



## **Approval Of Consent Items**

6. An Ordinance Authorizing (1) Special Source Revenue Credits by Richland County, South Carolina with respect to certain infrastructure improvements by Blue Cross and Blue Shield of South Carolina; (2) the entering into of certain covenants and agreements and the execution and delivery of certain instruments relating to the special source revenue credits; and (3) certain other matters relating thereto [**SECOND READING**] [**PAGES 21-40**]
  
7. 09-13MA  
Westinghouse  
Brian Pasco  
RU to HI (44.98 Acres)  
18600-01-01(p)  
5801 Bluff Rd. [**SECOND READING**] [**PAGE 42**]
  
8. 09-18MA  
A. L. Company, LLC  
A.L. Company, LLC  
M-1 to RS-HD (30.43 Acres)  
12000-03-02 & 03  
Wessinger Rd. & Fairfield Rd. [**SECOND READING**] [**PAGE 44**]
  
9. Discharge of Firearms in Certain areas unlawful [**PAGES 46-49**]
  
10. Conservation Property Donation [**PAGES 51-53**]
  
11. AT&T Leased Line Connections - Countywide [**PAGES 55-56**]
  
12. Business Service Center-Policies Approval [**PAGES 58-70**]
  
13. Business Services Center-Records Retention Schedule [**PAGES 72-78**]

## **Second Reading Items**

14. Hospitality Tax Ordinance Amendment: County Promotions 75%/25% Split
  
15. 09-11MA  
Abdalla Yaghy  
Abdalla Yaghy  
RU to RC (4.19 Acres)  
35206-02-06 & 35200-09-56  
Corner of Garners Ferry Rd. & Pond Dr. [**PAGE 81**]

## **Report Of Development And Services Committee**

16. Development and Services Report of Actions [**PAGES 83-84**]
  
17. What would it take for qualified Fire Engine Drivers to be able to Drive an EMS ambulance in an emergency situation [**PAGES 86-88**]

## **Report Of Administration And Finance Committee**

18. Administration and Finance Report of Actions [PAGES 90-91]
19. Hospitality Tax County Promotions Grant Guidelines and Application Changes [PAGES 93-102]

## **Report Of Economic Development Committee**

20. Project Pearl MOU [PAGES 104-153]

## **Report Of Rules And Appointments Committee**

### **1. Notification Of Vacancies**

21. Employee Grievance Committee-1 [there were no applications received]

### **2. Notification Of Appointments**

22. Board of Assessment and Appeals-1 [Veronica Green-Strong, Chalon Shepard Headley, II] [PAGES 156-161]
23. Internal Audit Committee-2 [no applications were received]
24. Lexington/Richland Drug Abuse Council-2 [Paul R. Bouknight\*, Roosevelt Garrick, Jr.\*, Veronica Green-Strong] [PAGES 164-170]
25. Midlands Regional Convention Center Authority-1 [Veronica Green-Strong, Rick Patel] [PAGES 172-174]
26. Richland Memorial Hospital Board-3 [Bill Bradshaw\*, Wallace Brown, Sr., Calvin H. Elam, Charles E. Offutt, Jerome (Jerry) Odom\*] [PAGES 176-189]
27. Riverbank Park Commission-1 [M. F. Phil Bartlett, Veronica Green-Strong] [PAGES 191-194]

### **3. Rule Changes**

28. Any Executive Session item involving an outside attorney or consultant outside the normal scope of a regular contract by Richland County... [Amended language] [PAGES 196-199]

### **4. Discussion From Rules And Appointments Committee**

29. Planning Commission Members and Occupations

## **Other Items**

30. Council Motion (Jackson, Malinowski, & Kennedy): To remove from the D&S Committee and present to full Council the funding of Alternate Paving with \$2 million from the Road Maintenance Fee and \$1 million from the CTC bond to fund paving roads in three years max (starting in 2009) [PAGE 201]

31. Historic Homes Renovation Projects

**Citizen's Input**

32. Must Pertain to Items Not on the Agenda

**Executive Session**

**Motion Period**

**Adjournment**



# Richland County Council Request of Action

**Subject**

For Items on the Agenda Not Requiring a Public Hearing

# Richland County Council Request of Action

**Subject**

Regular Session: November 17, 2009 **[PAGES 7-16]**

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, NOVEMBER 17, 2009 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.*

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### MEMBERS PRESENT:

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

**OTHERS PRESENT** – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Daniel Driggers, David Hoops, Amelia Linder, Anna Almeida, Rodolfo Callwood, Dale Welch, Monique Walters, Michelle Onley

### CALL TO ORDER

The meeting was called to order at approximately 6:08 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

Item# 2

## PRESENTATION

**Gary Watts, Richland County Coroner** – Mr. Watts gave a brief update regarding the autopsy reimbursement agreement for Columbia Regional Care Center and invited Council to the Coroner's Thanksgiving Dinner and a tour of the new facility.

## CITIZENS' INPUT

No one signed up to speak.

## APPROVAL OF MINUTES

**Regular Session: November 3, 2009** – Mr. Manning moved, seconded by Mr. Pearce, to approve the minutes with the exception of the portion dealing with the Hospitality Tax Round Two Funding Recommendations. The vote in favor was unanimous.

## ADOPTION OF AGENDA

Mr. Livingston stated that a Personnel Matter needed to be added under the Report of the Chairman.

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

## REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following items were potential Executive Session items:

- a. **Columbia Renaissance Redevelopment TIF and Innovista TIF Updates**
- b. **Township Property Purchase**
- c. **Employee Grievance – 1**
- d. **Personnel Matter**
- e. **SC State Museum Resolution and MOU**

## REPORT OF THE COUNTY ADMINISTRATOR

**Richland 101 Graduation** – Ms. Stephany Snowden recognized the Richland 101 graduates and Ms. Angela Geiger, a Richland 101 graduate, have a brief speech regarding the program's benefits.

**SC State Museum Resolution and MOU** – This item was taken up during Executive Session.

**Township Property Purchase** – This item was taken up during Executive Session.



**Columbia Renaissance Redevelopment TIF and Innovista TIF Updates** – This item was taken up during Executive Session.

**Hospitality Tax County Promotions 75%/25% Split Clarification** – This was an action item on the agenda.

**Employee Grievance—1** – Ms. Smith moved, seconded by Mr. Malinowski, to defer this item until the December 1<sup>st</sup> Council meeting.

### REPORT OF THE CLERK OF COUNCIL

**2<sup>nd</sup> Annual Finlay Scholars Oyster Roast** – Ms. Finch stated that this event would take place on Friday, November 20<sup>th</sup>, 7-10 p.m. at the Millstone at Adams Pond, 5301 Bluff Road. The cost will be \$100 per couple.

**USC Columbia Technology Incubator Graduation** – Ms. Finch stated that this event will take place on November 30<sup>th</sup>, 6-8 p.m. (reception immediately following the graduation) at the Midlands Technical College Center of Excellence for Technology, 151 Powell Road. This year's graduates will be Ard's Container Service, LLC; Intervivos, LLC; Spectrum Medical, LLC; and Urban Media, LLC. Dr. Harris Pastides will be the Keynote Speaker.

**Ms. Dickerson's NACo Nomination** – Ms. Finch stated that Ms. Dickerson has been nominated to the NACo Telecommunications and Technology Steering Committee.

**Midlands Technical College Lunch with Richland County Council** – Ms. Finch stated that she received an e-mail from Midlands Technical College suggesting several dates for a luncheon with Richland County Council and the County Administrator.

Mr. Pearce moved, seconded by Ms. Dickerson, to forward this item to the motion period. The vote in favor was unanimous.

### REPORT OF THE CHAIRMAN

**Introduction of Executive Directors of Richland County Public Library and Richland County Recreation Commission** – Mr. Manning introduced Ms. Melanie Huggins, Executive Director of Richland County Public Library and Mr. Brian Devost, Executive Director of Richland County Recreation Commission.

