

**RICHLAND COUNTY COUNCIL  
REGULAR SESSION  
COUNCIL CHAMBERS  
MARCH 20, 2007  
6:00 P.M.**

**CALL TO ORDER**            **Honorable Joseph McEachern,  
Chairman**

**INVOCATION**            **Honorable Damon Jeter**

**PLEDGE OF ALLEGIANCE**  
**Honorable Damon Jeter**

**PRESENTATION:**        **Commissioner Hugh Weathers**  
  
**Richland Memorial Hospital  
Annual Report - Board of Trustees**

**ADOPTION OF AGENDA**

**APPROVAL OF MINUTES**

**Regular Session:    March 13, 2007 [Pages 7-19]**

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

**REPORT OF THE COUNTY ADMINISTRATOR**

- a.     Animal Care**
- b.     Recognition of Community Development**
- c.     Recognition of Detention Center Volunteers**

**REPORT OF THE CLERK OF COUNCIL**

- a.     SCAC County Focus Magazines**
- b.     Neighborhood Planning Conference – March 31<sup>st</sup>  
7:30 am-3:00 pm – Midlands Technical College  
Northeast Campus**

**REPORT OF THE CHAIRMAN**

**OPEN/CLOSE PUBLIC HEARINGS**

**1.a., 1.b., 1.k., 1.L., 1.m., 1.n., 1.o., 1.p.,**

**APPROVAL OF CONSENT ITEMS**

**1.a., 1.b., 1.c., 1.d., 1.e., 1.f., 1.g., 1.i., 1.j., 1.k., 1.L.,1.m., 1.n., 1.o.,  
2.a., 2.b., 2.c., 2.d.**

**1. THIRD READING ITEMS**

- a. Ordinance authorizing the issuance and sale of the Broad River Sewer System General Obligation Refunding Bonds of Richland County, South Carolina in the principal amount not to exceed \$16,500,000.00. [PUBLIC HEARING][CONSENT] [Pages 20-51]**
- b. Ordinance authorizing deed to Forum Development II, LLC for Lot 14 in the Richland Northeast Industrial Park (Portion of TMS #25800-04-01) [PUBLIC HEARING] [CONSENT] [Pages 52-53]**
- c. 06-63MA  
C. Douglas Caughman  
RU to GC (3.54 acres)  
Family Day Care & General Commercial  
19011-02-01 (p)  
378 & Old Garners Ferry Road [CONSENT]  
[Pages 54-56]**
- d. 06-64MA  
James Craig/Heritage Forest Development  
M-1 to RS-LD (26.23 acres)  
Single Family Residential Subdivision  
17600-02-04  
Wooten Road [CONSENT] [Pages 57-58]**
- e. 07-01MA  
Cynthia Stewart  
RU to OI (2 acres)  
Insurance Office  
25900-04-04  
Two Notch Road [CONSENT] [Pages 59-60]**
- f. 07-09MA  
Robert Fuller/Dunlap & Sharp Condos  
M-1 to GC (3.54 acres)**

- Student Condominium Residential Project  
11111-01-54  
Bluff Industrial Blvd. Extension [CONSENT]  
[Pages 61-62]**
- g. 07-10MA  
Copper Beach Townhouses  
H1 to RM-HD (54.6 acres)  
Multi-family Townhouses  
13607-02-01  
Bluff Road & Southern Drive [CONSENT]  
[Pages 63-64]**
- h. An Ordinance amending the Richland county Code of Ordinances, Chapter 2, Administration; Article X, Purchasing: Division 2, Competitive Purchasing Policy; Section 2-598, General Provisions; Subsection (A): So as to exempt certain contracts from the County's requirements under this article  
[Pages 65-66]**
- i. 07-08MA  
H.H. Hunt  
M-1 to GC (10.42 acres)  
Proposed Apartment Project  
04914-01-01 & 04910-01-07  
Piney Woods Road [CONSENT] [Pages 67-68]**
- j. An Ordinance amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; Section 2-326, Boards and Commissions created and recognized; Subsection (K), Richland County Transportation Study Commission; so as to amend the membership and structure of the commission  
[CONSENT] [Pages 69-71]**
- k. An Ordinance authorizing Quit-Claim Deed to Janice Juanita Newbold-Molden and Albert Wallace for a certain portion of a Right-of-Way known as Bluff Oaks Road, Richland County [PUBLIC HEARING]  
[CONSENT] [Pages 72-74]**
- l. An Ordinance authorizing the granting of a water line Right-of-Way Easement to the City of Columbia, across property identified as a portion of TMS R162-**

**03-20, to serve the new Columbia State Farmer's Market [PUBLIC HEARING] [CONSENT] [Page 75]**

- m. An Ordinance amending the FY 2006-2007 Special Revenue Fund annual budget to add six firefighters to fire services. Funds are presently available in the Departmental Budget to cove the costs of these new positions. There will be no additional costs for this fiscal year [PUBLIC HEARING] [CONSENT] [Pages 76-77]**
- n. An Ordinance amending the FY 2006-2007 General Fund Annual Budget to add four Emergency Medical Technicians and four Paramedics to Emergency Medical Services. Funds are presently available in the Department Budget to cover the costs of these new positions. There will be no additional costs for this fiscal year [PUBLIC HEARING] [CONSENT] [Pages 78-79]**
- o. An Ordinance authorizing the granting of a Sewer Easement to Ginn-LA University Club, LTD., LLP, across property lying to the north of McNulty Street, Blythewood, South Carolina and identified as a portion of TMS #15209-0104 [PUBLIC HEARING] [CONSENT] [Page 80]**
- p. An Ordinance amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VI, Elected and Special Officers; Section 2-262, salaries of certain Elected Officials; so as to provide for the salaries of such officials and for subsequent pay increases; [PUBLIC HEARING] [Pages 81-82]**
- q. Ordinance approving the Broad River Regional Wastewater Treatment Plant Rate Adjustment**
  - a. Award of Construction Contract [Pages 83-88]**

**2. SECOND READING ITEMS**

- a. Budget Amendment: Request to transfer \$50,000 to the Council Services Budget [CONSENT] [Pages 89-90]**



- 6. CITIZEN'S INPUT**
- 7. MOTION PERIOD**
- 8. ADJOURNMENT**

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, MARCH 13, 2007 6:00 p.m.

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

---

### MEMBERS PRESENT:

Chair	Joseph McEachern
Vice Chair	Valerie Hutchinson
Member	Joyce Dickerson
Member	Norman Jackson
Member	Damon Jeter
Member	Bill Malinowski
Member	Mike Montgomery
Member	L. Gregory Pearce, Jr.
Member	Bernice G. Scott
Member	Kit Smith
Absent	Paul Livingston

**OTHERS PRESENT** - Michielle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Stephany Snowden, Brad Farrar, Dwight Hanna, Tiaa Rutherford, Anna Almeida, Michael Criss, Jennie Sherry-Linder, Daniel Driggers, Audrey Shifflett, Teresa Smith, Andy Metts, John Hixon, Chief Harrell, Rodolfo Callwood, Sandra Hayes, Monique Walters, Michelle Onley

### CALL TO ORDER

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

### INVOCATION

The Invocation was given by the Honorable Kit Smith

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Kit Smith

## ADOPTION OF AGENDA

Mr. McEachern stated the following corrections and additions to the agenda: the date for the minutes should be 2007, the public hearing should be 6.a., and the TMS # on 3.f. should be 11111-01-54. Ms. Finch stated that the backup for 3.b., 3.f. and for the residential care facility that is being added were distributed before the meeting. Ms. Smith moved seconded by Ms. Dickerson, to adopt the agenda as corrected and the additions of residential care facility and possible JEDA Bond public hearing discussion. Ms. Smith amended her motion to allow a presentation by Dr. Caroline Whitson. The vote in favor was unanimous.

## PRESENTATION

**Dr. Caroline Whitson, Transportation Study Commission, Steering Committee Chairperson** – Dr. Whitson stated that the Executive Committee has met five times and each of the three task forces has met or scheduled a meeting. The Executive Committee has received briefings from county staff about procedures, reviewed the requests and proposals of four firms and has selected a firm to propose as the consulting firm. They have view a presentation about ongoing work in transportation and have met with the consultants to review the scope of services. They have approved the Richland on the Move logo. They also set a date of April 4<sup>th</sup> for public hearings.

## CITIZEN'S INPUT

No one signed up to speak.

## APPROVAL OF MINUTES

**Special Called: February 6, 2007** – Ms. Hutchinson moved, seconded by Mr. Jeter, to approve the minutes as distributed. The vote in favor was unanimous.

**Special Called: February 15, 2007** – Mr. Pearce, moved, seconded by Ms. Hutchinson, to approve the minutes as distributed. The vote in favor was unanimous.

**Regular Session: February 20, 2007** – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve the minutes as distributed. The vote in favor was unanimous.

## REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

The items were potential Executive Session Items:



1. **Legal Briefing: Regarding Pending Litigation**
2. **Pending Litigation: Watts, et. al. vs. Richland County**
3. **Personnel Matter (Administrator's Contract)**
4. **Contract Award for Transportation Consultant: Richland County Transportation Study Commission**

Ms. Smith moved, seconded by Ms. Scott, to move Executive Session until after Citizens Input. The vote in favor was unanimous.

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

**Budget Update** – Mr. Pope stated that the budget process was proceeding and staff was about halfway through with the initial reviews. Richland School District I may require additional time to provide information.

**Farmers' Market Update** – Mr. Pope stated that we are proceeding with the scope of service and obtaining the guaranteed maximum price for the wholesale portion. Commissioner Weathers will be giving a presentation at the March 20<sup>th</sup> meeting.

**Richland 101 Class** – Mr. Pope stated that the first class was held March 12<sup>th</sup> and over half the participants are new residents.

**County Focus Magazine** – Mr. Pope stated that Richland County was on the cover of the magazine and there was an article regarding the All America Community Award.

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

**Neighborhood Planning Conference-March 31<sup>st</sup>, Midlands Technical College, Northeast Campus** – Ms. Finch reminded Council of the Neighborhood Planning Conference on March 31<sup>st</sup> from 7:30 a.m-3:00 p.m. at Midlands Technical College, Northeast Campus and Dr. Harvey B. Gantt is the keynote speaker.

#### **REPORT OF THE CHAIRMAN**

**Revoking Township Auditorium MOU with the City of Columbia** – Mr. McEachern stated that Council should have received an e-mail regarding the revocation of the Township Auditorium MOU with the City of Columbia.

**Mercer Consulting Company Update** – Mr. McEachern stated that Council should also have received an e-mail regarding the Mercer contract. It was also noted that this item was on the agenda and would be taken up then.

#### **PUBLIC HEARING ITEMS**

Mr. McEachern opened the floor to the following public hearings:

- **Ordinance Approving the Broad River Regional Wastewater Treatment Plant Rate Adjustment** – Mr. Earl McLeod spoke against this item. He requested that the beginning date for the tap fee increase be consistent with the beginning date for the user fee increase.

The public hearing was closed.

### APPROVAL OF CONSENT ITEMS

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

- **06-63MA, C. Douglas Caughman, RU to GC (3.54 Acres), Family Day Care & General Commercial, 19011-02-01(p), 378 & Garners Ferry Road [Second Reading]**
- **06-64MA, James Craig/Heritage Forest Development, M-1 to RS-LD (26.23 Acres), Single Family Residential Subdivision, 17600-02-04, Wooten Road [Second Reading]**
- **Township Auditorium: An Ordinance Authorizing Richland County, South Carolina, to Issue Tax-Exempt Debt in the Approximate Amount of \$18,000,000 to be Paid From & Secured by a Pledge of the County's Hospitality Tax; Approving the Form and Term of Certain Documents in Connection with the Issuance of the Debt; Authorizing the County Administrator to Determine Certain Matters Relating to the Debt and the Disposition of the Proceeds Thereof; and Other Matters Related Thereto [First Reading]**
- **Request for Approval for the Revised Traffic Calming Standard**
- **Approval of Contract with Lyn-Rich Contracting Company for Renovations at the Pine View Road EMS Station**

The vote in favor was unanimous.

### THIRD READING ITEMS

**Ordinance Authorizing the Issuance and Sale of \$16,970,000.00 General Obligation Bonds for Broad River Regional Wastewater Treatment Plant Construction** – Ms. Scott moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote was in favor.

**06-51MA, Lowman Homes, RU to PDD (206.7 Acres) Mixed Use, 01511-03-03/04/05/06/09, 01511-04-01/04/18, 01515-0101, Dutch Fork Road and Johnson Marina Road** – Mr. Pearce moved, seconded by Ms. Hutchinson.

Mr. Malinowski proposed the following amendment to Section II. c. to read: "green space to be defined as fields, passive recreation areas, wooded areas, wetlands,

watercourses and other similar types of uses designed for environmental, scenic, or passive recreational purposes.”

Mr. Pearce and Ms. Hutchinson accepted the amendment. A discussion took place.

The vote in favor was unanimous.

## SECOND READING ITEMS

**Ordinance Authorizing the Issuance and Sale of the Broad River Sewer System General Obligation Refunding Bonds of Richland County, South Carolina in the Principal Amount not to Exceed \$16,500,000.00.** – Ms. Smith moved, seconded Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

**Ordinance Authorizing Deed to Forum Development II, LLC for Lot 14 in the Richland Northeast Industrial Park (Portion of TMS #25800-04-01)** - Ms. Hutchinson moved, seconded by Mr. Jeter, to approve this item. The vote in favor was unanimous.

**07-01MA, Cynthia Stewart, RU to OI (2 Acres), Insurance Office, 25900-04-04, Two Notch Road** – Ms. Hutchinson moved, seconded by Mr. Jeter, to approve this item. The vote in favor was unanimous.

**07-09MA, Robert Fuller/(Dunlap & Sharp Condos), M-1 to GC (3.54 Acres), Student Condominium Residential Project, 11111-01-54, Bluff Industrial Blvd. Extension** – Ms. Scott moved, seconded by Mr. Jeter, to approve this item and to meet with the surrounding businesses before Third Reading. The vote in favor was unanimous.

**07-01MA, Copper Beach Townhouses, HI to RM-HD (5.46 Acres), Multi-Family Townhouses, 13607-02-01, Bluff Road & Southern Drive** – Mr. Jeter moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

**07-06MA, Dunbar Funeral Home, RU to GC (2 plus Acres), General Commercial, 20281-01-16(p), 4219 Hardscrabble Road** – Mr. Montgomery moved, seconded by Ms. Scott, to First Reading approval to OI re-zoning and to send this back to the Planning Commission. The vote in favor was unanimous.

**07-08MA, H. H. Hunt, M-1 to GC (10.42 Acres), Proposed Apartment Project, 04914-01-01 & 04910-01-07, Piney Woods Road** – Ms. Dickerson moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

**An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; Section 2-326, Boards and Commissions Created and Recognized; Subsection (k), Richland County Transportation Study Commission; so as to Amend the Membership and Structure of the Commission** – Ms. Smith moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

**REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE**

**Budget Amendment: Request to Transfer \$50,000 to the Council Services Budget**

– Ms. Smith made a substitute motion, seconded by Mr. Montgomery, to approve the budget transfer from the fund balance to Council Services and request the Clerk to develop some recommendations for the next budget year for Council's consideration. A discussion took place.

The vote in favor was unanimous.

**Undesignated Hospitality Tax Funding Request: SC Gospel Quartet 8<sup>th</sup> Annual Awards Banquet and Concert (\$30,000)**

– Ms. Scott moved, seconded by Mr. Jackson, to approve this item. A discussion took place.

Mr. Jeter made a substitute motion, seconded by Ms. Dickerson, to appropriate \$15,000 from the Undesignated Hospitality Tax Fund for the 8<sup>th</sup> Annual SC Gospel Quartet Concert.

<u>In Favor</u>	<u>Oppose</u>
Jeter	Pearce
Hutchinson	Malinowski
McEachern	Smith
Dickerson	Montgomery

The substitute motion failed.

<u>In Favor</u>	<u>Oppose</u>
Jackson	Pearce
Scott	Malinowski
	Jeter
	Hutchinson
	McEachern
	Smith
	Montgomery
	Dickerson

The main motion failed.

**Farmers' Market: An Ordinance Authorizing and Approving the Issuance of Either Tax-Exempt or Taxable Installment Purchase Revenue Bonds in One or More Series by a Non-Profit Corporation to Provide Funding to Finance the Costs of of Acquiring and Constructing Wholesale Farmers' Market Facilities and Related Infrastructure; and Making Provision for All Other Matters Relating to the Foregoing** – The committee's recommendation was for approval. The vote in favor was unanimous.

