RED	Barcode Large Pull Tite Seals Red, Barcode and Numbered, 100 Seals	35.9500	--	719.00
1	0	--	SPEED 201	Same Day Speed Service Extra Care: Special Same Day Processing	10.0000	--	10.00
					MERCHANDISE INVOICE TOTAL \$		1448.00
					SHIPPING & HANDLING \$		64.60
					INVOICE TOTAL \$		1512.60
					BALANCE \$		1512.60
					PAYMENT DUE ON 03/23/16		



Invoice



Intab, LLC.  
 P.O. Box 1589  
 Hillsborough NC 27278  
 Phone 1.800.232.1872  
 Fax 336.578.6597  
 Fed. I.D. 47-4241841

Page	Date	Order Number
1	01/25/16	144732A

**SOLD TO**

CHERYL GOODWIN  
 RICHLAND COUNTY  
 ELECTION SYSTEMS COORDINATOR  
 2020 HAMPTON ST STE 1062  
 COLUMBIA, SC 29204

**SHIP TO**

Customer Number	Sales I.D.	Purchase Order Number	Media Code	Terms		
27304	SR /SR	Email Order	E11/	NET 30, DUE:02/24/16		
Credit Card Number	Type	Phone Number	Total Weight	Zone	Pkgs.	Ship Via
		(803) 576-2240	25.0 Lbs	3	2	UPC

Message: Try shopping online at [www.intab.net](http://www.intab.net)!

Quantity	B/O	Shipped	Item Number	Description	Unit Price	Disc.	Extension	
20	0	20	03-1331 003 BLUE	Barcode Large Pull Tite Seals Blue, Barcode and Numbered, 100 Seals	36.9500	--	739.00	
							MERCHANDISE INVOICE TOTAL \$	739.00
							SHIPPING & HANDLING \$	32.30
							INVOICE TOTAL \$	771.30
							BALANCE \$	771.30
							PAYMENT DUE ON 02/24/16	
<h1>Invoice</h1>								





# Another Printer, Inc.

Traditional & Digital Printing • Direct Mail Services  
Promotional Items • Signage

## STATEMENT

Richland County Election Commission  
2020 Hampton Street (PO Box 192)  
Columbia SC 29204

Payment Due By: 3/10/2016

Statement Date: 2/29/2016

Date	Inv #	Description	Paid	Balance
1/20/2016	95112	Cheryl Goodwin Blank Ballot Stock		324.00
1/22/2016	95142	Samuel Selph Absentee Voting Sign		112.32
2/5/2016	95113	Cheryl Goodwin Ballots - 2016 Republican Presiden		3,526.74
2/10/2016	95168	Cheryl Goodwin Ballots - 2016 Democratic Presiden		3,747.06
2/12/2016	95596	Cheryl Goodwin Blank Ballot Stock		162.00
2/19/2016	95684	Cheryl Goodwin Ballots - 2016 Democratic Presiden		518.40
Current		7,954.20		
	30 days	436.32		
	60 days	0.00		
	90+ days	0.00		
			<b>Total Due</b>	<b>8,390.52</b>

**STATEMENT TOTAL IS DUE BY THE 10<sup>TH</sup> OF THE MONTH**

Another Printer, Inc. • 10 Bush River Court • Columbia, South Carolina 29210

If you have any questions, please call us at 803.798.1380















Shipping Confirmation



Thank you for your purchase.

Should you need to contact us by telephone call 843.638.3033 M-F, 9-5 EST.

Please [print this page](#) for your records.

If you have any questions about your order, please [Contact Us](#)

Shopping Cart

Item



SmithGear ID06PS Disposable Stereo Headband Headphones BULK

Unit Price	Qty.	In Stock	Cost
\$1.79	50	Yes	\$89.50

<b>Subtotal:</b>	\$89.50
<b>Shipping:</b>	\$8.95
<b>Tax:</b>	\$6.27
<b>Total:</b>	\$104.72

Order Confirmation

Confirmation

Order Date: 01/21/2016

Order Number: SG-121387

Ship To

Lillian McBride  
RC Voter Registration  
2020 Hampton Street  
Columbia, SC 29204  
803-576-2245

Shipping Method: UPS Ground (1-5) Business Days

Bill To

Lillian McBride  
RC Voter Registration  
2020 Hampton Street  
Columbia, SC 29204  
803-576-2245

Mcbridel@rcgov.us (Will send order confirmation to this email)

[Keep Shopping](#)

[Privacy Policy](#) - [Merchant's Privacy Policy](#)

Pro Seller

DATE  
02/03/2016

**STATE PROPERTY  
BILL OF SALE**  
SC Department of Administration  
General Services  
Surplus Property Office  
1441 Boston Avenue  
West Columbia, SC 29170  
(803) 896-6880

COUNTER SALE - BILL OF SALE  
167552 - 1604650

WWW.SURPLUS.SC.GOV

Sales Type Public  
GENERAL SERVICES TAX # 32-38245-8  
Purchase Order No. \_\_\_\_\_

BUYING INSTITUTION: 50000015833 - 0000000  
  
LILLIAN MCBRIDE  
2020 HAMPTON STREET  
COLUMBIA, SC 29204

TYPE OF SALE (CODES) \_\_\_\_\_  
A - STATE AGENCY F - OTHER GOVERNMENT AGENCIES  
B - COUNTY G - PUBLIC SALE - TAXABLE  
C - MUNICIPALITY H - PUBLIC SALE - NON-TAXABLE  
D - SCHOOL DISTRICT I - COMPETITIVE SALE - TAXABLE  
E - NON-PROFIT J - COMPETITIVE SALE - NON-TAXABLE

FEE SCHEDULE (CODES)  
A - VEHICLES AND PROPERTY WITH A/C OVER \$5000.00  
B - MISC. FIXED ASSETS WITH A/C UNDER \$5000.00  
C - EXPENDABLE SUPPLIES  
D - CONFISCATED PROPERTY  
E - COMPETITIVE SALES

Line No.	Control #	Description	Fee			Sales Price	
			Schd	UOM	Qty	Unit	Total
1	164470023	FILE CABINET	B	EA	1	40.00	40.00
2	164470033	FILE CABINET	B	EA	1	30.00	30.00
3	166703023	FILE CABINET	B	EA	1	80.00	80.00
Sub Total							150.00
Sales Tax (7.00 %)							10.50
<b>Total</b>							<b>160.50</b>
<b>Total Amount Paid</b>							<b>160.50</b>

Remarks

*pd vs pk  
8035762245*

Visa \$160.50

**ALL PROPERTY SOLD AS IS WHERE IS  
ALL SALES ARE FINAL - NO PROPERTY RETURNS  
TEMP TAG MUST BE PURCHASED FOR  
VEHICLES DRIVING ON S.C. HIGHWAYS**

**WAIVER OF ALL LIABILITY FROM THE STATE OF SOUTH CAROLINA FOR PROVIDING ASSISTANCE**

In consideration for the non-obligatory assistance provided with the moving, loading or other gratuitous efforts by the State regarding my purchased property, I agree to defend, hold harmless, and fully indemnify the State of South Carolina for any and all costs, expenses and damages, including attorney's fees, resulting from its assistance for any reason, including that which may be caused by the negligence of the State or its personnel.

Signature *Lillian McBride* Date *2/3/16*

PROPERTY ISSUED BY	PICKED UP BY	PICKED UP FROM	DATE
CSR BB	LILLIAN MCBRIDE		

Being the duly authorized agent of the above institution, I certify that all property listed hereon will be used for the benefit of the above institution with no personal use involved. All state property sold to eligible donees has a 12 month restriction period.

Signature of customer or authorized agent *Lillian McBride* Title *Dep Director* Date *2/3/16*

**Cost of Conducting City of Columbia General Election Runoff  
November 3, 2015**

Number of Precincts: 74 plus 2 in Lexington County  
Absentee: 2  
Total: 78

<b>Cost Components</b>	<b>Account Number</b>	<b>Account Name</b>	<b>Elections</b>	<b>Runoff</b>
<b>Administrative:</b>				
Copies for Poll Managers	521300	Copy Machine	\$350.00	\$0.00
Office Supplies	521000	Ballots, Ballot Stock, Office Supplies	\$2,095.00	\$600.00
Postage (PW letters 463 @ .47)(Reply Cards 463 @.27)			\$345.00	\$0.00
<b>Ballots:</b>				
Absentee Application Postage ( .49 @ 1054)			\$310.00	\$207.00
Absentee Ballot Postage ( \$1.30 @ 234)			\$201.00	\$103.00
Ballot on Demand and Test (includes 8% tax @ 362 @.35)	521000	Ballots, Ballot Stock, Office Supplies	\$116.00	\$11.00
Emergency/ FailSafe ballots 2,430 @ .35 (includes 8% tax)	521000	Ballots, Ballot Stock, Office Supplies	\$918.00	\$0.00
<b>Personnel Costs:</b>				
Overtime for County Staff	511200	Overtime	\$4,101.00	\$1,808.00
Overtime for Payroll Staff			\$350.00	\$0.00
Part-time Staff	511300	RC Part Time Wages	\$4,012.00	\$2,452.00
FICA @ 7.65%	512200	FICA Employer's Share	\$541.00	\$0.00
** Office Staff (Pre Election) for Absentee/VR/Elections	511800	Temp Employment Agency	\$10,165.00	
**Office Staff (Election Day/Night) Equipment loaders/ Unloaders,Call Center, Absentee Counters	511800	Temp Employment Agency	\$4,680.00	\$4,560.00
** Poll Clerks 72/73@ \$180 per election	511800	Temp Employment Agency	\$12,960.00	\$13,140.00
** Poll Managers 264 @ \$120 per election	511800	Temp Employment Agency	\$31,680.00	\$27,720.00
** Assistant Clerk 21 @ \$150 per election	511800	Temp Employment Agency	\$3,150.00	\$2,850.00
** Polling Location Technicians 17 @ \$350 at polling locations	511800	Temp Employment Agency	\$5,950.00	\$5,950.00
**Poll Worker Retirement 10.6%	513100	SC Regular Retirement	\$5,306.00	
<b>Facility Usage Fees</b>				
Grace United Church	526300	Rent	\$100.00	\$100.00
Virginia Wingard Memorial			\$175.00	\$175.00
Kilbourne Park Church			\$150.00	\$150.00
		<b>Total</b>	<b>\$87,655.00</b>	<b>\$59,826.00</b>

**Cost of Conducting City of Columbia General Election Runoff  
November 3, 2015**

	11/3/2015	11/17/2015
<b>**Election Day Workers (11/3/2015)</b>		
Poll Clerks	72	73
Poll Managers	285	250
Office Staff (Equipment loaders, unloaders, phone, ABS Counter)	35	35
Polling Location Technicians at polling locations	17	17
<b>Election Day Total Workers:</b>	<b>409</b>	

RCVR 1.6.15 bb

Updated w/ abs #'s 1/22/15bb

**updated to change date to 11/3/15**

**Cost of Conducting Town of Blythewood - Combined Precincts  
November 3, 2015**

Number of Precincts: 4 in Richland County plus 1 in Fairfield County

Absentee: 1

Total: 6

Registered Voters 1795

<b>Cost Components</b>	<b>Account Number</b>	<b>Account Name</b>	<b>Total</b>
<b>Administrative:</b>			
Copies for Poll Managers	521300	Copy Machine	\$50.00
Office Supplies	521000	Ballots, Ballot Stock, Office Supplies	\$0.00
Postage (PW letters 6 @ .47)(Reply Cards 6 @ .27)			\$5.00
<b>Ballots:</b>			
Absentee Application Postage ( .49 @7)			\$3.43
Absentee Ballot Postage ( 1.30 @ 5)			\$6.50
Ballot on Demand and Test (.35 @10 includes 8% tax)	521000	Ballots, Ballot Stock, Office Supplies	\$3.78
Emergency/ Provisional ballots 45 @ .35 (includes 8% tax)	521000	Ballots, Ballot Stock, Office Supplies	\$17.00
Failsafe ballots 35 @ .35 (includes 8% tax)			\$13.23
<b>Personnel Costs:</b>			
** Poll Clerks1 @ \$180 per election	511800	Temp Employment Agency	\$180.00
** Assistant Clerk 1 @150	511800	Temp Employment Agency	\$150.00
** Poll Managers 4 @ \$120 per election	511800	Temp Employment Agency	\$480.00
** Polling Location Technicians 1 @ \$350 at polling locations	511800	Temp Employment Agency	\$350.00
**Poll Worker Retirement 10.6%	513100	SC Regular Retirement	\$83.00
<b>Total:</b>			<b>\$1,341.94</b>

**\*\*Election Day Workers 11.3.15**

Poll Clerks **paid for three days	1
Poll Managers ** paid for two days	5
Office Staff (Equipment loaders, unloaders, phone, ABS Counter)	0
Polling Location Technicians at polling locations	1
<b>Election Day Total Workers:</b>	<b>7</b>



**Cost of Conducting Town of Irmo Election  
November 3, 2015**

Number of Precincts: 9  
Absentee: 1  
Total: 10  
Registered Voters

<b>Cost Components</b>	<b>Account Number</b>	<b>Account Name</b>	<b>Total</b>
<b>Administrative:</b>			
Copies for Poll Managers	521300	Copy Machine	\$150.00
Office Supplies	521000	Ballots, Ballot Stock, Office Supplies	\$20.00
Postage (PW letters 30@ .47)(Reply Cards 30 @.27)			\$25.00
<b>Ballots:</b>			
Absentee Application Postage ( .49 @12)			\$6.35
Absentee Ballot Postage ( 1.30 @ 9)			\$12.64
Ballot Stock paper (.35 @ 20 includes 8% tax)	521000	Ballots, Ballot Stock, Office Supplies	\$7.56
Emergency/ Provisional ballots 135 @ .35 (includes 8% tax)	521000	Ballots, Ballot Stock, Office Supplies	\$51.00
Failsafe ballots 100 @ .35 (includes 8% tax)			\$37.80
<b>Personnel Costs:</b>			
**Office Staff 5 @ \$120 per election. Equipment loaders/ Unloaders,Call Center	511800	Temp Employment Agency	\$600.00
** Poll Clerks 5 @ \$180 per election	511800	Temp Employment Agency	\$900.00
** Assistant Clerks	511800	Temp Employment Agency	\$150.00
** Poll Managers 21 @ \$120 per election	511800	Temp Employment Agency	\$2,520.00
** Polling Location Technicians 1 @ \$350 at polling locations	511800	Temp Employment Agency	\$350.00
<b>Total:</b>			<b>\$4,830.35</b>

**\*\*Election Day Workers (11/3/2015)**

Poll Clerks	5
Assistant Clerks	1
Poll Managers	21
Office Staff (Equipment loaders, unloaders, phone, ABS Counter)	5
Polling Location Technicians at polling locations (+ 1 Lex)	1
<b>Election Day Total Workers:</b>	<b>33</b>

## Reimbursement of Election Expenses Quick Reference Guide

ELECTION	STATE	COUNTY
Statewide Primary Elections  <b>Note: We reimburse each county voter registration and elections office for one 5 x 7 ad announcing candidate filing prior to the statewide primary elections. We do not reimburse for candidate filing for any other primary or election.</b>	Notice of election (2) (6 pt. type only) Ballots (Programming & printing – 100%) Postage to mail absentee apps/ballots Rent/custodians for polling places Commissioner mileage (.54 per mile) Poll Managers 3+3 (1 <sup>st</sup> 500 & each add'l 500 or portion of) Absentee/failsafe Up to 3 managers for <b>total</b> of 15 days Rate \$60 per day Managers: 2 days Clerks: 3 days \$100 for 1 additional clerk training per precinct PLT's @ \$150 each plus mileage (.54 per mile)	Miscellaneous standard operating costs
Statewide General Elections	Notice of election (2) (6 pt. type only) Ballots (Programming & printing – 50%) Commissioner mileage (.54 per mile) Poll Managers 3+3 (1 <sup>st</sup> 500 & each add'l 500 or portion of) \$100 for 1 additional clerk training per precinct Absentee/failsafe Up to 3 managers for <b>total</b> of 15 days Rate \$60 per day Managers: 2 days Clerks: 3 days PLT's @ \$150 each plus mileage (.54 per mile)	Prorated share of ballot cost Other miscellaneous Expenses (including rent for polling places, and postage to mail absentee ballots, custodians)
Runoff Elections <b>Notices of election for runoffs are not reimbursed as they are not required by law.</b>	Ballots (Programming & printing – (100%) Postage to mail absentee apps/ballots Rent/custodians for polling places Poll Managers 3+1 Rate \$60 per day Managers: 1 day Clerks: 2 days Commissioner mileage (.54 per mile) PLT's @ \$150 each plus mileage (.54 per mile)	Miscellaneous standard operating costs
Special Primaries -	Notice of election (2) (6 pt. type only) Ballots (Programming & printing – (100%) Postage to mail absentee apps/ballots Rent/custodians for polling places Commissioner mileage (.54 per mile) Poll Managers 3+1 Rate \$60 per day Managers: 2 day Clerks: 3 days PLT's @ \$150 each plus mileage (.54 per mile)	Miscellaneous standard operating costs
Special Elections – Congressional, House & Senate	Notice of election (2) (6 pt. type only) Ballots (Programming & printing – (100%) Commissioner mileage (.54 per mile) Poll Managers 3+1 Rate \$60 per day Managers: 2 day Clerks: 3 days PLT's @ \$150 each plus mileage (.54 per mile)	Miscellaneous standard operating costs

## **Richland County Council Request of Action**

**Subject:** Board of Voter Registration & Elections Budget Amendment

### **A. Purpose**

County Council is requested to approve a budget amendment in the amount of \$1,130,236 for the Board of Voter Registration & Elections Department for the following purposes:

- Funding the upcoming November 3, 2015 City of Columbia Election, Town of Blythewood and Town of Irmo, 2016 Republican Presidential Preference Primary, Democratic Presidential Preference Primary, June Primary and Runoff.
- Purchasing Mother Board Batteries
- Repairing of Voting Equipment
- Purchasing Phones for Call Center
- Purchasing 4 Printers
- Approving Election Machine Technician I Position (Only)

### **B. Background / Discussion**

By law, the Board of Voter Registration & Elections Department is mandated to conduct all elections for Richland County. Although mandated, per Mr. Selph, the department has not been adequately funded in order to carry out the required elections during the 2016 fiscal year.

All funds expended will be reimbursed by the City of Columbia, Town of Blythewood, South Carolina State Elections Commission (SEC) and Town of Irmo with the exception of the purchase of Motherboard Batteries, Printers and the repairs of voting machines and the purchase of related equipment needed in preparation for the upcoming elections

Upon the conclusion of the election, the Board of Voter Registration & Elections Department will invoice the City of Columbia, Town of Blythewood, SEC and Town of Irmo for all costs incurred. Within 30 days, the City of Columbia, Town of Blythewood, SEC and Town of Irmo will issue payment as per the invoice issued.

Based on the above listed information, the Board of Voter Registration & Elections Department has developed and would like approval of the following action plan:

1. Provide funding for November 3, 2015 City of Columbia Election, Town of Blythewood and Town of Irmo.
2. Provide funding for 2016 Republican Presidential Preference Primary, Democratic Presidential Preference Primary, June Primary and Runoff.
3. The purchasing of Motherboard Batteries, repairs of voting machines and the purchase of related equipment needed in preparation for the upcoming elections to ensure all voting machines and election and voting equipment are in proper working condition and available for use in upcoming and future elections.

4. Provide funding for 4 Printers to print Absentee applications and Voter Registration cards.
5. Approval of Position only for Electrician Machine Technician I.

**C. Legislative / Chronological History**

This is a staff-initiated request; therefore, there is no legislative history.

**D. Financial Impact**

**Itemization of Cumulative Costs Associated with Requests**

<b>Item No.</b>	<b>Item Description</b>	<b>Cost</b>
1	November 3, 2015 City of Columbia Election/ Runoff	<u>\$242,560.00</u>
	Town Of Blythewood	<u>\$1,393.00</u>
	Town of Irmo	<u>\$6,895.00</u>
	SEC 2016 Republican Presidential Preference Primary,	<u>\$360,000.00</u>
	Democratic Presidential Preference Primary	
	June Primary/ Runoff	<u>\$342,000.00</u>
	Estimate of Reimbursement <span style="float: right;">Total</span>	<u>\$952,848.00</u>
2	Payment of Invoices for purchasing Motherboard Batteries,	<u>\$70,937.69</u>
	Phones,	<u>\$6,750.00</u>
	Printers, Repairing Voting Machines and Purchasing	<u>\$45,000.00</u>
	Related Equipment	
	Maintenance & License Fee (Mandated by SEC)	<u>\$106,739.00</u>
3	Election Machine Technician	
<b>Total</b>		<b>\$1,182,274</b>

**E. Alternatives**

1. Approve the request to amend the budget in the amount of \$1,182,274.00 for the Board of Voter Registration Elections Department for the purpose of in being in compliance with State Law to carry out all elections held in Richland County which includes the upcoming November 3, 2015 City of Columbia Election, Town of Blythewood, Town of Irmo, Republican and Democratic Presidential Preference Primary, June Primary & Runoff if necessary and the purchasing of Motherboard Batteries and the repairing of Voting Machines and Purchasing of printers and related Equipment.
2. Do not approve the request to amend the budget in the amount of \$1,182,274.00 for the Board of Voter Registration & Elections Department for the purpose of carry out all elections held in Richland County which includes the upcoming November 3, 2015 City of Columbia Election, Town of Blythewood, Republican and Democratic Presidential

Preference Primary, Town of Irmo, June Primary & Runoff and the purchasing of Motherboard Batteries and the repairing of Voting Machines, Phones, Printers, Position of Election Machine Technician and purchasing related Equipment. Richland County Board of Voter Registration & Elections offices would not efficiently serve the citizens and keep the interest and integrity in the voting process if funds are not provided and the department will not being in compliance with State Law.

3. Approve a budget amendment in an amount that differs from the requested amount for one or more of the purposes identified in this Request of Action for the Board of Voter Registration & Elections.

#### **F. Recommendation**

It is recommended that County Council approve the budget amendment in the amount of \$1,182,274 for the purposes outlined above.

Recommended by: Samuel J. Selph

Department: The Board of Voter Registration & Elections

Date: 10/19/2015

#### **G. Reviews**

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

#### **Finance**

Reviewed by: Daniel Driggers

Date: 2/17/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

The item is a discretionary budget decision for the County specific to Election cost. When the budget concern was first raised in December 2015, the County Administrator and I met with the VREC Director to discuss the need. Subsequent to the internal meeting, the County and Council Members received a copy of a letter from the Ms. Marjorie L. Johnson, VREC Board Member to Senator John Scott expressing similar concerns. During January, the County Administrator and I also attended a meeting with the VREC Director, VREC Board Members, and Senator Scott to discuss the need. The chronology and status of the discussions were provided by the County Administrator at the Council Retreat in January with the understanding that the request would be before Council at the February Committee meeting.

The estimated shortfall amount of \$1.2m is included in the second ROA request for the A&F in February that provides options for addressing the budget shortfall for multiple departments therefore budget action will only be needed on one of the request. Some additional clarifying information has been requested of the VREC Director but due to the timing of the ROA process, the ROA is completed prior to its receipt therefore below are

a couple of ROA observations that I would recommend that the County clarify related to items in the Financial Impact section.

- a) Item 1 states that the estimate of reimbursement is \$952,848. This is only an estimate and the actual reimbursement could be a smaller amount. The result if the reimbursement is not the full amount estimated, would be that the additional cost would be paid by the County.
- b) Item 2 request of \$106k will be the approval for payments of invoices and services already received.
- c) Item 3 is a request of approval for a new position but no cost are included in the ROA. In reviewing other County documents, I have not been able to determine the salary range or hiring plans of the position to determine a cost. This may change the amount requested to be approved. Finally, approving a new position will be recurring costs moving forward.

The options are listed again below for convenience and adding a third option related to any reimbursable cost.