**Personnel Matter** – This item was taken up during Executive Session.

## PUBLIC HEARING ITEM

Mr. Livingston opened the floor to the following public hearing:

- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, in general; Section 21-10, Street Name Signs; Subsection (A); so as to conform to the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated* – No one signed up to speak.**
- **An Ordinance Authorizing a quit-claim deed to Smallwood Village Phase III Homeowner's Association, Inc. for a certain parcel of land totaling .76 Acres located along White Branch Circle, Richland County, South Carolina, known as TMS#22710-08-30 – No one signed up to speak.**
- **An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$90,157 of General Fund Undesignated Fund Balance to the Court Administration Budget, Magistrates Budget and Central Services Budget – No one signed up to speak.**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 25, Vehicles for Hire; Article II, Towing and Wrecker Services, Section 25-20, Wrecker and Storage Charges, so as to increase the fees charged for towing and wrecker services – No one signed up to speak.**
- **An Ordinance Amending the Fiscal Year 2009-2010 Title IV-D Sheriff's Fund Budget to appropriate \$10,000 of additional revenue due to revised revenue projections – No one signed up to speak.**
- **An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$81,000 of General Fund Undesignated Fund Balance to the Election Commission Budget for the mandated purpose of replacing batteries in electronic voting machines – No one signed up to speak.**
- **Deed to Water and Sewer Lines (Bookert Heights, Ridgewood, BRRWWTP) – No one signed up to speak.**
- **An Ordinance Authorizing a quit-claim deed to EHP Development, LLC for five parcels of land totaling Five Thousand Three Hundred Sixteen (5316) square feet located along Hastings Alley and Hamrick Street, Richland County, South Carolina, and being portions of TMS#11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, and 11203-03-27 – No one signed up to speak.**

- **An Ordinance Amending the Fiscal Year 2009-2010 Hospitality Tax Fund Annual Budget Amendment to appropriate \$184,970 of Hospitality Tax Fund Designated Fund Balance for the next steps in the design-development phase of the Regional Sports Complex – No one signed up to speak.**

The public hearing was closed.

#### APPROVAL OF CONSENT ITEM

- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, in general; Section 21-10, Street Name Signs; Subsection (A); so as to conform to the Federal Highway Administration's Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated [THIRD READING]**
- **An Ordinance Authorizing a quit-claim deed to Smallwood Village Phase III Homeowner's Association, Inc. for a certain parcel of land totaling .76 Acres located along White Branch Circle, Richland County, South Carolina, known as TMS # 22710-08-30 [THIRD READING]**
- **An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$90,157 of General Fund Undesignated Fund Balance to the Court Administration Budget, Magistrates Budget and Central Services Budget [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 25, Vehicles for Hire; Article II, Towing and Wrecker Services; Section 25-20, Wrecker and Storage Charges, so as to increase the fees charged for towing and wrecker services [THIRD READING]**
- **An Ordinance Amending the Fiscal Year 200-2010 Title IV-D Sheriff's Fund Budget to appropriate \$10,000 of additional revenue due to revised revenue projections [THIRD READING]**
- **Deed of Water and Sewer Lines (Bookert Heights, Ridgewood, BRRWWTP) [THIRD READING]**
- **An Ordinance Authorizing a quit-claim deed to EHP Development, LLC for five parcels of land totaling Five Thousand Three Hundred Sixteen (5316) square feet located along Hastings Alley and Hamrick Street, Richland County, South Carolina, and being portions of TMS#11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, and 11203-03-27 [THIRD READING]**
- **09-14MA, Joe Jackson, Prayer & Faith Temple, RS-HD to RU (2.85 Acres), 24903-05-02, 1520 Lower Richland Blvd. [THIRD READING]**
- **09-15MA, Larry M. Spivey, Majors Management/Tracy Billings, RU to GC (.341 Acres), 19716-02-20(p), Alpine Rd. & Old Percival Rd. [THIRD READING]**
- **09-17MA, FSD, LLC, Fred Babae, HI to GC (2 Acres), 17200-03-23, 206 Business Park Blvd. [THIRD READING]**

- **An Ordinance Amending the Fiscal Year 2009-2010 Conservation Commission Fund Budget to appropriate \$23,000 of reserved fund balance for the Wetlands Mitigation Assessment [SECOND READING]**

Mr. Jeter moved, seconded by Mr. Washington, to approve the consent items. The vote in was in favor.

### THIRD READING

**An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$81,000 of General Fund Undesignated Fund Balance to the Election Commission Budget for the mandated purpose of replacing batteries in electronic voting machines** – Mr. Jeter moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2009-2010 Hospitality Tax Fund Annual Budget Amendment to appropriate \$184,970 of Hospitality Tax Fund Designated Fund Balance for the next steps in the design-development phase of the Regional Sports Complex** – Ms. Dickerson moved, seconded by Mr. Jeter, to approve this item. A discussion took place.

The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2009-2010 Road Maintenance Fund Annual Budget to appropriate \$40,000 of Undesignated Fund Balance for the revised transportation study** – Mr. Jeter moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote was in favor.

### REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

**SC Economic Development Ambassador Award Nominations for Richland County** – Mr. Pearce stated that the committee recommended nominating Mr. Phil Simmons, Human Resource Director—Trane, for Ambassador of the Year. The vote in favor was unanimous.

**An Ordinance Authorizing (1) Special Source Revenue Credits by Richland County, South Carolina with respect to certain infrastructure improvements by Blue Cross and Blue Shield of South Carolina; (2) the entering into of certain covenants and agreements and the execution and delivery of certain instruments relating to the special source revenue credits; and (3) certain other matters**

**relating thereto** – Mr. Pearce stated that the committee recommended giving this item First Reading by Title Only. The vote in favor was unanimous.

## **REPORT OF RULES AND APPOINTMENTS COMMITTEE**

### **I. NOTIFICATION OF APPOINTMENTS**

- a. Planning Commission—2** – Mr. Malinowski stated that committee recommended appointing Ms. Kathleen M. McDaniel and Mr. Olin Westbrook. A discussion took place.

Mr. Jeter made a substitute motion, seconded by Mr. Pearce, to re-appoint Mr. Christopher Anderson and appoint Ms. Kathleen M. McDaniel. A discussion took place.

Ms. Smith requested that the question be divided.

Ms. Dickerson made a second substitute motion, seconded by Mr. Washington, to appoint Mr. William DuBard and Ms. Kathleen M. McDaniel. A discussion took place.

Council unanimously agreed to vote on only those individuals mentioned in the original and substitute motions.

Mr. Pearce, Mr. Jeter, Mr. Livingston and Ms. Dickerson voted for Mr. Christopher Anderson.

Ms. Dickerson, Ms. Kennedy and Mr. Washington voted for Mr. William DuBard.

Mr. Pearce, Mr. Malinowski, Mr. Jackson, Ms. Hutchinson, Mr. Jeter, Mr. Livingston, Mr. Manning, Ms. Kennedy and Ms. Smith voted for Ms. Kathleen M. McDaniel.

Mr. Malinowski, Mr. Jackson, Ms. Hutchinson, Mr. Manning, Mr. Washington and Ms. Smith voted for Mr. Olin Westbrook.

Ms. Kathleen M. McDaniel and Mr. Olin Westbrook were appointed to the Planning Commission.

### **II. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE**

- a. Proposed Committees December Schedule** – Mr. Malinowski stated that the committee recommended holding the D&S, A&F and Zoning Public Hearing for December. The vote in favor was unanimous.

**OTHER ITEMS**

**Hospitality Tax Ordinance Amendment: County Promotions 75%/25% Split [First Reading—By Title Only]** – Ms. Dickerson moved, seconded by Ms. Smith, to give this item First Reading by Title Only. A discussion took place.

<b><u>For</u></b>	<b><u>Against</u></b>
Pearce	Malinowski
Jackson	Manning
Hutchinson	Washington
Jeter	
Livingston	
Dickerson	
Kennedy	
Smith	

The vote was in favor.

**SC State Museum Resolution and MOU** – Mr. Manning moved, seconded by Mr. Jackson, to approve the resolution and MOU with the amended language proposed in Executive Session. The vote in favor was unanimous.

**CITIZENS' INPUT**

Mr. Abdalla Yaghy spoke regarding the re-zoning of his property on Garner's Ferry Road.

**EXECUTIVE SESSION ITEMS**

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**Council went into Executive Session at approximately 7:31 p.m. and came out at approximately 8:20 p.m.**  
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- a. **Columbia Renaissance Redevelopment TIF and Innovista TIF Updates** – This item was received as information.
- b. **Township Property Purchase** – Mr. Pearce moved, seconded by Ms. Hutchinson, to direct the Administrator to proceed with negotiations as discussed in Executive Session.
- c. **Personnel Matter** – This item was received as information.