**Animal Care Work Session—Committee or Council Level** – This item was taken up during the motion period.

**Undesignated Hospitality Tax Funding Request: Capital Chevrolet Classic** – Ms. Hutchinson moved, seconded by Mr. Jeter, to appropriate \$5,000 from the Undesignated Hospitality Tax Fund for this item and that underprivileged child be allowed to participate in this event. A discussion took place.

<u>In Favor</u>	<u>Oppose</u>
Jackson	Pearce
Hutchinson	Malinowski
McEachern	Smith
Dickerson	Montgomery
Scott	

The vote was in favor.

#### REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article II, General Traffic and Parking Regulations; Section 17-9, Through Truck Prohibited; so as to Prohibit Through Truck Traffic on Bakersfield Road in Richland County, South Carolina** – The committee's recommendation was for approval. A discussion took place.

The vote in favor was unanimous.

**Request to Enter into a Partnership with Clemson University's Institute for Economic and Community Development for the Purpose of Developing a Five (5) Year Strategic Plan for the County** – The committee's recommendation was for approval. A discussion took place.

Ms. Smith made a substitute motion to hold a one hour work session on the scope of services and forward it to the next council meeting. The motion died for lack of a second.

Ms. Smith made a substitute motion, seconded by Ms. Scott, to defer this item until the March 20<sup>th</sup> meeting.

<u>In Favor</u>	<u>Oppose</u>
Pearce	Malinowski
Dickerson	Jackson
Smith	Jeter
Scott	Hutchinson
	McEachern
	Montgomery

The substitute motion failed.

<u>In Favor</u>	<u>Oppose</u>
Pearce	Smith
Malinowski	
Jackson	
Jeter	
Hutchinson	
McEachern	
Dickerson	
Scott	
Montgomery	

The vote on the main motion was in favor.

#### REPORT OF RULES AND APPOINTMENTS COMMITTEE

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

- a. **Board of Assessment Appeals—1** – Mr. Montgomery stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.
- b. **Internal Audit Committee—1** – Mr. Montgomery stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.

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

- a. **Board of Zoning Adjustments and Appeals—1** – Mr. Montgomery stated that the committee recommended Mr. Joshua McDuffie. The vote in favor was unanimous.
- b. **Building Codes Board of Appeals—1** – Mr. Montgomery stated there were no applicants for this vacancy.

**Hospitality Tax Committee—3** – Mr. Montgomery stated there were nine applicants and three vacancies.

No one voted for Mr. John Nelums.

No one voted for Ms. Prentiss McLaurin.

Mr. Pearce, Mr. Malinowski, Mr. Jeter, Ms. Hutchinson, Mr. McEachern, and Mr. Montgomery voted for Mr. Steven P. Leidinger.

Mr. Jackson, Ms. Dickerson and Ms. Scott voted for Ms. Mary Skinner-Jones.

Ms. Smith voted for Ms. Ann C. Elliott.

No one voted for Ms. Colleen C. Bozard.

Mr. Leidinger was appointed to the at-large vacancy.

Mr. Pearce, Mr. Malinowski, and Mr. Montgomery voted for Ms. Michelle Thompson.

Mr. Malinowski, Mr. Jackson, Mr. Jeter, Ms. Hutchinson, Mr. McEachern, Ms. Dickerson, Ms. Smith, Ms. Scott and Mr. Montgomery voted for Mr. Herbert Sims.

Mr. Pearce, Mr. Jackson, Mr. Jeter, Ms. Hutchinson, Mr. McEachern, Ms. Dickerson, Ms. Smith, and Ms. Scott voted for Mr. Norris Ellis.

Mr. Sims and Mr. Ellis were appointed.

- c. Planning Commission—2** – Mr. Montgomery stated there were nine applicants and two vacancies.

Ms. Smith voted for Ms. Heather Cairns.

No one voted for Ms. Angela L. Geiger.

Mr. Pearce, Mr. Jackson, Mr. Jeter, Ms. Hutchinson, Mr. McEachern, Ms. Dickerson, Ms. Scott, and Mr. Montgomery voted for Mr. Patrick Palmer.

No one voted for Mr. Walter Powell, Jr.

Mr. Malinowski voted for Ms. Elizabeth Ward.

Mr. Pearce, Mr. Malinowski, Mr. Jeter, Ms. Dickerson, Ms. Smith, Ms. Scott and Mr. Montgomery voted for Ms. Enga Ward.

Mr. Jackson, Ms. Hutchinson and Mr. McEachern voted for Ms. Barbara Wyatt.

Mr. Palmer and Ms. Enga Ward were appointed.

- III. **PLANNING COMMISSION, LARRY McBRIDE'S STATUS** – This item was held in committee.
- IV. **CLARIFICATION OF COUNCIL RULES**
  - a. **Section 2.5 Participation, Regarding Perceived Conflict of Interest** – This item was held in committee.
  - b. **Section 4.6 Reports (Committee), Regarding Bringing Forth an Item That is Recommended for Denial in Committee Before Full Council** – This item was held in committee.
- V. **REVOKING THE TOWNSHIP AUDITORIUM MOU WITH THE CITY OF COLUMBIA** – The committee recommended advertising for the vacancies on the Township Board. The vote in favor was unanimous.

**Contract Award for Transportation Consultant: Richland County Transportation Study Commission** – This item was deferred until the March 20<sup>th</sup> meeting.

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

**PT444 Keenan Energy/Westside Ice** – The committee recommended granting the abatement on the personal property. A discussion took place.

The vote in favor was unanimous.

**Project Ceres Inducement and Millage Rate Resolution and Agreement** - Mr. Pearce stated the committee's motion was to approve the inducement and millage rate resolution and the agreement for Project Ceres, as well as to administer the pass through grant for \$800,000 relating to this project.

A discussion took place.

The vote in favor was unanimous.

**Ordinance Amending Ordinance No. 110-06HR, Which Authorized a Deed to L-J, Inc. for Lots 18 & 19 in the Richland Northeast Industrial Park, so as to Allow the Lots to be Conveyed to David N. Jordan** – The committee's recommended approval of this item. The vote in favor was unanimous.

**Mercer Consulting Company Update** – Ms. Scott moved, seconded Ms. Dickerson, to approve this item. The vote in favor was unanimous.



**APPLICATION OF LOCATING A COMMUNITY RESIDENTIAL CARE FACILITY IN AN UNINCORPORATED AREA OF RICHLAND COUNTY**

**Clifford A. Counts, 2452 Rolling Pines Road, Columbia, South Carolina 29210** – Ms. Dickerson moved, seconded by Ms. Scott, to approve this item. The vote in favor was unanimous.

**Lutheran Homes JEDA Bonds Public Hearing Discussion** – A discussion took place. Ms. Smith moved, seconded by Mr. Malinowski, to refer this item back to staff. The vote in favor was unanimous.

**CITIZEN'S INPUT**

No one signed up to speak.

**POINT OF PERSONAL PRIVILEGE** – Mr. Pearce recognized Richland County's exceptional rating on how the funds were handled for the Community Development Block Grants Program and HOME program.

**EXECUTIVE SESSION ITEMS**

- a. **Legal Briefing: Regarding Pending Litigation** – No action was taken.
- b. **Pending Litigation: Watts et. al. vs. Richland County** – Directed County Attorney to respond accordingly.
- c. **Personnel Matter (Administrator's Contract)** – No action taken. (Special Called Meeting: March 20<sup>th</sup> at 5:00 p.m.)
- d. **Contract Award for Transportation Consultant: Richland County Transportation Study Commission** – Ms. Smith moved, seconded by Mr. Pearce, to forward this item to the March 20<sup>th</sup> meeting. The vote in favor was unanimous.

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

=====  
**Council went into Executive Session at approximately 8:09 p.m. and came out at approximately 9:01 p.m.**  
=====

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

## MOTION PERIOD

**Waiving Accommodations Tax Application Deadline for Collaborative for Community Trust** – Ms. Smith moved, seconded by Mr. Pearce, to waive the deadline for application for Accommodations Tax for Collaborative for Community Trust. The motion failed.

**Resolution for Richland County Employee Randy Byrd** – Ms. Scott moved, seconded by Mr. Montgomery, to adopt a resolution for Richland County employee Randy Byrd. The vote in favor was unanimous.

**Schedule Work Session for Animal Care** – Mr. Montgomery moved, with unanimous consent, to schedule the Animal Care work session for March 20<sup>th</sup> at 4:00 p.m.

**Scheduling of Audit Update Work Session** – A work session was not scheduled at this time. Mr. McEachern requested that the County Administrator provide Council with the management letter for their review.

**Update on Ambulance Fees and Collection Efforts of Unpaid Fees** – Mr. Pearce directed staff to provide Council, as part of the revenue meeting, with an update on the ambulance fees and whether the efforts to reduce that amount of money have been successful.

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article V, Zoning Districts and District Standards; so as to provide for a Traditional Recreation Open Space District and to initiate the rezoning of the following properties from RU to TRO: Columbia Country Club, Golf Club of South Carolina (Crickentree), Linrick Golf Course, and Sedgewood Country Club; and to initiate the rezoning of the following properties from RS-LD to TRO: Forest Lake Club, Spring Valley Country Club, Wildewood Country Club, Windermere Club, and Woodlands Country Club; and to initiate the rezoning of the following property from M-1 to TRO: Northwoods Golf Club; and to send all of these matters to the April 2<sup>nd</sup> Planning Commission meeting for their consideration and to the April 24<sup>th</sup> Zoning Public Hearing for a public hearing, with such public hearing concerning these items being advertised as soon as possible and add that the pending ordinance doctrine should attach to these text and map amendments from the outset of this motion or as soon thereafter as possible** – Ms. Hutchinson moved, seconded Mr. Montgomery, to give First Reading by title only to this item. A discussion took place.

The vote in favor was unanimous.

**Wellness Program** – Mr. McEachern directed staff to look into a wellness program for Richland County.

**ADJOURNMENT**

The meeting adjourned at approximately 9:20 p.m.

---

Joseph McEachern, Chair

---

Valerie Hutchinson, Vice-Chair

---

Joyce Dickerson

---

Norman Jackson

---

Damon Jeter

---

Paul Livingston

---

Bill Malinowski

---

Mike Montgomery

---

L. Gregory Pearce, Jr.

---

Bernice G. Scott

---

Kit Smith

The minutes were transcribed by Michelle M. Onley

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-07HR

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF BROAD RIVER SEWER SYSTEM GENERAL OBLIGATION REFUNDING BONDS OF RICHLAND COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$16,500,000, SERIES 2007C OR SUCH OTHER APPROPRIATE SERIES DESIGNATION; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

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

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

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

(b) The County Council has previously determined to establish, operate, and maintain a wastewater collection and treatment system in the Nicholas Creek and Hollingshed Creek drainage basins and a portion of Lake Murray now known as the Broad River Regional Sewer System (the "System") pursuant to the favorable results of a referendum held in Richland County on November 7, 1978, on the question of the County's providing sewage services and the provisions of Section 44-55-1410 of the Code of Laws of South Carolina 1976, as amended and other provisions of law; and

(c) By virtue of the Chapter 15, Title 4 of the Code of laws of South Carolina 1976, as amended (the "County Bond Act") and continued by Title 11, Chapter 27, Code of Laws of South Carolina 1976, as amended (the County Bond Act, as so amended and continued, being hereinafter called the "Enabling Act"), County Council is authorized to issue general obligation bonds of the County for the purpose of defraying the cost of any purpose for which the County may, under applicable constitutional provisions, issue bonds or levy taxes, and for any amount not exceeding the constitutional debt limit applicable to the County.

(d) Pursuant to the authorizations of Article X of the South Carolina Constitution and the Enabling Act, the County has heretofore issued its \$15,500,000 Broad River Sewer System General Obligation Bonds, Series 2003D to obtain funds for the purposes of defraying the costs of (i) construction of a 6,000,000 gallon per day wastewater treatment facility to be located near the Broad River in the Northwest portion of the County (the "Project"); and (ii) legal fees and costs of issuance of the bonds.

(e) Section 12 of Article X of the South Carolina Constitution prohibits the issuance of general obligation bonds of any county to finance wastewater collection and treatment facilities benefiting only a particular geographic section of a county unless a special assessment, tax, or service charge in an amount designed to provide debt service shall be imposed upon the areas or persons receiving the benefit therefrom.

(f) Sections 11-23-10 et seq. of the Code of Laws of South Carolina 1976, as amended, authorizes County Council to provide in the ordinance which makes provision of or the issuance of general obligation bonds to finance the construction of the Project, that the bonds shall be additionally secured by all or any portion of the revenues to be derived from the operation of the System.

(g) Pursuant to the provisions of the Enabling Act, Article X, Section 12 of the South Carolina Constitution, and Section 11-23-10, Code of Laws of South Carolina 1976 as amended, the County has provided for the imposition and collection of service charges and user fees to be paid by customers of the System in an amount sufficient to pay, when due, debt service on bonds to be authorized hereunder.

(h) After due investigation, County Council has determined and hereby finds that the imposition and collection of service charges, user fees and tap fees as established in this Ordinance and as may be increased from time to time to be paid by customers of the System will be sufficient to provide for the payment of the principal and interest on the bonds to be issued hereunder, and the requirements of Article X, Section 12 of the South Carolina Constitution with respect to the issuance of the sewer system general obligation bonds provided for herein have been met.

(i) Sections 11-21-10 to 11-21-80 of the Code of Laws of South Carolina 1976, as amended, empower any "public agency" to utilize the provisions of Article 5, Chapter 15, Title 11 (the "Refunding Act") of the Code of Laws of South Carolina 1976, as amended, to effect the refunding of any outstanding general obligation bonds.

(j) The 2003D Bonds are currently outstanding in the amount of \$15,355,000. Based on current market conditions and projected savings, the County Council finds that it may be in the best interest of the County to refund the 2003D Bonds because a savings in interest paid may be effected through such refunding and redemption. The County Council recognizes, however, that current market conditions may change and that, as of the date of adoption of this Resolution, a determination cannot be made as to the amount of such savings, if any, realized through the refunding of the 2003D Bonds. The County Council also recognizes that certain authority relating to such refunding is delegated to the Administrator of the County (the "Administrator") or his lawfully authorized designee through this Resolution. If at the time of the sale of the Bonds market conditions are unfavorable, and if the rates of interest on the Bonds authorized by this Ordinance do not result in satisfactory debt service savings, the County Council, through the authority delegated to the Administrator will be empowered to reject bids for the purchase of the bonds authorized herein.

(k) It is now in the best interest of the County for the County Council to provide for the issuance and sale of sewer system general obligation refunding bonds of the County pursuant to the aforesaid provisions of the Constitution and laws of the State of South Carolina in the principal amount of not exceeding \$16,500,000, the proceeds of which will be used for provided funds for (i) refunding the 2003D Bonds; and (ii) legal fees and costs of issuance of the refunding bonds.

SECTION 2. Authorization and Details of Bonds. Pursuant to the aforesaid provisions of the Constitution and laws of the State, there is hereby authorized to be issued not exceeding \$16,500,000 aggregate principal amount of sewer system general obligation refunding bonds of the County to be designated "Not Exceeding \$16,500,000 (or such other amount as may be issued) Broad River Sewer System General Obligation Refunding Bonds of Richland County, South Carolina" (the "Bonds") for the purpose stated in Section 1(l) of this Ordinance.

The refunding of the 2003D Bonds shall be effected with a portion of the proceeds of the Bonds which proceeds shall be used for the payment of the principal of such 2003D Bonds as and when such

2003D Bonds mature and are called for redemption in accordance with the provisions of the 2003D Bonds, the redemption premium thereon, and interest on such 2003D Bonds as and when the same becomes due. If necessary, notice of the aforesaid refunding for which a portion of the proceeds of the Bonds will be used shall be given in a financial paper published in the City of New York, State of New York.

Upon the delivery of the Bonds, the principal proceeds thereof, less any accrued interest and less issuance expenses, shall be deposited with an escrow agent to be named (the "Escrow Agent") and held by it under a written refunding trust agreement between the Escrow Agent and the County (the "Refunding Trust Agreement") in an irrevocable trust account. It shall be the duty of such Escrow Agent to keep such proceeds invested and reinvested to the extent that it shall be practical in obligations of the United States or any agency thereof and to apply the principal and interest of the trust so established in the manner prescribed in such Refunding Trust Agreement.