- 1) First option - the County could identify other departments that may be projected to have unspent budgeted funds at yearend. Those funds could be approved by Council to be redirected to cover the shortfall. This would require a coordinated effort from both the department giving funds and the department that is receiving funds to ensure that the funds are not spent twice and that there is not a service impact on the giving department.
- 2) Second Option – the County could appropriate fund balance to cover the shortfall.
- 3) Third Option – As a part of option one or two above, the cost determined to be an expected reimbursement would be reflected as an offset to Revenue therefore it would reduce the impact of the use of County funds.

### **Legal**

Reviewed by: Elizabeth McLean

Date: 2/18/16

Recommend Council approval

Recommend Council denial

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

### **Administration**

Reviewed by: Tony McDonald

Date: 2/19/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: I concur with the Finance Director's comments above. It is apparent that the Elections/Voter Registration Office will end the year at a deficit if the current expenditure trend continues, and with the upcoming elections, it is doubtful that the trend will change dramatically.

In an effort to preserve the County's fund balance, I would not recommend use of the fund balance to resolve this matter; however, one solution would be to designate the reimbursements from the various municipalities and/or the State to help relieve the anticipated shortfall (Option 3 as identified by the Finance Director above). This will do two things: (1) it will prevent the need to use County fund balance; and (2) it can be

structured so that the reimbursements will be applied only to the point needed to address the actual shortfall.

## Richland County Council Request of Action

**Subject:**

An Agreement Authorizing the execution and delivery of a fee-in-lieu of tax agreement by and between Richland County and Arum Composites, LLC [f/k/a Project Oro], whereby Richland County will enter into a fee-in-lieu of tax arrangement with Arum Composites, LLC [f/k/a Project Oro], and providing for payment by Arum Composites, LLC [f/k/a Project Oro] of certain fees-in-lieu of ad valorem taxes; providing for the allocation of fees-in-lieu of taxes payable under the agreement for the establishment of a multi-county industrial/business park; and other matters relating thereto

FIRST READING: November 3, 2015

SECOND READING: December 8, 2015

THIRD READING: April 5, 2016 {Tentative}

PUBLIC HEARING: December 8, 2015



**ORDINANCE**

AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN RICHLAND COUNTY AND PROJECT ORO WHEREBY RICHLAND COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAX AGREEMENT WITH PROJECT ORO AND PROVIDING FOR PAYMENT BY PROJECT ORO OF CERTAIN FEES-IN-LIEU OF *AD VALOREM* TAXES; PROVIDING FOR THE ALLOCATION OF FEES-IN-LIEU OF TAXES PAYABLE UNDER THE AGREEMENT FOR THE ESTABLISHMENT OF A MULTI-COUNTY INDUSTRIAL/BUSINESS PARK; AND OTHER MATTERS RELATING THERETO.

WHEREAS, Project Oro (the “Company”) has requested Richland County, South Carolina (the “County”) to enter into a Fee-in-Lieu of Tax Agreement with the Company, because the Company has expressed its plans to the County to make a potential capital investment in the County and to hire full time employees in the County;

WHEREAS, as a result of the Company’s plans to undergo the project, the Company has asked the County to enter into a Fee-in-Lieu of Tax Agreement by and between the County and the Company dated as of \_\_\_\_\_, 2015 in order to encompass the terms of the project;

WHEREAS, the County, acting by and through its County Council (the “County Council”) is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended (the “FILOT Act”), to designate real and tangible personal property as “economic development property” and to enter into an arrangement which provides for payments-in-lieu of taxes (“Negotiated FILOT Payments”) for a project qualifying under the FILOT Act; and

WHEREAS, the County, acting by and through the County Council, is further authorized and empowered under and pursuant to the provisions of Title 4, Chapter 1 of the Code of Laws of South Carolina 1976, as amended (the “Multi-County Park Act” or, as to Section 4-1-175 thereof, the “Special Source Act”) (collectively, the “the MCIP Act”) to provide for payments-in-lieu of taxes (“FILOT Payments”) with respect to property located in a multi-county business or industrial park created under the MCIP Act and to permit investors to claim special source credits against their FILOT Payments (including Negotiated FILOT Payments) to reimburse such investors for expenditures for infrastructure serving the County and improved or unimproved real estate and personal property, including machinery and equipment, used or to be used in the operation of a commercial enterprise in order to enhance the economic development of Richland County (“Infrastructure Improvements”); and to create and maintain, in conjunction with one or more other counties, a multi-county park in order to afford certain enhanced tax credits to such investors and facilitate the grant of special source or infrastructure improvement credits; and

WHEREAS, the Company plans to develop a facility in the County by acquiring, constructing, equipping and furnishing machinery, equipment and other real and personal property (the “Negotiated FILOT Project”) which the Company has represented will likely consist, should its plans move forward, of a capital investment of at least \$400,000,000; and

WHEREAS, the Negotiated FILOT Project is located entirely within the County and the County intends to include the Negotiated FILOT Project in and subject to the multi-county park and fee-in-lieu of tax arrangements as described herein; and

WHEREAS, the Company has requested certain economic development incentives (the “Incentives”) as set forth herein, and the County desires to offer the Incentives for the purpose of inducing the Company to invest its funds to acquire and equip the Negotiated FILOT Project; and

WHEREAS, based on information provided by and representations of the Company, it is in the public interest, for the public benefit and in furtherance of the public purposes of the FILOT Act and the MCIP Act that the County Council provide approval for qualifying the Negotiated FILOT Project under the FILOT Act and the entire Negotiated FILOT Project under the MCIP Act for the Incentives;

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

Section 1. Evaluation of the Negotiated FILOT Project. County Council has evaluated the Negotiated FILOT Project on the following criteria based upon the advice and assistance of the South Carolina Department of Commerce and the South Carolina Department of Revenue:

- (a) whether the purposes to be accomplished by the Negotiated FILOT Project are proper governmental and public purposes;
- (b) the anticipated dollar amount and nature of the investment to be made; and
- (c) the anticipated costs and benefits to the County.

Section 2. Findings by County Council. Based upon information provided by and representations of the Company and the advice and assistance of the South Carolina Department of Commerce and the South Carolina Department of Revenue, as required, County Council hereby finds that:

- (a) the Negotiated FILOT Project is identified as a “project” as that term is defined in the FILOT Act;
- (b) the Negotiated FILOT Project will continue to serve the purposes of the FILOT Act;
- (c) The investment by the Company in the Negotiated FILOT Project is anticipated to be at least \$400,000,000 to be invested within ten (10) years from the end of the

property tax year in which the Company and the County execute the FILOT Agreement (as defined herein); provided, however, that in the event the Company invests \$600,000,000 within the ten (10) year period, the investment period shall automatically extend by three (3) years as provided in the FILOT Act;

- (d) the Negotiated FILOT Project will be located entirely within the County;
- (e) the Negotiated FILOT Project will benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise adequately provided locally;
- (f) the Negotiated FILOT Project will not give rise to a pecuniary liability of the County or any municipality nor a charge against its general credit or taxing power of the County or any municipality;
- (g) the purposes to be accomplished by the Negotiated FILOT Project are proper governmental and public purposes;
- (h) the inducement of the location of the Negotiated FILOT Project is of paramount importance; and
- (i) the benefits of the Negotiated FILOT Project to the public are greater than the costs to the public.

Section 3. Fee-in-Lieu of Taxes Arrangement. Pursuant to the authority of the FILOT Act, the Negotiated FILOT Project is designated as “economic development property” under the FILOT Act and there is hereby authorized a fee-in-lieu of taxes arrangement with the Company which will provide Negotiated FILOT Payments to be made with respect to the Negotiated FILOT Project based upon a 4% assessment ratio and a millage of rate of 544.6 mills, all as more fully set forth in the Fee-in-Lieu of Tax Agreement by and between the County and the Company (the “FILOT Agreement”).

Section 4. Special Source Revenue Credits. After the identification of qualifying Infrastructure Improvements located solely within the County and the costs thereof to the satisfaction of the County, the County will provide to the Company special source revenue or infrastructure improvement credits (“SSRCs”) under the Special Source Act as set forth in the FILOT Agreement:

Section 5. Execution of the Fee Agreement. The form, terms and provisions of the FILOT Agreement presented to this meeting and filed with the Clerk of the County Council be and hereby are approved, and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if such FILOT Agreement were set out in this Ordinance in its entirety. The Chair of the County Council and the Clerk of the County Council be and they are hereby authorized, empowered and directed to execute, acknowledge and deliver the FILOT Agreement in the name and on behalf of the County, and thereupon to cause the FILOT Agreement to be delivered to the Company. The FILOT Agreement is to be in substantially the

form now before this meeting and hereby approved, or with any changes therein as shall not materially adversely affect the rights of the County thereunder and as shall be approved by the the officials of the County executing the same after receipt of advice from counsel to the County, their execution thereof to constitute conclusive evidence of their approval of all changes therein from the form of FILOT Agreement now before this meeting.

Section 6. Inclusion of Project In MCIP. The County authorizes the expansion of the boundaries of I-77 Corridor Regional Industrial Park jointly developed with Fairfield County, South Carolina (the “Park”), pursuant to the Multi-County Park Act and the “Master Agreement Governing the I-77 Corridor Regional Industrial Park” dated April 15, 2003 between the County and Fairfield County (the “Park Agreement”) and an amendment to the Park Agreement to include the Negotiated FILOT Project in the Park. The Park boundaries and an amendment to the Park Agreement to include the Property in the Park. The Chair and the Clerk to the County Council are hereby authorized to execute such documents and take such further actions as may be necessary to complete the expansion of the Park boundaries. Pursuant to the terms of the Park Agreement, the expansion of the Park’s boundaries to include the Property is complete on the adoption of this Ordinance by County Council and an approving ordinance by Fairfield County Council. The County will distribute FILOT Payments received from the Negotiated FILOT Project in accordance with the Park Agreement.

Section 7. Miscellaneous.

- (a) The Chair and all other appropriate officials of the County are hereby authorized to execute, deliver and receive any other agreements and documents as may be required by the County in order to carry out, give effect to and consummate the transactions authorized by this Ordinance;
- (b) This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina;
- (c) This Ordinance shall become effective immediately upon approval following third reading by the County Council;
- (d) The provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, that declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder; and
- (e) All ordinances, resolutions and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed.

*[Signature Page to Follow]*

**RICHLAND COUNTY, SOUTH CAROLINA**

By: \_\_\_\_\_

Torrey Rush  
Chair, Richland County Council  
Richland County, South Carolina

ATTEST:

\_\_\_\_\_  
Monique McDaniels, Clerk to Council, Richland County Council  
Richland County, South Carolina

First Reading: November 3, 2015  
Second Reading: December 8, 2015  
Public Hearing: December 8, 2015  
Third Reading:

*PPAB Draft 01/26/16*

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FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT

by and between

RICHLAND COUNTY, SOUTH CAROLINA

and

PROJECT ORO

Dated as of \_\_\_\_\_, 2016

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**TABLE OF CONTENTS**

	<u>Page</u>
ARTICLE I DEFINITIONS .....	3
Section 1.01 Definitions.....	4
Section 1.02 References to Agreement.....	8
ARTICLE II REPRESENTATIONS AND WARRANTIES .....	9
Section 2.01 Representations and Warranties by the County .....	9
Section 2.02 Representations and Warranties by the Company .....	9
ARTICLE III CERTAIN UNDERTAKINGS OF THE COUNTY .....	11
Section 3.01 Agreement to Accept FILOT Payments .....	11
Section 3.02 Special Source Credits .....	11
Section 3.03 Related Undertakings.....	12
ARTICLE IV INVESTMENT BY THE COMPANY IN PROJECT AND SPECIAL SOURCE IMPROVEMENTS; MAINTENANCE AND MODIFICATION.....	13
Section 4.01 Acquisition and Development of Project.....	13
Section 4.02 Maintenance of Project .....	13
Section 4.03 Modification of Project.....	13
Section 4.04 Funding for Special Source Improvements.....	14
ARTICLE V FILOT PAYMENTS.....	15
Section 5.01 FILOT Payments.....	15
ARTICLE VI PAYMENT OF EXPENSES BY COMPANY.....	19
Section 6.01 Payment of Administration Expenses.....	19
Section 6.02 Indemnification .....	19
Section 6.03 Defaulted Payments .....	19
ARTICLE VII PARTICULAR COVENANTS AND AGREEMENTS .....	21
Section 7.01 Use of Project for Lawful Activities.....	21
Section 7.02 Maintenance of Existence .....	21
Section 7.03 Records and Reports .....	21
ARTICLE VIII CONVEYANCES; ASSIGNMENTS; SPONSORS AND SPONSOR AFFILIATES .....	23
Section 8.01 Conveyance of Liens and Interests: Assignment.....	23
Section 8.02 Sponsors and Sponsor Affiliates.....	23
ARTICLE IX TERM; TERMINATION .....	25

Section 9.01	Term.....	25
Section 9.02	Termination.....	25
ARTICLE X EVENTS OF DEFAULT AND REMEDIES .....		26
Section 10.01	Events of Default by the Company .....	26
Section 10.02	Remedies on Event of Default by the Company.....	26
Section 10.03	Application of Monies upon Enforcement of Remedies against Company .....	27
Section 10.04	Default by the County.....	27
ARTICLE XI MISCELLANEOUS .....		28
Section 11.01	Rights and Remedies Cumulative.....	28
Section 11.02	Successors and Assigns.....	28
Section 11.03	Notices; Demands; Requests.....	28
Section 11.04	Applicable Law .....	29
Section 11.05	Entire Understanding .....	29
Section 11.06	Severability .....	29
Section 11.07	Headings and Table of Contents: References .....	29
Section 11.08	Multiple Counterparts .....	29
Section 11.09	Amendments .....	29
Section 11.10	Waiver.....	30
Section 11.11	Further Proceedings .....	30
Section 11.12	Limited Obligation of the County with Respect to Project.....	30
EXHIBIT A	Legal Description	A-1
EXHIBIT B-1	Annual Special Source Credit Certification	B-1-1
EXHIBIT B-2	Aggregate Investment Certification	B-2-1



**FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT**

THIS FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT (this “Agreement”), dated as of \_\_\_\_\_, 2016 by and between RICHLAND COUNTY, SOUTH CAROLINA (the “County”), a body politic and corporate and a political subdivision of the State of South Carolina, and PROJECT ORO, a limited liability company organized and existing under the laws of the State of Delaware (the “Company”);

WITNESSETH:

WHEREAS, the County, acting by and through its County Council (the “Council”), is authorized and empowered, under and pursuant to the provisions of the Code of Laws of South Carolina, 1976, as amended through the date hereof (the “Code”), particularly Title 12, Chapter 44 thereof (the “FILOT Act”) and Title 4, Chapter 1 of the Code (the “Multi-County Park Act” or, as to Section 4-1-175 thereof; the “Special Source Act”) (collectively, the “Act”), and in order to promote the economic development of the County and surrounding areas by inducing investors to locate and/or expand industrial and commercial properties (“Economic Development Property”) within the County, thereby expanding the tax base in the County and creating jobs for its citizens: (i) to enter into agreements with such investors pursuant to which such investors will make negotiated fee in lieu of ad valorem tax (“FILOT”) payments with respect to such Economic Development Property; (ii) to permit investors to claim special source credits against their FILOT payments (“Special Source Credits”) to reimburse such investors for qualifying expenditures in connection with infrastructure serving the County and improved or unimproved real estate used in the operation of a manufacturing or commercial enterprise in order to enhance the economic development of the County (“Special Source Improvements”); and (iii) to create, in conjunction with one or more other counties, a multi-county industrial park in order to afford certain enhanced income tax credits to such investors and to facilitate the grant of Special Source Credits; and

WHEREAS, the Company plans a significant investment within the jurisdiction of the County through the acquisition of certain land and the construction, equipping and furnishing of certain facilities to be used primarily for commercial services (the “Project”), and the Company anticipates that, should its plans proceed as expected, it will invest a minimum of \$400,000,000 in conjunction with the Project and within the County; and

WHEREAS, such projected investment will qualify the Project as an enhanced investment or “super-fee” under the FILOT Act (an “Enhanced Investment”), which entitles the Company to an extended minimum investment period of eight (8) years (the “Statutory Investment Period”) to reach the applicable minimum investment, if any, under Section 12-44-30(7) of the FILOT Act, plus the possibility of an additional five (5) years beyond the Statutory Investment Period to complete the Project on application and approval by the County Council

WHEREAS, the County has agreed to an additional two (2) years beyond the Statutory Investment Period for a ten (10) year investment period (the “Investment Period”), which shall be further extended an additional three (3) years to thirteen (13) years should the Company invest \$600,000,000 within the investment period (the “Extended Investment Period”).

WHEREAS, pursuant to Ordinance No. [ ] enacted on [ ], 2016 (the “Ordinance”), the County has determined that the Project will subserve the purposes of the Act and has made certain findings pertaining thereto in accordance with the Act; and

WHEREAS, the County authorized the foregoing actions to be taken for the benefit of the Company, and ratified all prior actions taken with respect to the Project pursuant to the Ordinance; and

WHEREAS, County Council has determined that it is in the best interests of the County to enter into this Agreement with the Company subject to the terms and conditions set forth herein,

NOW, THEREFORE, in consideration of the premises; the potential jobs and investment to be created by the Company which contribute to the tax base and the economic welfare of the County; the respective representations and agreements hereinafter contained; and the sum of \$10.00 in hand, duly paid by the Company to the County, the receipt and sufficiency of which are hereby acknowledged, the County and the Company agree as follows:

[Article I follows on next page]

## ARTICLE I

### DEFINITIONS AND RECAPITULATION

#### Section 1.01 Statutorily Required Recapitulation.

(a) Pursuant to Section 12-44-55(13) of the Act, the County and the Company agree to waive the recapitulation requirements of Section 12-44-55 of the Act, except as expressly provided in paragraph (b) below, to the extent that and so long as the Company timely provides the County with copies of all filings required by the Act to be made by the Company with regard to the Project. If the Company should be required to retroactively comply with the recapitulation requirements of Section 12-44-55 of the Act, then the County agrees, to the extent permitted by law, to waive all penalties of the County for the Company's noncompliance that are within the County's control.

#### (b) Recapitulation.

1. Legal name of each initial party to this Agreement:  
Project Oro, a Delaware limited liability company, and Richland County, South Carolina
2. County and street address of the project and property to be subject to this Agreement:  
  
**[to be updated]**
3. Minimum investment agreed upon:  
\$400,000,000
4. Length and term of this Agreement:  
30 years for each annual increment of investment in the Project during the Investment Period.
5. Assessment ratio applicable for each year of this Agreement:  
4%
6. Millage rate applicable for each year of this Agreement:  
Every year of the term: 544.6 mills, which is the rate in effect as of June 30, 2015.
7. Schedule showing the amount of the fee and its calculation for each year of this Agreement:  
Waived by the County and the Company
8. Schedule showing the amount to be distributed annually to each of the affected taxing entities:  
Waived by the County and the Company

9. Statements
  - (a) The Project is to be located in a multi-county park;
  - (b) Disposal of property, subject to Payments-in-Lieu-of-Taxes is allowed;
  - (c) For the term of this Agreement, Special Source Credits shall be given to the Economic Development Property in an amount equal to 40% (to reward the Company's anticipated \$400,000,000 capital investment within the Statutory Investment Period). Such Special Source Credits shall increase to 50% if/when the Company invests \$500,000,000, and such Special Source Credits shall increase to 60% if/when the Company invests \$600,000,000.
  - (d) Payment will not be modified using a net present value calculation; and
  - (e) Replacement property provisions will apply.
10. Any other feature or aspect of this Agreement which may affect the calculation of items (7) and (8) of this Recapitulation. Waived by the County and the Company
11. Description of the effect upon the schedules required by items (7) and (8) of this Recapitulation of any feature covered by items (9) and (10) not reflected in the schedules for items (7) and (8) Waived by the County and the Company
12. Which party or parties to this Agreement are responsible for updating any information contained in this Recapitulation: The Company and the County, as applicable

Section 1.02 Definitions. In addition to the words and terms elsewhere defined in this Agreement, the following words and terms as used herein and in the preambles hereto shall have the following meanings unless the context or use indicates another or different meaning or intent:

“*Act*” shall mean, collectively, the FILOT Act, the Multi-County Park Act and the Special Source Act, as amended through the date hereof.

“*Administration Expenses*” shall mean the reasonable and necessary expenses incurred by the County in the fulfillment of its obligations under this Agreement and in the implementation of its terms and provisions, including attorneys’ fees (which shall not exceed \$7,500); provided, however, that no such expense shall be considered an Administration Expense unless the County and the Company shall have first agreed, prior to the County incurring such expense, as to the

maximum amount thereof or as to the basis for which such expenses will be incurred and that the County shall have furnished to the Company an invoice or itemized statement of all expenses incurred; and provided, further, that nothing herein shall be construed as prohibiting the County from engaging the counsel of its choice for matters deemed necessary and prudent by the County.

“*Agreement*” shall mean this Fee in Lieu of Tax and Incentive Agreement as originally executed and from time to time supplemented or amended as permitted herein.

“*Code*” shall mean the Code of Laws of South Carolina, 1976, as amended through the date hereof unless the context clearly requires otherwise.

“*Co-Investor*” shall mean any Sponsor or Sponsor Affiliate within the meaning of Sections 12-44-30(A)(18) and (19) of the Code, any Corporate Affiliate of the Company, any developer in a build-to-suit arrangement with respect to the Project, any lessor of equipment or other property comprising apart of the Project, any financing entity or other third party investing in or providing funds for the Project. The Company shall notify the County in writing of the identity of any Sponsor, Sponsor Affiliate or other Co-Investor and shall, to the extent the Company and any such Co-Investor intend to extend the benefits of the Negotiated FILOT to property owned by such Co-Investor pursuant to **Section 8.02** hereof, comply with any additional notice requirements, or other applicable provisions, of the Act. The Company has not identified any Sponsor, Sponsor Affiliate or other Co-Investor as of the date of execution and delivery of this Agreement.

“*Company*” shall mean Project Oro, a Delaware limited liability company, and any surviving, resulting, or transferee entity in any merger, consolidation or transfer of assets permitted under **Sections 7.02** or **8.01** hereof or any other assignee hereunder which is designated by the Company and approved by the County.

“*Corporate Affiliate*” shall mean any corporation, limited liability company, partnership or other Person or entity which owns all or part of the Company or which is owned in whole or in part by the Company or by any partner, shareholder, or owner of the Company.

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

“*Council*” shall mean the governing body of the County.

“*Deficiency Payment*” shall have the meaning specified in **Section 5.01(e)** hereof.

“*Department of Revenue*” shall mean the South Carolina Department of Revenue.

“*Economic Development Property*” shall mean each item of real and tangible personal property comprising the Project which is placed in service during the Investment Period and which meets the requirements of Sections 12-44-30(6) and 12-44-40(C) of the Code, excluding specifically any Non-Qualifying Property,

“*Event of Default*” shall mean an Event of Default, as set forth in **Section 10.01** hereof.

“*Existing Property*” shall mean property proscribed from becoming Economic Development Property under this Agreement pursuant to Section 12-44-110 of the Code, including without limitation property which has been subject to *ad valorem* taxes in the State prior to commencement of the Investment Period and property included in the Project as part of the repair, alteration, or modification of such previously taxed property; provided, however, that Existing Property shall not include: (a) the Land; (b) property acquired or constructed by or on behalf of the Company during the Investment Period which has not been placed in service in this State prior to the commencement of the Investment Period notwithstanding that *ad valorem* taxes have heretofore been paid with respect to such property; (c) property purchased by or on behalf of the Company during the Investment Period in a transaction other than between any of the entities specified in Section 267(b) of the Internal Revenue Code, as defined under Chapter 6 of Title 12 of the Code as of the time of the transfer, to the extent that the Company invests, or causes to be invested, at least an additional \$45,000,000 in the Project, exclusive of the property identified in this subsection (c); or (d) modifications which constitute an expansion of the real property portion of Existing Property, all as determined pursuant to Section 12-44-110 of the Code.

“*FILOT*” shall mean fee in lieu of *ad valorem* property taxes.

“*FILOT Act*” shall mean Title 12, Chapter 44 of the Code, as amended through the date hereof

“*FILOT Payments*” or “*FILOT Revenues*” shall mean the payments to be made by the Company pursuant to **Section 5.01** hereof.