## MOTION PERIOD

**Scheduling of Economic Development Strategic Plan and Smoking Ban Work Session [December 3<sup>rd</sup>, 4-6 p.m.]** – Council approved the Economic Development Strategic Plan and Smoking Ban Work Session on December 3<sup>rd</sup>.

**Scheduling of Comprehensive Plan and Sewer Extension Work Session [December 8<sup>th</sup>, 4-6 p.m.]** – Council approved the Comprehensive Plan and Sewer Extension Work Session on December 8<sup>th</sup>.

**Any individual, group, agency or government entity not working within Richland County government must provide all necessary copies of materials they wish to provide to Richland County Council or Richland County staff for review or action. If Richland County is requested to make any additional copies the submitter will be billed at a commercial rate for such work [MALINOWSKI]** – This item was referred to the A&F Committee.

**That Administration scheduled several Council work sessions, prior to February, to discuss the Transportation Plan that would require a referendum in the Fall of 2010** – This item was referred to the A&F Committee.

**Blythewood's 130<sup>th</sup> Anniversary Resolution** – Council unanimously adopted a resolution for Blythewood's 130<sup>th</sup> Anniversary.

**Midlands Technical College Luncheon** – Council agreed to attend a luncheon hosted by Midlands Technical College on December 11<sup>th</sup>, 12:30 p.m. at the Midlands Technical College Beltline Campus.

**Hospitality Tax Round Two Recommendations Minutes** – Council invoked the pending ordinance doctrine regarding the recommendations.

## ADJOURNMENT

The meeting adjourned at approximately 8:32 p.m.

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Paul Livingston, Chair

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Damon Jeter, Vice-Chair

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Gwendolyn Davis Kennedy

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Joyce Dickerson

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Valerie Hutchinson

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Norman Jackson

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Bill Malinowski

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Jim Manning

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L. Gregory Pearce, Jr.

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Kit Smith

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Kelvin E. Washington, Sr.

The minutes were transcribed by Michelle M. Onley



# Richland County Council Request of Action

**Subject**

- Columbia Venture Litigation
- HBA vs. Richland County

# Richland County Council Request of Action

## **Subject**

- Employee Grievance - 1
- Employee Recognition: Pat Brockman
- 2010 Retreat Preparations/Request for Potential Topics/Items
- City of Columbia Bond Court Agreement
- Appearance Counts Award Recipients
- Historic Homes Renovation Projects Update

# Richland County Council Request of Action

**Subject**

- Personnel Matter

# Richland County Council Request of Action

## **Subject**

An Ordinance Authorizing (1) Special Source Revenue Credits by Richland County, South Carolina with respect to certain infrastructure improvements by Blue Cross and Blue Shield of South Carolina; (2) the entering into of certain covenants and agreements and the execution and delivery of certain instruments relating to the special source revenue credits; and (3) certain other matters relating thereto **[SECOND READING] [PAGES 21-40]**

## **Notes**

First Reading: November 17, 2009

Second Reading:

Third Reading:

Public Hearing:

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

AN ORDINANCE AUTHORIZING: (1) SPECIAL SOURCE REVENUE CREDITS BY RICHLAND COUNTY, SOUTH CAROLINA WITH RESPECT TO CERTAIN INFRASTRUCTURE IMPROVEMENTS AND REAL PROPERTY COSTS BY BLUE CROSS AND BLUE SHIELD OF SOUTH CAROLINA; (2) THE ENTERING INTO OF CERTAIN COVENANTS AND AGREEMENTS AND THE EXECUTION AND DELIVERY OF CERTAIN INSTRUMENTS RELATING TO THE SPECIAL SOURCE REVENUE CREDITS, INCLUDING, BUT NOT LIMITED TO, A SECOND AMENDED AND RESTATED INFRASTRUCTURE CREDIT AGREEMENT; AND (3) CERTAIN OTHER MATTERS RELATING THERETO..

WHEREAS, Richland County, South Carolina (the "County") acting by and through its County Council (the "County Council") is authorized by Sections 4-1-175,, and 4-29-68 of the Code of Laws of South Carolina 1976, as amended, to provide special source revenue credits against payments in lieu of taxes pursuant to Article VIII, Section 13 of the South Carolina Constitution, for the purpose of defraying the cost of designing, acquiring, constructing, improving, or expanding the infrastructure serving the County or improved or unimproved reale estate used in the operation of a manufacturing or commercial enterprise in order to enhance the economic development of the County; and

WHEREAS, the County and Blue Cross and Blue Shield of South Carolina, a South Carolina corporation (the "Company") entered into that certain Infrastructure Credit Agreement dated as of December 14, 1999 (the "1999 Agreement"), pursuant to which the Company agreed to invest in infrastructure for certain facilities to provide insurance services on certain property more specifically described in Exhibit A attached to the Agreement (as defined below) (the land as so improved and/or to be improved by such facilities is hereinafter referred to as the "Project") and the County agreed to provide special source revenue credits to defray a portion of the cost of such infrastructure improvements for the Project in an amount equal to 17% of fee in lieu of tax payments to be retained by all Richland County taxing entities during the first ten (10) years of the Project; and

WHEREAS, in accordance with the provisions of an Amended and Restated Memorandum of Understanding dated May 15, 2001 between the Company and the County, the Company agreed to increase the investment in the Project over its original commitment in the 1999 Agreement; and

WHEREAS, in connection with the Company's agreement to increase the investment in the Project, the County and the Company entered into that certain Amended and Restated Infrastructure Credit Agreement dated as of December 13, 2001 (the "2001 Agreement"), to replace the 1999 Agreement, and pursuant to which, the County agreed to increase the special source revenue credits granted to the Company in the 1999 Agreement to defray a portion of the

cost of infrastructure improvements for the Project in an amount equal to the percentages of fee in lieu of tax payments set forth in the schedule attached thereto, initially, for an eight (8) year period, and, subsequently extended to expire December 31, 2012, subject to such amount being increased in accordance with the provisions thereof; and

WHEREAS, in connection with the Company's purchase of certain real property located in the County and the enhancement of the tax base of the County potentially resulting therefrom, the County, acting by and through the County Council, to defray a portion of the cost of infrastructure improvements and real property costs for the Project, has agreed to increase the special source revenue credits previously granted to the Company in the 2001 Agreement and to further extend the time period during which such special source credits shall be provided to the Company; and

WHEREAS, the County and Fairfield County have established a joint county industrial business park (the "Park") by entering into an Agreement for Development for Joint County Industrial Park, dated May 13, 1996, as amended (the "Park Agreement") pursuant to the provisions of Article VIII, Section 13 of the South Carolina Constitution; and

WHEREAS, the County and Fairfield County have amended the Park Agreement by including the site of the Project in the Park; and

WHEREAS, the Company shall make or cause to be made payments in lieu of taxes to the County in the total amount equivalent to the ad valorem property taxes that would have been due and payable but for the location of the Project within the Park; and

WHEREAS, pursuant to the provisions of the Park Agreement, the County shall make payments to Fairfield County of the portion of the fee-in-lieu of taxes due Fairfield County and retain that portion due the County (the "County Fee Payments"); and

WHEREAS, in order to enhance the economic development of the County and in furtherance thereof to assist the Company in locating the Project within the County, the County, acting by and through the County Council, has agreed to provide certain special source revenue credits (the "Special Source Revenue Credits") to acquire and construct certain infrastructure and real property costs with respect to the Project more particularly described on Exhibit B attached to the Agreement (as defined below) (the "Infrastructure"); and

WHEREAS, the Special Source Revenue Credits are to be provided pursuant to the provisions of Sections 4-1-175 and 4-29-68 of the Code of Laws of South Carolina 1976, as amended, and to be payable solely from the County Fee Payments in accordance with the terms and provisions as set forth in the Second Amended and Restated Infrastructure Credit Agreement (the "Agreement") to be entered into by and between the County and the Company; and

WHEREAS, the Company has caused to be prepared and presented to this meeting the form of the Agreement; and

WHEREAS, it appears that the Agreement is in appropriate form and is an appropriate instrument to be executed and delivered by the County for the purposes intended.

NOW, THEREFORE, BE IT ORDAINED by the County Council in meeting duly assembled, as follows:

Section 1. The grant of the Special Source Revenue Credits is hereby authorized, ratified, and approved. The Special Source Revenue Credits are hereby authorized in the annual percentage amounts set forth in Section 3.03 of the Agreement for the purpose of reimbursing the Company for the costs of the Infrastructure over a period ending December 31, 2025. The Special Source Revenue Credits shall be given by the County to the Company annually as provided in the Agreement.