The County Administrator is hereby authorized and directed for and on behalf of the County to execute such agreements and give such directions as shall be necessary to carry out the provisions of this Ordinance, including the execution and delivery of the Refunding Trust Agreement. The Refunding Trust Agreement shall be dated the date of delivery of the Bonds to the initial purchasers thereof.

The Bonds shall be issued as fully registered Bonds; shall be registered as to principal and interest in the name of the initial purchaser(s) thereof; shall be dated as of the first day of the month in which they are delivered to the initial purchaser(s) thereof or their date of delivery; shall be in denominations of \$5,000 or any integral multiple thereof not exceeding principal amount of Bonds maturing each year; shall be numbered from R-1 upward, respectively; shall bear interest from their date payable at such times as hereafter designated by the County Administrator at such rate or rates as may be determined at the time of sale thereof; and shall mature serially in successive annual installments as determined by the County Administrator.

Both the principal of and interest on the Bonds shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts. Wells Fargo Bank, P.A. will serve as registrar/paying agent (the "Registrar/Paying Agent") for the Bonds.

SECTION 3. Delegation of Authority to Determine Certain Matters Relating to the Bonds. Without further authorization, the County Council hereby delegates to the County Administrator the authority to determine (a) the maturity dates of the Bonds and the respective principal amounts maturing on such dates; (b) the interest payment dates of the Bonds; (c) redemption provisions, if any, for the Bonds; and (d) the time and date of sale of the Bonds. The Council further delegates to the County Administrator the authority to receive bids on behalf of Council and the authority to award the Bonds to the low bidder therefor, provided the true interest cost does not exceed 5.0%. After the sale of the Bonds, the County Administrator shall submit a written report to County Council setting forth the details of the Bonds as set forth in this paragraph.

SECTION 4. Registration, Transfer and Exchange of Bonds. The County shall cause books (herein referred to as the "registry books") to be kept at the offices of the Registrar/Paying Agent, for the registration and transfer of the Bonds. Upon presentation at its office for such purpose the Registrar/Paying Agent shall register or transfer, or cause to be registered or transferred, on such registry books, the Bonds under such reasonable regulations as the Registrar/Paying Agent may prescribe.

Each Bond shall be transferable only upon the registry books of the County, which shall be kept for such purpose at the principal office of the Registrar/Paying Agent, by the registered owner thereof in person or by his duly authorized attorney upon surrender thereof together with a written instrument of transfer

satisfactory to the Registrar/Paying Agent duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any such Bond the Registrar/Paying Agent on behalf of the County shall issue in the name of the transferee a new fully-registered Bond or Bonds, of the same aggregate principal amount, interest rate and maturity as the surrendered Bond. Any Bond surrendered in exchange for a new registered Bond pursuant to this Section shall be canceled by the Registrar/Paying Agent.

The County and the Registrar/Paying Agent may deem or treat the person in whose name any fully-registered Bond shall be registered upon the registry books as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Bond and for all other purposes and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the County nor the Registrar/Paying Agent shall be affected by any notice to the contrary. For every such transfer of Bonds, the County or the Registrar/Paying Agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such transfer, and, except as otherwise provided herein, may charge a sum sufficient to pay the cost of preparing each Bond issued upon such transfer, which sum or sums shall be paid by the person requesting such transfer or by the County as a condition precedent to the exercise of the privilege of making such transfer. Neither the County nor the Registrar/Paying Agent shall be obliged to make any such transfer of Bonds during the fifteen (15) days preceding an interest payment date on such Bonds.

SECTION 5. Record Date. The County hereby establishes a record date for the payment of interest or for the giving of notice of any proposed redemption of Bonds, and such record date shall be the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date on such Bond or in the case of any proposed redemption of Bonds, such record date shall be the fifteenth (15th) day prior to the giving of notice of redemption of bonds.

SECTION 6. Mutilation, Loss, Theft or Destruction of Bonds. In case any Bond shall at any time become mutilated in whole or in part, or be lost, stolen or destroyed, or be so defaced as to impair the value thereof to the owner, the County shall execute and the Registrar shall authenticate and deliver at the principal office of the Registrar, or send by registered mail to the owner thereof at his request, risk and expense a new Bond of the same series, interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender for cancellation of such defaced, mutilated or partly destroyed Bond, or in lieu of or in substitution for such lost, stolen or destroyed Bond. In any such event the applicant for the issuance of a substitute Bond shall furnish the County and the Registrar evidence or proof satisfactory to the County and the Registrar of the loss, destruction, mutilation, defacement or theft of the original Bond, and of the ownership thereof, and also such security and indemnity in an amount as may be required by the laws of the State of South Carolina or such greater amount as may be required by the County and the Registrar. Any duplicate Bond issued under the provisions of this Section in exchange and substitution for any defaced, mutilated or partly destroyed Bond or in substitution for any allegedly lost, stolen or wholly destroyed Bond shall be entitled to the identical benefits under this Ordinance as was the original Bond in lieu of which such duplicate Bond is issued, and shall be entitled to equal and proportionate benefits with all the other Bonds of the same series issued hereunder.

All expenses necessary for the providing of any duplicate Bond shall be borne by the applicant therefor.

SECTION 7. Execution of Bonds. The Bonds shall be executed in the name of the County with the manual or facsimile signature of the Chairman of the County Council attested by the manual or facsimile signature of the Clerk of the County Council under a facsimile of the seal of the County impressed, imprinted or reproduced thereon; provided, however, the facsimile signatures appearing on the Bonds may

be those of the officers who are in office on the date of adoption of this Ordinance. The execution of the Bonds in such fashion shall be valid and effectual, notwithstanding any subsequent change in such offices. The Bonds shall not be valid or become obligatory for any purpose unless there shall have been endorsed thereon a certificate of authentication. Each Bond shall bear a certificate of authentication manually executed by the Registrar in substantially the form set forth herein.

SECTION 8. Form of Bonds. The Bonds shall be in substantially the form attached hereto as Exhibit A and incorporated herein by reference.

SECTION 9. Rate Covenant; Establishment of Tap Fees and Monthly User Fees.

(a) The County covenants and agrees to operate the System in an efficient and economical manner and establish, levy, maintain, revise and collect such fees, rates and other charges for the use of the services and facilities furnished by the System as may be necessary or proper, which fees, rates, and other charges, together with other available moneys, shall at all times be at least sufficient after making due and reasonable allowances for contingencies and for a margin of error in estimates to provide an amount equal to (a) one hundred percent (100%) of the amounts required for the usual and customary costs of operating and maintaining the System; (b) one hundred twenty percent (120%) of the amounts required to be deposited into each the sinking fund for the then current Fiscal Year to pay debt service on any outstanding bonds including the Bonds authorized herein; and (c) the amounts necessary to comply in all respects with the terms of this Ordinance or any other contract or agreement.

(b) The County Council shall by separate ordinance provide for the imposition and collection of tap fees and monthly user fees in amounts sufficient to meet the rate covenant expressed herein.

SECTION 10. Security for Bonds. For the payment of the principal and interest on the Bonds as they respectively mature, and for the creation of a sinking fund as may be necessary therefor, the full faith, credit, and taxing power of the County are irrevocably pledged, and there shall be levied annually by the Auditor of Richland County, and collected by the Treasurer of Richland County, in the same manner as other County taxes are levied and collected, a tax, without limit, on all taxable property in the County, sufficient to pay the principal of and interest on the Bonds as they respectfully mature, and to create a sinking fund as may be necessary therefor; provided, however, that the County Council does hereby pledge the revenues derived from the operation of the System after defraying the costs of operation and maintenance of the System to the payment of principal of and interest on the Bonds, as authorized by Chapter 23 of Title 11 of the Code of Laws of South Carolina 1976, as amended; provided, further, that County Council does hereby covenant to establish and maintain rates and charges as are sufficient to provide funds to pay the principal of and interest on the Bonds when due, and sufficient revenues must be available for the payment of principal of and interest on the Bonds, and must be delivered to the Richland County Treasurer for payment of principal of and interest on the Bonds and for no other purpose, prior to the occasion when the Richland County Auditor fixes the annual tax levy, and the annual ad valorem taxes to be levied for the payment of the principal of and interest on the Bonds on all taxable property in the County shall be reduced in each year in accordance with Chapter 23 of Title 11 of the Code of Laws of South Carolina 1976, as amended, by the amount of revenue derived from the operation of the System which is actually in the hands of the Richland County Treasurer for the payment of the principal of and interest on the Bonds at the time the tax for the year is required to be levied; provided, further, that the Bonds are primarily the obligation of the System and for the payment of principal of and interest thereof, as the same mature, there must be revenues derived from operation of the System, and resort to the County tax levy required by the preceding provisions of this Section must be made only in the event that revenues derived from the operation of the System prove insufficient to meet the payment of principal of an interest on the Bonds; this provision shall not preclude the issuance of additional bonds (whether general obligation



bonds) secured by a pledge of the revenues on a parity with the pledge herein made to secure the Bonds secured by a pledge superior to the pledge herein made to secure the Bonds.

The County Council, acting through its Chairman, shall give the Auditor and Treasurer of the County written notice of the delivery of and payment for the Bonds and they are hereby directed to levy and collect annually, on all taxable property in the County, a tax, without limit, sufficient to pay the principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

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

SECTION 12. Defeasance. The obligations of the County under this Ordinance and the pledges, covenants and agreements of the County herein made or provided for, shall be fully discharged and satisfied as to any portion of the Bonds, and such Bond or Bonds shall no longer be deemed to be outstanding hereunder when:

(a) such Bond or Bonds shall have been purchased by the County and surrendered to the County for cancellation or otherwise surrendered to the County or the Paying Agent and is canceled or subject to cancellation by the County or the Paying Agent; or

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

“Government Obligations” shall mean any of the following:

- (a) direct obligations of the United States of America or agencies thereof or obligations, the payment of principal or interest on which, in the opinion of the Attorney General of the United States, is fully and unconditionally guaranteed by the United States of America; and
- (b) Non-callable, U.S. Treasury Securities - State and Local Government Series (“SLGS”).

SECTION 13. Exemption from State Taxes. Both the principal of and interest on the Bonds shall be exempt, in accordance with the provisions of Section 12-2-50 of the Code, from all State, county, municipal, County and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

SECTION 14. Eligible Securities. The Bonds initially issued (the "Initial Bonds") will be eligible securities for the purposes of the book-entry system of transfer maintained by The Depository Trust Company, New York, New York ("DTC"), and transfers of beneficial ownership of the Initial Bonds shall be made only through DTC and its participants in accordance with rules specified by DTC. Such beneficial ownership must be of \$5,000 principal amount of Bonds of the same maturity or any integral multiple of \$5,000.

The Initial Bonds shall be issued in fully-registered form, one Bond for each of the maturities of the Bonds, in the name of Cede & Co., as the nominee of DTC. When any principal of or interest on the Initial Bonds becomes due, the Paying Agent, on behalf of the County, shall transmit to DTC an amount equal to such installment of principal and interest. DTC shall remit such payments to the beneficial owners of the Bonds or their nominees in accordance with its rules and regulations.

Notices of redemption of the Initial Bonds or any portion thereof shall be sent to DTC in accordance with the provisions of the Ordinance.

If (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the County has advised DTC of its determination that DTC is incapable of discharging its duties, the County shall attempt to retain another qualified securities depository to replace DTC. Upon receipt by the County the Initial Bonds together with an assignment duly executed by DTC, the County shall execute and deliver to the successor securities depository Bonds of the same principal amount, interest rate and maturity registered in the name of such successor.

If the County is unable to retain a qualified successor to DTC or the County has determined that it is in its best interest not to continue the book-entry system of transfer or that interests of the beneficial owners of the Bonds might be adversely affected if the book-entry system of transfer is continued (the County undertakes no obligation to make any investigation to determine the occurrence of any events that would permit it to make any such determination), and has made provision to so notify beneficial owners of the Bonds by mailing an appropriate notice to DTC, upon receipt by the County the Initial Bonds together with an assignment duly executed by DTC, the County shall execute, authenticate and deliver to the DTC participants Bonds in fully-registered form, in substantially the form set forth in Section 2 of this Ordinance in the denomination of \$5,000 or any integral multiple thereof.

SECTION 15. Sale of Bonds, Form of Notice of Sale. The Bonds shall be offered for public sale on the date and at the time designated by the Administrator. A Notice of Sale in substantially the form attached hereto as Exhibit C and incorporated herein by referenced shall be distributed to prospective bidders and a summary of such Notice of Sale shall be published in a newspaper of general circulation in the State of South Carolina and/or in a financial publication published in the City of New York not less than seven (7) days prior to the date set for such sale.

SECTION 16. Preliminary and Final Official Statement. The County Council hereby authorizes and directs the Administrator to prepare, or cause to be prepared, a Preliminary Official Statement to be distributed to prospective purchasers of the Bonds together with the Notice of Sale. The County Council authorizes the Administrator to designate the Preliminary Official Statement as "near final" for purposes of Rule 15c2-12 of the Securities Exchange Commission. The Administrator is further authorized to see to the

completion of the final form of the Official Statement upon the sale of the Bonds so that it may be provided to the purchaser of the Bonds.

SECTION 17. Filings with Central Repository. In compliance with Section 11-1-85, South Carolina Code of Laws 1976, as amended, the County covenants that it will file or cause to be filed with a central repository for availability in the secondary bond market when requested: (a) a copy of an annual independent audit of the County within thirty (30) days of the County's receipt thereof; and (b) within thirty (30) days of the occurrence thereof, event specific information of an event which adversely affects more than five (5%) percent of the tax revenues of the County or the County's tax base.

SECTION 18. Continuing Disclosure. The School District hereby covenants and agrees that it will comply with and carry out all of the provisions of a Disclosure Dissemination Agent Agreement, in substantially the form attached hereto as Exhibit D and incorporated herein by reference. Notwithstanding any other provisions of this Resolution, failure of the School District to comply with the Disclosure Dissemination Agent Agreement shall not be considered an event of default, and no liability for damages shall attach therefor. The sole remedy for such failure to comply shall be that any bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the School District to comply with their obligations under this Section.

SECTION 19. Deposit and Use of Proceeds. The proceeds derived from the sale of the Bonds necessary to refund the 2003D Bonds shall be deposited with the Escrow Agent pursuant to the terms of the Refunding Trust Agreement. The bid premium, if any, shall be deposited into the sinking fund for the Bonds. The remaining proceeds, if any, shall be deposited with the Treasurer of Richland County in a special fund to the credit of the County and shall be applied solely to the purposes for which the Bonds have been issued, including payment of costs of issuance of the Bonds.

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

SECTION 21. Tax Covenants. The County covenants that no use of the proceeds of the sale of the Bonds shall be made which, if such use had been reasonably expected on the date of issue of such Bonds would have caused the Bonds to be "arbitrage bonds", as defined in Section 148 of the Internal Revenue Code of 1986 (the "IRC"), and to that end the County hereby shall:

(a) comply with the applicable provisions of Section 103 and Sections 141 through 150 of the IRC and any regulations promulgated thereunder so long as any of the Bonds are outstanding;

(b) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in order to comply with the requirements of the IRC relating to required rebates of certain amounts to the United States;

(c) make such reports of such information at the times and places required by the IRC; and

(d) not take any action which will, or fail to take any action which failure will, cause interest on the Bonds to become includable in the gross income of the bondholders for federal income tax purposes pursuant to the provisions of the IRC and regulations promulgated thereunder in effect on the date of original issuance of the Bonds.

SECTION 22. Miscellaneous. The County Council hereby authorizes any one or more of the following officials to execute such documents and instruments as necessary to effect the issuance of the Bonds: Chairman of the County Council, County Administrator, Clerk to the County Council and County Attorney. The County Council hereby retains McNair Law Firm, P.A. as bond counsel and Ross, Sinclair & Associates, Inc. as financial advisor in connection with the issuance of the Bonds.

All rules, regulations, resolutions and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Bonds are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its enactment.

Enacted this \_\_\_\_ day of April, 2007.