“*Investment Period*” shall mean the period for completion of the Project, which shall be ten (10) years. If the Company has invested at least \$600,000,000 by the end of the Investment Period, the Investment Period shall be extended an additional three (3) years, for a total of 13 years (the “Extended Investment Period”).

“*Land*” shall mean the land upon which the Project would be constructed, as described in **Exhibit A** attached hereto, as **Exhibit A** may be supplemented from time to time in accordance with the provisions hereof.

“*Minimum Investment Requirement*” shall mean investment in the Project within the County by any one of the Company or any Sponsor or Sponsor Affiliate of not less than \$400,000,000 prior to the end of the Statutory Investment Period.

“*Multi-County Park*” shall mean the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County, South Carolina pursuant to the Multi-County Park Agreement, and any multi-county industrial or business park which includes the Project and which is designated by the County as such pursuant to any agreement which supersedes or replaces the initial Multi-County Park Agreement.

“*Multi-County Park Act*” shall mean Title 4, Chapter 1 of the Code, as amended through the date hereof.

“*Multi-County Park Agreement*” shall mean that certain Master Agreement Governing the 1-77 Corridor Regional Industrial Park between the County and Fairfield County, South Carolina, dated as of April 15, 2003, as amended, supplemented, or replaced from time to time.

“*Multi-County Park Fee*” shall mean the fees payable by the County to Fairfield County, South Carolina, or any successor thereto under the Multi-County Park Agreement.

“*Negotiated FILOT*” or “*Negotiated FILOT Payments*” shall mean the FILOT Payments due pursuant to **Section 5.01** hereof with respect to that portion of the Project consisting of Economic Development Property which qualifies pursuant to the FILOT Act for the assessment ratio and negotiated millage rate described in **Section 5.01(b)(i)** hereof.

“*Non-Qualifying Property*” shall mean that portion of the facilities located on the Land and consisting of: (i) Existing Property; (ii) except as to Replacement Property, property which the Company places in service after the end of the Investment Period; and (iii) any other property which fails or ceases to qualify for Negotiated FILOT Payments under the FILOT Act, including without limitation property as to which the Company has terminated the Negotiated FILOT pursuant to **Section 4.03(a)(ii)** hereof.

“*Person*” shall mean and include any individual, association, unincorporated organization, corporation, partnership, joint venture, or government or agency or political subdivision thereof

“*Project*” shall mean: (i) the Land and all buildings, structures, fixtures and other real property improvements constructed thereon; (ii) all machinery, equipment, furnishings and other personal property acquired by or on behalf of the Company for use on or about the Land; and (iii) any Replacement Property; provided, however, that, except as to the Land and any Replacement Property, the term Project shall be deemed to include such real property improvements and personal property, whether now existing or hereafter constructed or acquired, only to the extent placed in service by the end of the Investment Period, and the term Project shall be deemed to exclude any Existing Property or other Non-Qualifying Property.

“*Property Tax Year*” shall mean the annual period which is equal to the fiscal year of the Company, i.e., the period ending on December 31 of each year.

“*Released Property*” shall include Economic Development Property which is scrapped, sold, disposed of, or released from this Agreement by the Company pursuant to Section 4.03 hereof and Section 12-44-50(B) of the Code; any portion of the Economic Development Property constituting infrastructure which the Company dedicates to the public use within the meaning of Section 12-6-3420(C) of the Code; and any Economic Development Property damaged, destroyed, or taken by process of eminent domain and not restored or replaced,

“*Replacement Property*” shall mean all property installed in or on the Land in substitution of, or as replacement for, any Released Property, but only to the extent that such

property may be included in the calculation of the Negotiated FILOT pursuant to **Section 5.01(d)** hereof and Section 12-44-60 of the Code.

“*Special Source Act*” shall mean Section 4-1-175 of the Code, as amended through the date hereof.

“*Special Source Credits*” shall mean the credits described in **Section 3.02** hereof.

“*Special Source Improvements*” shall mean any qualifying infrastructure defined under Section 4-29-68 of the Code, as amended through the date hereof, and shall be deemed to include initially, for purposes of this Agreement, the Land, the buildings, fixtures and other real property improvements on the Land and any additions or improvements to any of the foregoing, whether paid for by the Company or any Co-Investor directly or through lease payments.

“*Sponsor*” and “*Sponsor Affiliate*” shall mean an entity whose investment with respect to the Project will qualify for the Negotiated FILOT pursuant to Section 8.03 hereof and Sections 12-44-30(A)(18) or (19) and Section 12-44-130 of the Code if the statutory investment requirements are met.

“*State*” shall mean the State of South Carolina.

“*Statutory Investment Period*” shall mean the period commencing on the date of the first expenditures with respect to the Project and ending eight (8) years after the end of the Property Tax Year in which the initial phase of the Project is placed in service, all as specified in Section 12-44-30(13) of the Code. For illustrative purposes, if the initial phase of the Project should be placed in service in the Property Tax Year ending on December 31, 2008, the end of the Statutory Investment Period would be December 31, 2016.

“*Term*” shall mean the term of this Agreement, as set forth in **Section 9.01** hereof.

“*Transfer Provisions*” shall mean the provisions of Section 12-44-120 of the Code, as amended through the date hereof.

Section 1.03 References to Agreement. The words “hereof”, “herein”, “hereunder”, and other words of similar import refer to this Agreement as a whole.

[End of **Article I**]



## ARTICLE II

### REPRESENTATIONS AND WARRANTIES

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

(a) The County is a body politic and corporate and a political subdivision of the State and is authorized and empowered by the provisions of the Act to enter into the transactions contemplated by this Agreement and to carry out its obligations hereunder. By proper action by the Council, the County has duly authorized the execution and delivery of this Agreement, the Negotiated FILOT Payments and Special Source Credit arrangements as set forth herein, the inclusion of the Project in the Multi-County Park, and any and all actions reasonably necessary and appropriate to consummate the transactions contemplated hereby.

(b) The County has determined that the Project will subserve the purposes of the Act and has made all other findings of fact required by the Act in connection with the undertaking of the arrangements set forth herein.

(c) This Agreement has been duly executed and delivered on behalf of the County. The authorization, execution, and delivery of this Agreement and the performance by the County of its obligations hereunder will not conflict with or constitute a breach of, or a default under, any existing law, court or administrative regulation, decree, order, provision of the Constitution or laws of the State relating to the establishment of the County or its affairs, or any material agreement, mortgage, lease, or other instrument to which the County is subject or by which it is bound, nor any existing law or the provisions of the Constitution of the State.

(d) No actions, suits, proceedings, inquiries, or investigations are pending or threatened against or affecting the County in any South Carolina court or before any South Carolina governmental authority or arbitration board or tribunal, any of which could materially adversely affect this Agreement or which could adversely affect the validity or enforceability of this Agreement or the transactions contemplated hereby.

Section 2.02 Representations and Warranties by the Company. The Company makes the following representations and warranties as the basis for the undertakings on its part herein contained:

(a) The Company is a limited liability company validly existing and in good standing under the laws of the State of Delaware; has all requisite power to enter into this Agreement and to carry out its obligations hereunder; and by proper action has been duly authorized to execute and deliver this Agreement. The Company's fiscal year end is December 31 of each year, and the Company will notify the County of any changes in the fiscal year of the Company.

(b) If the Company elects to go forward with the Project, the Company and/or one or more Corporate Affiliates will operate the Project primarily for the purpose of commercial services and be entitled to all the rights and benefits provided hereunder.

(c) The agreements with the County with respect to the FILOT, the Special Source Credits, and the Multi-County Park were factors in inducing the Company to consider locating the Project within the County and the State.

(d) No actions, suits, proceedings, inquiries, or investigations known to the undersigned representatives of the Company are pending or threatened against or affecting the Company in any court or before any governmental authority or arbitration board or tribunal, which could materially adversely affect this Agreement or which could, in any way, adversely affect the validity or enforceability of this Agreement, or the transactions contemplated hereby.

[End of **Article II**]

## ARTICLE III

### CERTAIN UNDERTAKINGS OF THE COUNTY

Section 3.01 Agreement to Accept FILOT Payments. The County hereby agrees to accept Negotiated FILOT Payments in accordance with Section 5.01 hereof in lieu of *ad valorem* taxes with respect to that portion of the Project consisting of Economic Development Property until this Agreement expires or is sooner terminated. The County makes no warranty, either express or implied, as to the title to any part of the Project or the design, capabilities, or condition of the Project or that it will be suitable for the Company's purposes or needs.

Section 3.02 Special Source Credits.

(a) As reimbursement for the Company's investment in Special Source Improvements pursuant to **Section 4.04** hereof, the County agrees that the Company shall be entitled to claim annual Special Source Credits in amounts equal to 40% against its Negotiated FILOT Payment. Such Special Source Credits shall increase to 50% if/when the Company invests \$500,000,000, and such Special Source Credits shall increase to 60% if/when the Company invests \$600,000,000, all in accordance with the Special Source Act. In no event shall the aggregate amount of the Special Source Credits exceed the amount heretofore or hereafter expended by the Company or any Co-Investor with respect to Special Source Improvements relating to the Property. The Company shall claim such Special Source Credits by filing with the County Administrator and the County Auditor, at the time it makes its FILOT Payment, an Annual Special Source Credit Certification (substantially in the form of **Exhibit B-1** hereto) showing the amount of aggregate investment in the Project and Special Source Improvements and the calculation of the Special Source Credits. The amount of such Special Source Credit, after confirmation by the County and the County's agreement therewith, shall be deducted by the County from its annual FILOT bill.

(b) THE SPECIAL SOURCE CREDITS AUTHORIZED HEREIN SHALL NOT CONSTITUTE A GENERAL OBLIGATION OF THE COUNTY, BUT SHALL BE A SPECIAL LIMITED OBLIGATION PAYABLE SOLELY FROM THE FILOT PAYMENTS RECEIVED BY THE COUNTY, IF ANY, HEREUNDER WITH RESPECT TO THE PROJECT.

(c) If investment in the Project does not aggregate \$400,000,000 or more by the end of the Statutory Investment Period, the County reserves the right to adjust the Special Source Credits in a pro rata manner (adjusting proportionately the Special Source Credits in accordance with the amount by which the Company failed to meet the aggregate anticipated \$400,000,000 capital investment, by the end of the Statutory Investment Period). The County may exercise such option to adjust the Special Source Credits at any time following the date that is the earliest of (i) the date the Company files with the County Administrator and the County Auditor, an Annual Aggregate Investment Certification (substantially in the form of **Exhibit B-2** hereto) stating whether the aggregate investment in the Project has or has not reached, or is not anticipated to reach,

\$400,000,000 by the end of the Statutory Investment Period, or (ii) the final day of the Statutory Investment Period. The Company shall file such Annual Aggregate Investment Certification at such time it files its Annual Special Source Credit Certificate. Such Annual Aggregate Investment Certification and Annual Special Source Credit Certificate shall be sent by way of regular mail delivery to the County Administrator and the County Auditor.

(d) If investment in the Project does not aggregate \$10,000,000 or more by the end of the Statutory Investment Period, then the Special Source Credits shall terminate and the Company is no longer entitled to receive any Special Source Revenue Credits against its Negotiated FILOT Payments under this Agreement. The Company shall repay to the County, within 30 days of receipt of written notice requesting payment, the dollar value of the Special Source Credits received by the Company from the effective date of this Agreement.

Section 3.03 Related Undertakings.

(a) The County will designate the Project as part of a Multi-County Park pursuant to the Multi-County Park Act and will, to the extent permitted by law, use its best, reasonable efforts to maintain such designation on terms which provide any additional job tax credits afforded by the laws of the State for projects located within multi-county industrial or business parks for all jobs created by the Company during the Investment Period and which facilitate the Special Source Credit arrangements set forth herein. The County will be responsible for payment of the Multi-County Park Fee in accordance with the terms of the Multi-County Park Agreement.

(b) The County hereby agrees to use its best efforts to pursue and assist the Company in pursuing the maximum amount of grant funds possible for construction of infrastructure which is reasonably required in connection with the Project, without any commitment, whatsoever, on the part of the County that any such grant funds will be available. Further, the County shall render customary assistance to the Company in obtaining necessary permits required for the Project.

[End of **Article III**]

## ARTICLE IV

### INVESTMENT BY THE COMPANY IN PROJECT AND SPECIAL SOURCE IMPROVEMENTS; MAINTENANCE AND MODIFICATION

#### Section 4.01 Acquisition and Development of Project.

(a) The Company agrees that in order to fully qualify for the benefits of this Agreement it must acquire and/or develop, or cause to be acquired and/or be developed, the Project, as the same shall be determined from time to time by the Company in its sole discretion, and to expend or cause to be expended upon the Cost of the Project not less than \$400,000,000 or to the end of the Investment Period; provided, however, that the benefits provided to the Company under this Agreement shall be subject to adjustment or termination as provided in **Sections 3.02** and **5.01** hereof if the aggregate investment in the Project does not reach the levels specified therein. As required by Section 12-44-30(2) of the Code, at least a portion of the assets comprising the Project shall be placed in service no later than the end of the Property Tax Year which is three years from the year in which this Agreement is executed and delivered.

(b) Expenditures by Co-Investors shall, together with expenditures by the Company, count toward all investment requirements set forth in this Agreement, including, to the full extent permitted by the FILOT Act, the Minimum Investment Requirement. Aggregate investment shall generally be determined by reference to the Property Tax Returns of the Company and any Co-Investor pertaining to the Project and filed with respect to each Property Tax Year during the Investment Period.

(c) The Company and/or its designated Co-Investor shall retain title to the Project throughout the Term of this Agreement, and the Company and any such Co-Investor shall have full right to mortgage or encumber the Project in connection with any financing transaction as the Company deems suitable, without the need to obtain any prior or subsequent approval or consent of the County.

Section 4.02 Maintenance of Project. During the Term of this Agreement, and subject to the Company's rights under **Section 4.03** hereof, the Company at its own expense will keep and maintain the Project in good operating condition.

#### Section 4.03 Modification of Project.

(a) As long as no Event of Default exist hereunder, the Company shall have the right at any time and from time to time during the Term hereof to undertake any of the following:

(i) The Company may during the Investment Period, at its own expense, add all such real and personal property as the Company in its discretion deems useful or desirable to the Economic Development Property qualifying for the Negotiated FILOT under **Section 5.01** hereof without any limit as to the amount thereof.

(ii) Subject to the provisions of **Section 8.01** hereof with respect to Economic Development Property, in any instance where the Company, in its discretion, determines that any items included in the Project, including any Economic Development Property and any portion of the Land, have become inadequate, obsolete, worn out, unsuitable, undesirable, or unnecessary for operations at the Project, the Company may remove such items or portions of the Land from the Project and sell, trade in, exchange, or otherwise dispose of them as a whole or in part without the consent of the County.

(iii) The Company may, at any time and in its discretion by written notice to the County, remove any Economic Development Property, real or personal, from the Negotiated FILOT set forth in this Agreement and retain such property for use as part of its operations in the County, and thereafter such property will be subject to *ad valorem* taxes.

(b) If the Company sells, leases, or otherwise disposes of any portion of, the Land to a third party that is not a Co-Investor, the Company shall deliver to the County, within 30 days thereafter, a new **Exhibit A** to this Agreement. If the Company adds any real property to the Land, the Company shall deliver to the County, within 30 days thereafter, a new **Exhibit A** to this Agreement.

(c) All Economic Development Property sold, leased or otherwise disposed of under this Section shall be deemed Released Property for purposes of this Agreement.

(d) No release of Project Property affected under the provisions of this Agreement shall entitle the Company to any abatement or diminution of the amounts payable by the Company hereunder except the FILOT payment as specified in **Section 5.01**.

Section 4.04 Funding for Special Source Improvements. Company hereby agrees to provide funding for the Special Source Improvements related to the acquisition and construction of the Project.

[End of **Article IV**]

## ARTICLE V

### FILOT PAYMENTS

#### Section 5.01 FILOT Payments.

(a) In accordance with the Act, the parties hereby agree that, during the Term hereof, there shall be due annually with respect to that portion of the Project constituting Economic Development Property, whether owned by the Company or by a Sponsor or Sponsor Affiliate, a Negotiated FILOT calculated as set forth in this Section, at the places, in the manner and subject to the penalty assessments prescribed by the County or the Department of Revenue for *ad valorem* taxes. If the Company designates any Sponsor or Sponsor Affiliates pursuant to **Section 8.03** hereof, the Company must notify the County in writing at the time of such designation as to whether the Company or the Sponsor or Sponsor Affiliate shall be primarily liable for the FILOT Payments hereunder. Unless and until such notification is received, and the County consents in writing, the Company shall be primarily liable for all FILOT Payments and other obligations due hereunder.

(b) The Company elects to calculate the Negotiated FILOT Payments in accordance with Section 12-44-50(A)(1)(b)(i) of the Code, and, subject to adjustment pursuant to paragraph (j) below for failure to meet or maintain the Minimum Investment Requirement and to adjustment pursuant to the other provisions of this **Section 5.01**, in accordance with the following provisions:

(i) For each annual increment of investment in Economic Development Property, the annual Negotiated FILOT Payments shall be payable for a consecutive period of up to 30 years. Accordingly, if such Economic Development Property is placed in service during more than one year, each year's investment during the Investment Period shall be subject to the Negotiated FILOT for a consecutive period of 30 years, up to an aggregate of 40 years or, if the Investment Period is extended to the Extended Investment Period, up to an aggregate of 43 years.

(ii) The Negotiated FILOT shall be calculated using (1) an assessment ratio of 4%; (2) a millage rate of 544.6, which is the millage rate applicable in the County as of June 30, 2015 for the particular taxing district in which the Land is located, fixed for the entire term of this Agreement; and (3) the fair market value of such Economic Development Property as determined in accordance with Section 12-44-50(A)(1)(c) of the Code, which, for typical arm's length construction or acquisition, uses the original book basis for any real property without regard to depreciation or reassessment and the original book basis for any personal property less allowable depreciation (except depreciation due to extraordinary obsolescence) as determined by the Department of Revenue.

(iii) All such calculations shall take into account all deductions for depreciation or diminution in value allowed by the Code or by the tax laws generally, as well as tax exemptions which would have been applicable if such property were subject to ad valorem taxes, except the five-year exemption from County taxes allowed for certain manufacturing, distribution, corporate headquarters and research and development facilities pursuant to Section 3(g) of Article X of the Constitution of the State and Sections 12-37-220(B)(32) and (34) of the Code.

(iv) For purposes of calculating the Negotiated FILOT, the Economic Development Property shall not include any Released Property or Non-Qualifying Property.

(c) The Negotiated FILOT Payments are to be recalculated:

(i) to reduce such payments in the event the Company disposes of any part of the Economic Development Property within the meaning of Section 12-44-50(B) of the Code and as provided in **Section 4.03(a)(ii)** hereof, by the amount applicable to the Released Property;

(ii) to reduce such payments in the event that the Economic Development Property or any portion thereof is damaged or destroyed, lost or stolen, or the subject of condemnation proceedings, which damage, destruction, loss, theft and/or condemnation would substantially impair the value of the Project or such portion thereof;

(iii) to increase such payments in the event the Company adds any Economic Development Property (other than Replacement Property) to the Project; or

(iv) to adjust such payments if the Company elects to convert any portion of the Economic Development Property from the Negotiated FILOT to *ad valorem* taxes, as permitted by **Section 4.03(a)(iii)**.

(d) Upon the Company's installation of any Replacement Property for any Released Property, such Replacement Property shall become subject to Negotiated FILOT Payments to the fullest extent allowed by law, subject to the following rules:

(i) Such Replacement Property does not have to serve the same function as the Released Property it is replacing. Replacement Property is deemed to replace the oldest property subject to the Negotiated FILOT, whether real or personal, which is disposed of in the same Property Tax Year as the Replacement Property is placed in service. More than one piece of property can replace a single piece of property. Replacement property is entitled to the Negotiated FILOT Payments for the remaining portion of the thirty-year period applicable to the Released Property.



(e) In the event that, for any reason, the FILOT Act and/or the Negotiated FILOT or any portion thereof is, by a court of competent jurisdiction following allowable appeals, declared invalid or unenforceable in whole or in part, or the portion of the Project consisting of Economic Development Property is deemed not to be eligible for a Negotiated FILOT pursuant to the Act in whole or in part, the Company and the County express their intentions that such payments be reformed so as to afford the Company benefits commensurate with those intended under this Agreement as then permitted by law, including without limitation any benefits afforded under Title 4, Chapter 12 and Title 4, Chapter 29 of the Code, to the extent allowed by law. Absent the legal authorization to effect such reformation, the Company and the County agree that there shall be due hereunder with respect to the portion of the Economic Development Property affected by such circumstances ad valorem taxes and that, to the extent permitted by law, the Company shall be entitled: (1) to enjoy the five-year exemption from ad valorem taxes (or fees in lieu of taxes) provided by Article X, Section 3 of the Constitution of the State, and any other exemption allowed by law; (2) to enjoy all allowable depreciation; and (3) to receive all other tax credits which would be due if the Company were obligated to pay ad valorem taxes hereunder. To the extent that under such circumstances the Negotiated FILOT Payments hereunder are subject to retroactive adjustment, then there shall be due and payable with respect to the portion of the Economic Development Property in question an amount equal to the difference between the Negotiated FILOT Payments theretofore actually paid and the amount which would have been paid as ad valorem taxes, together with, but only if required by law, interest on such deficiency as provided in Section 12-54-25(D) of the Code (a "Deficiency Payment").

(f) If the Company fails to invest at least \$400,000,000 in the Project within the Statutory Investment Period but invests at least \$100,000,000 in the Project within five years from the end of the property tax year in which this Agreement is executed, the Negotiated FILOT shall be adjusted such that it is calculated for all succeeding tax years based on a 6% assessment ratio. With respect to all tax years for which the Company has paid a Negotiated FILOT calculated using a 4% assessment ratio, the Company shall pay to the County, within 30 days of receipt of written notice requesting payment, the difference between the FILOT Payments theretofore actually paid and the FILOT Payments that would have been paid based on a six percent (6%) assessment ratio, with such difference being subject to interest as provided in Section 12-54-25(D) of the Code, and the Statutory Investment Period shall be revised to seven (7) years (reflecting the new five (5) year Statutory Investment Period plus an additional two (2) year extension (for a total of seven (7) years), which is expressly granted hereby by the County.

(g) In the event that the Company's investment in the Project reaches the Minimum Investment Requirement but, based on original book basis without regard to depreciation falls below the Minimum Investment Requirement, the Company shall make FILOT payments for the Project based on a 6% assessment ratio prospectively for the remainder of the term of this Agreement.

(h) In the event that the Company fails to invest at least \$10,000,000 in the Project within the Statutory Investment Period, then this Agreement shall terminate and

the Company is no longer entitled to a FILOT benefit with respect to the Economic Development Property. On termination under this Section 5.01(h), the Company shall pay a Deficiency Payment to the County on the Economic Development Property in accordance with Section 5.01(j).

(i) In accordance with the provisions of **Sections 4.01(b) and 8.03** hereof except for Existing Property, the fair market value of all property utilized by the Company at the Project site, whether owned by the Company outright or utilized by the Company pursuant to any financing agreement or any lease or other arrangement with any Co-Investor and whether or not subject to this Agreement, shall be counted toward all investment obligations under this Agreement, including, to the extent permitted by law, investment obligations under the Act.

(j) Except as otherwise set forth in this Agreement or as otherwise required by the Act, any amounts due to the County under this **Section 5.01** as a Deficiency Payment or other retroactive payment shall be paid within ninety (90) days following receipt by the Company of notice that there has been a final determination by the County that such a Deficiency Payment or other retroactive payment is due.