Section 2. The obligation to give the Special Source Revenue Credits is a limited obligation of the County. The obligation to give Special Source Revenue Credits is not and shall never constitute an indebtedness of the County within the meaning of any State constitutional provision (other than the provisions of Article X, Section 14(10) of the South Carolina Constitution) or statutory limitation and shall never constitute or give rise to a pecuniary liability of the County or a charge against its general credit or taxing power.

Section 3. The form of the Agreement, as submitted to this meeting and made a part of this Ordinance as though set forth in full herein, is hereby approved. The Chairman of the County Council (the “Chairman”) is hereby authorized and directed to execute and deliver the Agreement with any changes, insertions, and omissions as do not materially impose liability upon the County and as may be approved by the Chairman, with the advice of counsel, his execution being conclusive evidence of his approval; the Clerk of the County Council is hereby authorized and directed to affix the corporate seal of the County to the Agreement and to attest the same; and the Chairman is further authorized, empowered, and directed to deliver the Agreement to the Company.

Section 4. The Chairman and the Clerk of the County Council and any other proper officer of the County, be and each of them is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and to cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this Ordinance or the Agreement.

Section 5. The provisions of this Ordinance are hereby declared to be separable and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 6. All orders, resolutions, ordinances and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

Enacted this \_\_\_\_ day December, 2009.

RICHLAND COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Paul Livingston, Chairman, County Council  
Richland County, South Carolina

[SEAL]

Attest:

By: \_\_\_\_\_  
Michielle Cannon Finch, Clerk to Council  
Richland County, South Carolina

First Reading: November 17, 2009  
Second Reading: December 1, 2009  
Public Hearing: December \_\_, 2009  
Third Reading: December \_\_, 2009



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**SECOND  
AMENDED AND RESTATED  
INFRASTRUCTURE CREDIT AGREEMENT**

**between**

**RICHLAND COUNTY, SOUTH CAROLINA**

**and**

**BLUE CROSS AND BLUE SHIELD  
OF SOUTH CAROLINA**

**Dated as of December \_\_, 2009**

**SECOND  
AMENDED AND RESTATED  
INFRASTRUCTURE CREDIT AGREEMENT**

THIS SECOND AMENDED AND RESTATED INFRASTRUCTURE CREDIT AGREEMENT, dated as of December \_\_, 2009 (the "Agreement"), between RICHLAND COUNTY, SOUTH CAROLINA, a body politic and corporate, and a political subdivision of the State of South Carolina (the "County"), and BLUE CROSS AND BLUE SHIELD OF SOUTH CAROLINA (the "Company").

WITNESSETH:

WHEREAS, the County, acting by and through its County Council (the "County Council") is authorized by Sections 4-1-175, and 4-29-68 of the Code of Laws of South Carolina 1976, as amended, to grant special source revenue credits against payments in lieu of taxes pursuant to Article VIII, Section 13 of the South Carolina Constitution, for the purpose of defraying the cost of designing, acquiring, constructing, improving, or expanding the infrastructure serving the County or improved or unimproved real estate used in the operation of a manufacturing or commercial enterprise in order to enhance the economic development of the County; and

WHEREAS, the County and Blue Cross and Blue Shield of South Carolina, a South Carolina corporation (the "Company") entered into that certain Infrastructure Credit Agreement dated as of December 14, 1999 (the "1999 Agreement"), pursuant to which the Company agreed to invest in infrastructure for certain facilities to provide insurance services on certain property more specifically described in the attached Exhibit A (the land as so improved and/or to be improved by such facilities is hereinafter referred to as the "Project") and the County agreed to provide special source revenue credits to defray a portion of the cost of such infrastructure improvements for the Project in an amount equal to 17% of fee in lieu of tax payments to be retained by all Richland County taxing entities during the first ten (10) years of the Project; and

WHEREAS, in accordance with the provisions of an Amended and Restated Memorandum of Understanding dated May 15, 2001 between the Company and the County, the Company agreed to increase the investment in the Project over its original commitment in the 1999 Agreement; and

WHEREAS, in connection with the Company's agreement to increase the investment in the Project, the County and the Company entered into that certain Amended and Restated Infrastructure Credit Agreement dated as of December 13, 2001 (the "2001 Agreement"), to replace the 1999 Agreement, and pursuant to which, the County agreed to increase the special source revenue credits granted to the Company in the 1999 Agreement to pay a portion of the cost of infrastructure improvements for the Project in an amount equal to the percentages of fee in lieu of tax payments set forth in the schedule attached thereto, initially, for an eight (8) year period, and, subsequently extended to expire December 31, 2012, subject to such amount being increased in accordance with the provisions thereof; and

WHEREAS, in connection with the Company's purchase of certain real property located in the County and the enhancement of the tax base of the County potentially resulting therefrom, the

County, acting by and through the County Council, to defray a portion of the cost of infrastructure improvements and real property costs for the Project, has agreed to increase the special source revenue credits previously granted to the Company in the 2001 Agreement and to further extend the time period during which such special source credits shall be provided to the Company, all as discussed in greater detail herein; and

WHEREAS, the County and Fairfield County have established a joint county industrial business park (the "Park") by entering into an Agreement for Development for Joint County Industrial Park, dated May 13, 1996, as amended (the "Park Agreement") pursuant to the provisions of Article VIII, Section 13 of the South Carolina Constitution; and

WHEREAS, the County and Fairfield County have amended the Park Agreement by including the site of the Project in the Park; and

WHEREAS, the Company shall make or cause to be made payments in lieu of taxes to the County in the total amount equivalent to the ad valorem property taxes that would have been due and payable but for the location of the Project within the Park; and

WHEREAS, pursuant to the provisions of the Park Agreement, the County retains a certain portion of such fee in lieu of tax payments (the "County Fee Payments"); and

WHEREAS, the County has agreed to grant certain special source revenue credits (the "Special Source Revenue Credits") with regard to certain infrastructure and real property which is a part of the Project more particularly described on the attached Exhibit B (the "Infrastructure"); and

WHEREAS, the County and the Company desire to enter into this Second Amended and Restated Infrastructure Agreement to replace the 2001 Agreement; and

WHEREAS, the County Council has duly authorized execution and delivery of this Agreement by ordinance duly enacted by the County Council on December \_\_, 2009, following conducting a public hearing held December \_\_, 2009 in compliance with the terms of the Act (as defined below).

NOW, THEREFORE, in consideration of the respective representations and agreements hereinafter contained, the County and the Company agree as follows:

## **ARTICLE I DEFINITIONS**

The terms defined in this Article I shall for all purposes of this Agreement have the meanings herein specified, unless the context clearly otherwise requires. Except where the context otherwise requires, words importing the singular number shall include the plural number and vice versa.

*"Act"* shall mean, collectively, Title 4, Chapter 29 and Title 4, Chapter 1 of the Code of Laws of South Carolina 1976, as amended, and all future acts amendatory thereof

*"Agreement"* shall mean this Agreement, as the same may be amended, modified or

supplemented in accordance with the terms hereof.

"*Company*" shall mean Blue Cross and Blue Shield of South Carolina, its successors and assigns.

"*Cost*" or "*Cost of the Infrastructure*" shall mean the cost of acquiring, by construction and purchase, the Infrastructure and shall be deemed to include, without limitation, whether incurred prior to or after the date of the Agreement: (a) obligations incurred for labor, materials, and other expenses to builders and materialmen in connection with the acquisition, construction, and installation of the Infrastructure; (b) the cost of construction bonds and of insurance of all kinds that may be required or necessary during the course of construction and installation of the Infrastructure, which is not paid by the contractor or contractors or otherwise provided for; (c) the expenses for test borings, surveys, test and pilot operations, estimates, plans and specifications and preliminary investigations therefor, and for supervising construction, as well as for the performance of all other duties required by or reasonably necessary in connection with the acquisition, construction, and installation of the Infrastructure; and (d) all other costs which shall be required under the terms of any contract for the acquisition, construction, and installation of the Infrastructure.

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

"*County Fee Payments*" shall mean payments in lieu of taxes retained by the County with respect to the Project as required by the Park Agreement.

"*Event of Default*" shall mean, with reference to this Agreement, the occurrence described in Section 4.01 hereof.