RICHLAND COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Joseph McEachern, Chairman  
Richland County Council

(SEAL)

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

OF \_\_\_\_\_, 2007

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Date of First Reading: February 20, 2007  
Date of Second Reading: March 13, 2007  
Publication of Notice of  
Public Hearing:  
Date of Public Hearing: March 20, 2007 (tentative)  
Date of Third Reading: March 20, 2007 (tentative)

**FORM OF BOND**

UNITED STATES OF AMERICA  
 STATE OF SOUTH CAROLINA  
 COUNTY OF RICHLAND  
 BROAD RIVER SEWER SYSTEM GENERAL OBLIGATION  
 REFUNDING BONDS, SERIES \_\_\_\_\_

No. R-

<u>INTEREST</u>	<u>MATURITY</u>	<u>ORIGINAL</u>	
<u>RATE</u>	<u>DATE</u>	<u>ISSUE DATE</u>	<u>CUSIP</u>

REGISTERED HOLDER: CEDE & CO.

PRINCIPAL AMOUNT:

KNOW ALL MEN BY THESE PRESENTS, that Richland County, South Carolina (the "County"), is justly indebted and, for value received, hereby promises to pay to the registered holder specified above, or registered assigns, the principal amount specified above on the maturity date specified above, upon presentation and surrender of this Bond at the principal office of Wells Fargo Bank, N.A., Atlanta, Georgia (the "Paying Agent"), and to pay interest on such principal amount from the date hereof at the rate per annum specified above until this Bond matures. Interest on this Bond is payable semiannually on \_\_\_\_\_ and \_\_\_\_\_ of each year, commencing \_\_\_\_\_, until this Bond matures, and shall be payable by check or draft mailed to the person in whose name this Bond is registered on the registration books of the County maintained by the registrar, presently Wells Fargo Bank, N.A. in Atlanta, Georgia (the "Registrar"), at the close of business on the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date. The principal of and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts; provided, however, that interest on this fully-registered Bond shall be paid by check or draft as set forth above.

This Bond shall not be entitled to any benefit under the Ordinance (hereafter defined), nor become valid or obligatory for any purpose, until the certificate of authentication hereon shall have been duly executed by the Registrar.

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

This Bond is one of a series of Bonds of like date of original issue, tenor and effect, except as to number, denomination, date of maturity, redemption provisions, and rate of interest, aggregating

\_\_\_\_\_ Dollars (\$ \_\_\_\_\_), issued pursuant to and in accordance with the Constitution and laws of the State of South Carolina, including Article X of the Constitution of the State of South Carolina, 1895, as amended; Title 4, Chapter 15, Code of Laws of South Carolina 1976, as amended; Title 11, Chapters 15, 21 and 27 of the Code of Laws of South Carolina 1976, as amended; and Ordinance No. \_\_\_\_\_ duly enacted by the County Council on \_\_\_\_\_, 2007.

[Redemption provisions]

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

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

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of the State of South Carolina to exist, to happen and to be performed precedent to or in the issuance of this Bond exist, have happened and have been performed in regular and due time, form and manner as required by law; that the amount of this Bond, together with all other indebtedness of the County, does not exceed the applicable limitation of indebtedness under the laws of the State of South Carolina; and that provision has been made for the levy and collection of a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on this Bond as the same shall respectively mature and to create such sinking fund as may be necessary therefor.

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

RICHLAND COUNTY, SOUTH CAROLINA

\_\_\_\_\_  
Chairman, County Council

(SEAL)

ATTEST:

\_\_\_\_\_  
Clerk, County Council

[FORM OF REGISTRAR'S CERTIFICATE OF AUTHENTICATION]

Date of Authentication:

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

Wells Fargo Bank, N.A., as Registrar

By: \_\_\_\_\_  
Authorized Officer

The following abbreviations, when used in the inscription on the face of this Bond shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM - As tenants in common

UNIF GIFT MIN. ACT

TEN ENT - As tenants by the  
entireties

\_\_\_\_\_  
Custodian  
(Cust.) (Minor)

JT TEN - As joint tenants  
with right of  
survivorship and  
not as tenants in  
common

under Uniform Gifts to Minors

\_\_\_\_\_  
(State)

Additional abbreviations may also be used though not in list above.

[FORM OF ASSIGNMENT]

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

\_\_\_\_\_  
(Name and address of Transferee)

the within Bond and does hereby irrevocably constitute and appoint \_\_\_\_\_ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated:

\_\_\_\_\_  
Signature Guaranteed:

\_\_\_\_\_  
(Authorizing Officer)

\_\_\_\_\_  
Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agents Medallion Program ("STAMP") or similar program.

\_\_\_\_\_  
NOTICE: The signature to this agreement must correspond with the name of the registered holder as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Copies of the final approving opinions to be rendered shall be printed on the back of each Bond and preceding the same a certificate shall appear, which shall be signed on behalf of the County with a facsimile signature of the Clerk to the County Council. The certificate shall be in substantially the following form:

[FORM OF CERTIFICATE]

IT IS HEREBY CERTIFIED that the following is a true and correct copy of the complete final approving opinions (except for date and letterhead) of McNair Law Firm, P.A., Columbia, South Carolina, approving the issue of bonds of which the within bond is one, the original of which opinions were manually executed, dated and issued as of the date of delivery of and payment for the bonds and a copy of which is on file with the County Council of Richland County, South Carolina.

RICHLAND COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Clerk, County Council



**FORM OF NOTICE**

NOTICE IS HEREBY GIVEN that the County Council (the "County Council") of Richland County, South Carolina (the "County"), on \_\_\_\_\_, 2007, enacted Ordinance No. \_\_\_\_\_ entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF BROAD RIVER SEWER SYSTEM GENERAL OBLIGATION REFUNDING BONDS OF RICHLAND COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$16,500,000; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE ADMINISTRATOR OF THE COUNTY TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO" (the "Ordinance"). The Ordinance authorizes the issuance and approves the sale of not to exceed \$ \_\_\_\_\_ Broad River Sewer System General Obligation Refunding Bonds, Series \_\_\_\_\_ (the "Bonds") of the County.

The proceeds of the Bonds will be used to provide funds for (i) refunding the outstanding principal amount of the County's \$15,500,000 Sewer System General Obligation Bonds, Series 2003D; and (ii) costs of issuance of the Bonds.

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

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

**FORM OF NOTICE OF SALE**

\$ \_\_\_\_\_ BROAD RIVER SEWER SYSTEM  
GENERAL OBLIGATION REFUNDING BONDS,  
SERIES \_\_\_\_\_  
OF RICHLAND COUNTY, STATE OF SOUTH CAROLINA

Time and Place of Sale: NOTICE IS HEREBY GIVEN that sealed bids, facsimile bids and electronic bids will be received on behalf of Richland County, South Carolina (the "County") in the Administrative Conference Room, 4th Floor, 2020 Hampton Street, Columbia, South Carolina, until 12:00 Noon, South Carolina time, on \_\_\_\_\_, \_\_\_\_\_, 2007, at which time said proposals will be publicly opened for the purchase of \$ \_\_\_\_\_ Broad River Sewer System General Obligation Refunding Bonds, Series \_\_\_\_\_, of the County (the "Bonds").

Sealed Bids: Each hand delivered proposal shall be enclosed in a sealed envelope marked "Proposal for \$ \_\_\_\_\_ Sewer System General Obligation Refunding Bonds, Series \_\_\_\_\_, Richland County, South Carolina" and should be directed to the County Administrator at the address in the first paragraph hereof.

Facsimile Bids: The County will accept the facsimile transmission of a manually signed Official Bid Form at the risk of the Bidder. The County shall not be responsible for the confidentiality of bids submitted by facsimile transmission. Any delay in receipt of a facsimile bid, and any incompleteness or illegible portions of such bid are the responsibility of the bidder. Bids by facsimile should be transmitted to the attention of J. Milton Pope, County Administrator, fax number (803) 576-2137.

Electronic Bids: Electronic proposals must be submitted through i-Deal's Parity Electronic Bid Submission System ("Parity"). No electronic bids from any other providers of electronic bidding services will be accepted. Information about the electronic bidding services of Parity may be obtained from i-Deal, 40 W. 23rd Street, 5th floor, New York, New York 10010, Customer Support, telephone (212) 404-8102.

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

Book-Entry-Only Bonds: The Bonds will be issued in fully-registered form. One Bond representing each maturity will be issued to and registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), as registered owner of the Bonds and each such Bond will be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing each year; Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased. The winning bidder, as a condition to delivery of the Bonds, will be required to deposit the Bond certificates representing each maturity with DTC.

The Bonds will be issued in fully-registered form registered as to principal and interest; will be dated \_\_\_\_\_, 2007; will be in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing in each year; and will mature serially in successive annual installments on \_\_\_\_\_ in each of the years and in the principal amounts as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
-------------	-----------------------------	-------------	-----------------------------

The Bonds will bear interest from the date thereof payable semiannually on \_\_\_\_\_ and \_\_\_\_\_ of each year, commencing \_\_\_\_\_, until they mature.

[Redemption Provisions]

Municipal Bond Insurance: The County has submitted applications to various bond insurers for a policy of insurance relating to the Bonds to be effective as of the date of their issuance. Notice of obtaining a commitment for such insurance will be transmitted via Munifacts. If a bidder for the Bonds desires to have the Bonds so insured, the bidder should specify in its bid for the Bonds whether bond insurance will be purchased. The premium on such bond insurance must be paid at or prior to the closing by the successful bidder. Any failure of the Bonds to be so insured or of any such policy of insurance to be issued shall not constitute cause for a failure or refusal by the purchaser of the bonds to accept delivery of and pay for the Bonds.

Registrar/Paying Agent: Wells Fargo Bank, N.A. shall serve as Registrar/Paying Agent for the Bonds.

Bid Requirements: Bidders shall specify the rate or rates of interest per annum which the Bonds are to bear, to be expressed in multiples of 1/20 or 1/8 of 1% and the interest rate specified for any maturity shall not be lower than the interest rate specified for any previous maturity. Bidders are not limited as to the number of rates of interest named, but the rate of interest on each separate maturity must be the same single rate for all Bonds of that maturity from their date to such maturity date. A bid for less than all the Bonds or a bid at a price less than par will not be considered.

Award of Bid. The Bonds will be awarded to the bidder or bidders offering to purchase the Bonds at the lowest true interest cost (TIC) to the County. The TIC will be the nominal interest rate which, when compounded semiannually and used to discount all debt service payments on the Bonds (computed at the interest rates specified in the bid and on the basis of a 360-day year of twelve 30-day months) to the dated date of the Bonds, results in an amount equal to the price bid for the Bonds. In the case of a tie bid, the winning bid will be awarded by lot. The County reserves the right to reject any and all bids or to waive irregularities in any bid. Bids will be accepted or rejected no later than 3:00 p.m., South Carolina time, on the date of the sale.

Security: The Bonds shall constitute binding general obligations of the County and for the payment of the principal and interest on the Bonds as they respectively mature, and for the creation of a sinking fund as may be necessary therefor, the full faith, credit, and taxing power of the County are irrevocably pledged, and there shall be levied annually by the Auditor of Richland County, and collected by the Treasurer of Richland County, in the same manner as other County taxes are levied and collected, a tax, without limit, on all taxable property in the County, sufficient to pay the principal of and interest on the Bonds as they respectfully mature, and to create a sinking fund as may be necessary therefor; provided, however, that the County Council does hereby pledge the revenues derived from the operation of the System after defraying the costs of operation and maintenance of the System.

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

Bid Form: Proposals should be enclosed in a separate sealed envelope marked "Proposal for \$ \_\_\_\_\_ Broad River Sewer System General Obligation Refunding Bonds, Series \_\_\_\_\_ of Richland County, South Carolina" and should be directed to the Chairman of the County Council at the address in the first paragraph hereof. It is requested but not required that you submit your bid on the Proposal for Purchase of Bonds supplied with the Official Statement.

Official Statement: Upon the award of the Bonds, the County will prepare an official statement (the "Official Statement") in substantially the same form as the preliminary official statement subject to minor additions, deletions and revisions as required to complete the Official Statement. Within seven (7) business days after the award of the Bonds, the County will deliver the Official Statement to the successful bidder in sufficient quantity to comply with Rule G-32 of the Municipal Securities Rulemaking Board. The successful bidder agrees to supply to the County all necessary pricing information and any Underwriter identification necessary to complete the Official Statement within 24 hours after the award of the Bonds.

Continuing Disclosure: In order to assist the bidders in complying with S.E.C. Rule 15c2-12(b)(5), the County will undertake, pursuant to an ordinance and a Continuing Disclosure Agreement, to provide certain annual financial information and notices of the occurrence of certain events, if material. A description of this undertaking is set forth in the Preliminary Official Statement and will also be set forth in the final Official Statement.

Legal Opinion: The County Council shall furnish upon delivery of the Bonds the final approving opinions of McNair Law Firm, P.A., Columbia, South Carolina, which opinions shall accompany each Bond, together with the usual closing documents, including a certificate of the County that no litigation is pending affecting the Bonds.

Certificate as to Issue Price: The successful bidder must provide a certificate to the County by the date of delivery of the Bonds, stating the initial reoffering price of the Bonds to the public (excluding bond houses and brokers) and the price at which a substantial amount of the Bonds were sold to the public, in form satisfactory to Bond Counsel. A sample copy of such a certificate may be obtained from Bond Counsel.

Delivery: The Bonds will be delivered on or about \_\_\_\_\_, 2007, in New York, New York, at the expense of the County. The balance of the purchase price then due, including the amount of accrued interest, must be paid in federal funds or other immediately available funds.

Additional Information: The Preliminary Official Statement of the County with respect to the Bonds will be furnished to any person interested in bidding for the Bonds upon request. The Preliminary Official Statement shall be reviewed by bidders prior to submitting a bid. Bidders may not rely on this Notice of Sale as to the complete information concerning the Bonds. Persons seeking additional information should communicate with J. Milton Pope, County Administrator, 2020 Hampton Street, Columbia, South Carolina, 29201, telephone (803) 576-2054 or Francenia B. Heizer, Esquire, McNair Law Firm, P.A., 1301 Gervais Street, 17th Floor, Columbia, South Carolina, 29201, telephone (803) 799-9800, e-mail: [fheizer@mcnair.net](mailto:fheizer@mcnair.net). Bidders may also contact the County's Financial Advisor, Brian Nurick, Ross, Sinliare & Associates, LLC, 1219 Assembly Street, Columbia, South Carolina 29201, telephone (800) 255-0795 or [bnurick@rsamuni.com](mailto:bnurick@rsamuni.com).

RICHLAND COUNTY, SOUTH CAROLINA

s/ \_\_\_\_\_  
Chairman, County Council

**FORM OF DISCLOSURE DISSEMINATION AGENT AGREEMENT**

This Disclosure Dissemination Agent Agreement (the “Disclosure Agreement”), dated as of \_\_\_\_\_, 2007, is executed and delivered by Richland County, South Carolina (the “Issuer”) and Digital Assurance Certification, L.L.C., as exclusive Disclosure Dissemination Agent (the “Disclosure Dissemination Agent” or “DAC”) for the benefit of the Holders (hereinafter defined) of the Bonds (hereinafter defined) and in order to provide certain continuing disclosure with respect to the Bonds in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time (the “Rule”).

SECTION 1. Definitions. Capitalized terms not otherwise defined in this Disclosure Agreement shall have the meaning assigned in the Rule or, to the extent not in conflict with the Rule, in the Official Statement (hereinafter defined). The capitalized terms shall have the following meanings:

“Annual Report” means an Annual Report described in and consistent with Section 3 of this Disclosure Agreement.

“Annual Filing Date” means the date, set in Sections 2(a) and 2(f), by which the Annual Report is to be filed with the Repositories.

“Annual Financial Information” means annual financial information as such term is used in paragraph (b)(5)(i) of the Rule and specified in Section 3(a) of this Disclosure Agreement.

“Audited Financial Statements” means the financial statements (if any) of the Issuer for the prior fiscal year, certified by an independent auditor as prepared in accordance with generally accepted accounting principles or otherwise, as such term is used in paragraph (b)(5)(i) of the Rule and specified in Section 3(b) of this Disclosure Agreement.

“Bonds” means the bonds as listed on the attached Exhibit A, with the 9-digit CUSIP numbers relating thereto.

“Certification” means a written certification of compliance signed by the Disclosure Representative stating that the Annual Report, Audited Financial Statements, Voluntary Report or Notice Event notice delivered to the Disclosure Dissemination Agent is the Annual Report, Audited Financial Statements, Voluntary Report or Notice Event notice required to be submitted to the Repositories under this Disclosure Agreement. A Certification shall accompany each such document submitted to the Disclosure Dissemination Agent by the Issuer and include the full name of the Bonds and the 9-digit CUSIP numbers for all Bonds to which the document applies.