[End of **Article V**]

## ARTICLE VI

### PAYMENT OF EXPENSES BY COMPANY

Section 6.01 Payment of Administration Expenses. Within thirty (30) days after receipt of an invoice, the Company will pay the County's attorneys' fees incurred to date in an amount not to exceed \$7,500. Thereafter, the Company will reimburse the County from time to time for its Administration Expenses, including attorneys' fees, promptly upon written request therefor, but in no event later than 30 days after receiving written notice from the County specifying the nature of such expense and requesting the payment of the same. The County acknowledges that it imposes no charges in the nature of impact fees or recurring fees in connection with the incentives authorized by this Agreement, and, aside, from the attorneys' fees, the County anticipates no out of pocket expenses in connection with this Agreement and the transactions authorized hereby.

Section 6.02 Indemnification.

(a) The Company shall and agrees to hold the County and its County Council members, officers, agents and employees harmless from all pecuniary liability based upon those reasons set forth in subsection (b) below. Such indemnification obligation shall survive any termination of this Agreement.

(b) Notwithstanding the fact that it is the intention of the parties that neither the County nor any of its County Council members, officers, agents and employees shall incur any pecuniary liability to any third party (i) by reason of the terms of this Fee Agreement or the undertakings of the County required hereunder, (ii) by reason of the performance of any act in connection with the entering into and performance of the transactions described in this Agreement, or (iii) by reason of the condition or operation of the Project, including claims, liabilities or losses arising in connection with the violation of any statutes or regulations, if the County or any of its County Council members, officers, agents or employees should incur any such pecuniary liability, then, in that event the Company shall indemnify and hold harmless the County and its County Council members, officers, agents and employees against all pecuniary claims by or on behalf of any person, firm or corporation, arising out of the same, and all costs and expenses incurred in connection with any such claim. The provisions of this Section shall survive any termination of this Fee Agreement.

(c) Notwithstanding the foregoing, the Company shall not be obligated to indemnify the County or any of its individual members, officers, agents and employees for expenses, claims, losses or damages arising from the intentional or willful misconduct or gross negligence of the County or any of its individual officers, agents or employees.

Section 6.03 Defaulted Payments. In the event the Company should fail to make any of the payments required under this Agreement, the item or installment so in default shall continue as an obligation of the Company until the amount in default shall have been fully paid. If any such default relates to its obligations to make FILOT Payments hereunder, the Company agrees

to pay the same with interest thereon at the rate per annum provided by the Code for late payment of ad valorem taxes together with any penalties provided by the Code for late payment of ad valorem taxes, all as provided in Section 12-44-90 of the Code.

[End of **Article VI**]

## ARTICLE VII

### PARTICULAR COVENANTS AND AGREEMENTS

Section 7.01 Use of Project for Lawful Activities. During the Term of this Agreement, the Company shall use the Project as it deems fit for any lawful purpose authorized pursuant to the Act.

Section 7.02 Maintenance of Existence. Unless the County shall consent otherwise, which consent shall not be unreasonably withheld, the Company covenants that it will maintain its separate existence and will not dissolve or consolidate with, merge into or transfer, or otherwise dispose of substantially all of its property to any other entity or permit one or more other entities to consolidate with or merge into it or purchase substantially all of its property (except, in either case, where the resulting, surviving, or transferee entity is the Company or an Corporate Affiliate of the Company, as to which such consolidation, merger, or transfer the County hereby consents). The resulting, surviving or transferee entity, if not the Company, shall, within sixty (60) days following any such merger, consolidation or transfer, provide the County with written notification of such event together with a copy of the written instrument by which such resulting, surviving, or transferee entity has assumed the rights and obligations of the Company under this Agreement. The Company acknowledges that, except as permitted herein, transfers of this Agreement or Economic Development Property may cause the Economic Development Property to become ineligible for a Negotiated FILOT or result in penalties under the Act absent compliance by the Company with the Transfer Provisions.

Section 7.03 Records and Reports. The Company agrees to maintain such books and records with respect to the Project as will permit the identification of those portions of the Project which are placed in service in each Property Tax Year during the Investment Period, the amount of investment in the Project and in Special Source Improvements, and its computations of all Negotiated FILOT Payments and Special Source Credits and to comply with all reporting requirements of the State and the County applicable to Economic Development Property under the Act, including without limitation the reports required by 12-44-90 of the Code (collectively, "Filings"); provided, however, that the parties hereby waive in its entirety the requirement under Section 12-44-55 of the code for a recapitulation of the terms of this Agreement. Specifically, the Company shall provide the following;

(a) Each year during the Term hereof, the Company shall deliver to the County Administrator, County Auditor and the County Assessor a copy of its most recent annual filings made with the Department of Revenue with respect to the Project at the same time as delivery thereof to the Department of Revenue.

(b) The Company shall cause a copy of this Agreement, as well as a copy of the completed form PT-443 required by the Department of Revenue, to be filed within thirty (30) days after the date of execution and delivery hereof with the County Administrator, County Auditor and the County Assessor of the County and of any county which is a party to the Multi County Park Agreement and with the Department of Revenue and shall update such Form PT-443 from time to time to the extent that the

information therein is no longer accurate. Notwithstanding any other provision of this Section, the Company may, by clear, written designation, conspicuously marked, designate with respect to any filings delivered to the County segments thereof that the Company believes contain proprietary, confidential, or trade secret matters. The County shall comply with all reasonable, written requests made by the Company with respect to maintaining the confidentiality of such designated segments. Except to the extent required by law, the County shall not knowingly and voluntarily release information, which has been designated as confidential or proprietary by the Company.

[End of **Article VII**]

## ARTICLE VIII

### CONVEYANCES; ASSIGNMENTS; SPONSORS AND SPONSOR AFFILIATES

Section 8.01 Conveyance of Liens and Interests: Assignment. The Company may at any time (a) transfer all or any of its rights and interests hereunder or with respect to all or any part of the Economic Development Property to any Person; or (b) enter into any lending, financing, leasing, security, or similar arrangement or succession of such arrangements with any financing entity or other Person with respect to this Agreement or all or any part of the Economic Development Property, including without limitation any sale-leaseback, equipment lease, build-to-suit lease, synthetic lease, nordic lease, defeased tax benefit or transfer lease, assignment, sublease or similar arrangement or succession of such arrangements, regardless of the identity of the income tax owner of such Economic Development Property, as long as the transferee in any such arrangement leases the Economic Development Property in question to the Company or any of its Corporate Affiliates or operates such assets for the Company or any of its Corporate Affiliates or is leasing such Economic Development Property in question from the Company or any of its Corporate Affiliates. In order to preserve the benefits of the Negotiated FILOT hereunder with respect to property so transferred: (i) except in connection with any transfer to a Corporate Affiliate of the Company, or transfers pursuant to clause (b) above (as to which such transfers the County hereby consents), the Company shall first obtain the written consent of the County; (ii) except where a financing entity which is the income tax owner of all or part of the Economic Development Property, is the transferee pursuant to clause (b) above and such financing entity assumes in writing the obligations of the Company hereunder, or where the County consents in writing or where the transfer relates to Released Property pursuant to **Section 4.03** hereof, no such transfer shall affect or reduce any of the obligations of the Company hereunder; (iii) to the extent that the transferee or financing entity shall become obligated to pay make Negotiated FILOT Payments hereunder, the transferee shall assume the then current basis of the Company (or other income tax owner) in the Economic Development Property transferred; (iv) the Company, transferee or financing entity shall, within 60 days thereof, furnish or cause to be furnished to the County and the Department of Revenue a true and complete copy of any such transfer agreement; and (v) the Company and the transferee shall comply with all other requirements of the Transfer Provisions.

The Company acknowledges that such a transfer of an interest under this Agreement or in the Economic Development Property may cause all or part of the Economic Development Property to become ineligible for a Negotiated FILOT or result in penalties under the Act absent compliance by the Company with the Transfer Provisions.

Section 8.02 Sponsors and Sponsor Affiliates. The County hereby authorizes the Company to designate from time to time Sponsors or Sponsor Affiliates pursuant to the provisions of Sections 12-44-30(18) or (19), respectively, and Section 12-44-130 of the Code, which Sponsors or Sponsor Affiliates shall be Persons who join with the Company and make investments with respect to the Project, or who participate in the financing of such investments, who agree to be bound by the terms and provisions of this Agreement and who shall be Corporate Affiliates of the Company or other Persons described in **Section 8.01(b)** hereof. All other Sponsors or Sponsor Affiliates who otherwise meet the requirements of Sections 12-44-

30(18) or (19) and Section 12-44-130 of the Code must be approved by Resolution of the County Council. To the extent that a Sponsor or Sponsor Affiliate invests an amount equal to the Minimum Investment Requirement at the Project prior to the end of the Statutory Investment Period, the investment by such Sponsor or Sponsor Affiliate shall qualify for the Negotiated FILOT payable under Section 5.01 hereof in accordance with Section 12-44-30(18) of the Code, The Company shall provide the County and the Department of Revenue with written notice of any Sponsor or Sponsor Affiliate so designated within ninety (90) days after the end of the calendar year during which any such Sponsor or Sponsor Affiliate has placed in service assets to be used in connection with the Project, all in accordance with Section 12-44-130(B) of the Code.

[End of **Article VIII**]



## ARTICLE IX

### TERM; TERMINATION

Section 9.01 Term. Unless sooner terminated pursuant to the terms and provisions herein contained, this Agreement shall be and remain in full force and effect for a term commencing on the date on which the Company executes this Agreement, and ending at midnight on the day the last Negotiated FILOT Payment is made hereunder.

Section 9.02 Termination. The County and the Company may agree to terminate this Agreement at any time, or the Company may, at its option, terminate this Agreement at any time, in which event the Project shall be subject to ad valorem taxes from the date of termination. If the Agreement is terminated, the Project shall be subject retroactively to ad valorem taxes as provided in **Section 5.01** hereof and any amounts due to the County as a result thereof shall be due and payable as provided in **Section 5.01** hereof. Notwithstanding termination of this Agreement, the County shall have the same rights to receive payment for such retroactive *ad valorem* taxes, Deficiency Payments, interest or penalties, and the same enforcement rights, as it would have with respect to ad valorem taxes and the County's rights owing hereunder at the time of such termination shall survive any such termination.

[End of **Article IX**]

## ARTICLE X

### EVENTS OF DEFAULT AND REMEDIES

Section 10.01 Events of Default by the Company. Any one or more of the following events (herein called an “Event of Default”, or collectively “Events of Default”) shall constitute an Event of Default by the Company:

(a) if default shall be made in the due and punctual payment of any Negotiated FILOT Payments, which default shall not have been cured within 30 days following receipt of written notice of such default from the County;

(b) if default shall be made by the Company in the due performance of or compliance with any of the terms hereof, including payment, other than those referred to in the foregoing paragraph (a), and such default shall continue for ninety (90) days after the County shall have given the Company written notice of such default; provided, the County may, in its discretion, grant the Company a longer period of time as necessary to cure such default if the Company proceeds with due diligence to cure such default; and provided further, that no Event of Default shall exist under this paragraph (b) during any period when there is pending, before any judicial or administrative tribunal having jurisdiction, any proceeding in which the Company has contested the occurrence of such default; or

(c) a cessation of operations at the Project.

The Company’s failure to meet any investment requirements set forth herein shall not be deemed to be an Event of Default under this Agreement, but may terminate certain benefits hereunder or obligate the Company to make certain additional payments to the County, all as set forth in **Sections 3.03, 4.01 and 5.01** hereof.

Section 10.02 Remedies on Event of Default by the Company. Upon the occurrence of any Event of Default, the County may exercise any of the following remedies:

(a) terminate this Agreement by delivery of written notice to the Company not less than 60 days prior to the termination date specified therein;

(b) have access to and inspect, examine, and make copies of the books, records, and accounts of the Company pertaining to the construction, acquisition, or maintenance of the Project or calculation of the Negotiated FILOT pursuant hereto as provided in **Section 7.03** hereof; or

(c) take whatever action at law or in equity as may appear necessary or desirable to collect the amount then due or enforce the Company’s FILOT Payment obligations hereunder, it being the express intent of the parties that the County, without limitation, shall have the same remedies available by law to collect FILOT Payments as if they were delinquent *ad valorem* tax payments.

Section 10.03 Application of Monies upon Enforcement of Remedies against Company. Any monies received by the County upon enforcement of its rights hereunder shall be applied as follows: first, to the reasonable costs associated with such enforcement proceedings; second, to pay Administration Expenses; and third, to pay the Negotiated FILOT in accordance with **Section 5.01** hereof.

Section 10.04 Default by the County. Upon the default of the County in the performance of any of its obligations hereunder, the Company may take whatever action at law or in equity as may appear necessary or desirable to enforce its rights under this Agreement, including without limitation a suit for mandamus or specific performance.

[End of **Article X**]

## ARTICLE XI

### MISCELLANEOUS

Section 11.01 Rights and Remedies Cumulative. Each right, power, and remedy of the County or of the Company provided for in this Agreement shall be cumulative and concurrent and shall be in addition to every other right, power, or remedy provided for in this Agreement or now or hereafter existing at law or in equity, in any jurisdiction where such rights, powers, and remedies are sought to be enforced; and the exercise by the County or by the Company of any one or more of the rights, powers, or remedies provided for in this Agreement or now or hereafter existing at law or in equity or by statute or otherwise shall not preclude the simultaneous or later exercise by the County or by the Company of any or all such other rights, powers, or remedies.

Section 11.02 Successors and Assigns. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto, any Sponsor or Sponsor Affiliates designated pursuant to Section 8.03 hereof and their respective successors and assigns as permitted hereunder.

Section 11.03 Notices; Demands; Requests. All notices, demands, and requests to be given or made hereunder to or by the County or the Company shall be in writing and shall be deemed to be properly given or made if sent by United States first class mail, postage prepaid, or via facsimile transmission or reputable courier service, to the following persons and addresses or to such other persons and places as may be designated in writing by such party.

- (a) As to the County:

Richland County  
2020 Hampton Street  
Columbia, South Carolina 29204  
Attn.: County Administrator

- (b) with a copy (which shall not constitute notice) to:

Ray E. Jones, Esquire  
Parker Poe Adams & Bernstein LLP  
Post Office Box 1509  
Columbia, South Carolina 29202-1509  
Phone: 803-253-8917  
Fax: 803-255-8017  
Email: rayjones@parkerpoe.com

Larry Smith, Esquire  
County Attorney  
Richland County  
2020 Hampton Street

Columbia, South Carolina 29204

(c) As to the Company:

Project Oro  
[to be updated]

(d) with a copy (which shall not constitute notice) to:

Stephanie Yarbrough  
Womble Carlyle Sandridge & Rice, PLLC  
5 Exchange Street  
Charleston, South Carolina 29401  
Phone: 843-720-4621  
Fax: 843-723-7398  
Email: syarbrough@wcsr.com

Section 11.04 Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State. To the extent of any conflict between the provisions of this Agreement and the Act, the Act controls.

Section 11.05 Entire Understanding. This Agreement expresses the entire understanding and all agreements of the parties hereto with each other, and neither party hereto has made or shall be bound by any agreement or any representation to the other party which is not expressly set forth in this Agreement or in certificates delivered in connection with the execution and delivery hereof.

Section 11.06 Severability. In the event that any clause or provisions of this Agreement shall be held to be invalid by any court of competent jurisdiction, the invalidity of such clause or provision shall not affect any of the remaining provisions hereof.

Section 11.07 Headings and Table of Contents: References. The headings of the Agreement and any Table of Contents annexed hereto are for convenience of reference only and shall not define or limit the provisions hereof or affect the meaning or interpretation hereof. All references in this Agreement to particular articles or Sections or paragraphs of this Agreement are references to the designated articles or Sections or paragraphs of this Agreement.

Section 11.08 Multiple Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be an original but all of which shall constitute but one and the same instrument.

Section 11.09 Amendments. Subject to the limitations set forth in Section 12-44-40(J)(2) of the Act, this Agreement may be amended, or the rights and interest of the parties hereunder surrendered, only by a writing signed by both parties.

Section 11.10 Waiver. Either party may waive compliance by the other party with any term or condition of this Agreement only in a writing signed by the waiving party.

Section 11.11 Further Proceedings. It is intended by the parties that any action to be taken hereinafter by the County pursuant to the express provisions of this Agreement may be undertaken by the County Administrator and/or County Auditor without necessity of further proceedings. To the extent that additional proceedings are required by law, however, the County agrees to undertake all such steps as may be reasonably required or appropriate to effectuate the intent of this Agreement.

Section 11.12 Limited Obligation of the County with Respect to Project. THE PROJECT SHALL GIVE RISE TO NO PECUNIARY LIABILITY OF THE COUNTY OR ANY INCORPORATED MUNICIPALITY NOR TO ANY CHARGE AGAINST ITS GENERAL CREDIT OR TAXING POWER.

[End of **Article XI**]

IN WITNESS WHEREOF, the parties hereto, each after due authorization, have executed this Fee in Lieu of Tax and Incentive Agreement to be effective as of the date first written above.

RICHLAND COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Torrey Rush, Chair of County Council  
Richland County, South Carolina

[SEAL]

By: \_\_\_\_\_  
Monique McDaniels, Clerk to County Council  
Richland County, South Carolina

Date: \_\_\_\_\_, 2016

PROJECT ORO

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

Date: \_\_\_\_\_, 2016

**EXHIBIT A**  
**LEGAL DESCRIPTION**

[to be updated]

EXHIBIT A-1



## EXHIBIT B-1

### ANNUAL SPECIAL SOURCE CREDIT CERTIFICATION

Reference is made to that certain Fee In Lieu of Tax and Incentive Agreement dated as of \_\_\_\_\_, 2016 (the "Agreement") between Project Oro (the "Company") and Richland County, South Carolina (the "County"). Each capitalized term not otherwise defined herein shall have the meaning ascribed to such term in the Agreement.

In accordance with Section 3.02 of the Agreement, the undersigned authorized signatory of the Company certifies to the County as follows:

1. The Statutory Investment Period, during which the Company and any Co-Investors must have invested an aggregate of at least \$400,000,000 (without regard to depreciation) in the Project in order to qualify for Special Source Credits, [ends/ended] on December 31, 20[\_\_\_].

2. [Insert either (a) or (b)(i)(ii) or (iii) below, as applicable:

(a) The Statutory Investment Period has not yet elapsed. To date, the Company and all Co-Investors have invested in the aggregate \$ \_\_\_\_\_ (without regard to depreciation) in the Project, and the Company anticipates that investment in the Project will aggregate at least \$400,000,000 prior to the end of the Statutory Investment Period.

or

(b)

(i) The Company and all Co-Investors invested in the aggregate not less than \$400,000,000 (without regard to depreciation) in the Project prior to the end of the Statutory Investment Period; or

(ii) The Company and all Co-Investors invested in the aggregate not less than \$500,000,000 (without regard to depreciation) in the Project; or

(iii) The Company and all Co-Investors invested in the aggregate not less than \$600,000,000 (without regard to depreciation) in the Project.]

3. The Company is entitled to claim Special Source Credits against its annual FILOT Payments (as defined in the Agreement) with respect to the Project, commencing with the FILOT payment due on January 15, 20[\_\_\_].

4. The Company and all Co-Investors have to date expended in the aggregate (without regard to depreciation) not less than \$\_\_\_\_\_ upon Special Source Improvements ("Reimbursable Costs"), and the Company has heretofore claimed an aggregate of \$\_\_\_\_\_

EXHIBIT B-1-1

in Special Source Credits ("Prior Credits"), leaving \$\_\_\_\_\_ in funding for Special Source Improvements not heretofore reimbursed through Special Source Credits ("Unreimbursed Costs").

5. The invoice for FILOT payments for tax year \_\_\_\_\_ provided to the Company by the County Auditor specifies that the FILOT payment due on January 15, \_\_\_\_\_ is \$\_\_\_\_\_.

6. The Company is entitled to a Special Source Credit calculated as follows:

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7. The sum of the Allowable Credit calculated in paragraph 6 hereof (\$\_\_\_\_\_) plus aggregate Prior Credits (\$\_\_\_\_\_) is \$\_\_\_\_\_, and such sum does not exceed the total Reimbursable Costs of \$\_\_\_\_\_ as set forth in paragraph 4 hereof, all as specified in accordance with **Section 3.02** of the Agreement.

8. The amount due from the County to the Company on January 15, 20[\_\_\_] as a Special Source Credit is \$\_\_\_\_\_. The Company has deducted such amount from the FILOT Payment accompanying this certificate.

IN WITNESS WHEREOF, I have executed this Certificate to be effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PROJECT ORO

By: \_\_\_\_\_  
Its: \_\_\_\_\_

EXHIBIT B-1-2

**EXHIBIT B-2**

**ANNUAL AGGREGATE INVESTMENT CERTIFICATION**

Reference is made to that certain Fee In Lieu of Tax and Incentive Agreement dated as of \_\_\_\_\_, 2015 (the "Agreement") between Project Oro (the "Company") and Richland County, South Carolina (the "County"), Each capitalized term not otherwise defined herein shall have the meaning ascribed to such term in the Agreement.

In accordance with **Section 3.02** of the Agreement, the undersigned authorized signatory of the Company certifies to the County as follows:

1. The Statutory Investment Period, during which, the Company and any Co-Investors must have invested an aggregate of at least \$400,000,000 (without regard to depreciation) in the Project in order to qualify for Special Source Credits, [ends/ended] on December 31, 20[\_\_\_].

2. [Insert either (a) or (b) below, as applicable:

(a) The Company and all Co-Investors invested in the aggregate not less than \$400,000,000 (without regard to depreciation) in the Project prior to the end of the Statutory Investment Period. In accordance with Section 3.02 of the Agreement, the Company is entitled to claim Special Source Credits against its annual FILOT Payments (as defined in the Agreement) with respect to the Project, commencing with the FILOT Payment due on January 15, 20[\_\_\_].

or

(b) As of the end of the Statutory Investment Period, the Company and all Co-Investors invested in the aggregate less than \$400,000,000 (without regard to depreciation) in the Project [or, if applicable, as of the date hereof, the Company does not anticipate that investment in the Project will aggregate at least \$400,000,000 prior to the end of the Statutory Investment Period]. To date, the Company has claimed an aggregate of \$\_\_\_\_\_ in Special Source Credits. In accordance with Section 3.02 of the Agreement, the County has the right to terminate or adjust the Special Source Credits under such circumstances. ]

EXHIBIT B-2-1

IN WITNESS WHEREOF, I have executed this Certificate to be effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PROJECT ORO

By: \_\_\_\_\_  
Its: \_\_\_\_\_

EXHIBIT B-2-2

## Richland County Council Request of Action

**Subject:**

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to add cigar bars as a permitted use with special requirements in the NC, GC, M-1, and LI Zoning Districts

FIRST READING: March 22, 2016

SECOND READING: April 5, 2016 {Tentative}

THIRD READING: April 19, 2016 {Tentative}

PUBLIC HEARING: March 22, 2016

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-16HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; SO AS TO ADD CIGAR BARS AS A PERMITTED USE WITH SPECIAL REQUIREMENTS IN THE NC, GC, M-1, AND LI ZONING DISTRICTS.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-22, Definitions; is hereby amended to include in the appropriate alphabetical order, the following definition:

*Cigar bars:* An establishment that offers a meaningful selection of cigars and tobacco for pipes for smoking on the premises, as well as, retail purposes and which may be licensed for the on-premise consumption of beer, wine, or alcoholic beverages, or some combination of those, as well as, limited food service. The term does not include any establishment which is primarily a bar or restaurant. No bar can be considered a cigar bar unless at least fifty-one (51) percent of its gross revenue can be demonstrated to come from the sale of cigars, pipe tobacco, and other tobacco related products.