"*Infrastructure*" shall mean the water, sewer, pollution control improvements, site grading, road and parking lot construction, walkways, sidewalks, street lighting, landscaping, and any other infrastructure improvements or real property described in Exhibit B attached hereto.

"*Ordinance*" shall mean the ordinance enacted by the County Council on December 15, 2009, authorizing the execution and delivery of this Agreement.

"*Park Agreement*" shall mean the Agreement for Development of Joint County Industrial Park, dated May 13, 1996, between the County and Fairfield County, South Carolina, as amended, supplemented, or replaced from time to time.

"*Park*" shall mean the joint county industrial business park established pursuant to the terms of the Park Agreement, and any joint county industrial or business park which includes the site of the Project and which is designated by the County as such pursuant to any agreement, which supersedes or replaces the initial Park Agreement.

"*Person*" shall mean an individual, a corporation, a partnership, an association, a joint stock company, a trust, any unincorporated organization, or a government or political subdivision.

"*Special Source Revenue Credits*" shall mean the credits granted by the County to the

Company of amounts to compensate the Company for Cost of the Infrastructure in the amounts set forth in Section 3.03 hereof.

## **ARTICLE II REPRESENTATIONS AND WARRANTIES**

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

(a) The County is a body politic and corporate and a political subdivision of the State of South Carolina and is authorized and empowered by the provisions of the Act to enter into the transactions contemplated by this Agreement and to carry out its obligations hereunder. By proper action by the County Council, the County has been duly authorized to execute and deliver this Agreement, and any and all agreements collateral thereto.

(b) Pursuant to the Act, including 4-1-175, the County will grant credits to defray the costs paid, or caused to be paid, by the Company for the construction of the Infrastructure for the purpose of promoting the economic development of the County.

(c) The County is not in default under any of the provisions of the laws of the State of South Carolina, where any such default would affect the validity or enforceability of this Agreement.

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

(a) The Company is a corporation duly organized, validly existing, and in good standing, under the laws of the State of South Carolina, has power to enter into this Agreement, and by proper company action has been duly authorized to execute and deliver this Agreement.

(b) This Agreement has been duly executed and delivered by the Company and constitutes the legal, valid, and binding obligation of the Company, enforceable in accordance with its terms except as enforcement thereof may be limited by bankruptcy, insolvency, or similar laws affecting the enforcement of creditors' rights generally.

(c) Neither the execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, nor the fulfillment of or compliance with the terms and conditions of this Agreement, will result in a material breach of any of the terms, conditions, or provisions of any corporate restriction or any agreement or instrument to which the Company is now a party or by which it is bound, or will constitute a default under any of the foregoing, or result in the creation or imposition of any lien, charge, or encumbrance of any nature whatsoever upon any of the property or assets of the Company, other than as may be created or permitted by this Agreement.

SECTION 2.03. Covenants of County.

(a) The County will at all times maintain its corporate existence and will use its best efforts to maintain, preserve, and renew all its rights, powers, privileges, and franchises; and it

will comply with all valid acts, rules, regulations, orders, and directions of any legislative, executive, administrative, or judicial body applicable to this Agreement.

(b) The County covenants that it will from time to time execute and deliver such further instruments and take such further action as may be reasonable and as may be required to carry out the purpose of this Agreement; provided, however, that such instruments or actions shall never create or constitute an indebtedness of the County within the meaning of any state constitutional provision or statutory limitation and shall never constitute or give rise to a pecuniary liability of the County or a charge against its general credit or taxing power or pledge the credit or taxing power of the State, or any other political subdivision of the State.

(c) The County will use its best efforts to include and maintain the site of the Project within the boundaries of a joint county industrial or business park in order to facilitate the Special Source Credits described herein.

**ARTICLE III  
SPECIAL SOURCE REVENUE CREDITS**

SECTION 3.01. Payment of Costs of Infrastructure. The Company agrees to pay, or cause to be paid, all costs of the Infrastructure as and when due. The County hereby acknowledges that the Company has paid Costs of Infrastructure as of the date of delivery hereof of not less than \$60,000,000. The Company agrees to complete the acquisition and construction of the Infrastructure pursuant to the plans and specifications approved by the Company. Notwithstanding the foregoing sentence, the plans and specifications for the Infrastructure may be modified from time to time as deemed necessary by the Company.

SECTION 3.02. [Reserved].

SECTION 3.03. Special Source Revenue Credits.

(a) As of the date of this Agreement, the Company has certified in writing to the County that it has created and presently maintains at least 650 full-time employees at the Project. The Company acknowledges that its maintenance of 650 full-time employees at the Project is a key consideration for the County in granting the additional incentives provided herein. The County hereby promises to grant an annual Special Source Revenue Credit (“SSRC”) to the Company from the County Fee Payments in accordance with the terms and conditions set forth herein. The percentage of the annual SSRC and the term of the SSRC shall be determined pursuant to an annual certification by the Company of the number of full-time employees at the Project, which shall be provided by the filing by the Company of a certificate, the form of which is attached hereto as Exhibit C (the “Certificate”). Based on the number of employees certified by the Company, the amount of the annual SSRC shall be determined in accordance with the following table:

<b>Number of Full-Time Jobs Certified</b>	<b>Percentage of Annual SSRC</b>
650 or above	20%
550-649	15%
450-549	14%
350-449	13%

250-349	12%
249 or below	see below

The Company must file the Certificate on or before September 15 each year beginning with the year following the execution of this Agreement. If the Company fails to file the Certificate by September 15 in any year, which failure to file shall continue for a period of thirty (30) days after written notice by the County specifying such failure and requesting that it be remedied is received by the Company from the County, the County may, in its discretion, determine that the Company is not entitled to some or all of the SSRC for that year.

Moreover, if in any year the number of full-time jobs certified by the Company at the Project in the Certificate is 249 or below, then the Company shall not be entitled to any SSRC in that year. If for three consecutive years the number of full-time jobs certified by the Company at the Project in the Certificate is 249 or below, this Agreement shall automatically terminate upon filing of a Certificate in the third year reflecting such job level.

The term of the SSRC shall commence in the first year after the execution of this Agreement and, unless otherwise terminated as provided herein, shall terminate on December 31, 2025. Should the Company fail to file a Certificate or otherwise qualify to claim the SSRC in any year, which failure to file shall continue for a period of thirty (30) days after written notice by the County specifying such failure and requesting that it be remedied is received by the Company from the County, the County may, in its discretion, determine that the Company lose benefits for that year and no carryforward of benefits shall be permitted. The SSRCs shall be reflected on the notice of fees due sent to the Company by the County Auditor annually, by reducing the County Fee Payment by the percentage set forth herein.

(b) No breach by the County of this Agreement shall result in the imposition of any pecuniary liability upon the County or any charge upon its general credit or against its taxing power. The liability of the County under this Agreement or of any warranty herein included or for any breach or default by the County of any of the foregoing shall be limited solely and exclusively to the County Fee Payments pledged herein. The County shall not be required to execute or perform any of its duties, obligations, powers, or covenants hereunder except to the extent of the County Fee Payments pledged herein.

(c) In the event state law is altered or amended to eliminate the presently existing “Point of Sale” statutory provisions, including, without limitation, Sections 12-37-3140 and 12-37-3150 of the Code of Laws of South Carolina 1976, so as to retroactively delay the increase in value of the building comprising part of the Project being purchased by the Company in 2009, than the amount of the annual SSRC set forth herein shall be decreased by a proportionate amount equal to the percentage difference in value between the value assessed by the County for calendar year 2009 (approximately \$ 26.9 million) and the actual sales price (estimated to be \$36.5 million); provided that such proportionate reduction in the SSRC shall only be in effect for years in which the assessed value for Richland County property tax purposes is less than the actual sales price.

**ARTICLE IV  
DEFAULTS AND REMEDIES**

SECTION 4.01. Events of Default. If any party shall fail duly and punctually to perform any material covenant, condition, agreement or provision contained in this Agreement on the part of such party to be performed, which, except as otherwise provided in this Agreement, failure shall continue for a period of thirty (30) days after written notice by the other party specifying the failure and requesting that it be remedied is given to the defaulting party by first-class mail, then such party shall be in default under this Agreement (an “Event of Default”).