“Disclosure Representative” means the Finance Director, the senior member of the Issuer or his or her designee, or such other person as the Issuer shall designate in writing to the Disclosure Dissemination Agent from time to time as the person responsible for providing Information to the Disclosure Dissemination Agent.

“Disclosure Dissemination Agent” means Digital Assurance Certification, L.L.C, acting in its capacity as Disclosure Dissemination Agent hereunder, or any successor Disclosure Dissemination Agent designated in writing by the Issuer pursuant to Section 9 hereof.

“Holder” means any person (a) having the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries) or (b) treated as the owner of any Bonds for federal income tax purposes.

“Information” means the Annual Financial Information, the Audited Financial Statements (if any) the Notice Event notices, and the Voluntary Reports.

“Notice Event” means an event listed in Sections 4(a) of this Disclosure Agreement.

“MSRB” means the Municipal Securities Rulemaking Board established pursuant to Section 15B(b)(1) of the Securities Exchange Act of 1934.

“National Repository” means any Nationally Recognized Municipal Securities Information Repository for purposes of the Rule. The list of National Repositories maintained by the United States Securities and Exchange Commission shall be conclusive for purposes of determining National Repositories. Currently, the following are National Repositories:

1. DPC Data Inc.  
One Executive Drive  
Fort Lee, New Jersey 07024  
(201) 346-0701 (phone)  
(201) 947-0107 (fax)  
Email: nrmsir@dpcdata.com
2. FT Interactive Data  
Attn: NRMSIR  
100 William Street  
New York, New York 10038  
(212) 771-6999 (phone)  
(212) 771-7390 (fax for secondary market information)  
(212) 771-7391 (fax for primary market information)  
Email: NRMSIR@FTID.com
3. Bloomberg Municipal Repository  
100 Business Park  
Skillman, NJ 08558  
(609) 279-3225 (phone)  
(609) 279-5962 (fax)  
Email: Munis@Bloomberg.com

4. Standard & Poor's J.J. Kenny Repository  
55 Water Street  
45<sup>th</sup> Floor  
New York, New York 10041  
(212) 438-4595 (phone)  
(212) 438-3975 (fax)  
Email: [nrmsir\\_repository@sandp.com](mailto:nrmsir_repository@sandp.com)

“Official Statement” means that Official Statement prepared by the Issuer in connection with the Bonds as listed on Appendix A.

“Repository” means the MSRB, each National Repository and the State Depository (if any).

“State Depository” means any public or private depository or entity designated by the State of South Carolina as a state information depository (if any) for the purpose of the Rule. The list of state information depositories maintained by the United States Securities and Exchange Commission shall be conclusive as to the existence of a State Depository. Currently, the following depositories are listed by the Securities and Exchange Commission as available State Depositories:

1. Municipal Advisory Council of Michigan  
1445 First National Building  
Detroit, Michigan 48226-3517  
(313) 963-0420 (phone)  
(313) 963-0943 (fax)  
[jackie@macmi.com](mailto:jackie@macmi.com)
2. Municipal Advisory Council of Texas  
PO Box 2177  
Austin, TX 78768-2177  
(512) 476-6947 (phone)  
(512) 476-6403 (fax)  
[mac@mactexas.com](mailto:mac@mactexas.com)
3. Ohio Municipal Advisory Council  
9321 Ravenna Road, Unit K  
Twinsburg, OH 44087-2445  
(330) 963-7444 (phone)  
(800) 969-OMAC (6622) (phone)  
(330) 963-7553 (fax)  
[sid\\_filing@ohiomac.com](mailto:sid_filing@ohiomac.com)

“Trustee” means the institution identified as such in the document under which the Bonds were issued.

“Voluntary Report” means the information provided to the Disclosure Dissemination Agent by the Issuer pursuant to Section 7.



SECTION 2. Provision of Annual Reports.

(a) The Issuer shall provide, annually, an electronic copy of the Annual Report and Certification to the Disclosure Dissemination Agent, together with a copy for the Trustee, not later than 30 days prior to the Annual Filing Date. Promptly upon receipt of an electronic copy of the Annual Report and the Certification, the Disclosure Dissemination Agent shall provide an Annual Report to each National Repository and the State Depository (if any) not later than 210 days after the end of each fiscal year of the Issuer, commencing with the fiscal year ending June 30, 2007. Such date and each anniversary thereof is the Annual Filing Date. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 3 of this Disclosure Agreement.

(b) If on the fifteenth (15th) day prior to the Annual Filing Date, the Disclosure Dissemination Agent has not received a copy of the Annual Report and Certification, the Disclosure Dissemination Agent shall contact the Disclosure Representative by telephone and in writing (which may be by e-mail) to remind the Issuer of its undertaking to provide the Annual Report pursuant to Section 2(a). Upon such reminder, the Disclosure Representative shall either (i) provide the Disclosure Dissemination Agent with an electronic copy of the Annual Report and the Certification) no later than two (2) business days prior to the Annual Filing Date, or (ii) instruct the Disclosure Dissemination Agent in writing that the Issuer will not be able to file the Annual Report within the time required under this Disclosure Agreement, state the date by which the Annual Report for such year will be provided and instruct the Disclosure Dissemination Agent that a Notice Event as described in Section 4(a)(12) has occurred and to immediately send a notice to each National Repository or the MSRB and the State Depository (if any) in substantially the form attached as Exhibit B.

(c) If the Disclosure Dissemination Agent has not received an Annual Report and Certification by 12:00 noon on the first business day following the Annual Filing Date for the Annual Report, a Notice Event described in Section 4(a)(12) shall have occurred and the Issuer irrevocably directs the Disclosure Dissemination Agent to immediately send a notice to each National Repository or the MSRB and the State Depository (if any) in substantially the form attached as Exhibit B.

(d) If Audited Financial Statements of the Issuer are prepared but not available prior to the Annual Filing Date, the Issuer shall, when the Audited Financial Statements are available, provide in a timely manner an electronic copy to the Disclosure Dissemination Agent, accompanied by a Certificate, together with a copy for the Trustee, for filing with each National Repository and the State Depository (if any).

(e) The Disclosure Dissemination Agent shall:

- (i) determine the name and address of each Repository each year prior to the Annual Filing Date;
- (ii) upon receipt, promptly file each Annual Report received under Section 2(a) with each National Repository, and the State Depository, (if any);
- (iii) upon receipt, promptly file each Audited Financial Statement received under Section 2(d) with each National Repository, and the State Depository (if any);
- (iv) upon receipt, promptly file the text of each disclosure to be made with each National Repository or the MSRB and the State Depository (if any) together with a completed copy of the MSRB Material Event Notice Cover Sheet in the form attached as Exhibit C, describing the event by checking the box indicated below when filing pursuant to the Section of this Disclosure Agreement indicated:

1. "Principal and interest payment delinquencies," pursuant to Sections 4(c) and 4(a)(1);
  2. "Non-Payment related defaults," pursuant to Sections 4(c) and 4(a)(2);
  3. "Unscheduled draws on debt service reserves reflecting financial difficulties," pursuant to Sections 4(c) and 4(a)(3);
  4. "Unscheduled draws on credit enhancements reflecting financial difficulties," pursuant to Sections 4(c) and 4(a)(4);
  5. "Substitution of credit or liquidity providers, or their failure to perform," pursuant to Sections 4(c) and 4(a)(5);
  6. "Adverse tax opinions or events affecting the tax-exempt status of the security," pursuant to Sections 4(c) and 4(a)(6);
  7. "Modifications to rights of securities holders," pursuant to Sections 4(c) and 4(a)(7);
  8. "Bond calls," pursuant to Sections 4(c) and 4(a)(8);
  9. "Defeasances," pursuant to Sections 4(c) and 4(a)(9);
  10. "Release, substitution, or sale of property securing repayment of the securities," pursuant to Sections 4(c) and 4(a)(10);
  11. "Ratings changes," pursuant to Sections 4(c) and 4(a)(11);
  12. "Failure to provide annual financial information as required," pursuant to Section 2(b)(ii) or Section 2(c), together with a completed copy of Exhibit B to this Disclosure Agreement;
  13. "Other material event notice (specify)," pursuant to Section 7 of this Agreement, together with the summary description provided by the Disclosure Representative.
- (v) provide the Issuer evidence of the filings of each of the above when made, which shall be by means of the DAC system, for so long as DAC is the Disclosure Dissemination Agent under this Disclosure Agreement.

(f) The Issuer may adjust the Annual Filing Date upon change of its fiscal year by providing written notice of such change and the new Annual Filing Date to the Disclosure Dissemination Agent, Trustee (if any) and the Repositories, provided that the period between the existing Annual Filing Date and new Annual Filing Date shall not exceed one year.

### SECTION 3. Content of Annual Reports.

(a) Each Annual Report shall contain Annual Financial Information with respect to the Issuer, including the information provided in the Official Statement under the headings: “Security,” “Outstanding Indebtedness,” “Assessed Value of Taxable Property in the County,” “Estimated True Value of All Taxable Property in the County,” “Tax Rates,” “Tax Collections for Last Five Years,” and “Ten Largest Taxpayers.”

(b) Audited Financial Statements prepared in accordance with GAAP as described in the Official Statement will be included in the Annual Report.

Any or all of the items listed above may be included by specific reference from other documents, including official statements of debt issues with respect to which the Issuer is an “obligated person” (as defined by the Rule), which have been previously filed with each of the National Repositories or the Securities and Exchange Commission. If the document incorporated by reference is a final official statement, it must be available from the MSRB. The Issuer will clearly identify each such document so incorporated by reference.

SECTION 4. Reporting of Notice Events.

(a) The occurrence of any of the following events, if material, with respect to the Bonds constitutes a Notice Event:

1. Principal and interest payment delinquencies;
2. Non-payment related defaults;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements relating to the Bonds reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions or events affecting the tax-exempt status of the Bonds;
7. Modifications to rights of Bond holders;
8. Bond calls;
9. Defeasances;
10. Release, substitution, or sale of property securing repayment of the Bonds;
11. Rating changes on the Bonds;
12. Failure to provide annual financial information as required; and
13. Other material event notice (specify) \_\_\_\_\_.

The Issuer shall promptly notify the Disclosure Dissemination Agent in writing upon the occurrence of a Notice Event. Such notice shall instruct the Disclosure Dissemination Agent to report the occurrence pursuant to subsection (c). Such notice shall be accompanied with the text of the disclosure that the Issuer

desires to make, the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information.

(b) The Disclosure Dissemination Agent is under no obligation to notify the Issuer or the Disclosure Representative of an event that may constitute a Notice Event. In the event the Disclosure Dissemination Agent so notifies the Disclosure Representative, the Disclosure Representative will within five business days of receipt of such notice, instruct the Disclosure Dissemination Agent that (i) a Notice Event has not occurred and no filing is to be made or (ii) a Notice Event has occurred and the Disclosure Dissemination Agent is to report the occurrence pursuant to subsection (c), together with the text of the disclosure that the Issuer desires to make, the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information.

(c) If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in subsection (a) or (b)(ii) of this Section 4 to report the occurrence of a Notice Event, the Disclosure Dissemination Agent shall promptly file a notice of such occurrence with the State Depository (if any) and (i) each National Repository, or (ii) the MSRB.

**SECTION 5. CUSIP Numbers.** Whenever providing information to the Disclosure Dissemination Agent, including but not limited to Annual Reports, documents incorporated by reference to the Annual Reports, Audited Financial Statements, notices of Notice Events, and Voluntary Reports filed pursuant to Section 7(a), the Issuer shall indicate the full name of the Bonds and the 9-digit CUSIP numbers for the Bonds as to which the provided information relates.

**SECTION 6. Additional Disclosure Obligations.** The Issuer acknowledges and understands that other state and federal laws, including but not limited to the Securities Act of 1933 and Rule 10b-5 promulgated under the Securities Exchange Act of 1934, may apply to the Issuer, and that the failure of the Disclosure Dissemination Agent to so advise the Issuer shall not constitute a breach by the Disclosure Dissemination Agent of any of its duties and responsibilities under this Disclosure Agreement. The Issuer acknowledges and understands that the duties of the Disclosure Dissemination Agent relate exclusively to execution of the mechanical tasks of disseminating information as described in this Disclosure Agreement.

**SECTION 7. Voluntary Reports.**

(a) The Issuer may instruct the Disclosure Dissemination Agent to file information with the Repositories, from time to time pursuant to a Certification of the Disclosure Representative accompanying such information (a “Voluntary Report”).

(b) Nothing in this Disclosure Agreement shall be deemed to prevent the Issuer from disseminating any other information through the Disclosure Dissemination Agent using the means of dissemination set forth in this Disclosure Agreement or including any other information in any Annual Report, Annual Financial Statement, Voluntary Report or Notice Event notice, in addition to that required by this Disclosure Agreement. If the Issuer chooses to include any information in any Annual Report, Annual Financial Statement, Voluntary Report or Notice Event notice in addition to that which is specifically required by this Disclosure Agreement, the Issuer shall have no obligation under this Disclosure Agreement to update such information or include it in any future Annual Report, Annual Financial Statement, Voluntary Report or Notice Event notice.

SECTION 8. Termination of Reporting Obligation. The obligations of the Issuer and the Disclosure Dissemination Agent under this Disclosure Agreement shall terminate with respect to the Bonds upon the legal defeasance, prior redemption or payment in full of all of the Bonds, when the Issuer is no longer an obligated person with respect to the Bonds, or upon delivery by the Disclosure Representative to the Disclosure Dissemination Agent of an opinion of nationally recognized bond counsel to the effect that continuing disclosure is no longer required.

SECTION 9. Disclosure Dissemination Agent. The Issuer has appointed Digital Assurance Certification, L.L.C. as exclusive Disclosure Dissemination Agent under this Disclosure Agreement. The Issuer may, upon thirty days written notice to the Disclosure Dissemination Agent and the Trustee, replace or appoint a successor Disclosure Dissemination Agent. Upon termination of DAC's services as Disclosure Dissemination Agent, whether by notice of the Issuer or DAC, the Issuer agrees to appoint a successor Disclosure Dissemination Agent or, alternately, agrees to assume all responsibilities of Disclosure Dissemination Agent under this Disclosure Agreement for the benefit of the Holders of the Bonds. Notwithstanding any replacement or appointment of a successor, the Issuer shall remain liable until payment in full for any and all sums owed and payable to the Disclosure Dissemination Agent. The Disclosure Dissemination Agent may resign at any time by providing thirty days' prior written notice to the Issuer.

SECTION 10. Remedies in Event of Default. In the event of a failure of the Issuer or the Disclosure Dissemination Agent to comply with any provision of this Disclosure Agreement, the Holders' rights to enforce the provisions of this Agreement shall be limited solely to a right, by action in mandamus or for specific performance, to compel performance of the parties' obligation under this Disclosure Agreement. Any failure by a party to perform in accordance with this Disclosure Agreement shall not constitute a default on the Bonds or under any other document relating to the Bonds, and all rights and remedies shall be limited to those expressly stated herein.

SECTION 11. Duties, Immunities and Liabilities of Disclosure Dissemination Agent.

(a) The Disclosure Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Agreement. The Disclosure Dissemination Agent's obligation to deliver the information at the times and with the contents described herein shall be limited to the extent the Issuer has provided such information to the Disclosure Dissemination Agent as required by this Disclosure Agreement. The Disclosure Dissemination Agent shall have no duty with respect to the content of any disclosures or notice made pursuant to the terms hereof. The Disclosure Dissemination Agent shall have no duty or obligation to review or verify any Information or any other information, disclosures or notices provided to it by the Issuer and shall not be deemed to be acting in any fiduciary capacity for the Issuer, the Holders of the Bonds or any other party. The Disclosure Dissemination Agent shall have no responsibility for the Issuer's failure to report to the Disclosure Dissemination Agent a Notice Event or a duty to determine the materiality thereof. The Disclosure Dissemination Agent shall have no duty to determine, or liability for failing to determine, whether the Issuer has complied with this Disclosure Agreement. The Disclosure Dissemination Agent may conclusively rely upon certifications of the Issuer at all times.

THE ISSUER AGREES TO INDEMNIFY AND SAVE THE DISCLOSURE DISSEMINATION AGENT AND ITS RESPECTIVE OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS, HARMLESS AGAINST ANY LOSS, EXPENSE AND LIABILITIES WHICH THEY MAY INCUR ARISING OUT OF OR IN THE EXERCISE OR PERFORMANCE OF THEIR POWERS AND DUTIES HEREUNDER, INCLUDING THE COSTS AND EXPENSES (INCLUDING ATTORNEYS FEES) OF DEFENDING AGAINST ANY CLAIM OF LIABILITY, BUT EXCLUDING LIABILITIES DUE TO THE DISCLOSURE DISSEMINATION AGENT'S GROSS NEGLIGENCE OR WILLFUL MISCONDUCT.