SECTION II. 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; Subsection (f), Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; “Retail Trade and Food Services” 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
<b>Retail Trade and Food Services</b>																	
Antique Stores (See Also Used Merchandise Shops and Pawn Shops)											P	P	P	P	P		
Appliance Stores														P	P		
Art Dealers											P	P	P	P	P		
Arts and Crafts Supply Stores												P	P	P	P		
Auction Houses													P	P	P	P	
Automotive Parts and Accessories Stores													P	P	P	P	
Bakeries, Retail												P	P	P	P	P	
Bars and Other Drinking Places											SE	SE	SR	SR	SR	SR	
Bicycle Sales and Repair												P	P	P	P	P	
Boat and RV Dealers, New and Used														P	P	P	
Book, Periodical, and Music Stores											P	P	P	P	P		
Building Supply Sales with Outside Storage													P	P	P	P	P
Building Supply Sales without Outside Storage													P	P	P	P	P
Camera and Photographic Sales and Service												P	P	P	P		
Candle Shops												P	P	P	P		
Candy Stores (Confectionery, Nuts, Etc.)												P	P	P	P		
Caterers, No On Site Consumption											P	P	P	P	P	P	
<u>Cigar Bars</u>												<u>SR</u>		<u>SR</u>	<u>SR</u>	<u>SR</u>	
Clothing, Shoe, and Accessories Stores												P	P	P	P		
Coin, Stamp, or Similar Collectibles Shops												P	P	P	P		
Computer and Software Stores												P	P	P	P		

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
Convenience Stores (with Gasoline Pumps)												P	P	P	P	P	P
Convenience Stores (without Gasoline Pumps)												P	P	P	P	P	P
Cosmetics, Beauty Supplies, and Perfume Stores												P	P	P	P		
Department, Variety or General Merchandise Stores												P	P	P	P		
Direct Selling Establishments, Not Otherwise Listed														P	P	P	
Drugstores, Pharmacies, with Drive-Thru											P		P	P	P	P	
Drugstores, Pharmacies, without Drive-Thru											P	P	P	P	P	P	
Electronic Shopping and Mail Order Houses														P	P	P	P
Fabric and Piece Goods Stores												P	P	P	P		
Flea Markets, Indoor													P	P	P	P	
Flea Markets, Outdoor													P	P	P	P	
Floor Covering Stores													P	P	P		
Florists												P	P	P	P		
Food Service Contractors												P	P	P	P		
Food Stores, Specialty, Not Otherwise Listed												P	P	P	P		
Formal Wear and Costume Rental												P	P	P	P		
Fruit and Vegetable Markets												P	P	P	P	P	
Fuel Sales (Non- Automotive)															SR		SR
Furniture and Home Furnishings													P	P	P		



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
Garden Centers, Farm Supplies, or Retail Nurseries												P	P	P	P		
Gift, Novelty, Souvenir, or Card Shops												P	P	P	P		
Grocery/Food Stores (Not Including Convenience Stores)												P	P	P	P		
Hardware Stores												P	P	P	P		
Health and Personal Care Stores, Not Otherwise Listed												P	P	P	P		
Hobby, Toy, and Game Stores												P	P	P	P		
Home Centers														P	P		
Home Furnishing Stores, Not Otherwise Listed												P	P	P	P		
Jewelry, Luggage, and Leather Goods (May Include Repair)												P	P	P	P		
Liquor Stores												P	P	P	P		
Manufactured Home Sales														SR	SR	SR	
Meat Markets												P	P	P	P		
Miscellaneous Retail Sales – Where Not Listed Elsewhere, and Where All Sales and Services are Conducted within an Enclosed Building												P	P	P	P		
Motor Vehicle Sales – Car and Truck – New and Used													P	P	P	P	
Motorcycle Dealers, New and Used													P	P	P	P	
Musical Instrument and Supplies Stores (May Include Instrument Repair)												P	P	P	P		
News Dealers and Newsstands												P	P	P	P		
Office Supplies and Stationery Stores											P	P	P	P	P		

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
Optical Goods Stores											P	P	P	P	P		
Outdoor Power Equipment Stores													P	P	P		
Paint, Wallpaper, and Window Treatment Sales												P	P	P	P		
Pawnshops														P	P		
Pet and Pet Supplies Stores												P	P	P	P		
Record, Video Tape, and Disc Stores												P	P	P	P		
Restaurants, Cafeterias											P	P	P	P	P	P	
Restaurants, Full Service (Dine-In Only)											P	P	P	P	P	P	
Restaurants, Limited Service (Delivery, Carry Out)											P	P	P	P	P	P	
Restaurants, Limited Service (Drive-Thru)													P	P	P	P	
Restaurants, Snack and Nonalcoholic Beverage Stores											P	P	P	P	P	P	
Service Stations, Gasoline													P	P	P	P	
Sporting Goods Stores												P	P	P	P		
Television, Radio or Electronic Sales													P	P	P		
Tire Sales													P	P	P		
Tobacco Stores												P	P	P	P		
Truck Stops														P	P	P	P
Used Merchandise Stores												P	P	P	P		
Video Tape and Disc Rental												P	P	P	P		
Warehouse Clubs and Superstores														P	P		

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 (b), Permitted Uses with Special Requirements Listed by Zoning District; is hereby amended by the insertion of a new paragraph to read as Paragraph “(17) Cigar Bars – NC, GC, M-1, LI”, the existing Paragraph (17) is renumbered to read as Paragraph (18), and all remaining paragraphs are renumbered in appropriate chronological order.

SECTION IV. 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 “(17) Cigar Bars”, the existing Paragraph (17) is renumbered to read as Paragraph (18), and all remaining paragraphs are renumbered in appropriate chronological order.

(17) *Cigar bars.*

- a. Use districts: Neighborhood Commercial; General Commercial; M-1 Light Industrial; LI Light Industrial.
- b. The smoking of cigarettes is prohibited.
- c. A walk-in humidor must be located within the premises.
- d. Limited food services or alcoholic beverages that are not sold directly by the businesses are prohibited.
- e. At least fifty-one (51) percent of the bar’s revenue must be from the on-site sale of tobacco products.
- f. The bar area shall not cover more than twenty-five (25) percent of floor area, excluding the humidor, kitchen, storage area(s), and offices.
- g. A full floor plan of the cigar bar must be provided to the Richland County Zoning Administrator.

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

SECTION VII. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2016.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Torrey Rush, Chair

ATTEST THIS THE \_\_\_\_\_ DAY

OF \_\_\_\_\_, 2016

\_\_\_\_\_  
S. Monique McDaniels  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing:        March 22, 2016  
First Reading:        March 22, 2016  
Second Reading:     April 5, 2016 (tentative)  
Third Reading:

## Richland County Council Request of Action

**Subject:**

Intergovernmental Agreement (IGA) between City of Columbia and Richland County for the Hollywood Hills Sewer Project

March 22, 2016 – The Committee forwarded this item to Council without a recommendation. Staff will provide Council with a map illustrating the sewer lines as it relates to this item, and the dates of the public input meetings that were held regarding this project.



**RICHLAND COUNTY  
GOVERNMENT**  
Office of the County Administrator

MEMORANDUM

**TO:** Richland County Council  
**CC:** Tony McDonald, County Administrator  
Warren Harley, Assistant County Administrator  
Valeria Jackson, Director of Community Development  
**FROM:** Brandon Madden, Research Manager  
**DATE:** March 31, 2016  
**RE:** D&S Committee Request for Additional Information

---

This memo is a follow-up to D&S Committee's request for additional information at their March 22, 2016 Committee meeting concerning the Intergovernmental Agreement (IGA) between City of Columbia and Richland County for the Hollywood Hills Sewer Project.

The D&S Committee forwarded the IGA to the April 5, 2016 Council meeting without a recommendation. The Committee requested that Staff provide Council with a map illustrating the sewer lines as it relates to this item, and the dates of the public input meetings that were held regarding this project.

As requested, attached are the maps illustrating the sewer lines relative to this project.

Additionally, three (3) public involvement meetings were held concerning this project. The dates of those meetings were September 8, 2014, September 11, 2014, and January 28, 2016.

The meetings were well attended and the same level of public interest for the project spanned throughout all of the aforementioned dates.

Councilman Rush and Valeria Jackson (Director of Community Development) have been in constant communication with the Hollywood Hills Community President Juliette Greenlee and other Community leaders regarding this project.





HOLLYWOOD HILLS

BROAD RIVER SEWER SERVICE AREA

**Legend**

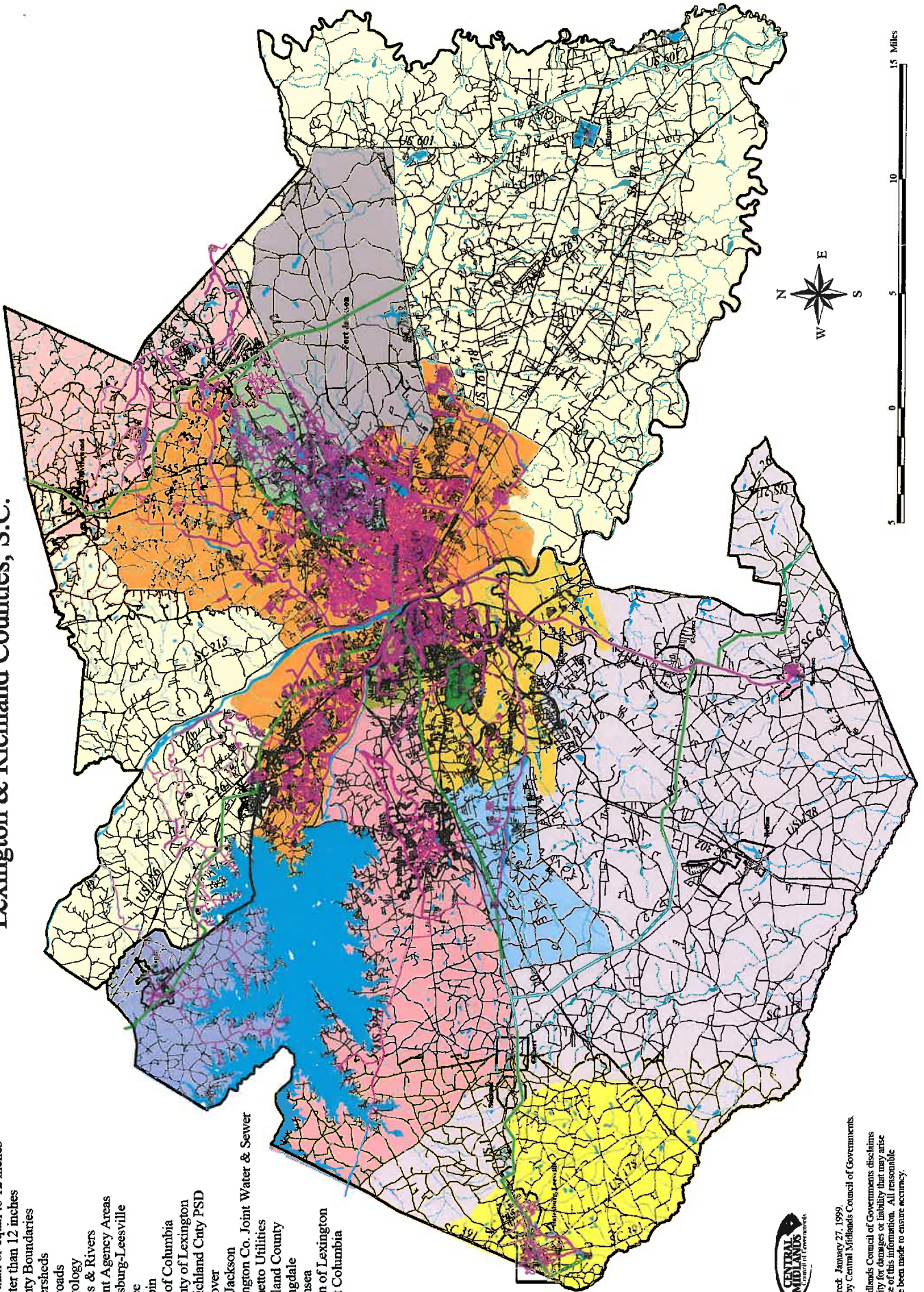
- Sewer Pump Stations
- Highways
- Interstates
- Sewer Force Mains
- Sewer Gravity Lines
- Sewer Gravity Pressure Lines
- Lakes



# Water Quality Management Plan

## Lexington & Richland Counties, S.C.

- ⚙ Sewer Lines
- Less than or equal to 12 inches
- Greater than 12 inches
- County Boundaries
- Watersheds
- Railroads
- Hydrology
- Lakes & Rivers
- Management Agency Areas
- Batesburg-Leesville
- Clayce
- Chapin
- City of Columbia
- County of Lexington
- E. Richland Cnty PSD
- Eastover
- Fort Jackson
- Lexington Co. Joint Water & Sewer
- Palmetto Utilities
- Richland County
- Springdale
- Swansea
- Town of Lexington
- West Columbia



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## Richland County Council Request of Action

**Subject:** Intergovernmental Agreement (IGA) between City of Columbia and Richland County

### **A. Purpose**

County Council is requested to approve an Intergovernmental Agreement (IGA) between City of Columbia and Richland County for the Hollywood Hills Sewer Project. This project is entirely funded by Richland County Community Development with federal funds (CDBG). Once the project is completed, the sewer lines will then turn over to the City of Columbia for maintenance and upkeep.

### **B. Background / Discussion**

Richland County Community Development Department (RCCD) has completed federally funded sewer and water projects throughout unincorporated Richland County in the past, of which the most recent was the Bookert Heights Sewer Project in 2006.

Upon completion of the sewer projects, the sewer lines are transferred over to the City of Columbia for maintenance and upkeep. The County's Legal Department suggested that an Intergovernmental Agreement (IGA) between City of Columbia and Richland County should be enacted to memorialize the sewer project process, protect both parties and provide a list of responsibilities during and after the project's completion for both the County and the City.

The City of Columbia's approval of the (IGA) will be way of an ordinance, which requires two readings. County staff is working with the City of Columbia to proceed with the City's approval process.

Once the IGA is approved by County and the City of Columbia, County staff will bring this item back for County Council approval during the bid selection/approval process for the County's procured vendor to complete the construction of the project. This step is anticipated in late Spring 2016.

The Hollywood Hills neighborhood is in County District 7.

Attached is the drafted IGA completed by County Legal Department.

Also, the signed letter of approval of the sewer plan from the County to the City of Columbia is attached.

### **C. Legislative / Chronological History**

July 1, 2014 and July 28, 2015 – Council approved the CDBG funding for this project.

### **D. Financial Impact**

The financial impact to the County would be the cost of the sewer project. The entire project will be funded through Federal CDBG dollars.

The financial impact to the City would be determined and deemed responsible by the City once the lines are converted over to the City.

Again, there would be no adverse financial impact to general County funds.

**E. Alternatives**

1. Approve the Intergovernmental Agreement between the County and the City of Columbia for the Hollywood Hills Sewer Project.
2. Do not approve the Intergovernmental Agreement between the County and the City of Columbia for the Hollywood Hills Sewer Project.

**Recommendation:**

It is recommended that Council approve the best option above deemed by Council.

Submitted by: Valeria Jackson  
Department: Community Development  
Date: 12/08/15

**G. Reviews**

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

**Finance**

Reviewed by: Daniel Driggers Date: 1/5/16  
 Recommend Council approval  Recommend Council denial  
Comments regarding recommendation:

Recommendation is based on previous Council approval of the project and availability of funds.

**Legal**

Reviewed by: Elizabeth McLean Date: 1/5/15  
 Recommend Council approval  Recommend Council denial  
Comments regarding recommendation: Policy decision left to Council’s discretion.

**Administration**

Reviewed by: Warren Harley Date: 1/6/15  
 Recommend Council approval  Recommend Council denial  
Comments regarding recommendation:

## Hollywood Hills Sewer Project

### Intergovernmental Agreement between Richland County and the City of Columbia

WHEREAS, Richland County is constructing and updating the sanitary sewer lines and mains for the Hollywood Hills neighborhood near the intersection of Farrow Road and Wakefield Road; and

WHEREAS, Richland County is using Community Development Block Grant Funds (hereafter referred to as CDBG); and

WHEREAS, following construction and completion of the sanitary sewer lines and mains by Richland County, the City of Columbia will accept a deed of the sanitary sewer lines and mains for ownership, operation and maintenance into perpetuity.

NOW, THEREFORE in consideration of the mutual covenants and obligations herein contained, including the attachments, and subject to the terms hereinafter stated, the parties hereto understand and agree as follow:

1. Richland County is responsible for construction of the sanitary sewer lines and mains for the Hollywood Hills neighborhood near the intersection of Farrow Road and Wakefield Road, see Exhibit A (attached hereto).
2. Richland County agrees to provide CDBG Federal Funds to complete this project, subject to the terms and conditions of this Contract, applicable laws, regulations and all other Federal and County requirements.
3. Richland County will adhere to the City of Columbia's detailed plans outlined in a letter dated July 14, 2015, signed by Sparty Hammett on July 22, 2015, see Exhibit A.
4. Once construction has been completed and Richland County is satisfied with final inspections in accordance with Exhibit A Paragraph 7, Richland County will deed over the infrastructure to the City of Columbia for perpetual maintenance of the system. Richland County will have no further responsibilities related to this project.





We Are Columbia

# CITY OF COLUMBIA

## Department of Utilities and Engineering Division of Engineering

P.O. Box 147 | Columbia, South Carolina 29217  
Phone: 803-545-3400 Fax: 803-988-8199

July 14, 2015

Re: Proposed Sewer Main Construction Plans:  
Hollywood Hills Sewer System Improvements  
(Near Intersection of Farrow Rd. and  
Wakefield Rd.); Hill Engineering, LLC; Plans  
dated June 23, 2015; City File #188-09B

Richland County Community Development Department  
2020 Hampton St.  
Columbia, SC 29204

Dear Sir or Madam,

The original of this signed statement must be returned to the City, prior to any construction activity for the project. Please retain a copy for your records.

**I HAVE READ THIS APPROVAL LETTER AND I AGREE TO COMPLY WITH THE REQUIREMENTS, TERMS AND CONDITIONS CONTAINED THEREIN.**

Spartan Hammett  
Print Owner/Developer Name

Spartan Hammett  
Signature of Owner/Developer

7/22/15  
Date

Please return to:

Ms. Angela Jones  
City of Columbia  
Utilities and Engineering Department  
P.O. Box 147  
Columbia, SC 29217

Should you require additional information, please feel free to contact Angela Jones at 545-3247.

[www.columbiasc.net](http://www.columbiasc.net)



# CITY OF COLUMBIA

Department of Utilities and Engineering

Division of Engineering

P.O. Box 147 | Columbia, South Carolina 29205  
Phone: 803-545-3400 Fax: 803-988-8199

2015 JUL 21 AM 10:01  
CITY DEVELOPMENT

July 14, 2015

Re: Proposed Sewer Main Construction Plans:  
Hollywood Hills Sewer System Improvements  
(Near Intersection of Farrow Rd. and Wakefield  
Rd.); Hill Engineering, LLC; Plans dated June 23,  
2015; City File #188-09B

Richland County Community Development Department  
2020 Hampton St.  
Columbia, SC 29204

Dear Sir or Madam,

Previously this project was approved on August 6, 2008. The plans have now been revised. Please discard all previous approved plans and calculations and replace them with the above referenced plans and calculations.

The referenced plans and calculations received June 25, 2015 have been examined and are approved with the following exceptions and provisions:

1. Initial and continued delivery of water or sewer service to this property is subject to such ordinances, policies, rules and regulations as the City of Columbia may, from time to time, adopt or amend.
2. All work and materials must conform to City Specifications, latest revision at beginning of construction, and City and County Regulations.
3. The developer must provide the City Engineer forty-eight (48) hours notice prior to beginning construction. It is requested that this notice be given to Angela Jones at 545-3247. Once the developer's contractor provides a work notice and the City confirms all preconstruction requirements have been met (permits, insurance, etc.), the contractor **must** hold an on-site pre-construction conference with the City inspector (Jeff Jeffers) **prior to** performing any work on the project. The purpose of this meeting is to allow the contractor and **inspector** to review the plans and approval letter, as well as discuss concerns either party may have. **This is a mandatory meeting, no exceptions!** The contractor shall call the inspector at 545-3400 to schedule the meeting. The best time to contact the inspector is from 8:00 a.m. - 9:30 a.m.
4. The developer through his engineer must provide the project contractor a copy of this approval letter which must be maintained on the site until construction is completed (permit to operate issued).
5. In the event any of the work related to water and sanitary sewer on this project is to be performed within public street or road rights-of-



way or in an existing City easement by other than City of Columbia forces, indemnification of the City in accordance with **Chapter 11, Article III, Section 11-71** of the City Code is required. Proof of insurance must be provided prior to beginning construction. Should additional information regarding this be required, please contact Ms. Susan Leitner at 545-3250.

6. All grading of areas where sanitary sewer lines are approved for construction must be completed prior to installation of the pipe. If for any reason the grades are changed, thereby reducing the required minimum cover over these lines, the developer shall bear the expense of correcting line depth to that specified by current City Regulations.
7. The developer through his engineer is responsible for conducting final inspections of systems to be deeded to the City for operation and maintenance. Inspections must be coordinated with the Department of Engineering Inspector.
8. The proposed sanitary sewer plans have been submitted to the South Carolina Department of Health and Environmental Control for permitting under the Standard Review Program.
9. Cleanouts (if applicable) must be installed at the right-of-way or easement line on all sanitary sewer lines. They shall be of the same class and material as used for the sanitary sewer. Cleanouts shall be installed flush with the finished grade and must be protected from landscaping, traffic and maintenance thereto. All proposed 6" sanitary sewer service lines must be installed with 8" by 6" service wye off of the proposed sanitary sewer main(s).
10. The developer shall be responsible for installation of individual services off of the proposed main(s), if necessary. The developer/builder shall be responsible for maintaining the accessibility, visibility and functionality of all service lines. If the aforementioned requirements are violated, the developer/builder shall be held responsible for all associated costs for installation of new service connection at his own expense including but not limited to the payment for the new tap fee. The City may require the developer/builder to hire an independent contractor to install a new tap, and associated appurtenances solely at his own cost. The developer must obtain a prior approval from City before allowing the contractor to install a tap on the City's active main. Service will be provided following City acceptance of sanitary sewer system(s), DHEC granting a permit to operate.
11. The proposed sanitary sewer mains must be deeded to the City of Columbia prior to final acceptance of the system(s) for operation and maintenance.
12. The proposed sanitary sewer mains not located in the existing right-of-way must be installed in private easements, which must be dedicated exclusively to the City of Columbia. They shall be granted prior to final acceptance for operation and maintenance by the City

and prior to the date the final plat for the subdivision is recorded. All easements required by the City must be shown on the record drawings and the final plat. A copy of the final plat must be submitted with the record drawings.

13. All easements shall be, granted prior to final acceptance of the sanitary sewer mains for operation and maintenance by City and prior to the date the final plat for the subdivision is recorded. All easements required by the City must be shown on the record drawings and the final plat. A copy of the final plat must be submitted with the record drawings.
14. For projects being developed under bond, the bonded plat showing all utility easements to be granted to the City of Columbia must be submitted for approval. These easements must be dedicated exclusively to the City prior to final approval of the bonded plat and the selling of individual lots.
15. All sanitary sewer mains services and fittings with less than 3' or greater than 12' of cover must be constructed of DIP.
16. All DIP and fittings used for sanitary sewer construction shall be lined with either polyethylene (American Polybond Plus-60 mil nominal thickness), amine cured novalac epoxy (protecto 401 Ceramic Epoxy-40 mil nominal thickness) or calcium aluminate cement mortar (SewperCoat as manufactured by Lafarge Calcium Aluminates-double thickness) or approved equal.
17. The City of Columbia reserves the right to request additional easements as needed for access, ingress, egress, operation, maintenance and repair of the utilities to be conveyed to this City of Columbia for this project.
18. Prior to construction (if applicable) an encroachment permit shall be approved by the appropriate right-of-way agency. The encroachment permit application shall be entirely completed by the owner/developer and forwarded to the City of Columbia Engineering Department for review and subsequent submittal to the appropriate right-of-way agency. All encroachment applications shall identify the City of Columbia as the sole applicant.
19. This approval does not relieve the developer of meeting requirements set forth by the South Carolina Department of Health and Environmental Control nor does the South Carolina Department of Health and Environmental Control's approval relieve the developer of meeting requirements of the Columbia Sediment and Erosion Control and Storm Drainage Ordinance.
20. **Any existing trees shown within in the construction limits of MH 1+21 or any proposed sewer main must be removed prior to construction.**
21. **Prior to beginning construction, the attached "Agreement to Comply" statement shall be signed and**

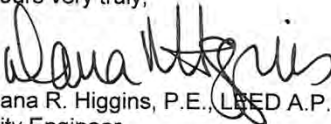


**returned to the City.**

22. **Construction plan approval is valid for only three (3) years.** In the event improvements have not been completed within that time, plans must be submitted for approval and shall be subject to ordinances and regulations in effect on that date.