SECTION 4.02. Legal Proceedings by Company and the County. Upon the happening of any Event of Default by a party, then and in every such case the other party in its discretion may:

- (a) by mandamus, or other suit, action, or proceeding at law or in equity, enforce all of its rights and require the defaulting party to carry out any agreements with or for its benefit and to perform its or their duties under the Act and this Agreement;
- (b) bring suit upon this Agreement;
- (c) exercise any or all rights and remedies in effect in the State of South Carolina, or other applicable law, as well as all other rights and remedies possessed by the Company; or
- (d) by action or suit in equity enjoin any acts or things which may be unlawful or in violation of its rights..

SECTION 4.03. Remedies Not Exclusive. No remedy in this Agreement conferred upon or reserved to the Company or the County is intended to be exclusive of any other remedy or remedies, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity or by statute.

SECTION 4.04. Nonwaiver. No delay or omission of the Company or the County to exercise any right or power accruing upon any default or Event of Default shall impair any such right or power or shall be construed to be a waiver of any such default or Event of Default, or an acquiescence therein; and every power and remedy given by this Article VI to the Company may be exercised from time to time and as often as may be deemed expedient.

## ARTICLE V MISCELLANEOUS

SECTION 5.01. Successors and Assigns. All the covenants, stipulations, promises, and agreements in this Agreement contained, by or on behalf of, or for the benefit of, the County, shall bind or inure to the benefit of the successors of the County from time to time and any officer, board, commission, agency, or instrumentality to whom or to which any power or duty of the County shall be transferred.

SECTION 5.02. Provisions of Agreement for Sole Benefit of County and Company. Except as in this Agreement otherwise specifically provided, nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any Person other than the County and



the Company any right, remedy, or claim under or by reason of this Agreement, this Agreement being intended to be for the sole and exclusive benefit of the County and the Company.

SECTION 5.03. Severability. In case anyone or more of the provisions of this Agreement shall, for any reason, be held to be illegal or invalid, the illegality or invalidity shall not affect any other provision of this Agreement, and this Agreement shall be construed and enforced as if the illegal or invalid provisions had not been contained herein or therein.

SECTION 5.04. No Liability for Personnel of County or Company. No covenant or agreement contained in this Agreement shall be deemed to be the covenant or agreement of any member, agent, or employee of the County or its governing body or the Company or any of its officers, employees, or agents in his individual capacity, and neither the members of the governing body of the County nor any official executing this Agreement shall be liable personally on this Agreement or be subject to any personal liability of accountability by reason of the execution thereof.

SECTION 5.05. Notices. All notices, certificates, requests, or other communications under this Agreement shall be sufficiently given and shall be deemed given, unless otherwise required by this Agreement, when (i) personally delivered or (ii) sent by electronic transmission or facsimile and confirmed by United States first-class registered mail, postage prepaid, addressed as follows:

(a) If to the County: Richland County c/o County Administrator  
P.O. Box 192  
Columbia, SC 29202

With a copy to: Ray Jones  
  
Parker Poe Adams & Bernstein LLP  
  
1201 Main Street, St. 1450  
  
Columbia, SC 29201

(b) if to the Company: Blue Cross and Blue Shield of South Carolina  
1-20 at Alpine Road  
Columbia, South Carolina 29219  
Attn: Mr. Mike Mizour

A duplicate copy of each notice, certificate, request or other communication given under this Agreement to the County, any tenant, or the Company shall also be given to the others. The County and the Company may, by notice given under this Section 5.05, designate any further or different addresses to which subsequent notices, certificates, requests or other communications shall be sent.

SECTION 5.06. Applicable Law. The laws of the State of South Carolina shall govern the construction of this Agreement.

SECTION 5.07. Counterparts. This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original; but such counterparts shall together constitute but one and the same instrument.

SECTION 5.08. Entire Agreement. This Agreement shall constitute the entire agreement of the parties with regards to the grant of Special Source Revenue Credits in connection with the Project. Upon the execution hereof, the 2001 Agreement shall become null and void and be superseded and replaced in full by this Agreement.

SECTION 5.09. Amendments. This Agreement may be amended only by written agreement of the parties hereto.

SECTION 5.010. Waiver. Either party may waive compliance by the other party with any term or condition of this Agreement only in a writing signed by the waiving party.

SECTION 5.011. Administrative Fees of the County. The Company shall pay directly or reimburse the County for all reasonable costs and fees, including but not limited to the County's costs for retention of its Special Counsel, actually incurred by the County but exclusive of normal County overhead including costs and salaries related to administrative, staff employees and similar costs and fees, relating to the negotiation and approval of the inducement of the Project, as they shall become due, but in no event later than the date which is the earlier of any payment date expressly provided for in this Agreement or the date which is forty-five (45) days after receiving written notice from the County, accompanied by such supporting documentation as may be necessary to evidence the County's right to receive such payment, specifying the nature of such expense and requesting payment of same. The costs and fees reimbursable under this Section 5.011 shall in no event exceed \$4,500 in the aggregate.

IN WITNESS WHEREOF, Richland County, South Carolina, has caused this Agreement to be executed by the Chairman of its County Council and its corporate seal to be hereunto affixed and attested by the Clerk of its County Council and Blue Cross and Blue Shield of South Carolina has caused this Agreement to be executed by one of its authorized officers, all as of the day and year first above written.

[SIGNATURE PAGE FOLLOWS]

RICHLAND COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_ (SEAL)  
Chairman, County Council of  
Richland County

ATTEST:

\_\_\_\_\_  
Clerk, County Council of Richland County

BLUE CROSS AND BLUE SHIELD OF SOUTH  
CAROLINA

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



EXHIBIT A

PROPERTY DESCRIPTION

Those certain tracts of land in Richland County, South Carolina containing in the aggregate 42.161 acres, more or less, consisting of Tract A (containing 26.440 acres, more or less) and Tract B (containing 15.721 acres, more or less), being more particularly described as follows:

TRACT A

That certain tract of land in Richland County, South Carolina., containing 26.440 acres, more or less, being shown and designated on Boundary and Topographic Survey, dated December 2, 1997, last revised April 13, 1998, prepared for Holmes Smith Development, Inc. by Power Engineering Company, Inc., said Boundary and Topographic Survey being incorporated herein by reference, said property being more particularly described as follows:

BEGINNING at an iron pin located at the northwesternmost corner of the subject property whereon the same corners with the southern boundary of the right of way of Technology Circle and property N/F NMFO Associates; thence running from said point of beginning along the southern boundary of the right of way of Technology Circle in a curve: to the left having a radius of 756.20 feet and a length of 80.04, the chord of which runs N74° 57'29"E for 80.00 feet, to an iron pin; thence turning and running along property N/F S.C. Research Authority S15°18'48"E for 426.36 feet to an iron pin; thence turning and continuing along said property S80°51'54"E for 763.80 feet to an iron pin; thence turning and running along the right of way of Carotech Boulevard in a curve to the right having a radius of 487.87 feet and a length of 90.13 feet, the chord of which runs S33°41'22"E for 90.00 feet to an iron pin; thence continuing along Carotech Boulevard S28°23'49"E for 117.15 feet to an iron; thence turning and continuing along Carotech Boulevard in a curve to the left having a radius of 605.96 feet and a length of 254.41 feet, the chord of which runs S40°29'35"E for 252.55 feet; thence turning and running along Carotech Boulevard and Farrow Road SC Hwy 555 in a curve to the right having a radius of 130.00 feet and a length of 206.16 feet, the chord of which runs S06°36'08" for 185.22 feet to an iron pin; thence continuing along the right of way of Farrow Road S38°10'50"W for 108.08 feet to an iron pin; thence continuing along Farrow Road in a curve to the right having a radius of 1557.02 feet and a length of 1097.88 feet, the chord of which runs S58°22'56"W for 1075.27 feet to a point; thence continuing along Farrow Road S78°34'56"W for 156.16 feet to an iron pin; thence turning and running along Tract B as shown on the aforesaid plat from point to point as follows: N11°25'04"W for 266.15 feet to an iron pin; N09°08'06"E for 838.12 feet to an iron pin; N15°18'48"W for 308.94 to an iron pin; thence running along property shown on the aforesaid plat as N/F NMFO Associates N15°18'48" for 372.71 feet to an iron pin, this being the POINT OF BEGINNING.