The obligations of the Issuer under this Section shall survive resignation or removal of the Disclosure Dissemination Agent and defeasance, redemption or payment of the Bonds.

(b) The Disclosure Dissemination Agent may, from time to time, consult with legal counsel (either in-house or external) of its own choosing in the event of any disagreement or controversy, or question or doubt as to the construction of any of the provisions hereof or its respective duties hereunder, and neither of them shall incur any liability and shall be fully protected in acting in good faith upon the advice of such legal counsel. The fees and expenses of such counsel shall be payable by the Issuer.

SECTION 12. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Agreement, the Issuer and the Disclosure Dissemination Agent may amend this Disclosure Agreement and any provision of this Disclosure Agreement may be waived, if such amendment or waiver is supported by an opinion of counsel expert in federal securities laws acceptable to both the Issuer and the Disclosure Dissemination Agent to the effect that such amendment or waiver does not materially impair the interests of Holders of the Bonds and would not, in and of itself, cause the undertakings herein to violate the Rule if such amendment or waiver had been effective on the date hereof but taking into account any subsequent change in or official interpretation of the Rule; provided neither the Issuer or the Disclosure Dissemination Agent shall be obligated to agree to any amendment modifying their respective duties or obligations without their consent thereto.

Notwithstanding the preceding paragraph, the Disclosure Dissemination Agent shall have the right to adopt amendments to this Disclosure Agreement necessary to comply with modifications to and interpretations of the provisions of the Rule as announced by the Securities and Exchange Commission from time to time by giving not less than 20 days written notice of the intent to do so together with a copy of the proposed amendment to the Issuer. No such amendment shall become effective if the Issuer shall, within 10 days following the giving of such notice, send a notice to the Disclosure Dissemination Agent in writing that it objects to such amendment.

SECTION 13. Beneficiaries. This Disclosure Agreement shall inure solely to the benefit of the Issuer, the Trustee of the Bonds, the Disclosure Dissemination Agent, the underwriter, and the Holders from time to time of the Bonds, and shall create no rights in any other person or entity.

SECTION 14. Governing Law. This Disclosure Agreement shall be governed by the laws of the State of New York (other than with respect to conflicts of laws).

SECTION 15. Counterparts. This Disclosure Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

The Disclosure Dissemination Agent and the Issuer have caused this Continuing Disclosure Agreement to be executed, on the date first written above, by their respective officers duly authorized.

DIGITAL ASSURANCE CERTIFICATION, L.L.C.,  
as Disclosure Dissemination Agent

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

RICHLAND COUNTY, SOUTH CAROLINA,  
as Issuer

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**EXHIBIT A**

**NAME AND CUSIP NUMBERS OF BONDS**

Name of Issuer: Richland County, South Carolina  
Obligated Person(s): Daniel Driggers, Finance Director  
Name of Bond Issue: Broad River Sewer System General Obligation Refunding Bonds,  
Series 2007C, \$ \_\_\_\_\_  
Date of Issuance: \_\_\_\_\_, 2007  
Date of Official Statement: \_\_\_\_\_, 2007

CUSIP Number:	_____	CUSIP Number:	_____
CUSIP Number:	_____	CUSIP Number:	_____
CUSIP Number:	_____	CUSIP Number:	_____
CUSIP Number:	_____	CUSIP Number:	_____
CUSIP Number:	_____	CUSIP Number:	_____
CUSIP Number:	_____	CUSIP Number:	_____
CUSIP Number:	_____	CUSIP Number:	_____
CUSIP Number:	_____	CUSIP Number:	_____
CUSIP Number:	_____	CUSIP Number:	_____
CUSIP Number:	_____	CUSIP Number:	_____
CUSIP Number:	_____	CUSIP Number:	_____
CUSIP Number:	_____	CUSIP Number:	_____
CUSIP Number:	_____	CUSIP Number:	_____
CUSIP Number:	_____	CUSIP Number:	_____
CUSIP Number:	_____	CUSIP Number:	_____





**EXHIBIT C**  
**MATERIAL EVENT NOTICE COVER SHEET**

This cover sheet and material event notice should be sent to the Municipal Securities Rulemaking Board or to all Nationally Recognized Municipal Securities Information Repositories, and the State Information Depository, if applicable, pursuant to Securities and Exchange Commission Rule 15c2-12(b)(5)(i)(C) and (D).

Issuer's and/or Other Obligated Person's Name:

\_\_\_\_\_

Issuer's Six-Digit CUSIP Number:

\_\_\_\_\_

\_\_\_\_\_

or Nine-Digit CUSIP Number(s) of the bonds to which this material event notice relates:

\_\_\_\_\_

Number of pages of attached material event notice: \_\_\_\_

Description of Material Events Notice (Check One):

1.  Principal and interest payment delinquencies
2.  Non-Payment related defaults
3.  Unscheduled draws on debt service reserves reflecting financial difficulties
4.  Unscheduled draws on credit enhancements reflecting financial difficulties
5.  Substitution of credit or liquidity providers, or their failure to perform
6.  Adverse tax opinions or events affecting the tax-exempt status of the security
7.  Modifications to rights of securities holders
8.  Bond calls
9.  Defeasances
10.  Release, substitution, or sale of property securing repayment of the securities
11.  Rating changes
12.  Failure to provide annual financial information as required
13.  Other material event notice (specify)
14. \_\_\_\_\_

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature:

\_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Employer: Digital Assurance Certification, L.L.C.

Address: \_\_\_\_\_

County, State, Zip Code: \_\_\_\_\_

Voice Telephone Number: \_\_\_\_\_

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-07HR

AN ORDINANCE AUTHORIZING DEED TO FORUM DEVELOPMENT II, LLC FOR A CERTAIN PARCEL OF LAND KNOWN AS LOT 14 ON A PLAT PREPARED BY BP BARBER, DATED 1-18-07, AND RECORDED IN THE RICHLAND COUNTY REGISTER OF DEEDS OFFICE IN BOOK 1277 AT PAGE 3867 (APPROXIMATELY 11.39 ACRES TOTAL) IN THE RICHLAND NORTHEAST INDUSTRIAL PARK, A PORTION OF RICHLAND COUNTY TMS # 25800-04-01.

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

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant a deed to FORUM DEVELOPMENT II, LLC for certain real property, as specifically described in the attached Deed, Lot 14 as shown on a plat prepared by BP Barber, dated 1-18-07, and recorded in the Richland County Register of Deeds Office in Book 1277 at Page 3867 (approximately 11.39 acres) in the Richland Northeast Industrial Park, a portion of Richland County TMS # 25800-04-01, which are attached hereto and incorporated herein.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Joseph McEachern, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2007.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

**FORM OF NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held by the County Council of Richland, South Carolina (the "County"), in County Council Chambers located at 2020 Hampton Street, Columbia, South Carolina, at 6:00 p.m. on March 20, 2007, or at such other location as proper notice on the main entrance to the said building might specify.

The purpose of the public hearing is to consider an Ordinance providing for the issuance and sale of Broad River Sewer System General Obligation Refunding Bonds of Richland County, South Carolina in the aggregate principal amount of not exceeding \$16,500,000 (the "Bonds"), the proceeds of which will be used to provide funds for (i) refunding the outstanding principal amount of the County's \$15,500,000 Broad River Sewer System General Obligation Bonds, Series 2003D; and (ii) costs of issuance of the Bonds.

For the payment of the principal and interest on the Bonds as they respectively mature, and for the creation of a sinking fund as may be necessary therefor, the full faith, credit, and taxing power of the County are irrevocably pledged, and there shall be levied annually by the Auditor of the County, and collected by the Treasurer of the County, in the same manner as other County taxes are levied and collected, tax, without limit, on all taxable property in the County, sufficient to pay the principal of and interest on the Bonds as they respectfully mature, and to create a sinking fund as may be necessary therefor; provided, however, that the County Council does hereby pledge the revenues derived from the operation of the Broad River Regional Sewer System after defraying the costs of operation and maintenance of the Broad River Regional Sewer System.

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

COUNTY COUNCIL OF RICHLAND COUNTY,  
SOUTH CAROLINA

*s/* \_\_\_\_\_  
Chairman

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

First Reading: February 20, 2007  
Second Reading: March 13, 2007  
Public Hearing: March 20, 2007 (tentative)  
Third reading: March 20, 2007 (tentative)

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-07HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS A PORTION OF TMS # 19011-02-01, FROM RU (RURAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the property (a portion of TMS # 19011-02-01) described in Exhibit A, which is attached hereto, from RU (Rural District) zoning to GC (General Commercial District) zoning.

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

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

Section IV. This ordinance shall be effective from and after \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Joseph McEachern, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2007.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

Public Hearing: February 27, 2007  
First Reading: February 27, 2007  
Second Reading: March 13, 2007  
Third Reading: March 20, 2007 (tentative)

## Exhibit A

All that certain piece, parcel or tract of land, with any improvements thereon, situate East of the City of Columbia in unincorporated Richland County, South Carolina, fronting on the southern side of U.S. Highway 378/76 and fronting on the northern side of Old Garners Ferry Road, designated as Parcel B and containing 3.54 acres, more particularly shown on that certain plat prepared for C. Douglas Caughman by Whitworth & Associates, Inc., dated October 31, 2005, and recorded in the Office of the Register of Deeds for Richland County in Record Book 1199 at page 436, to wit:

Parcel B, beginning at an iron pipe set on the northern boundary of the Right-of-Way of Old Garners Ferry Road Southeast of its intersection with U.S. Highway 378/76, marking the Northwest corner of said Parcel B, thence turning and running  $N68^{\circ}34'03''E$ , 272.94 feet to an iron rebar marking the Northeast corner of said Parcel B; thence turning and running  $S58^{\circ}39'11''E$ , 189.67 feet to an iron pipe marking the Southeast corner of said Parcel B; thence turning and running  $S03^{\circ}53'26''E$ , 101.57 feet to an iron pipe; thence turning and running  $S05^{\circ}40'19''W$ , 437.33 feet to an iron pipe set on the northern boundary of the right-of-way of Old Garners Ferry Road marking the Southwest corner of said Parcel B; thence turning and running in a northwesterly direction along said right-of-way on a chord bearing  $N35^{\circ}20'32''W$ , 656.43 feet to the point of beginning; said parcel bounded on the West by property N/F Goff, on the North by Parcel A, on the East by Caughman's Pond and properties N/F C. Douglas Caughman, and on the South by Old Garners Ferry Road.



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_ -07HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 17600-02-04) FROM M-1 (LIGHT INDUSTRIAL DISTRICT) TO RS-LD (RESIDENTIAL, SINGLE-FAMILY, LIGHT DENSITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 17600-02-04 from M-1 (Light Industrial District) zoning to RS-LD (Residential, Single-Family, Light Density District) zoning.

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

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

Section IV. This ordinance shall be effective from and after \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Joseph McEachern, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2007.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

Public Hearing: February 27, 2007  
First Reading: February 27, 2007  
Second Reading: March 13, 2007  
Third Reading: March 20, 2007 (tentative)

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-07HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 25900-04-04 FROM RU (RURAL DISTRICT) TO OI (OFFICE AND INSTITUTIONAL 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 property described as TMS # 25900-04-04 from RU (Rural District) zoning to OI (Office and Institutional District) zoning.

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

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

Section IV. This ordinance shall be effective from and after \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Joseph McEachern, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2007.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

Public Hearing: February 27, 2007  
First Reading: February 27, 2007  
Second Reading: March 13, 2007  
Third Reading: March 20, 2007 (tentative)

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-07HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 11111-01-54 FROM M-1 (LIGHT INDUSTRIAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 11111-01-54 from M-1 (Light Industrial District) zoning to GC (General Commercial District) zoning.

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

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

Section IV. This ordinance shall be effective from and after \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Joseph McEachern, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2007.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

Public Hearing: February 27, 2007  
First Reading: February 27, 2007  
Second Reading: March 13, 2007  
Third Reading: March 20, 2007 (tentative)

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-07HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 13607-02-01) FROM HI (HEAVY INDUSTRIAL DISTRICT) TO RM-HD (RESIDENTIAL, MULTI-FAMILY, HIGH DENSITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 13607-02-01 from HI (Heavy Industrial District) zoning to RM-HD (Residential, Multi-Family, High Density District) zoning.

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

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

Section IV. This ordinance shall be effective from and after \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Joseph McEachern, Chair

Attest this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

Public Hearing: February 27, 2007  
First Reading: February 27, 2007  
Second Reading: March 13, 2007  
Third Reading: March 20, 2007 (tentative)



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-07HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE X, PURCHASING; DIVISION 2, COMPETITIVE PURCHASING POLICY; SECTION 2-598, GENERAL PROVISIONS; SUBSECTION (A); SO AS TO EXEMPT CERTAIN CONTRACTS FROM THE COUNTY'S REQUIREMENTS UNDER THIS ARTICLE.

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

SECTION I. The Richland County Code of Ordinances, Chapter 2, "Administration", Article X, "Purchasing", Division 2, "Competitive Purchasing Policy"; Section 2-598, General Provisions; Subsection (a); is hereby amended by the deletion of the language contained therein and the substitution of the following language:

**Sec. 2-598. General Provisions.**

(a) All public purchases shall be made in a manner which provides for the greatest economy for the taxpayer, the fairest selection of vendor, and the prevention of conflicts of interest. Towards this end, it shall be the policy of the county that, whenever practical, leases, goods, and services required by county agencies shall be procured through a competitive purchasing policy which may be achieved through competitive bidding or through requests for proposals; provided, however, contracts that are specifically approved by a county ordinance are exempt from the provisions of this Article.

Professional services shall be procured as set forth in section 2-600 of this Code, unless otherwise prohibited by law.

The method of contracting known as "design/build" wherein the successful vendor shall perform a "turnkey" project to include all architectural, engineering, construction and other services necessary to provide a complete facility, is expressly authorized. The contractor shall identify the architects and engineers he proposes to use in his bid or proposal and shall coordinate all activities of said architects, engineers, designers, subcontractors, suppliers and others involved in the project to provide a completed facility meeting contract requirements, and shall insure compliance with all other applicable county, state or federal laws. When the "design/build" concept is utilized through competitive bidding or requests for proposal, then the requirements that architectural and engineering services be procured under section 2-600 of this division shall be waived.

The "design/build" method of contracting shall only be employed when the county council determines that the utilization of such method is in the best interest of the county.

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 \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL.

BY: \_\_\_\_\_  
Joseph McEachern, Chair

ATTEST THIS THE \_\_\_\_ DAY  
OF \_\_\_\_\_, 2007

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: February 6, 2007  
Second Reading: February 20, 2007  
Public Hearing: March 20, 2007 (tentative)  
Third Reading: March 20, 2007 (tentative)

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-07HR

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 # 04914-01-01 AND TMS # 04910-01-07, FROM M-1 (LIGHT INDUSTRIAL DISTRICTS) TO GC (GENERAL COMMERCIAL DISTRICTS); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 04914-01-01 and TMS # 04910-01-07, from M-1 (Light Industrial District) zoning to GC (General Commercial District) zoning.

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

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

Section IV. This ordinance shall be effective from and after \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Joseph McEachern, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2007.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

Public Hearing: February 27, 2007  
First Reading: February 27, 2007  
Second Reading: March 13, 2007  
Third Reading: March 20, 2007 (tentative)

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-07HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; ARTICLE VII, BOARDS, COMMISSIONS AND COMMITTEES; SECTION 2-326, BOARDS AND COMMISSIONS CREATED AND RECOGNIZED; SUBSECTION (K), RICHLAND COUNTY TRANSPORTATION STUDY COMMISSION; SO AS TO AMEND THE MEMBERSHIP AND STRUCTURE OF THE COMMISSION.