Should you require additional information, please feel free to contact Scott Rogers at 545-3290.

Yours very truly,

  
Dana R. Higgins, P.E., LEED A.P.  
City Engineer

SR/sr

Cc (email): Daniel B. Hill, P.E., Hill Engineering, LLC

Map of Hollywood Hills Neighborhood – Outlined in —

12/31/2015

Richland County Internet Mapping

Richland County, SC | Internet Mapping



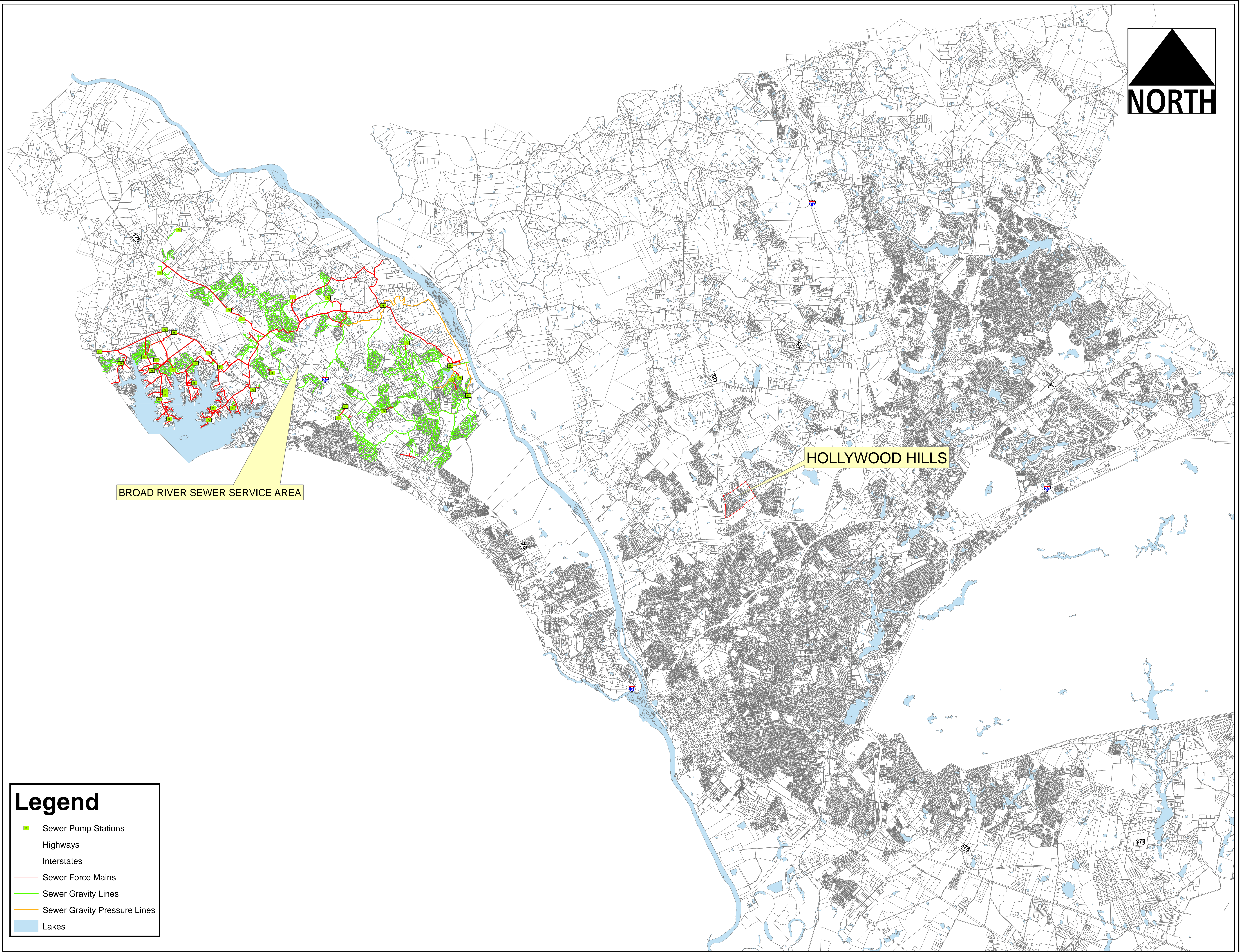
DISCLAIMER : This is a product of the Richland County GIS Department. The data depicted here have been developed with extensive cooperation from other county departments, as well as other federal, state and local governments agencies. Richland County expressly disclaims responsibility for damages or liability that may arise from the use of this map.



<http://www.richlandmaps.com/apps/gmap/?lat=34.08031&lon=-81.01485&zoom=16&base=roadmap&expanded=39665|39669|18518|52088|40518&layers=33844|54880>

1/1





BROAD RIVER SEWER SERVICE AREA

HOLLYWOOD HILLS

### Legend

- Sewer Pump Stations
- Highways
- Interstates
- Sewer Force Mains
- Sewer Gravity Lines
- Sewer Gravity Pressure Lines
- Lakes



## VALERIA JACKSON

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**From:** VALERIA JACKSON  
**Sent:** Wednesday, January 20, 2016 4:28 PM  
**To:** Torrey Rush  
**Cc:** Monique McDaniels; Warren Harley  
**Subject:** Hollywood Hills Update

Hello Councilman Rush,

As per our conversation last week, you noted to proceed with the meeting of the Hollywood Hills Sewer Project. Easement packets have been mailed to the appropriate persons. This included a notice for a meeting on Thursday, Jan 28<sup>th</sup> to meet at the Carolina School for Inquiry. After our Project Manager goes over an update of the project, we will have a City Attorney present for those who wish to sign the easements along with declaration of covenants. Hopefully, this will secure a fair number of responses. After that, the City is willing to continue signing on a one-on-one basis to secure the necessary paperwork. The project will transfer to the City, as the City (not the County) has the lines already established in the area.

Monique, is it possible for you to provide a similar postcard like you did during the last Hollywood Hills Meeting for the upcoming meeting? Mr. Rush, is Ms. Juliette Greenlee still the primary community contact?



**Important Community Meeting  
regarding the Hollywood Hills Sewer Project**

Richland County Councilman Torrey Rush cordially invites you to attend one of the upcoming community meetings to discuss the Hollywood Hills Sewer Project. You will have two opportunities to talk with County Officials and ask questions about the proposed project plan.

**Location:**  
Carolina School of Inquiry  
7405 Fairfield Rd  
Columbia, SC 29203

**Dates:**  
Monday, September 8, 2014  
Time: 6-8 p.m.  
or  
Thursday, September 11, 2014  
Time: 6-8 p.m.



**FOR MORE INFORMATION CALL 803-576-2060**  
Developed by Richland County Public Information Office



On my end, the IGA document was tabled on the Jan 12<sup>th</sup> D&S Committee agenda for the February Committee meeting. Please let me know if I can supply any additional information to aid in the movement of this document.

Thanks/Valeria

Valeria D. Jackson  
Director of Community Development

## Richland County Council Request of Action

**Subject:**

Council Motion Regarding the Utilization of a Special Tax District

March 22, 2016 – The Committee recommended that Council approve the concept of utilizing a Special Tax District for the purposes of providing funding for the repair and replacement of privately owned dams in Richland County.

## Richland County Council Request of Action

**Subject:** Council Motion Regarding the Utilization of a Special Tax District

### **A. Purpose**

County Council is requested to consider a Council motion regarding the utilization of a "Special Purpose Tax District" for the purposes of providing funding for the repair and replacement of privately owned dams in Richland County

### **B. Background / Discussion**

At the March 1, 2016 Council meeting, Council member Jackson brought forth the following motion:

“I move that the concept of utilizing a "Special Purpose Tax District" for the purposes of providing funding for the repair and replacement of privately owned dams in Richland County be presented to the full County Council for consideration. Further, that the Chair of Council determine how this information can best be presented to the full body”

Pursuant to Section 4-9-30 (see attached) of the South Carolina Code of Laws, the County has the ability to utilize a special purpose tax district; however, prior to the creation of a special tax district one of the following procedures is required:

1. When fifteen percent of the electors in a proposed special tax district sign and present to the county council a petition requesting the creation of a special tax district, an election must be held in which a majority of the electors in that area voting in the election shall approve the creation of the special tax district, the nature of the services to be rendered and the maximum level of taxes or user service charges, or both, authorized to be levied and collected. The petition must contain a description of the proposed special tax district, the elector's signature and address. If the county council finds that the petition has been signed by fifteen percent or more of the electors resident within the area of the proposed special tax district, it may certify that fact to the county election commission. Upon receipt of a written resolution certifying that the petition meets the requirements of this section, the county election commission shall order an election to be held within the area of the proposed special tax district. The election ordered pursuant to this section is a special election and must be held, regulated, and conducted with the provisions prescribed by Chapters 13 and 17 of Title 7, except as otherwise provided in this section. The county election commission shall give at least thirty days' notice in a newspaper of general circulation within the proposed special tax district. The county election commission shall certify the result of the election to the county council and county council by written resolution shall publish the result of the election.
  
2. When a petition is submitted to the county council signed by seventy-five percent or more of the resident freeholders who own at least seventy-five percent of the assessed valuation of real property in the proposed special tax district, the county council upon certification of the petition may pass an ordinance establishing the special tax district. For the purposes of this item, "freeholder" has the same meaning as defined in Section 5-3-240. The petition must contain a designation of the boundaries of the proposed special tax district, the nature of the

services to be rendered, and the maximum level of the taxes or user service charges, or both, authorized to be levied and collected.

3. When the area of the proposed special tax district consists of the entire unincorporated area of the county, county council may pass an ordinance establishing a special tax district. For the purposes of this item "unincorporated area" means the area not included within the corporate boundaries of a municipal corporation created pursuant to Chapter 1 of Title 5 or within a special purpose district created before March 7, 1973, to which has been committed the governmental service which the county council intends to provide through the proposed special taxing district unless the special purpose district has been dormant for five years or more. If, however, the same service intended to be rendered by the special taxing district is being rendered or is intended to be rendered within any portion of the territory of the special purpose district, then no such service may be rendered by the special taxing district without consent of the governing body of the special purpose district.

Utilizing a special purpose tax district will require the collaboration of many County Departments (e.g., Assessor, GIS, Finance, Legal, Elections).

At this time, the Committee may consider approving the concept of utilizing a special purpose tax district, and allow staff to bring back information on the manner in which this concept can be implemented (e.g., estimated cost, processes) to Council for consideration.

Councilmember Pearce will provide additional information regarding this motion at the Committee meeting.

#### **C. Legislative / Chronological History**

- o March 1, 2016 – Motion made by Council member Pearce

#### **D. Financial Impact**

There are no direct financial costs associated with the approval of the concept of utilizing a special purpose tax district.

#### **E. Alternatives**

1. Consider the motion and proceed accordingly.
2. Consider the motion and do not proceed accordingly.

#### **F. Recommendation**

This is a policy decision for Council.

Recommended by: Greg Pearce

Department: Council District 6

Date: 3/9/16

#### **G. Reviews**

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

**Finance**

Reviewed by: Daniel Driggers

Date: 3/9/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

As stated in the ROA, the request is a policy decision for Council.

**Legal**

Reviewed by: Brad Farrar

Date: 3/10/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision of Council. Special tax districts are permitted pursuant to S.C.Code Ann. Subsection 4-9-30(5).

**Administration**

Reviewed by: Tony McDonald

Date: 3/18/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval of the concept, with any specific application of the concept to be determined by the Council on a case by case basis.



## SC Code of Laws re: Special Purpose Tax District

**SECTION 4-9-30.** Designation of powers under each alternative form of government except board of commissioners form.

Under each of the alternate forms of government listed in Section 4-9-20, except the board of commissioners form provided for in Article 11, each county government within the authority granted by the Constitution and subject to the general law of this State shall have the following enumerated powers which shall be exercised by the respective governing bodies thereof:

(1) to adopt, use and revise a corporate seal;

(2) to acquire real property by purchase or gift; to lease, sell or otherwise dispose of real and personal property; and to acquire tangible personal property and supplies;

(3) to make and execute contracts;

(4) to exercise powers of eminent domain for county purposes except where the land concerned is devoted to a public use; provided, however, the property of corporations not for profit organized under the provisions of Chapter 35 of Title 33 shall not be subject to condemnation unless the county in which their service area is located intends to make comparable water service available in such service area and such condemnation is for that purpose. After any such condemnation, the county shall assume all obligations of the corporation related to the property and the facilities thereon which were condemned;

(5)(a) to assess property and levy ad valorem property taxes and uniform service charges, including the power to tax different areas at different rates related to the nature and level of governmental services provided and make appropriations for functions and operations of the county, including, but not limited to, appropriations for general public works, including roads, drainage, street lighting, and other public works; water treatment and distribution; sewage collection and treatment; courts and criminal justice administration; correctional institutions; public health; social services; transportation; planning; economic development; recreation; public safety, including police and fire protection, disaster preparedness, regulatory code enforcement; hospital and medical care; sanitation, including solid waste collection and disposal; elections; libraries; and to provide for the regulation and enforcement of the above. However, prior to the creation of a special tax district for the purposes enumerated in this item, one of the following procedures is required:

(i) When fifteen percent of the electors in a proposed special tax district sign and present to the county council a petition requesting the creation of a special tax district, an election must be held in which a majority of the electors in that area voting in the election shall approve the creation of the special tax district, the nature of the services to be rendered and the maximum level of taxes or user service charges, or both, authorized to be levied and collected. The petition must contain a description of the proposed special tax district, the elector's signature and address. If the county council finds that the petition has been signed by fifteen percent or more of the electors resident within the area of the proposed special tax district, it may certify that fact to the county election commission. Upon receipt of a written resolution certifying that the petition meets the requirements of this section, the county election commission shall order an election to be held within the area of

the proposed special tax district. The election ordered pursuant to this section is a special election and must be held, regulated, and conducted with the provisions prescribed by Chapters 13 and 17 of Title 7, except as otherwise provided in this section. The county election commission shall give at least thirty days' notice in a newspaper of general circulation within the proposed special tax district. The county election commission shall certify the result of the election to the county council and county council by written resolution shall publish the result of the election.

(ii) When a petition is submitted to the county council signed by seventy-five percent or more of the resident freeholders who own at least seventy-five percent of the assessed valuation of real property in the proposed special tax district, the county council upon certification of the petition may pass an ordinance establishing the special tax district. For the purposes of this item, "freeholder" has the same meaning as defined in Section 5-3-240. The petition must contain a designation of the boundaries of the proposed special tax district, the nature of the services to be rendered, and the maximum level of the taxes or user service charges, or both, authorized to be levied and collected.

(iii) When the area of the proposed special tax district consists of the entire unincorporated area of the county, county council may pass an ordinance establishing a special tax district. For the purposes of this item "unincorporated area" means the area not included within the corporate boundaries of a municipal corporation created pursuant to Chapter 1 of Title 5 or within a special purpose district created before March 7, 1973, to which has been committed the governmental service which the county council intends to provide through the proposed special taxing district unless the special purpose district has been dormant for five years or more. If, however, the same service intended to be rendered by the special taxing district is being rendered or is intended to be rendered within any portion of the territory of the special purpose district, then no such service may be rendered by the special taxing district without consent of the governing body of the special purpose district.

(b) In the ordinance establishing the special tax district, county council shall provide for the operation of the special tax district. The special tax district may be operated as an administrative division of the county, or county council may appoint a commission consisting of three to five members and provide for their terms of office.

(c) Notwithstanding any provision to the contrary, the county council shall not finance any service not being rendered by the county on March 7, 1973, by a countywide tax where the service is being provided by any municipality within that municipality or where the service has been budgeted or funds have been applied for as certified by the municipal governing body, except upon concurrence of the municipal governing body. For purposes of this subitem, "municipality" means a municipal corporation created pursuant to Chapter 1 of Title 5.

(d) Before the issuance of any general obligation bonds to provide a service in a special tax district and the levy of a tax to retire the bonds at rates different from those levied in the remainder of the county related to the nature and level of government services to be provided in the special tax district, the county council shall first approve the issuance of the general obligation bonds and the levy of the tax to retire the bonds by ordinance.

(e) County council may by ordinance diminish boundaries of or abolish a special tax district. It must first conduct a public hearing. Notice of the hearing must be given two weeks before it in a newspaper of general circulation in the tax district.

(f) After a special tax district is created, pursuant to the provisions of this item, the governing body of the county may, by ordinance, provide that the uniform service charge be collected on an annual, semiannual, quarterly, or monthly basis. The governing body by ordinance also may provide for monthly delinquency penalty charges by special tax notices.

(g) Any special taxing district created prior to the effective date of this act pursuant to this subsection, the creation of which would have been valid but for any inconsistency in or constitutional infirmity of this subsection as codified at the time of such creation, is hereby created and declared to be valid, and its existence is confirmed as of the date of its prior creation; provided, however, that any such special taxing district shall be subject to all provisions of this subsection as provided for in this act, including without limitation item (e).

(h) The creation of a street lighting system within a county may not disrupt the assignment of electric service rights by the Public Service Commission. The special tax district may not treat the street lighting system as one premises for the purchase of electric energy. Those lighting structures located in an area assigned by the South Carolina Public Service Commission to an electric supplier pursuant to Section 58-27-640, et seq., must be served by the designated electric supplier unless it consents to service by another supplier. Those light structures located in an unassigned area must be considered a single premises and may be served by an electric supplier pursuant to the customer choice provisions of Section 58-27-620 or by an electrical utility pursuant to the certificate of public convenience and necessity provisions of Section 58-27-1230 to serve the lighting structures planned for the unassigned areas.

After a special tax district is created pursuant to this item, the governing body of the county by ordinance may provide that the uniform service charge be collected on an annual, semiannual, quarterly, or monthly basis.

(6) to establish such agencies, departments, boards, commissions and positions in the county as may be necessary and proper to provide services of local concern for public purposes, to prescribe the functions thereof and to regulate, modify, merge or abolish any such agencies, departments, boards, commissions and positions, except as otherwise provided for in this title. Any county governing body may by ordinance abolish a rural or other county police system established pursuant to Chapter 6 of Title 53 [of the Code of Laws, 1962] and devolve the powers and duties of the system upon the county sheriff; provided, however, that such an ordinance shall not become effective until the registered electors of the county shall first approve the ordinance by referendum called by the governing body;

(7) to develop personnel system policies and procedures for county employees by which all county employees are regulated except those elected directly by the people, and to be responsible for the employment and discharge of county personnel in those county departments in which the employment authority is vested in the county government. This employment and discharge authority does not extend to any personnel employed in departments or agencies under the direction of an elected official or an official appointed by an authority outside county government. Any employee discharged shall follow the grievance procedures as established by county council in those counties where the grievance procedures are operative, retaining all appellate rights provided for in the procedures. In those counties where a grievance procedure is not established, a county employee discharged by the chief administrative officer or designated department head must be

granted a public hearing before the entire county council if he submits a request in writing to the clerk of the county council within five days of receipt of notice of discharge. The hearing must be held within fifteen days of receipt of the request. The employee must be relieved of his duties pending the hearing and if a majority of the county council sustains the discharge, it is final subject to judicial review, but if a majority of the county council reverses the dismissal, the employee must be reinstated and paid a salary for the time he was suspended from his employment.

The salary of those officials elected by the people may be increased but may not be reduced during the terms for which they are elected, except that salaries for members of council and supervisors under the council-supervisor form of government must be set as provided in this chapter;

(8) to provide for an accounting and reporting system whereby funds are received, safely kept, allocated and disbursed;

(9) to provide for land use and promulgate regulations pursuant thereto subject to the provisions of Chapter 7 of Title 6;

(10) to establish and implement policies and procedures for the issuance of revenue and general obligation bonds subject to the bonded debt limitation;

(11) to grant franchises and make charges in areas outside the corporate limits of municipalities within the county in the manner provided by law for municipalities and subject to the same limitations, to provide for the orderly control of services and utilities affected with the public interest; provided, however, that the provisions of this subsection shall not apply to persons or businesses acting in the capacity of telephone, telegraph, gas and electric utilities, or suppliers, nor shall it apply to utilities owned and operated by a municipality; provided, further, that the provisions of this subsection shall apply to the authority to grant franchises and contracts for the use of public beaches;

(12) to levy uniform license taxes upon persons and businesses engaged in or intending to engage in a business, occupation, or profession, in whole or in part, within the county but outside the corporate limits of a municipality except those persons who are engaged in the profession of teaching or who are ministers of the gospel and rabbis, except persons and businesses acting in the capacity of telephone, telegraph, gas and electric utilities, suppliers, or other utility regulated by the Public Service Commission and except an entity which is exempt from license tax under another law or a subsidiary or affiliate of any such exempt entity. No county license fee or tax may be levied on insurance companies. The license tax must be graduated according to the gross income of the person or business taxed. A business engaged in making loans secured by real estate is subject to the license tax only if it has premises located in the county but outside the corporate limits of a municipality. If the person or business taxed pays a license tax to another county or to a municipality, the gross income for the purpose of computing the tax must be reduced by the amount of gross income taxed in the other county or municipality.