## TRACT B

That certain tract of land in Richland County, South Carolina, containing 15.721 acres, more or less, shown and designated as Tract B on a plat prepared for Holmes Smith (BCBS), LLC by Power Engineering Company, Inc. dated September 3, 1998, last September 18, 1998, said plat being incorporated herein by reference, said property being more particularly described as follows:

BEGINNING at an iron pin located at the northernmost corner of the subject property whereon the same corners with Tract B-1 as shown on the aforesaid plat and property of Holmes Smith (BCBS), LLC, which point of beginning is located a distance of 402.71 feet from the southern boundary of Technology Circle measured along the northern boundary of property of Holmes Smith (BCBS), LLC having a course of S15°18'48"E, thence from said point of beginning along property of Holmes Smith (BCBS), LLC S15°18'48"E for 308.94 feet to an iron; S9°08'06"W for 838.12 feet to an iron; and S11°25'04"E for 266.15 feet to an iron located on the northern boundary of the right of way for Farrow Road (S.C. Hwy. 555); thence turning and running along the northern boundary of Farrow Road (S.C. Hwy. 555) S78°34'56"W for 481.75 feet to an iron, S11°25'04"E for 47.00 feet to an iron, and S78°34'56"W for 87.15 feet to an iron whereon the property corners with property now or formerly of Yates; thence turning and running along property of Yates N11°19'10"W for 392.26 feet to an iron; thence turning and running along property of S.C. Research Authority N24°10'34"E for 310.77 feet to a point whereon the subject property corners with Tract B-1 as shown on the aforesaid plat; thence turning and running along property shown as Tract B-1 on the aforesaid plat N04°32'05"E for 71.83 feet to an iron, N09°08'06"E for 696.51 feet to an iron, S80°52'00"E for 124.98 feet to an iron, S85°53'47"W for 151.79 feet to an iron, S80°03'06"W for 6.18 feet to an iron, and N48°05'24"E for 144.62 feet to an iron, this being the Point of Beginning.

EXHIBIT B

INFRASTRUCTURE

To be located on property in Richland County as described in Exhibit A to this Second Amended and Restated Infrastructure Credit Agreement and related to a new office building for the benefit of Blue Cross and Blue Shield of South Carolina.

Land

Office Building

Interior Roads

Parking, Grading, Lighting, Landscaping, and Surface Water Drainage Facilities and Utilities

EXHIBIT C

[FORM OF]  
CERTIFICATE OF INFRASTRUCTURE IMPROVEMENT CREDIT  
AND  
JOB COMMITMENT

Reference is made to the Second Amended and Restated Infrastructure Credit Agreement between Richland County, South Carolina ("County") and Blue Cross and Blue Shield of South Carolina ("Company"), dated December \_\_, 2009 ("Agreement"). Each capitalized term not defined in this Certificate has the meaning ascribed in the Agreement.

In accordance with the Agreement, the undersigned authorized agents of the Company certify to the County:

1. As of the date hereof, the Company has \_\_\_\_ full-time employees at the Project.

2. In accordance with the terms of the Agreement, based on the number of full-time employees certified above, the Company is entitled to claim a Special Source Revenue Credit against the County Fee Payment for the current property tax year of \_\_\_\_%.

3. The Special Source Revenue Credit specified in this Certificate for the current property tax year, together with the amount of all Special Source Revenue Credits previously claimed pursuant to the Agreement, do not, in the aggregate, exceed the total cost of all infrastructure improvements and real property costs funded by the Company and all investors, for which a Special Source Revenue Credit is permitted under state law.

IN WITNESS WHEREOF, I have executed this Certificate as of \_\_\_\_\_, 20\_\_.

BLUE CROSS BLUE SHIELD OF SOUTH CAROLINA

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

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

Its: \_\_\_\_\_



# Richland County Council Request of Action

**Subject**

09-13MA  
Westinghouse  
Brian Pasco  
RU to HI (44.98 Acres)  
18600-01-01(p)  
5801 Bluff Rd. **[SECOND READING] [PAGE 42]**

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-09HR

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 # 18600-01-01 FROM RU (RURAL DISTRICT) TO HI (HEAVY INDUSTRIAL 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 a portion of TMS # 18600-01-01 (described in Exhibit A, which is attached hereto), from RU (Rural District) zoning to HI (Heavy Industrial District) zoning.

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

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

Section IV. This ordinance shall be effective from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

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

Public Hearing: November 24, 2009 (tentative)  
First Reading: November 24, 2009 (tentative)  
Second Reading:  
Third Reading:

# Richland County Council Request of Action

**Subject**

09-18MA

A. L. Company, LLC

A.L. Company, LLC

M-1 to RS-HD (30.43 Acres)

12000-03-02 & 03

Wessinger Rd. & Fairfield Rd. **[SECOND READING] [PAGE 44]**

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-09HR

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 # 12000-03-02/03 FROM M-1 (LIGHT INDUSTRIAL DISTRICTS) TO RS-HD (RESIDENTIAL, SINGLE-FAMILY – HIGH DENSITY 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 # 12000-03-02/03 from M-1 (Light Industrial District) zoning to RS-HD (Residential, Single-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 \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

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

Public Hearing: November 24, 2009 (tentative)  
First Reading: November 24, 2009 (tentative)  
Second Reading:  
Third Reading:

# Richland County Council Request of Action

**Subject**

Discharge of Firearms in Certain areas unlawful **[PAGES 46-49]**

# ✓Richland County Council Request of Action

**Subject:** Discharge of Firearms in Certain Areas Unlawful

## **A. Purpose**

County Council is requested to amend section 18-1(b) of the Richland County Code of Ordinances regarding the discharge of firearms in certain areas as being unlawful.

## **B. Background / Discussion**

Mr. Malinowski forwarded this item to the D&S Committee to be discussed during its November meeting:

A current Richland County Ordinance exists regarding the discharge of firearms in certain areas as being unlawful. Section 18-1 (b) states it is unlawful to discharge a firearm within two hundred yards of the property boundaries of any dwelling or business. This subsection shall not apply to a peace officer or member of the armed forces of the United States or any authorized gun club, or in the lawful defense of life or property. This subsection also shall not apply to hunting or other lawful use of firearms by persons while upon their own property, nor shall this subsection apply to persons hunting or otherwise lawfully discharging firearms on another person's property with the landowner's express permission.

As currently written, this ordinance does not protect areas that have been built as subdivisions yet still contain a few acres of undeveloped land. For the safety of citizens in subdivisions, Mr. Malinowski made the following motion during the November 3<sup>rd</sup> regular County Council Meeting:

That Section 18-1 (b) Discharge of firearms in certain areas unlawful is amended to eliminate allowing a discharge of the items mentioned in the current ordinance in areas built as subdivision by anyone except a peace officer, any authorized gun club or in the lawful defense of life or property.

Mr. Malinowski subsequently requested that the ordinance reflect that it is unlawful to discharge a firearm within three hundred yards of the property boundaries of any dwelling, business, or subdivision.

The ordinance amendment is attached.

## **C. Financial Impact**

There is no financial impact associated with this request.

## **D. Alternatives**

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

### C. Recommendation

It is recommended that Council approve the request to amend section 18-1(b) of the Richland County Ordinance regarding the discharge of firearms in certain areas as being unlawful. It should include subdivisions to the areas where the discharge of firearms is unlawful by anyone except a peace officer, any authorized gun club or in the lawful defense of life or property. The required distance should be increased from two hundred to three hundred yards of the property boundaries of any dwelling, business, or subdivision.

**Recommended by:** Councilman Malinowski    **Date:** November 3, 2009

### F. Reviews

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

#### Finance

Reviewed by: Daniel Driggers

Date: 11/13/09

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation

#### Legal

Reviewed by: Larry Smith

Date: 11/13/09

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

#### Administration

Reviewed by: Sparty Hammett

Date: 11/16/09

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

**STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY**

**ORDINANCE NO. \_\_\_\_-09HR**

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 18, OFFENSES; SECTION 18-1, DISCHARGE OF FIREARMS IN CERTAIN AREAS UNLAWFUL; SO AS TO MAKE IT UNLAWFUL TO DISCHARGE A FIREARM IN OR NEAR A SUBDIVISION .