SECTION I. The Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; Section 2-326, Boards and commissions created and recognized; Subsection (k), Richland County Transportation Study Commission; to read as follows:

(k) *Richland County Transportation Study Commission.*

- (1) *Creation.* There is hereby created a Richland County Transportation Study Commission.
- (2) *Membership.* The Richland County Transportation Study Commission shall consist of ~~thirty-three (33)~~ thirty-nine (39) members who shall be appointed as follows: 11 members, 1 from each member of County Council; 7 members, 1 from each member of Columbia City Council; 4 members, of which 1 shall be appointed by Lexington County Council, 1 shall be appointed by West Columbia City Council, 1 shall be appointed by Cayce City Council, and 1 shall be appointed by the Springdale Town Council; and ~~11~~ 17 members, as recommended by the Richland County Rules and Appointments and approved by a majority vote of Richland County Council. No elected officials shall be appointed to this Commission.
- (3) *Terms of Members; Sub-Committees; Election of Chairperson; Meetings.*
  - (a) ~~The~~ A Commission members shall serve a term of two (2) years or until his or her successor is appointed.
  - (b) The Commission shall consist of four (4) sub-committees, and an "at large" membership, as follows:
    1. An Executive sub-committee, which shall be composed of seven (7) members; and
    2. A Greenways and Bike Paths sub-committee, which shall be composed of seven (7) members; and

3. A Roads sub-committee, which shall be composed of ten (10) members; and

4. A Transit sub-committee, which shall be composed of fourteen (14) members.

5. In addition, sixteen (16) members shall be appointed as “at-large” members; provided that fifteen (15) of the “at-large” members shall also be appointed to one of the sub-committees referenced above.

~~(b)~~(c) The Commission’s chairperson, co-chairperson, and those members to serve on ~~an~~ the Executive ~~sub-c~~Committee of the Commission, shall be appointed by a majority vote of Richland County Council.

(d) Each sub-committee shall elect a chairperson by a majority vote of its respective membership.

~~(e)~~(e) The Commission shall meet at such times and places as determined by the Chairperson, but shall hold at least one meeting each calendar month. All meetings of the Commission shall be conducted in compliance with the South Carolina Freedom of Information Act.

- (4) *Responsibilities.* The Richland County Transportation Study Commission shall study the long-range transportation needs of Richland County, including the current bus system and other modes of public transit. The Commission shall also assess the highway and road improvements that are needed to alleviate congestion that will allow people and goods to move through the County efficiently. This study shall include incentives for development throughout the County that is conducive to public transit, and shall include projects to alleviate congestion, including, but not limited to, Lower Richland Connector and Clemson Road. In addition, the Commission shall develop a plan to make Richland County more pedestrian and bicycle friendly. The Transportation Study Commission shall submit an interim report to Richland County Council in May 2007 and in November 2007. A final report shall be submitted to Richland County Council in May 2008. Copies of these reports shall be transmitted to all local governments within the service area. Any consulting services that may be needed to assist the Commission with their responsibilities shall be managed by the Richland County Procurement Department (for example, RFPs). The Executive Committee of the Commission shall review the applicants and make a recommendation to Richland County Council before a contract is awarded.

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 \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Joseph McEachern, Chair

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

OF \_\_\_\_\_, 2007

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: February 6, 2007  
Second Reading: March 13, 2007  
Third Reading: March 20, 2007 (tentative)

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-07HR

AN ORDINANCE AUTHORIZING QUIT-CLAIM DEED TO JANICE JUANITA NEWBOLD-MOLDEN AND ALBERT WALLACE FOR A CERTAIN PORTION OF A RIGHT-OF-WAY KNOWN AS BLUFF OAKS ROAD, RICHLAND COUNTY.

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

SECTION I. For and in consideration of the sum of \$1.00, the County of Richland and its employees and agents are hereby authorized to grant a quit-claim deed for a certain portion of a right-of-way known as Bluff Oaks Road, Richland County, to Janice Juanita Newbold-Molden and Albert Wallace, as specifically described in the attached quit claim deed, which is incorporated herein.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Joseph McEachern, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2007.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: February 6, 2007  
Second Reading: February 20, 2007  
Public Hearing: March 20, 2007 (tentative)  
Third reading: March 20, 2007 (tentative)







STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-07HR

AN ORDINANCE AUTHORIZING THE GRANTING OF A WATER LINE RIGHT-OF-WAY EASEMENT TO THE CITY OF COLUMBIA ACROSS PROPERTY IDENTIFIED AS A PORTION OF TMS NUMBER R16200-03-20, TO SERVE THE NEW COLUMBIA STATE FARMERS' MARKET.

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

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant a water line right-of-way easement to the City of Columbia across property identified as a portion of TMS# R16200-03-20 to serve the new Columbia State Farmers' Market, as specifically described in the Easement, a copy of which is attached hereto and incorporated herein.

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

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

SECTION IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Joseph McEachern, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2007.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: February 6, 2007  
Second Reading: February 20, 2007  
Public Hearing: March 20, 2007 (tentative)  
Third reading: March 20, 2007 (tentative)

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-07HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2006-2007 SPECIAL REVENUE FUND ANNUAL BUDGET TO ADD SIX FIREFIGHTERS TO FIRE SERVICES. FUNDS ARE PRESENTLY AVAILABLE IN THE DEPARTMENTAL BUDGET TO COVER THE COSTS OF THESE NEW POSITIONS. THERE WILL BE NO ADDITIONAL COSTS FOR THIS FISCAL YEAR.

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 FY 2006-2007 Fire Services' budget be amended to include the addition of six FTEs for Firefighters. Therefore, the Fiscal Year 2006-2007 Special Revenue Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2006 as amended:	\$18,376,421
Appropriation of Revenue:	
Revenue from Army National Guard	165,833
Decrease in Water Assessment	<u>(165,833)</u>
Total Fire Services Revenue As Amended:	\$18,376,421

EXPENDITURES

Expenditures appropriated July 1, 2006 as amended:	\$18,376,421
Increase in Fire Services Budget:	<u>-0-</u>
Total Fire Services Expenditures As Amended:	\$18,376,421

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 \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Joseph McEachern, Chair

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

OF \_\_\_\_\_, 2007

---

Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

First Reading: February 6, 2007  
Second Reading: February 20, 2007  
Public Hearing: March 20, 2007 (tentative)  
Third Reading: March 20, 2007 (tentative)

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-07HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2006-2007 GENERAL FUND ANNUAL BUDGET TO ADD FOUR EMERGENCY MEDICAL TECHNICIANS AND FOUR PARAMEDICS TO EMERGENCY MEDICAL SERVICES. FUNDS ARE PRESENTLY AVAILABLE IN THE DEPARTMENTAL BUDGET TO COVER THE COSTS OF THESE NEW POSITIONS. THERE WILL BE NO ADDITIONAL COSTS FOR THIS FISCAL YEAR.

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 FY 2006-2007 EMS budget be amended to include the addition of four FTEs for Emergency Medical Technicians and four FTEs for Paramedics. Therefore, the Fiscal Year 2006-2007 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2006 as amended:	\$119,118,265
Appropriation of Revenue:	
Revenue from Army National Guard	105,033
Decrease in Miscellaneous Revenue	<u>(105,033)</u>
Total General Fund Revenue As Amended:	\$119,118,265

EXPENDITURES

Expenditures appropriated July 1, 2006 as amended:	\$119,118,265
Increase in EMS Budget:	<u>-0-</u>
Total General Fund Expenditures As Amended:	\$119,118,265

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 \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Joseph McEachern, Chair

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

OF \_\_\_\_\_, 2007

---

Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

First Reading:	February 6, 2007
Second Reading:	February 20, 2007
Public Hearing:	March 20, 2007 (tentative)
Third Reading:	March 20, 2007 (tentative)

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-07HR

AN ORDINANCE AUTHORIZING THE GRANTING OF A SEWER EASEMENT TO GINN-LA UNIVERSITY CLUB LTD, LLLP, ACROSS PROPERTY LYING TO THE NORTH OF MCNULTY STREET, BLYTHEWOOD, SOUTH CAROLINA, AND IDENTIFIED AS A PORTION OF TMS NUMBER 15209-01-04.

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

SECTION I. On behalf of the Richland County Public Library, the County of Richland and its employees and agents are hereby authorized to grant a sewer easement to Ginn-La University Club Ltd, LLLP, across property lying to the North of McNulty Street, Blythewood, South Carolina, and identified as a portion of TMS# 15209-01-04, and further described in the "Sewer Easement Agreement", a copy of which is attached hereto and incorporated herein.

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

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

SECTION IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Joseph McEachern, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2007.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: February 6, 2007  
Second Reading: February 20, 2007  
Public Hearing: March 20, 2007 (tentative)  
Third reading: March 20, 2007 (tentative)



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-07HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; ARTICLE VI, ELECTED AND SPECIAL OFFICERS; SECTION 2-262, SALARIES OF CERTAIN ELECTED OFFICIALS; SO AS TO PROVIDE FOR THE SALARIES OF SUCH OFFICIALS AND FOR SUBSEQUENT PAY INCREASES.

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

SECTION I. The Richland County Code of Ordinances, Chapter 2, Administration, Article VI, Elected and Special Officers, Section 2-262, "Salaries of Certain Elected Officials," is hereby amended to read as follows:

**Sec. 2-262. Salaries of certain elected officials.**

(a) ~~This section shall apply to the following elected officials: auditor, clerk of court, coroner, sheriff, and treasurer. These officials shall be excluded from the County's pay and classification plan: auditor, clerk of court, coroner, probate judge, sheriff, and treasurer.~~

(b) The salary of the auditor, clerk of court, coroner, sheriff, and treasurer shall be determined through the County's budget process, and does not include any supplemental appropriations from the state of South Carolina or from any other source.

(c) Each year the elected officials listed in (b), above, shall receive a pay increase commensurate with the percentage increase of the Consumer Price Index (CPI) over the previous year, which number is distributed to the County from the State Department of Revenue through the South Carolina Association of Counties for budgetary purposes, but not to exceed 4% for that year; provided, however, elected officials' salaries shall be reviewed at the same time that other County positions are reviewed for market comparisons, but in no event longer than three years. If it is determined that an elected official's salary is higher than others surveyed in similar sized counties, the elected official shall not receive a CPI pay increase for the first year following such review. Pay increases, when applicable, shall take effect starting with the first pay period in July.

(d) Upon re-election, the elected officials listed in (a), above, shall receive a 5% pay increase, which shall take effect at the beginning of the new term of office.

(e) A newly elected official, or an individual appointed to fill an existing term of office, shall receive the salary of the previous incumbent, but shall not receive the 5% pay increase that re-elected officials receive.

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 \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Joseph McEachern, Chair

ATTEST this the \_\_\_\_\_ day of  
\_\_\_\_\_, 2007.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: February 6, 2007  
Second Reading: February 20, 2007  
Public Hearing: March 20, 2007 (tentative)  
Third Reading: March 20, 2007 (tentative)

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-07HR

AN ORDINANCE PROVIDING FOR AN INCREASE IN THE RATES TO BE PAID BY USERS OF THE BROAD RIVER REGIONAL SEWER SYSTEM AND INCREASING THE TAP FEES TO BE PAID BY USERS OF THE BROAD RIVER REGIONAL SEWER SYSTEM IN CONNECTION WITH THE ISSUANCE AND SALE OF BROAD RIVER SEWER SYSTEM GENERAL OBLIGATION BONDS OF RICHLAND COUNTY, SOUTH CAROLINA, SERIES 2007B, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$16,970,000; AND OTHER MATTERS RELATING THERETO.

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

SECTION 1. Findings and Determinations. The County Council hereby finds and determines:

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

(b) The County Council has previously determined to establish, operate, and maintain a wastewater collection and treatment system in the Nicholas Creek and Hollingshed Creek drainage basins and a portion of Lake Murray now known as the Broad River Regional Sewer System (the "System") pursuant to the favorable results of a referendum held in Richland County on November 7, 1978, on the question of the County's providing sewage services and the provisions of Section 44-55-1410 of the Code of Laws of South Carolina 1976, as amended and other provisions of law.

(c) The County Council has previously determined that it is necessary to upgrade the Broad River Regional Wastewater Treatment Plant from a 2.5 million gallon per day facility to a 6.0 million gallon per day facility (the "Project").

(d) The County Council has been advised that the current estimated costs of construction of the Project will be approximately \$32,000,000. The County Council has previously determined that it will be in the interest of the County to pay the costs of the Project from the proceeds of sewer system general obligation bonds (the "Bonds").

(e) By virtue of the Chapter 15, Title 4 of the Code of laws of South Carolina 1976, as amended (the "County Bond Act") and continued by Title 11, Chapter 27, Code of Laws of South Carolina 1976, as amended (the County Bond Act, as so amended and continued, being hereinafter called the "Enabling Act"), County Council is authorized to issue general obligation bonds of the County for the purpose of defraying the cost of any purpose for which the County may, under applicable constitutional provisions, issue bonds or levy taxes, and for any amount not exceeding the constitutional debt limit applicable to the County.

(f) Section 12 of Article X of the South Carolina Constitution prohibits the issuance of general obligation bonds of any county to finance wastewater collection and treatment facilities benefiting only a particular geographic section of a county unless a special assessment, tax, or service charge in an amount designed to provide debt service shall be imposed upon the areas or persons receiving the benefit therefrom.

(g) Sections 11-23-10 et seq. of the Code of Laws of South Carolina 1976, as amended, authorizes County Council to provide in the ordinance which makes provision for the issuance of the Bonds that the Bonds shall be additionally secured by all or any portion of the revenues to be derived from the operation of the System.

(h) Pursuant to the provisions of the Enabling Act, Article X, Section 12 of the South Carolina Constitution, and Section 11-23-10, Code of Laws of South Carolina 1976 as amended, the County has provided for the imposition and collection of service charges and user fees to be paid by customers of the System in an amount sufficient to pay, when due, debt service on the Bonds to be issued.

(i) After due investigation, County Council has determined and hereby finds that the imposition and collection of service charges, user fees and tap fees as established in this Ordinance and as may be increased from time to time to be paid by customers of the System will be necessary and sufficient to provide for the payment of the principal and interest on the Bonds to be issued, and the requirements of Article X, Section 12 of the South Carolina Constitution with respect to the issuance of the Bonds will be met.

#### SECTION 2. Establishment of User Fee Rates and Tap Fees .

(a) Until changed by subsequent action of the County Council or a change required to comply with any covenant made by the County, the monthly user fee rate for each customer of the System shall be \$38.56, beginning July 1, 2007.

(b) Until changed by subsequent action of the County Council or a change required to comply with any covenant made by the County, the tap fee for each customer connecting to the System shall be \$3,000.00, beginning May 1, 2007.

SECTION 3. Notice of Public Hearing. The County Council hereby ratifies and approves the publication of a notice of public hearing regarding the user rate fees and tap fees, such notice in substantially the form attached hereto as Exhibit A, having been published in The State, a newspaper of general circulation in the County, not less than 15 days prior to the date of such public hearing.

SECTION 4. Miscellaneous. All rules, regulations, resolutions and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Bonds are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its enactment.

SECTION 4. Effective Date. This Ordinance shall be effective from and after \_\_\_\_\_, 2007.

RICHLAND COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Joseph McEachern, Chair  
Richland County Council

(SEAL)

ATTEST THIS \_\_\_\_ DAY OF  
\_\_\_\_\_, 2007:

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading:           October 3, 2006  
Second Reading:       October 17, 2006  
Public Hearing:           February 13, 2007  
Third Reading:          February 20, 2007 (tentative)

**FORM OF NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held by the County Council of Richland, South Carolina (the "County"), in County Council Chambers located at 2020 Hampton Street, Columbia, South Carolina, at 6:00 p.m. on February 13, 2006, or at such other location as proper notice on the main entrance to the said building might specify.

The purpose of the public hearing is to consider an Ordinance providing for an increase in the rates to be paid by users of the Broad River Regional Sewer System and increasing the tap fees to be paid by users of the Broad River Regional Sewer System

The Ordinance provides for an increase in the monthly user fee service charge from \$29.80 to \$35.23 and increases the tap fee from \$2,200.00 to \$2,700.00.

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

COUNTY COUNCIL OF RICHLAND COUNTY,  
SOUTH CAROLINA

s/ \_\_\_\_\_  
Chair

## Richland County Council Request of Action

Subject: Broad River Regional Wastewater Treatment Plant  
Construction Contract Award

### A. Purpose

The purpose of this report is to obtain County Council approval of the award of the construction contract for Division I for the upgrade of the River Regional Wastewater Treatment Facility system.

### B. Background

Bids were received on January 31, 2007 for the upgrade of the Broad River Wastewater Treatment Facility. Those bids have been evaluated by the Construction Management Firm and the Procurement Department and the following is a summary of the Division I bids.