(13) to participate in multi-county projects and programs authorized by the general law and appropriate funds therefor;

(14) to enact ordinances for the implementation and enforcement of the powers granted in this section and provide penalties for violations thereof not to exceed the penalty jurisdiction of

magistrates' courts. Alleged violations of such ordinances shall be heard and disposed of in courts created by the general law including the magistrates' courts of the county. County officials are further empowered to seek and obtain compliance with ordinances and regulations issued pursuant thereto through injunctive relief in courts of competent jurisdiction. No ordinance including penalty provisions shall be enacted with regard to matters provided for by the general law, except as specifically authorized by such general law; and

(15) to undertake and carry out slum clearance and redevelopment work in areas which are predominantly slum or blighted, the preparation of such areas for reuse, and the sale or other disposition of such areas to private enterprise for private uses or to public bodies for public uses and to that end the General Assembly delegates to any county the right to exercise the power of eminent domain as to any property essential to the plan of slum clearance and redevelopment. Any county may acquire air rights or subsurface rights, both as hereinafter defined, by any means permitted by law for acquisition of real estate, including eminent domain, and may dispose of air rights and subsurface rights regardless of how or for what purpose acquired for public use by lease, mortgage, sale, or otherwise. Air rights shall mean estates, rights, and interests in the space above the surface of the ground or the surface of streets, roads, or rights-of-way including access, support, and other appurtenant rights required for the utilization thereof;

(16) to conduct advisory referenda;

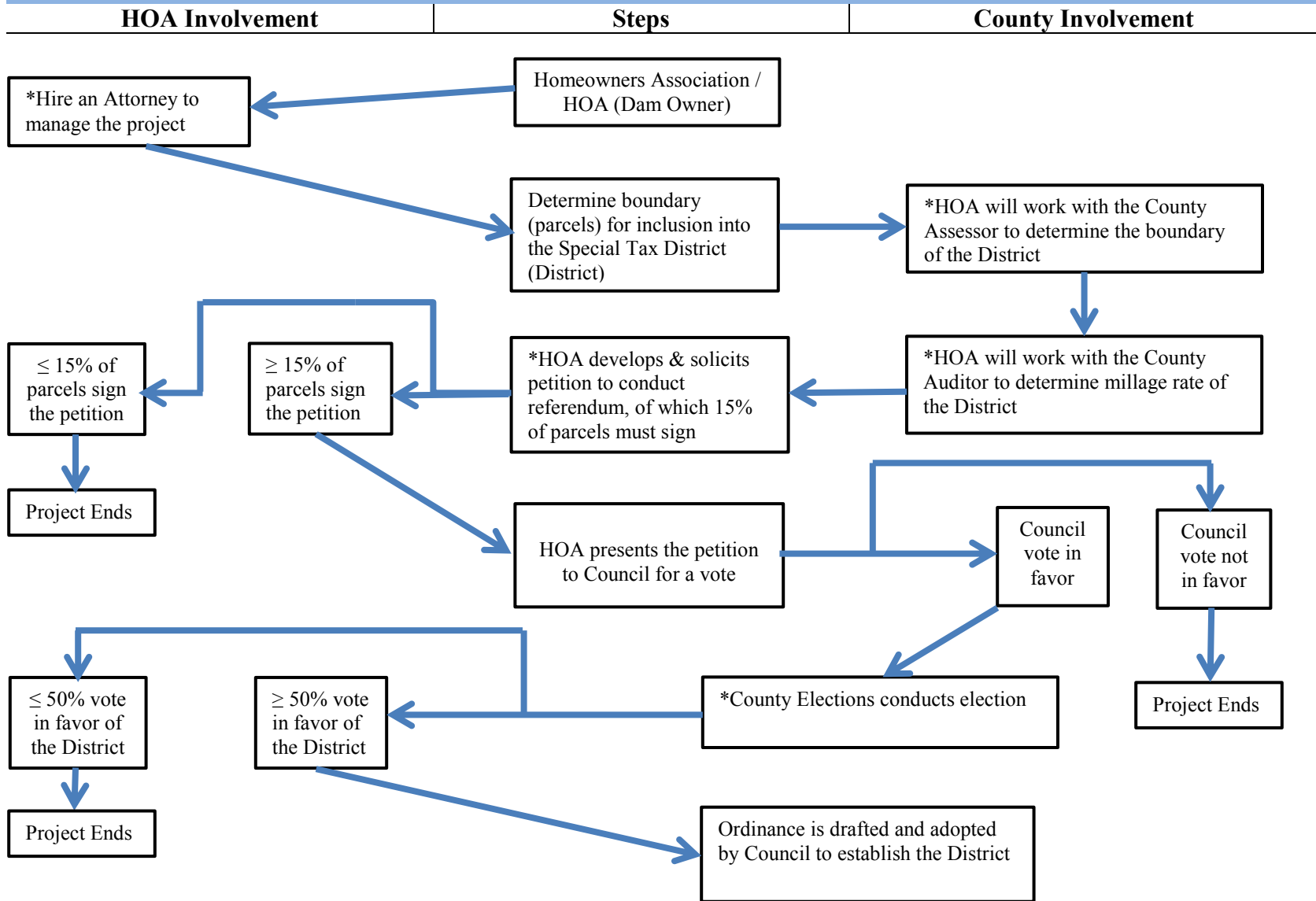
(16.1) to enact ordinances to regulate solicitation within the county by requiring permits therefor, establish criteria for issuing such permits and provide for a fine of one hundred dollars or thirty days' imprisonment for violations; and

(16.2) To obtain injunctive relief in the Court of Common Pleas to abate nuisances created by the operation of business establishments in an excessively noisy or disorderly manner which disturbs the peace in the community in which such establishments are located. Such injunctive relief shall be initiated by petition of the County Attorney in the name of the County Council not sooner than ten days following noncompliance with a written notice to the owner of the offending establishment or his agent to cease and desist in the conduct or practice which disturbs the peace and good order of the area. The provisions of this item are supplemental to Chapter 43 of Title 15.

(17) to exercise such other powers as may be authorized for counties by the general law. The governing body of any county shall not create a special tax district, other than watershed district, any portion of which falls within the corporate boundaries of a municipality, except upon the concurrence of the governing body of the municipality.

HISTORY: 1962 Code Section 14-3703; 1975 (59) 692; 1976 Act No. 601; 1976 Act No. 693; 1977 Act No. 74; 1982 Act No. 420; 1988 Act No. 312, Section 1, eff February 24, 1988; 1988 Act No. 495, Section 1, eff May 9, 1988; 1989 Act No. 176, Section 2, eff June 6, 1989; 1991 Act No. 114, Sections 1, 2, eff June 5, 1991; 1994 Act No. 405, Section 1, eff May 24, 1994; 1999 Act No. 113, Section 21, eff June 30, 1999.

## Steps for Establishing Special Tax District



\*Associated costs will be paid by the HOA

## A RESOLUTION

### CERTIFYING A PETITION RECEIVED BY RICHLAND COUNTY, SOUTH CAROLINA, PURSUANT TO SECTION 4-9-30(5)(a) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, AND OTHER MATTERS RELATING THERETO.

BE IT RESOLVED BY THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AS FOLLOWS:

#### Section 1 – Findings of Fact

Incident to the adoption of this resolution (this “*Resolution*”), the Richland County Council (the “*Council*”), the governing body of Richland County, South Carolina (the “*County*”), finds that the facts set forth in this Article exist and the statements made with respect to thereto are in all respects true and correct:

A. The County is a body politic and corporate of the State of South Carolina (the “*State*”) and as such possesses all general powers granted to counties of the State.

B. The Council has received a petition (the “*Petition*”) requesting that a referendum be held with respect to the establishment of a special tax district (the “*District*”) within the area of the County commonly known as “Upper Rockyford Lake.” The Petition, including a map of the proposed District and a list of the properties to be located in the District, is attached hereto as Exhibit A. The Petition requests the formation of the District, the delivery of public services within the District, including but not limited to the rehabilitation of the Upper Rockyford Lake Dam and ongoing maintenance, repairs and improvements related to the operations of the District, the levy and collection of taxes and/or service charges within the area of the District and the issuance of general obligation bonds of the County for the benefit of the District, as the case may be.

C. Section 4-9-30(5)(a)(i) of the Code of Laws of South Carolina, 1976, as amended (“*Section 4-9-30(5)(a)(i)*”) provides that the Petition must contain a description of the proposed District and each signatory’s signature and address. Section 4-9-30(5)(a)(i) further provides that the Petition must be signed by at least fifteen percent of the electors in the proposed District.

#### Section 2 – Determinations Regarding the Petition

The Council has determined that:

A. the Petition satisfies the basic requirements of Section 4-9-30(5)(a)(i);

B. on the basis of a certification from the Richland County Voter Registration and Elections Commission (the “*Election Commission*”), as attached hereto as Exhibit B, there are 129 registered voters within the proposed District and 52 valid signatures on the Petition; and

C. the Petition has been signed by the requisite number of electors.



**Section 3.- Certification of Petition**

Having found that the Petition meets the requirements of Section 4-9-30(5)(a)(i), the Council certifies the Petition to the Election Commission and orders that a referendum or referenda be held on the questions generally presented in the Petition. The referendum shall be held on such date as may be determined by the Election Commission in consultation with the persons submitting the Petition on behalf of the proposed District.

**Section 4 – Public Purpose for the District**

Subject to the results of the referendum creating the District, the County believes that the operations of the District shall constitute a governmental and public purpose in compliance with the provisions of Section 4-9-30(5)(a) of the Code of Laws of South Carolina, 1976, as amended. Specifically, the District’s delivery of public services by and through the reconstruction of the Upper Rockyford Lake Dam and the ongoing maintenance, repairs and improvements related to the operations of the District directly involve, indirectly aid or are otherwise related to the following functions: roads, drainage, public health, transportation, economic development, planning, public safety and disaster preparedness.

**Section 5 – Approval of Fee Agreement with the Upper Rockyford Lake Home Owners Association**

In addition to the authorizations recited herein, the County and the Upper Rockyford Lake Homeowners Association (the “*HOA*”) may determine to enter into an agreement regarding costs of the referendum (the “*Fee Agreement*”), the form of which is attached hereto as Exhibit C. The County Administrator is hereby granted all such powers and authority as may be necessary and appropriate to further negotiate and execute the Fee Agreement and related documents and to take such other actions as may be needed to deliver the Fee Agreement.

**DONE IN A MEETING DULY ASSEMBLED**, this 5th day of April, 2016.

**RICHLAND COUNTY, SOUTH CAROLINA**

\_\_\_\_\_  
Chairman, County Council of  
Richland County, South Carolina

[SEAL]

Attest:

\_\_\_\_\_  
Clerk to County Council  
Richland County, South Carolina

Exhibit A – Copy of Petition

PETITION

TO THE COUNTY COUNCIL OF RICHLAND COUNTY REQUESTING A REFERENDUM TO ESTABLISH A SPECIAL TAX DISTRICT PURSUANT TO SECTION 4-9-30(5)(a)(i) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED

We, the undersigned electors residing in that certain area generally referred to as Upper Rockyford Lake, located in unincorporated Richland County, South Carolina, and more particularly shown on the attached map incorporated herein by reference, hereby petition the County Council of Richland County, as the governing body of Richland County, to hold a referendum to create a special tax district pursuant to Section 4-9-30(5)(a)(i) of the Code of Laws of South Carolina, 1976, as amended. The area constituting the special tax district, which shall be known as the "Upper Rockyford Lake Special Tax District", includes sixty-one (61) parcels surrounding Upper Rockyford Lake, all as more specifically described in the attached list of tax-map numbers, addresses and names incorporated herein by reference. The purpose of the special tax district is to provide funds for the delivery of public services affecting such district, including monies necessary to pay for the costs of rehabilitating the Upper Rockyford Lake Dam and to provide for ongoing maintenance, repairs and improvements related to the operations of the area constituting the special tax district. The question of creating a special tax district shall authorize: (a) the purposes for the district; (b) the issuance of general obligation bonds of the tax district in an amount not exceeding one million five hundred thousand dollars (\$1,500,000); and (c)(i) an annual tax levy not to exceed 150 mills for the life of the special tax district, or (ii) an annual user service charge levied against each parcel within the special tax district in an amount not exceeding \$1,500 for the life of the special tax district.

By affixing your signature below, you acknowledge that you have read this Petition in its entirety and are petitioning Richland County Council for the creation of the Upper Rockyford Lake Special Tax District.

NAME	ADDRESS	NO.	SIGNATURE
<i>Robert D. Davis</i>	<i>3345 Northshore Rd</i>	<i>39</i>	
<i>Donald M. Davis</i>	<i>3346 Northshore Rd</i>		
<i>Eugene Davis</i>	<i>3524 Northshore Rd</i>	<i>24</i>	<i>Eugene Davis</i>
<i>Janet M. Crawford</i>	<i>3462 Northshore Rd</i>	<i>31</i>	<i>Janet M. Crawford</i>
<i>Jonathan Harvey</i>	<i>3614 Northshore Rd</i>	<i>21</i>	<i>Jonathan Harvey</i>
<i>Cecilia B. Fairnil</i>	<i>3601 Overcreek Rd</i>	<i>40</i>	<i>Cecilia B. Fairnil</i>
<i>Ally Fowers</i>	<i>3601 Overcreek Rd</i>	<i>40</i>	<i>Ally Fowers</i>
<i>John H. H.</i>	<i>3742 Northshore Rd</i>	<i>11</i>	<i>John H. H.</i>
<i>Norman Howard</i>	<i>3361 Overcreek Rd</i>	<i>54</i>	<i>Norman Howard</i>
<i>NORMAN HOWARD</i>	<i>3401 Overcreek Rd</i>	<i>53</i>	<i>Norman Howard</i>



PETITION

TO THE COUNTY COUNCIL OF RICHLAND COUNTY REQUESTING A REFERENDUM TO ESTABLISH A SPECIAL TAX DISTRICT PURSUANT TO SECTION 4-9-30(5)(a)(i) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED

We, the undersigned electors residing in that certain area generally referred to as Upper Rockyford Lake, located in unincorporated Richland County, South Carolina, and more particularly shown on the attached map incorporated herein by reference, hereby petition the County Council of Richland County, as the governing body of Richland County, to hold a referendum to create a special tax district pursuant to Section 4-9-30(5)(a)(i) of the Code of Laws of South Carolina, 1976, as amended. The area constituting the special tax district, which shall be known as the "Upper Rockyford Lake Special Tax District", includes sixty-one (61) parcels surrounding Upper Rockyford Lake, all as more specifically described in the attached list of tax-map numbers, addresses and names incorporated herein by reference. The purpose of the special tax district is to provide funds for the delivery of public services affecting such district, including monies necessary to pay for the costs of rehabilitating the Upper Rockyford Lake Dam and to provide for ongoing maintenance, repairs and improvements related to the operations of the area constituting the special tax district. The question of creating a special tax district shall authorize: (a) the purposes for the district; (b) the issuance of general obligation bonds of the tax district in an amount not exceeding one million five hundred thousand dollars (\$1,500,000); and (c)(i) an annual tax levy not to exceed 150 mills for the life of the special tax district, or (ii) an annual user service charge levied against each parcel within the special tax district in an amount not exceeding \$1,500 for the life of the special tax district.

By affixing your signature below, you acknowledge that you have read this Petition in its entirety and are petitioning Richland County Council for the creation of the Upper Rockyford Lake Special Tax District.

NAME	ADDRESS	NO.	SIGNATURE
Cheryl Dinklage	6320 Goldbranch Rd	3	Cheryl Dinklage
Thomas B. Dinklage	6320 Goldbranch Rd	3	Thomas B. Dinklage
James Kinn	3646 Northshore Rd	78	James Kinn
Alisa Beam	3454 Northshore Rd	32	Alisa Beam
David A. Maxfield	3461 Overcreek Rd.	48	David A. Maxfield
Vicky T Grant	3515 Overcreek Rd	45	Vicky T Grant
Connie Rosenblum	3532 Northshore Rd.	23	Connie Rosenblum
Saul Rosenblum	3532 Northshore Rd	23	Saul Rosenblum
Kenneth J Grant	3515 Overcreek Rd	45	Kenneth J Grant
Michael O'Keefe	3439 Overcreek Rd	49	Michael O'Keefe



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NAME	ADDRESS	NO.	SIGNATURE
RANDY W. KIM	3721 NORTHSHORE RD	13	<i>[Signature]</i> For NANCY C. Kim
Maurice E. Duperré	3816 Northshore Rd	9	<i>[Signature]</i>
Ganwood Wells	3800 Northshore Rd.	10	<i>[Signature]</i>
Rebbie Banker	3826 Northshore Rd	8	<i>[Signature]</i> Trustee
SARAH Kummer	3834 Northshore Rd	7	<i>[Signature]</i>
Barbara Goff	3842 Northshore Rd	6	<i>[Signature]</i>
Matthew Kummer	3834 Northshore Rd	7	<i>[Signature]</i>
<i>[Signature]</i>	3470 Northshore Rd	30	<i>[Signature]</i>
<i>[Signature]</i>	3470 Northshore Rd	30	<i>[Signature]</i>



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NAME	ADDRESS	NO.	SIGNATURE
Thomas Teah	3547 Overcreek Rd.	42	<i>Thomas Teah</i>
Jenna Teah	3547 Overcreek Rd.	42	<i>Jenna Teah</i>
Yissa Ham	3614 Northshore Rd	21	<i>Yissa Ham</i>
Wendy Love	3711 Overcreek Rd	35	<i>Wendy Love</i>
Joseph H. Chambers	3716 Northshore Rd	14	<i>Joseph H. Chambers</i>
Henriette Chambers	3716 Northshore Rd	14	<i>Henriette Chambers</i>
Barbara Kubodera	3508 Northshore Rd	26	<i>Barbara Kubodera</i>
Kuniharu Kubodera	3508 Northshore Rd	26	<i>Kuniharu Kubodera</i>
Heather Cairns	3559 Overcreek Rd	41	<i>Heather Cairns</i>
Ann Barton	3559 Overcreek Rd	41	<i>Ann Barton</i>



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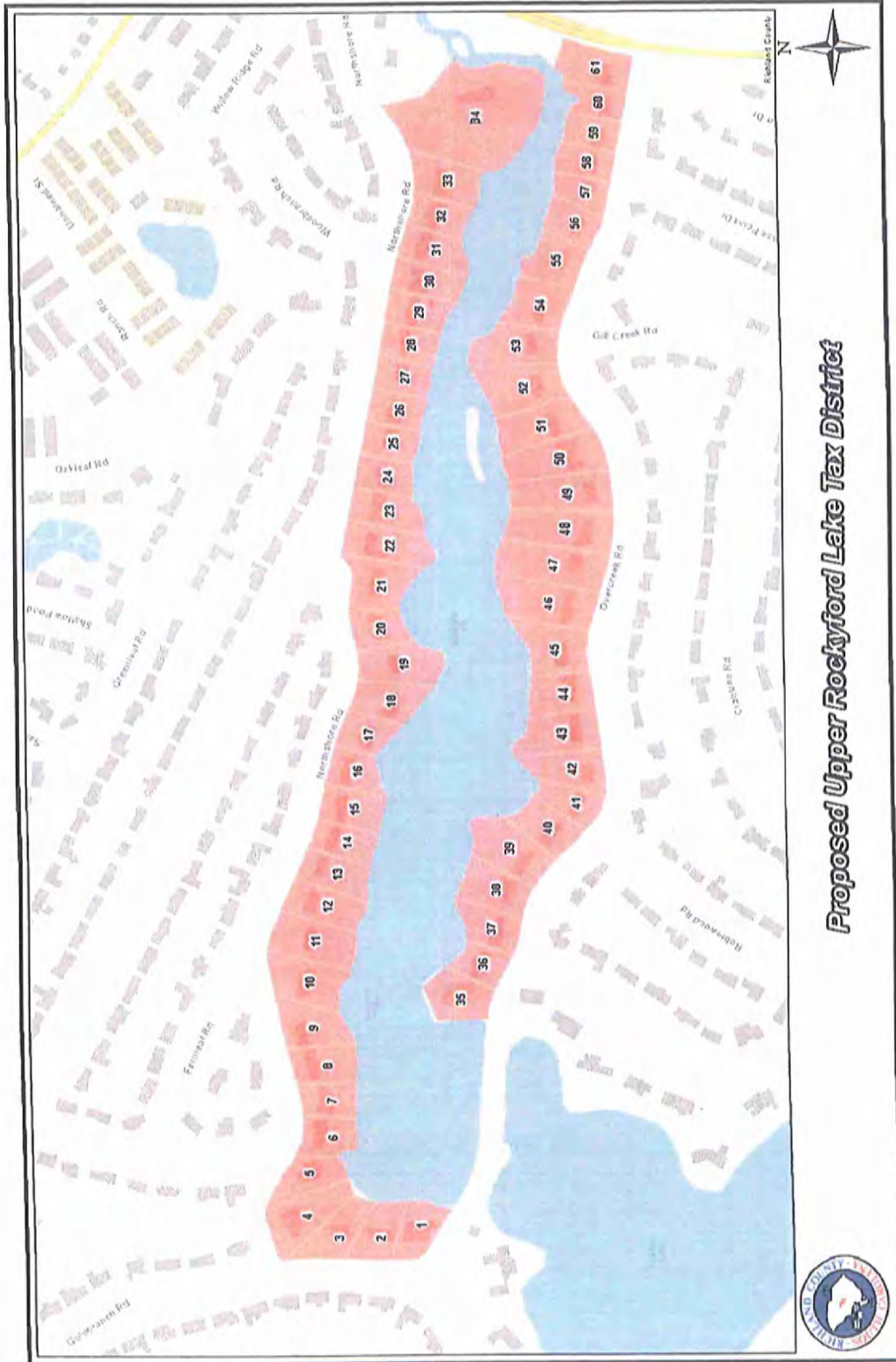
NAME	ADDRESS	NO.	SIGNATURE
Wilson McElveen	3347 Overcreek Rd.	56/15	Wilson McElveen
Marc Harari	3335 Overcreek Rd	57/14	Marc Harari
William Winstew	3357 Overcreek Rd	16	William Winstew
Sharon McElveen	3347 Overcreek Rd.	6	Sharon McElveen
Andrea White	3630 Northway	20	Andrea White
Mary Jo Lake	3446 Northshore Rd	36	Mary Jo Lake
Daniel S. Lok	3446 Northshore Rd	26	Daniel S. Lok
Anne Graybill	3407 Overcreek Bl.	52	Anne Graybill







Map of Proposed Tax District





List of Properties included in the Proposed Upper Rockyford Lake Special Tax District

#	Parcel	Address	Name
1	R16806-03-06	6300 GOLDBRANCH RD	EDWARDS VAN E III & BETTE F EDWARDS
2	R16806-03-07	6310 GOLDBRANCH RD	MYERSON JOEL A & GRETA D LITTLE
3	R16806-03-08	6320 GOLDBRANCH RD	TIMBERLAKE CHERYL M & THOMAS BALL TIMBERLAKE
4	R16806-03-01	3850 NORTHSHORE RD	CRAWFORD GEDDINGS H & KARLA E BRANNON /SURVIVORSHIP
5	R16806-03-02	3838 NORTHSHORE RD	GIBBONS CARLOS W JR & ANNE MARIE R/JTWRS
6	R16806-03-03	3842 NORTHSHORE RD	GOFF BARBARA DENT
7	R16806-03-04	3834 NORTHSHORE RD	KUMMER SARAH E
8	R16806-03-05	3826 NORTHSHORE RD	OPTED OUT
9	R16810-04-01	3816 NORTHSHORE RD	DUPERRE MAURICE R & AUDREY A
10	R16810-04-02	3800 NORTHSHORE RD	WELLS GARWOOD MONK
11	R16810-04-03	3742 NORTHSHORE RD	HERBKERSMAN JOSEPH F & GAYLE D
12	R16810-04-04	3734 NORTHSHORE RD	MCLEESE SUE C
13	R16810-04-05	3724 NORTHSHORE RD	KING NANCY C
14	R16810-04-06	3716 NORTHSHORE RD	CHAMBERS HENRIETTA STRIEBY & TODD HENEGER CHAMBERS
15	R16810-04-07	3708 NORTHSHORE RD	FOURNIL JEAN-PIERRE M & NICOLE M/JTWRS
16	R16810-04-08	3700 NORTHSHORE RD	BALLOU PAUL C
17	R16810-04-09	3654 NORTHSHORE RD	BRADLEY JOSHUA D
18	R16810-04-10	3646 NORTHSHORE RD	KORN JAMES A & ARDEN E
19	R16810-04-11	3636 NORTHSHORE RD	HOROVITZ JEFFREY H
20	R16810-04-12	3630 NORTHSHORE RD	WHITE ANDREA E
21	R16810-04-13	3614 NORTHSHORE RD	/SURVIVORSHIP
22	R16810-04-14	3540 NORTHSHORE RD	RUSH GAYLE B & CYRIL B JR
23	R16810-04-15	3532 NORTHSHORE RD	ROSENBLUM SAUL J & CONSTANCE B
24	R16810-04-16	3524 NORTHSHORE RD	LONG EUGENE P

List of Properties included in the Proposed Upper Rockyford Lake Special Tax District

2			
5	R16810-04-17	3516 NORTHSHORE RD	LEVINSON FAYE L
2			KUBODERA BARBARA & KUNIHARU
6	R16810-04-18	3508 NORTHSHORE RD	J/T W/R OF SURVIVORSHIP
			HAYNSWORTH JAMES LAFAYETTE IV
2			& GINA LISA
7	R16810-04-19	3500 NORTHSHORE RD	PAUL W JR & JEAN E OWEN
2			KARMAUS WILFRIED & GERHILD
8	R16810-04-20	3486 NORTHSHORE RD	ULLMANN
2			JOYCE STEWART BRICK TRUST
9	R16810-04-21	3478 NORTHSHORE RD	REBECCA ETTA JONES
3			LAWHORNE ISABEL G
0	R16810-04-22	3470 NORTHSHORE RD	& PEGGY M RIDDICK
3			
1	R16814-04-01	3462 NORTHSHORE RD	CRAWFORD PAMELA M & JOHN MARK
3			
2	R16814-04-02	3454 NORTHSHORE RD	OPTED OUT
3			
3	R16814-04-03	3346 NORTHSHORE RD	COLE DANIEL S & MARY JO
3			COBB GEORGE M &
4	R16814-04-19	3348 NORTHSHORE RD	CONNIE L
3			EVELYN JONES LOVE
5	R16810-05-01	3711 OVERCREEK RD	REVOCABLE TRUST
3			
6	R16810-05-02	3703 OVERCREEK RD	CHOW ROSEMARY Y LIFE ESTATE
3			LOPEZ ROBERT A &
7	R16810-05-03	3701 OVERCREEK RD	AUDREY SURVIVORSHIP
3			
8	R16810-05-04	3615 OVERCREEK RD	TAYLOR KAREN L
3			
9	R16810-05-05	3609 OVERCREEK RD	EWING DAVID L & KATHLEEN O
4			
0	R16810-05-06	3601 OVERCREEK RD	OPTED OUT
4			
1	R16810-05-07	3559 OVERCREEK RD	OPTED OUT
4			
2	R16810-05-08	3547 OVERCREEK RD	TEUBER THOMAS J & DONNA G
4			
3	R16810-05-09	3535 OVERCREEK RD	SRIBNICK MARTHA M
4			
4	R16810-05-10	3525 OVERCREEK RD	GIBBON ROBERT JOHN
4			GRANT KENNETH F &
5	R16810-05-11	3515 OVERCREEK RD	VICKY T TRUSTEES
4			MOSCOWITZ DAVID M &
6	R16810-05-12	3501 OVERCREEK RD	LEIGH M
4			
7	R16810-05-13	3483 OVERCREEK RD	GIBSON JAMES J & LOIS R

List of Properties included in the Proposed Upper Rockyford Lake Special Tax District

4			
8	R16810-05-14	3461 OVERCREEK RD	OPTED OUT
4			O'KEEFE JAMES MICHAEL &
9	R16810-05-15	3439 OVERCREEK RD	JORDAN TODARO O'KEEFE
5			
0	R16810-05-16	3427 OVERCREEK RD	FIELDS RANDALL D & GERI D
5			
1	R16810-05-17	3417 OVERCREEK RD	SALOMON HILEL B & IOLE H
5			GRAYBILL WESLEY M &
2	R16810-05-18	3407 OVERCREEK RD	ANNE M
5			HOWARD NORMAN W JR &
3	R16810-05-19	3401 OVERCREEK RD	MARSHA D
5			YOOS HERMAN ROBERT &
4	R16810-05-20	3361 OVERCREEK RD	CINDY PARKER YOOS/SURVIVORSHIP
5			WINSLOW WILLIAM J &
5	R16814-04-16	3357 OVERCREEK RD	KIMBERLY O
5			
6	R16814-04-15	3347 OVERCREEK RD	MCELVEEN SHARON AIMAR
			HARARI MARC J &
5			CAROLYN HINKLER-HARARI
7	R16814-04-14	3335 OVERCREEK RD	SURVIVORSHIP
5			
8	R16814-04-13	3327 OVERCREEK RD	BRISTOL THOMAS
5			TAYLOR KENNETH A &
9	R16814-04-12	3319 OVERCREEK RD	LINDA S
6			BURNS MARK JUDSON &
0	R16814-04-11	3311 OVERCREEK RD	ALI SURVIVORSHIP
6			FADELEY RICHARD C &
1	R16814-04-10	3303 OVERCREEK RD	MARIE B

Exhibit B – Certificate of Election Commission



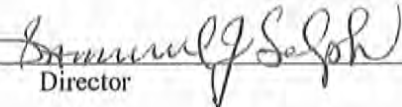
**CERTIFICATE OF  
RICHLAND COUNTY VOTER REGISTRATION AND ELECTIONS COMMISSION**

I, the undersigned Director of the Richland County Voter Registration and Elections Commission,  
**HEREBY CERTIFY THAT:**

1. On March 17, 2016, I was presented with a petition requesting a referendum to be held on the question of creating the Upper Rockyford Lake Special Tax District (the "District");
2. There are 129 qualified electors within the proposed District; and
3. The petition contains the names of 63 petitioner and of such petitioners, 52 of the signatures are registered voters within the proposed District and determined to be valid.

**IN WITNESS WHEREOF**, I have hereunto set my hand this \_\_th day of March, 2016.

**RICHLAND COUNTY VOTER REGISTRATION  
AND ELECTIONS**

By:   
Director

<b>PETITION CHECK WORKSHEET</b>		<b>Statement of Purpose</b> If candidate petition, enter name, office, and date of election.		Petition for Referendum - Upper Rockyford Lake Special District	
<b>Date Petition Submitted</b>		March 17, 2016		<b>Signatures on Petition</b>	
				63	
<b>County</b>		Richland		<b>Signatures Required</b>	
				19	
<b>Part I – Complete this section for all petitions.</b> If using percentage method, report at least the first 500 signatures here and complete Part II for remaining signatures.					
<b>A. Signatures Checked</b>				63	
<b>B. Signatures Rejected by Reason</b>					
Signature missing				1	
Insufficient information to locate record					
Not a registered voter				1	
Not a resident of district / area				5	
Inactive voter					
Not the voter's signature				4	
Duplicate signature					
<b>TOTAL</b>				<b>11</b>	
<b>C. Signatures Valid</b>				52	
<b>Part II – Complete this section only if using percentage method</b> (for petitions with more than 500 signatures).					
<b>D. Total Signatures to Which Percentage Method Applied</b>					
<b>E. Signatures Checked</b>					
<b>F. Signatures Rejected by Reason</b>					
Signature missing					
Insufficient information to locate record					
Not a registered voter					
Not a resident of district / area					
Inactive voter					
Not the voter's signature					
Duplicate signature					
<b>TOTAL</b>				<b>0</b>	
<b>G. Signatures Valid</b>				0	
<b>H. Signatures Valid via Percentage Method = [(G ÷ E) × D]</b>					
<b>Total Signatures Valid = (C + any total from line H)</b>				<b>52</b>	

Signature of Official

Supervising Petition Check: *Samuel J. Selph*

Date: 3/22/16

Exhibit C – Fee Agreement

**FEE AGREEMENT BETWEEN RICHLAND COUNTY, SOUTH CAROLINA AND THE UPPER ROCKYFORD LAKE HOME OWNER’S ASSOCIATION RELATED THE PAYMENT OF THE COSTS OF A SPECIAL ELECTION**

This Fee Agreement (“*Agreement*”) is entered into this \_\_\_\_ day of \_\_\_\_\_, 2016 by and between Richland County, South Carolina (the “*County*”) and the Upper Rockyford Lake Home Owner’s Association (the “HOA” and together with the County, each a “*Party*” or acting together, the “*Parties*”).

WHEREAS, the Richland County Elections and Voter Registration Commission (the “*Commission*”), conducts elections, from time to time, for various entities as may be requested by those entities;

WHEREAS, the County provides the annual budget for the Commission;

WHEREAS, elections cost money and County policy dictates that the entities requesting elections shall bear the costs of holding such elections;

WHEREAS, the HOA, acting through a consortium of petitioners, has requested a special election to be held regarding the creation of a special taxing district (the “*Special Election*”); and

WHEREAS, the HOA and the County have determined to enter into this Agreement regarding responsibility for payment of the costs of the Special Election.

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, each of which are acknowledged by the Parties, the Parties hereto agree as follows:

1. For the Special Election, the HOA shall pay to the County all election expenses associated with the conducting of the Special Election, including, but not limited to, clerk and manager pay, paper ballot expenses, mailing costs, office supplies, rent for polling places, and County employee overtime, if necessary.
2. The County may, prior to the Special Election, provide an itemized estimate of expenses for the Special Election. After the Special Election, the County will invoice the HOA for all actual expenses incurred in conducting the Special Election. Personnel expenses for County employees under this section shall be compiled at the hourly rate of the amount budgeted in the County’s annual budget, or at an overtime rate as applicable.
3. The HOA shall reimburse the County within 30 days of receipt of the invoice from the County.
4. The term of this Agreement shall be for a period of one (1) year commencing on the date of execution, and for such extension of time and upon such terms as may be mutually agreed upon in writing by the Parties.
5. The County or the HOA may terminate this agreement with thirty (30) days written

notice to the other Party.

6. In the event either Party shall fail to comply with its obligations set forth in the Agreement, and such default shall continue for a period of thirty (30) days after written notice of default has been provided by the other Party, then the complaining party shall be entitled to pursue any and all remedies provided under South Carolina law and/or terminate this Agreement.

7. The failure of either Party to insist upon the strict performance of any provision of this Agreement shall not be deemed to be a waiver of the right to insist upon strict performance of such provisions or of any other provision of this Agreement at any time. Waiver of any breach of this Agreement by either party shall not constitute waiver of subsequent breach.

8. 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.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, in duplicate original, the day and year first above written.

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
W. Anthony McDonald, Administrator  
Richland County, South Carolina

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Tom Teuber, President  
Upper Rockyford Lake HOA

## Richland County Council Request of Action

**Subject:**

Council Motion Regarding Adherence to County Policies

March 22, 2016 – The Committee forwarded this item to Council without a recommendation.

## Richland County Council Request of Action

**Subject:**

A Second Supplemental Ordinance providing for the issuance and sale of Richland County, South Carolina, Hospitality Tax Revenue Bonds, Taxable Series 2015, or such other appropriate series designation, in the principal amount of not exceeding \$13,500,000; delegating authority to the County Administrator to determine certain matters with respect to the bonds; prescribing the form and details of such bonds; and other matters relating thereto [FIRST READING BY TITLE ONLY]



STATE OF SOUTH CAROLINA  
COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_\_

A SECOND SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF RICHLAND COUNTY, SOUTH CAROLINA, HOSPITALITY TAX REVENUE BONDS, TAXABLE SERIES 2015, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$13,500,000; DELEGATING AUTHORITY TO THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS WITH RESPECT TO THE BONDS; PRESCRIBING THE FORM AND DETAILS OF SUCH BONDS; AND OTHER MATTERS RELATING THERETO.

## Water Park Overall Timeline

October 1, 2013	Feasibility Study submitted to County
May 1, 2014	Htax Ad Hoc Committee hears report on feasibility study from HLA
June 1, 2014	Motion made at 3rd reading, Water Park approved in concept
June 1, 2014	Htax Ad Hoc Committee discusses financing options
July 1, 2014	Economic Development Committee receives update on Water Park from staff
August 1, 2014	Water Park Request for Proposals (first RFP) released
September 1, 2014	Request for Proposal closing date
October 28, 2014	Selection Team provides ranking to EDC
October 28, 2014	Council directed staff to begin negotiation with highest ranked firm
December 9, 2014	Council directed staff to proceed with the due diligence in the proposal
January '14- Apr '15	Staff negotiating both construction and operating agreements with Hawaiian Fall
April 11, 2015	Receive letter from HF stating sale of Parent company, which halts negotiations
May 15, 2015	Re-solicitation of Water Park
June 16, 2015	Proposal deadline for re-solicitation
July 17, 2015	Selection Team hears presentations from 2 highest ranked firms
July 21, 2015	Council approves beginning negotiation with highest ranked firm
August '15- Dec '15	Staff negotiating both construction and operating agreements with vendor
December 8, 2015	Council directs staff to execute construction and operating agreements
December 15, 2015	Council does not approve funding plan which includes the Water Park
March 15, 2015	Funding plan specific to Water Park deferred to a future meeting

# Water Park Overview

\* Staff has negotiated 2 separate contracts: Operations Agreement and Construction Contract

<b>Operations Agreement (Innovative Attraction Management)</b>
Term of the agreement is 40 years
Consultant will manage, operate and maintain the Water Park
All employees will be employees of the Consultant not the County
County will be involved in reviewing all policies, plans, procedures and fees
Consultant paid a base management fee of \$170,000 annually
Fee increased annually based on CPI
Incentive management fee of 20% of Net Operating Income
Revenues will first be used to pay annual debt service
6% of Gross Revenue deposited into Capital Reserve
Consultant will provide Operating Budget, Capital Maintenance Plan and CIP annually
County will own the land and all Water Park amenities

<b>Construction Contract (MB Kahn)</b>
Total cost for construction is \$18,500,000
Amenities include water slides of varying complexity, wave pool, lazy river, child water feature, picnic/event shelter, cabanas, concessions, and parking
Water Park will be constructed in a way that avoids the Gas and Powerline Easements
Traffic Impact Study included as part of Consultants proposal
SLBE goal of 15% of which John Bowman Architects will provide some design services
Construction to be complete and park ready to open Memorial Day
Construction contract will be completely separate from Operations agreement
Contractor for the Construction Contract is MB Kahn
Adventure Park is proposed to be phased in at a later date

## Water Park - Performance Comparison

### Most Likely Scenario

	2017	2018	2019	2020	2021	2022
Attendance	160,331	168,347	176,765	185,603	194,883	204,627
Operating Income	\$ 774,888	\$ 965,132	\$ 1,158,484	\$ 1,278,458	\$ 1,443,303	\$ 1,561,184
Capital Reserve	\$ 222,247	\$ 233,359	\$ 245,028	\$ 257,279	\$ 270,143	\$ 283,649
Net Income - Available for Debt Service	\$ 552,641	\$ 731,773	\$ 913,456	\$ 1,021,179	\$ 1,173,160	\$ 1,277,535
Debt Service	\$ 986,000	\$ 986,000	\$ 986,000	\$ 986,000	\$ 986,000	\$ 986,000
Excess/shortfall after debt service before Incentive	\$ (433,359)	\$ (254,227)	\$ (72,544)	\$ 35,179	\$ 187,160	\$ 291,535

- The current plan reduces the project budget from \$20m to \$18.5m
- Council approved an operating contract with IAM in Decemebr 2015 with terms of
  - \* \$170,000 annually with an increase based on CPI
  - \* an amount equal to 20% of excess after debt service annually
- Assumptions included in the numbers above
  - \* Annual incentive payment is not included
  - \* Attendance and revenue per person are provided by IAM
  - \* Debt service payment is calculated using 30 year debt  
Debt structure will require \$986,000 annual reservation of Hospitality Tax Funds for debt coverage. The
  - \* funds would only be accessed if the park operation does not generate enough funds to pay the debt service



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

**Applicant must reside in Richland County.**

Name: Margaret Middleton Sumpter

Home Address: 709 Harmon Road Hopkins, SC 29061

Telephone: (home) (803) 708-3249 (work) (803) 260-1731

Office Address: 1601 Clarkson Road, Hopkins, SC 29061

Email Address: mwestsumpter@yahoo.com

Educational Background: Midlands Technical College & Columbia College

Professional Background: State Government and Nonprofit Organizations

Male  Female

Age: 18-25  26-50  Over 50

Name of Committee in which interested: Transportation Penny Advisory Committee

Reason for interest: I am interested in making sure fundings and contracts are ethical and allocated to the correct source.

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

My communication, leadership, committment, organizational, professional, integrity and ethical qualifications would be an asset to the TPAC.

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give? Respectable citizen of Richland County

Recommended by Council Member(s): Councilman Seth Rose

Hours willing to commit each month: 15-20 hours

**CONFLICT OF INTEREST POLICY**

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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.

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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  \_\_\_\_\_

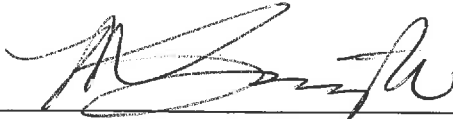
#### STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

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?

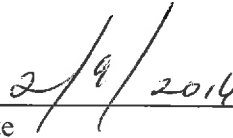
Yes \_\_\_\_\_ No  \_\_\_\_\_

If so, describe: \_\_\_\_\_

\_\_\_\_\_



Applicant's Signature



Date

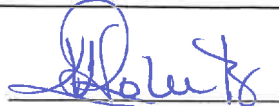
#### Return to:

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: <u>2-24-16</u>	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: David Via

Home Address: 10 Monarch Lane Columbia SC 29229

Telephone: (home) 803-476-7306 (work) \_\_\_\_\_

Office Address: \_\_\_\_\_

Email Address: dvia@sc.rr.com

Educational Background: Some College

Professional Background: Network Engineer

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

Name of Committee in which interested: TPAC

Reason for interest: To ensure the integrity of the program and funding

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:  
In my profession profession and fiscal responsibility coupled with planning and execution are paramount

Presently serve on any County Committee, Board or Commission? —

Any other information you wish to give? —

Recommended by Council Member(s): Referred by Councilman Manning

Hours willing to commit each month: depends on Need

**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 \_\_\_\_\_

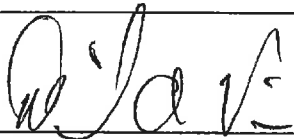
**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

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: \_\_\_\_\_

\_\_\_\_\_

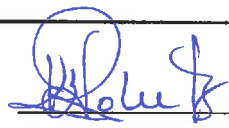
  
Applicant's Signature

3/17/16  
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.**

		<b>Staff Use Only</b>	
		Date Received: <u>3-17-16</u>	Received by: <u></u>
2	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: Jason C. McLees

Home Address: 81 Sand Oak Court, Blythewood, SC 29016

Telephone: (home) 803.708.3363 (work) 803.333.5816

Office Address: 10301 Wilson Blvd, Blythewood, SC 29016

Email Address: jasonmclees@yahoo.com

Educational Background: Graduate school

Professional Background: Information Technology, Richland County Election Commission

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

Name of Committee in which interested: Transportation Penny Tax Committee

Reason for interest: To help ensure that the money being collected by Richland County is being used for the purposes it was intended for; Bus System, New Road Ways and Green Ways

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

I hold a Bachelor of Science in BADM and will hold a MS of Project Management from Drexel University by September of 2016. I am also starting my Master's at CIU in September for a degree in CICS. All of these will help me make better decisions on behalf of Richland County residents; and I care about Richland County.

Presently serve on any County Committee, Board or Commission? RC election commission as a Poll Clerk

Any other information you wish to give? I am married with 3 children

Recommended by Council Member(s): N/A

Hours willing to commit each month: 10-20

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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

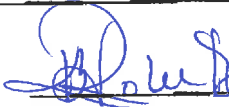
*[Handwritten Signature]*  
Applicant's Signature

17 MAR 16  
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.**

<b>Staff Use Only</b>		
Date Received: <u>3-17-16</u>	Received by: <u></u>	
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: Jason C. McLees

Home Address: 81 Sand Oak Court, Blythewood, SC 29016

Telephone: (home) 803.708.3363 (work) 803.333.5816

Office Address: 10301 Wilson Blvd, Blythewood, SC 29016

Email Address: jasonmclees@yahoo.com

Educational Background: Graduate school

Professional Background: Information Technology, Richland County Election Commission

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

Name of Committee in which interested: Board of Zoning Appeals

Reason for interest: To help ensure our county areas are utilized in the proper manner by residents and commercial businesses.

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

I hold a Bachelor of Science in BADM and will hold a MS of Project Management from Drexel University by September of 2016. I am also starting my Master's at CIU in September for a degree in CICS. All of these will help me make better decisions on behalf of Richland County residents; and I care about Richland County.

Presently serve on any County Committee, Board or Commission? I work for the RC election commission as a Poll Clerk

Any other information you wish to give? I am married with 3 children

Recommended by Council Member(s): N/A

Hours willing to commit each month: 10-20

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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_


Adam C. Mises  
Applicant's Signature

17 MAR 16  
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.**

<b>Staff Use Only</b>			
Date Received:	<u>3-17-16</u>	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: LaTonya B. Derrick

Home Address: 105 Hyer Court Columbia, SC 29223

Telephone: (home) (803) 714-0123 (work) (803) 361-6364

Office Address: 1230 Sumter Street, Suite 400 Columbia, SC 29201

Email Address: LaTonyaDerrick@gmail.com

Educational Background: B.S. & M.S. - Biology; PhD(c) - Public Policy & Administration

Professional Background: Public Health/Environmental Science/Public Policy & Planning

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

Name of Committee in which interested: Board of Zoning Appeals

Reason for interest: To encourage development and growth across the County through unbiased, fair, and ethical leadership

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:  
15+ year of State Government service - Compliance/Enforcement, Reg. Development, Strategic Planning, Doctoral studies to include urban planning and social justice

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give? Previously recommended for LRADAC

Recommended by Council Member(s): \_\_\_\_\_

Hours willing to commit each month: as much 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 XXX

**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 XXX

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

L. Herrick  
Applicant's Signature

March 17, 2016  
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.**

<b>Staff Use Only</b>	
Date Received: <u>3-17-16</u>	Received by: <u>[Signature]</u>
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: Derek Riley

Home Address: 810 Heidt St. Columbia, SC 29205

Telephone: (home) 803-530-0205 (work) 803-708-6561

Office Address: 1314 Lincoln St. Suite 303 Columbia, SC 29201

Email Address: Derek.Riley@Gmail.com

Educational Background: Bachelor of Civil Engineering, Master of Business Administration

Professional Background: Operations Supervisor

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

Name of Committee in which interested: Music Festival Commission

Reason for interest: I appreciate their mission of providing services to less advantaged groups and individuals within the County.

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

I have served as treasurer for a couple of arts/ entertainment groups and understand the need for facility space and fiscal assistance/ advisement such as CMFA offers.

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: 15

**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 volunteer for the Jam Room Foundation, which is currently using the CMFA as its fiscal agent. However, the organization receives no direct funding from the CMFA and the relationship will end upon JRF obtaining 501(c)(3) IRS status (application currently being assembled).

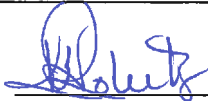
Derek Riley  
Applicant's Signature

26Feb16  
Date

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<b>Staff Use Only</b>	
Date Received: <u>2-29-16</u>	Received by: <u></u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	



Date: March 17, 2016

To: Rob Perry, PE  
Chris Gossett, PE

From: Sonny Timmerman, PE  
Anthony Lawrence, AIA

**RE: 2015 and 2016 Bikeway and Sidewalk Projects Termini Recommendations**

Dear Mr. Perry,

The PDT has assessed and evaluated nineteen (19) bikeway projects and sixteen (16) sidewalk projects for the 2016 program. Of those projects, we recommend that the termini for eleven (11) be altered from the 2012 referendum based on funding limitations, constructability, a change in existing conditions, safety, public input or right-of-way restrictions. Additional comments on these projects are listed in the table below.

**Recommended Modifications to 2016 Bikeway Projects**

Project No.	Project Name	Termini	Termini	Recommendations
246	Huger/Lady/Park	Gervais	Gervais	Sharrows exist on Lady St. Recommend Williams St. as alternate route for Huger. Remainder of project to be coordinated alternate route with similar connectivity with City of Columbia Walk Bike plan.
237	Gervais/Gladden/Hagwood/Page/Senate/Trenholm/Webster	Millwood	Beltline	PDT to coordinate Trenholm section with SCDOT 2015 resurfacing project. Remainder of the project to be coordinated with City. Remove Gervais route, see project #236.
236	Gervais	Park	Millwood	SCDOT has stated it will not allow bike lanes on Gervais due to safety. Coordinate alternate route with similar connectivity with City of Columbia Walk Bike plan.

**Recommended Modifications to 2016 Sidewalk Projects**

Project No.	Project Name	Termini	Termini	Recommendations
177	Pelham	Gills Creek Pkwy	Garners Ferry	Construct a sidewalk from Garners Ferry to entrance of Shoppes at Woodhills. Sidewalk exists from entrance of Shoppes at Woodhills to Gills Creek Parkway.
182	Royster	Superior	Mitchell	Existing conditions changed due to Rosewood Hills Development and Superior St. Rosewood Community has requested to construct sidewalk along Capers Av. as alternate sidewalk project.
186	Shandon	Wilmot	Wheat	Remove project due to public input.

150	Bratton	King	Maple	Construct a sidewalk from King to Fairview. Remove segment of project from Fairview to Maple due to public input on historic trees.
163	Grand	Shealy	Hydrick	Construct a sidewalk from Academy to I-277. Additional study required for section from I-277 to Hydrick.
189	Tryon	Catawba	Heyward	Construct a sidewalk from Catawba to Saluda River Trail walkway. Existing sidewalk from walkway to Heyward.
190	Two Notch	Alpine	Spears Creek Church	Existing sidewalk on west side from Alpine to Lionsgate Dr. Construct a sidewalk from Lionsgate Dr. to Spring Valley entrance. Remove segment from Spring Valley to Sesquicentennial park due to railroad bridge. Multi-use path from Sesquicentennial park to Spears Creek Church Rd. Multi-use path segment to be designed in conjunction with bikeway project.
167	Koon	Malinda	Farmview	Existing sidewalk on west side from Melinda to 500' past Prescott. Construct a sidewalk on west side of Koon. Extend new sidewalk on north side of Farmview to Fairwold Park per public input recommendations.