<u>Contractor</u>	<u>Bid Amount</u>
T. A. Loving Company, Inc.	\$27,027,000
Crowder Construction Co., Inc	27,178,000
M.B. Kahn Construction Co., Inc.	27,831,000
Turner Murphy Co., Inc.	29,702,848
Adams Robinson Construction	32,384,000

During the bid evaluation process it was determined by the Construction Management Firm and the Richland County Procurement Department that the T. A. Loving Company, Inc. was a non-responsible bidder and therefore their bid was rejected. This was the result of a contractor license issue.

Crowder Construction Company, Inc. has been determined to be the most responsive and responsible low bidder. After evaluation and acceptance of an deduct alternative, their bid amount is \$27,178,000.

### C. Discussion

The deadline to begin construction on this project has been extended by S.C. DHEC to April 1, 2007. In order to meet their schedule, award of the construction contract for Division I should be approved at the March 20, 2007 County Council meeting.

### D. Financial Impact

At the March 13, 2007 County Council meeting, Council approved the issuance of additional bonds to cover all cost associated with this upgrade project. The debt service will be paid from tap fees and user fees of customers on the Broad River Sewer System. No additional funds should be required.

**E. Recommendation**

It is recommended that County Council approve the award of the construction contract for Division I to Crowder Construction Co., Inc in the amount of \$27,178,000. It is also recommended that the County Administrator be given the authority to approve change orders to these contracts during the construction phase in an amount not to exceed \$100,000.00 provided the total contract amount does not exceed available funds.

Recommended by: Andy H. Metts

Department: Utilities

Date 3/15/07

**F. Approvals**

**Legal**

Approved by: Amelia R. Linder

Date 3-15-07

Comments:

**Finance**

Approved by: [Signature]

Date 3/15/07

Comments:

**Procurement**

Approved by: R. Callwood

Date 3/15/07

Comments:

**Administration**

Approved by: Tony McDonald

Date 3/15/07

Comments:



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-07HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2006-2007 GENERAL FUND ANNUAL BUDGET TO ADD FIFTY THOUSAND DOLLARS (\$50,000.00) TO COUNCIL SERVICES BUDGET.

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

SECTION I. That the amount of Fifty Thousand Dollars (\$50,000.00) be appropriated to the FY 2006-2007 Council Services budget. Therefore, the Fiscal Year 2006-2007 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2006 as amended:	\$119,118,265
Appropriation of Unrestricted General Fund Balance:	<u>50,000</u>
Total General Fund Revenue As Amended:	\$119,168,265

EXPENDITURES

Expenditures appropriated July 1, 2006 as amended:	\$119,118,265
Increase in Council Services Budget:	<u>50,000</u>
Total General Fund Expenditures As Amended:	\$119,168,265

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 \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Joseph McEachern, Chair

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

OF \_\_\_\_\_, 2007

---

Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

First Reading:            March 13, 2007  
Second Reading:        March 20, 2007 (tentative)  
Public Hearing:  
Third Reading:

# AMENDED DRAFT 2-28-07

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-07HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 17, MOTOR VEHICLES AND TRAFFIC; ARTICLE II, GENERAL TRAFFIC AND PARKING REGULATIONS; SECTION 17-9, THROUGH TRUCK TRAFFIC PROHIBITED; SO AS TO PROHIBIT THROUGH TRUCK TRAFFIC ON BAKERSFIELD ROAD BETWEEN DUTCH SQUARE BOULEVARD AND MORNINGHILL DRIVE IN RICHLAND COUNTY, SOUTH CAROLINA IN RICHLAND COUNTY, SOUTH CAROLINA; AND TO DEFINE "TRUCK".

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

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

**Section 17-9. Through truck traffic prohibited.**

(a) All through truck traffic is prohibited on the following roads in Richland County, South Carolina:

- (1) Sparkleberry Lane;
- (2) Congress Road between Leesburg Road and Garners Ferry Road;
- (3) Bynum Road;
- (4) Summit Parkway;
- (5) Valhalla Drive;
- (6) Olympia Avenue between Heyward Street and Bluff Road; and
- (7) Bakersfield Road between Dutch Square Boulevard and Morninghill Drive.

(b) For the purpose of this Section, the following definitions shall apply:

- (1) Truck means: a) every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle and the load so drawn; b) every vehicle having more than two (2) axles, with or without motive power, other than a pole trailer.

designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle; and/or c) every vehicle having more than two (2) axles, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle, and so constructed that no part of its weight rests upon the towing vehicle.

(2) Through truck traffic means truck traffic moving from the beginning point of the road to the ending point of the road without stopping.

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

**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 \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Joseph McEachern, Chair

ATTEST this the \_\_\_\_ day of \_\_\_\_\_, 2007

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: March 13, 2007  
Second Reading: March 20, 2007 (tentative)  
Public Hearing:  
Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-07HR

AN ORDINANCE AMENDING ORDINANCE NO. 110-06HR, WHICH AUTHORIZED A DEED TO L-J, INC., FOR CERTAIN PARCELS OF LAND KNOWN AS LOTS 18 AND 19 (APPROXIMATELY 14.14 ACRES TOTAL) IN THE RICHLAND NORTHEAST INDUSTRIAL PARK, A PORTION OF RICHLAND COUNTY TMS # 25800-04-01; SO AS TO ALLOW DAVID N. JORDAN TO BE THE GRANTEE.

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

SECTION I. SECTION I. of Ordinance No. 110-06, which was enacted on November 21, 2006, and granted a deed to L-J, Inc. for certain real property, described as Lots 18 and 19 (approximately 14.14 acres) in the Richland Northeast Industrial Park, is hereby amended to read as follows:

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant a deed to DAVID N. JORDAN for certain real property known as Lots 18 and 19 (approximately 14.14 acres) in the Richland Northeast Industrial Park, a portion of Richland County TMS # 25800-04-01, and more specifically described in the Deed, a copy of which is attached hereto and incorporated herein.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after April \_\_, 2007.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Joseph McEachern, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2007.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

First Reading:           March 13, 2007  
Second Reading:       March 20, 2007 (tentative)  
Public Hearing:  
Third reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-07HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS A PORTION OF TMS # 20281-01-16 FROM RU (RURAL DISTRICT) TO OI (OFFICE AND INSTITUTIONAL 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 a portion of the property (TMS # 20281-01-16) described in Exhibit A, which is attached hereto, from RU (Rural District) zoning to OI (Office and Institutional District) zoning.

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

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

Section IV. This ordinance shall be effective from and after \_\_\_\_\_, 2007.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Joseph McEachern, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2007.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

Public Hearing: February 27, 2007  
First Reading: March 13, 2007  
Second Reading: March 20, 2007 (tentative)  
Third Reading:



**EXHIBIT A**

# **RICHLAND COUNTY COUNCIL DEVELOPMENT AND SERVICES COMMITTEE**

Bernice G. Scott  
District 10

Joyce Dickerson  
District 2

Norman Jackson, Chair  
District 11

Bill Malinowski  
District 1

Val Hutchinson  
District 9

*Tuesday, February 27, 2007  
5:00 PM*

## **Recommendations**

### **I. ITEMS FOR ACTION**

- A. An ordinance amending the Richland County Code of Ordinance, Chapter 21, Roads, highways and bridges; Article 1, In general; Section 21-11, Traffic engineering; so as to permit the construction and maintenance of electric traffic signalization devices for county maintained roads** – The committee recommended that council give first reading approval to the ordinance, and instructed staff to establish standards for prioritizing the installation of lights on existing county roads, as well as funding alternatives. The vote in favor was unanimous, however, this item will be placed on the contested agenda due to the fact that further information will be presented to council as requested by the committee.

Staffed by Joe Cronin

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-07HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 21, ROADS, HIGHWAYS AND BRIDGES; ARTICLE I, IN GENERAL; SECTION 21-11, TRAFFIC ENGINEERING; SO AS TO PERMIT THE CONSTRUCTION AND MAINTENANCE OF ELECTRIC TRAFFIC SIGNALIZATION DEVICES FOR COUNTY MAINTAINED ROADS.

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

SECTION I. The Richland County Code of Ordinances, Chapter 21, Roads, Highways and Bridges; Article I, in general; Section 21-11, Traffic Engineering; is hereby amended to read as follows:

**Sec.21-11. Traffic engineering.**

(a) Traffic engineering on county maintained highways, streets and roads shall be in accordance with the South Carolina Manual on Uniform Traffic Control Devices.

(b) Traffic control ~~signs~~ devices on county maintained highways, streets and roads shall comply with the standards contained in the South Carolina Manual on Uniform Traffic Control Devices.

(c) The developer of any new subdivision constructed within the jurisdiction and authority of the county is responsible for the initial installation of all necessary traffic control ~~signs~~ devices in accordance with an approved signage plan. The department of public works shall maintain the ~~signs~~ devices after acceptance of the streets.

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 July 12, 2005.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Joseph McEachern, Chair

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

OF \_\_\_\_\_, 2007

---

Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

First Reading:            March 20, 2007 (tentative)  
Second Reading:  
Public Hearing:  
Third Reading:

4

# *Richland County Government*

County Administration Building  
2020 Hampton Street  
P.O. Box 192  
Columbia, SC 29202



Phone: (803) 576-2050  
Fax: (803) 576-2137  
TDD: (803) 748-4999

## *Office of the County Administrator*



### MEMORANDUM

TO: Richland County Council

FROM: J. Milton Pope, County Administrator

SUBJECT: Funding Options for Electric Traffic Signals

DATE: March 12, 2007

A major policy question regarding electric traffic signals will be considered by the County Council at its meeting of March 20, the question being whether the County should begin to use electric traffic signalization as a means of traffic control. Currently the County has no electric signals; all electric signals in unincorporated Richland County are owned and maintained by the South Carolina Department of Transportation.

Should the Council decide to begin using electric signals, a method to fund the installation and maintenance must be developed. The initial installation cost is estimated at \$50,000 to \$75,000 per intersection, with annual maintenance costs of \$2,000 per signal. Several funding options exist to cover these costs:

- Fund the installation and maintenance entirely from the County's General Fund through the Public Works Department's budget.
- Require the developer to fund the installation of all signals within a proposed development, with the County to fund the annual maintenance costs from the General Fund through the Public Works Department's budget.

- Require the Homeowners Association, through regime fees, to fund the installation; the Association could also fund the annual maintenance costs, or the County could fund the maintenance from the General Fund.
- Establish an additional road maintenance fee to be charged to those communities directly benefiting from the signal.
- Establish an assessment district for communities desiring traffic signals, similar to, but on a much smaller scale than, the assessment district created for the Village at Sandhill for infrastructure improvements and maintenance.

If the Council wishes to pursue electric signalization as a traffic control measure, it is recommended that funding be addressed as follows:

- For new subdivisions, the developers would plan for and fund the installation of all electric traffic signals, and the County would provide the annual maintenance following the installation.
- For established subdivisions where a retrofit would be required, the homeowners association would fund the initial installation, presumably through regime fees or association dues, and the County would provide the annual maintenance following the installation.

Please advise if you have questions or need additional information.

## PROPOSED TRAFFIC SIGNAL PRIORITIZATION

In accordance with Section 4C.01 Studies and Factors for Justifying Traffic Control Signals of the “Uniform Manual of Traffic Control Devices”

1. A traffic control signal should not be installed unless one or more of the factors described in this section are met.
2. A traffic control signal should not be installed unless an engineering study indicates that installing a traffic control signal will improve the overall safety and/or operation of the intersection.
3. A traffic control signal should not be installed if it will seriously disrupt progressive traffic flow.
4. At a location that is under development or construction and where it is not possible to obtain a traffic count that would represent future traffic conditions, hourly volumes should be estimated as part of an engineering study for comparison with traffic signal warrants and should be provided by the developer for that area.

### Standard:

An engineering study of traffic conditions, pedestrian characteristics, and physical characteristics of the location shall be performed to determine whether installation of a traffic control signal is justified at a particular location.

The investigation of the need for a traffic control signal shall include an analysis of the applicable factors contained in the following traffic signal warrants and other factors related to existing operation and safety at the study location:

- Warrant 1, Eight-Hour Vehicular Volume.
- Warrant 2, Four-Hour Vehicular Volume.
- Warrant 3, Peak Hour.
- Warrant 4, Pedestrian Volume.
- Warrant 5, School Crossing.
- Warrant 6, Coordinated Signal System.
- Warrant 7, Crash Experience.
- Warrant 8, Roadway Network.

The satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal.

### Prioritization

Requests for traffic signals may be submitted from any number of sources, to include, but not limited to, citizens, elected officials, staff or management. All requests must include why it is felt that a traffic signal is needed.

Upon receipt of the request, a traffic signal warrant study will be conducted. Upon receipt of the study, if a signal is warranted, construction of the signal will be scheduled depending on available funds.

Should multiple requests be received for Traffic Signals and funding is not available to fulfill multiple requests, installation shall be prioritized as follows:

- Intersections meeting the conditions of Warrant 1 or 7 shall receive top priority followed by Warrant 5.
- Intersections that meet multiple warrants that include at least one of the above mentioned warrants shall be prioritized above those meeting only one of the aforementioned warrants.
- Intersections that do not meet either of the warrants above shall be prioritized based on the total number of the remaining five (5) warrants that are met.
- If warrant 1, 7 or 5 are not met, at least three of the remaining five (5) warrants must be met in order for the intersection to be signalized.

A summary of the warrants and their issue that they intended to address are as follows per Section 4C Traffic Control Signal Needs Studies from the “Uniform Manual of Traffic Control Devices”

#### Section 4C.02 Warrant 1, Eight-Hour Vehicular Volume

The Minimum Vehicular Volume, Condition A, is intended for application where a large volume of intersecting traffic is the principal reason to consider installing a traffic control signal.

The Interruption of Continuous Traffic, Condition B, is intended for application where the traffic volume on a major street is so heavy that traffic on a minor intersecting street suffers excessive delay or conflict in entering or crossing the major street.

The combination of Conditions A and B should be applied only after an adequate trial of other alternatives that could cause less delay and inconvenience to traffic has failed to solve the traffic problems.

#### Section 4C.03 Warrant 2, Four-Hour Vehicular Volume

The Four-Hour Vehicular Volume signal warrant conditions are intended to be applied where the volume of intersecting traffic is the principal reason to consider installing a traffic control signal.

#### Section 4C.04 Warrant 3, Peak Hour

The Peak Hour signal warrant is intended for use at a location where traffic conditions are such that for a minimum of 1 hour of an average day, the minor-street traffic suffers undue delay when entering or crossing the major street.



(This signal warrant shall be applied only in unusual cases. Such cases include, but are not limited to, office complexes, manufacturing plants, industrial complexes, or high-occupancy vehicle facilities that attract or discharge large

#### Section 4C.05 Warrant 4, Pedestrian Volume

The Pedestrian Volume signal warrant is intended for application where the traffic volume on a major street is so heavy that pedestrians experience excessive delay in crossing the major street.

#### Section 4C.06 Warrant 5, School Crossing

Support:

The School Crossing signal warrant is intended for application where the fact that school children cross the major street is the principal reason to consider installing a traffic control signal.

#### Section 4C.07 Warrant 6, Coordinated Signal System

Support:

Progressive movement in a coordinated signal system sometimes necessitates installing traffic control signals at intersections where they would not otherwise be needed in order to maintain proper platooning of vehicles.

(The Coordinated Signal System signal warrant should not be applied where the resultant spacing of traffic control signals would be less than 300 m (1,000 ft).)

#### Section 4C.08 Warrant 7, Crash Experience

The Crash Experience signal warrant conditions are intended for application where the severity and frequency of crashes are the principal reasons to consider installing a traffic control signal.

#### Section 4C.09 Warrant 8, Roadway Network

Installing a traffic control signal at some intersections might be justified to encourage concentration and organization of traffic flow on a roadway network.

# **RICHLAND COUNTY COUNCIL ADMINISTRATION AND FINANCE COMMITTEE**

Kit Smith, Chair  
District 5

Mike Montgomery  
District 8

Paul Livingston  
District 4

Greg Pearce  
District 6

Damon Jeter  
District 3

*Tuesday, February 27, 2007  
6:00 PM*

## **Recommendations**

### **I. ITEMS FOR ACTION**

- A. Approval of Contract with SunGard Bi-Tech for the purchase of Finance and Human Resource Software System** – The committee forwarded this item to council with a recommendation to approve a contract with SunGuard Bi-Tech. The vote in favor was unanimous, however, because the final contract amount has not yet been determined, this item will be placed on the contested agenda for a staff update.

Staffed by Joe Cronin