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

SECTION I. The Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-1(b) is hereby amended to read as follows:

**Section 18-1. Discharge of firearms in certain areas unlawful.**

(b) *Within ~~two~~ three hundred yards of the property boundaries of any dwelling, ~~or~~ business, or subdivision. It shall be unlawful for any person in the unincorporated area of the county to discharge any rifle, gun, pistol, revolver, or other similar instrument from or by means of which any bullet, shot, or other missile of any kind may be projected within ~~two~~ three hundred (~~200~~ 300) yards of any building ~~occupied~~ used as a dwelling or business, or within the boundaries of any subdivision or within three hundred (300) yards of any subdivision, as that term is defined in Sec. 26-22 of this Code. This subsection shall not apply to a peace officer or member of the armed forces of the United States or any authorized gun club, or in the lawful defense of life or property. This subsection also shall not apply to hunting or other lawful use of firearms by persons while upon their own property, nor shall this subsection apply to persons hunting or otherwise lawfully discharging firearms on another person's property with the landowner's express permission.*

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 \_\_\_\_\_.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

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



OF \_\_\_\_\_, 2009

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Michielle R. Cannon-Finch  
Clerk of Council

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

# Richland County Council Request of Action

**Subject**

Conservation Property Donation **[PAGES 51-53]**

## Richland County Council Request of Action

**Subject:** Conservation Property Donation

### **A. Purpose**

County Council is requested by the Conservation Commission to accept conservation property of 8.5 acres as a fee simple title donation to Richland County in order to protect valuable natural resources, water quality, and preserve valuable open space. This property could serve as a community park and green space near the Summer Valley sub-division off Hard Scrabble Road.

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

Mr. Larry Cooke with SEL Properties, Inc, 1105 Pulaski Street, Columbia, SC 29201, has made a formal application to the Conservation Commission to donate valuable property for conservation purposes, natural resources, wildlife, and maintain the rural integrity of the landscape. This land is currently used for forestry, wildlife, and scenic beauty. The property is a critical drainage segment of the Gills Creek Watershed, Little Jackson Creek. The property faces development pressures to be converted to high density home units. The property is located in County Council District #7.

We salute their donation and conservation values.

### **C. Financial Impact- None**

The Conservation Commission voted unanimously to make this easement request to County Council as a private donation for tax benefits only. The landowner is donating a large percentage of the appraised easement value of which some may be captured by tax incentives. No Commission funds will be used for property compensation. We consider this agreement to be beneficial to both parties and it meets the goals of Richland County in a true volunteer partnership. The indirect benefits and cost to Richland County will be less storm water issues, improved water quality, preserving trees, wildlife and valuable green space.

### **D. Alternatives**

1. **Approve the request** to accept this property that will protect valuable natural resources and preserve green space for all citizens. Accepting this property provides benefits to our communities and sets an example of volunteer partnership with landowners.
2. Do not approve will allow high density development, reduce green space, remove wildlife habitat, and change our rural landscape character forever.

**E. Recommendation**

***"It is recommended that Council approve the request to accept this conservation property of 8.5 acres owned by SEL Properties, Inc."***

Recommended by:	Department:	Date:
Carol Kososki, Chair Jim Wilson, Program Manager	Conservation Commission Richland County	9-28-2009

**F. Reviews**

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

**Finance**

Reviewed by (Daniel Driggers):	Date: 11/24/09
✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

**Legal**

Reviewed by: Larry Smith	Date: 11/24/09
✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

**Administration**

Reviewed by: Sparty Hammett	Date: 11/24/09
✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	



Item# 10

Attachment number 1  
Page 3 of 3

# Richland County Council Request of Action

**Subject**

AT&T Leased Line Connections - Countywide **[PAGES 55-56]**

## Richland County Council Request of Action

Subject: AT&T Leased Line Connections - Countywide

### A. Purpose

County Council is requested to approve the purchase of phone and data lines connecting County facilities from AT&T.

### B. Background / Discussion

The Richland County Wide Area Network and Local Area Networks (WAN/LAN) currently consist of 40 servers and approximately 1100 PCs. These are spread out over 48 County locations which are connected primarily via leased lines.

This request is to approve a purchase order from AT&T to pay for lease lines that connect 26 remote sites to our main locations. In addition, this request also will secure funding to cover the "PRI" trunk lines that provide phone service to all County facilities. These connectivity lines are mission critical to the daily operations of the County's technology services. Without them, there would be no phone service to County facilities, nor data connections that provide all County computer and network services.

Richland County has been purchasing data lines from AT&T (formerly BellSouth) via "State Contract Pricing" for over 12 years and phone lines for decades. In prior years these services were paid directly, but due to a change in the County's financial procedures, a purchase order is now required to pay AT&T for these services.

### C. Financial Impact

There are sufficient funds in the account 1100187000.542100 designated for this request.

### D. Alternatives

1. Approve the request to continue leasing the lines from AT&T for an amount not to exceed \$241,000. This will allow the county to maintain phone and data services to all sites.
2. Do not approve the request. This would mean that connectivity to County offices would cease and prevent all County computer services and telephones from working.

### E. Recommendation

Recommended by: Janet Claggett      Department: Information Technology  
Date:

Approve the request to continue leasing the lines from AT&T for an amount not to exceed \$241,000. This will allow the county to maintain phones and connectivity to remote sites.

## F. Reviews

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

### Finance

Reviewed by: Daniel Driggers

Date: 11/12/09

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Funds are available as stated

### Procurement

Reviewed by: Rodolfo Callwood

Date: 11/12/09

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

### Legal

Reviewed by: Larry Smith

Date:

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommendation of approval is contingent upon a review of the AT&T state contract.

### Administration

Reviewed by: Milton Pope

Date: 11-19-09

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Funds are budgeted



# Richland County Council Request of Action

**Subject**

Business Service Center-Policies Approval [**PAGES 58-70**]

# Richland County Council Request of Action

**Subject:** Business Service Center – Policies Approval

**A. Purpose**

County Council is requested to approve the policies drafted for the Business Service Center.

**B. Background / Discussion**

Following is some background regarding the drafting of policies to guide the Business Service Center. A very brief history of the department is provided to set the stage. A summary of the challenges involved, and the resources that were tapped to address those challenges, are also described.

**History**

Richland County has had business licenses as a requirement since 1987. From the outset, however, the City of Columbia was contracted to administer this program. Then in 2003, the County began reviewing this program and exploring the possibility of administering its business license program itself. After much research and consideration by Administration and County Council, in mid-October 2005, County Council approved the termination of the business license contract with the City effective December 31, 2005. County staff had 2 ½ months to find and equip a physical space to operate; interview and hire staff; develop, test, and implement business license software; obtain business data from the City; and prepare an entirely new licensing operation for the public. On January 3, 2006, the Business Service Center, the County's newest department, opened its doors to the public and began issuing business licenses and collecting business license fees.

**Challenges**

The two and a half months preparing the new department for operation was filled with all kinds of questions. While many of these were technical in nature relating to software development, the core, fundamental issue to be answered was "How should this program be run?" The County had never operated its own business license program before, so there was no "We've always done it that way" history to serve as a guide. The City of Columbia had no operations manual to describe how they had administered the County's program.

The County's sole impromptu but de facto "resident expert" on this issue, therefore, sought answers from the resources at hand, and as very quickly as possible, to meet the opening day deadline. As fast as resources were tapped and answers gleaned, they were written down for two primary reasons: (1) consistency in operations, and (2) continuity of operations, in the event that the County's resident expert, lacking a successor, was not available to serve the County.

**Resources**

A wide variety of resources were consulted for assistance in crafting this new operation. Following are descriptions of these resources.

- County departments: Since the new operation included the collection of taxpayer dollars, the Finance Department and the Treasurer's Office were referenced for the development of financial policies and procedures. Other revenue-collecting departments, including the Register of Deeds Office, the Clerk of Court's Office, and the Animal Care Department,

were also consulted for their policies and procedures. Since the responsible handling of money is of special interest to the County's Finance and Administration departments, the development of written financial policies and procedures was one of the first tasks to be completed. The Administration department was and is still consulted frequently for guidance on various questions.

- County policies: In the interest of consistency with other County policies and procedures and to save precious time by not reinventing the wheel, other County policies were also referenced. While this often occurred in the development of financial policies, it was also useful in the development of programmatic policies as well.
- Other jurisdictions: Cities and Counties with well-established and highly regarded business license operations were contacted for assistance in developing policies and procedures relating to specific operational practices. This was usually Charleston County and its Business License and User Fee (BLUF) department. Other jurisdictions included the City of Charleston and the City of Greenville. Many other jurisdictions' ordinances were also referred to as well for additional information and guidance, including an ordinance comparison that occurred as part of a business license benchmarking effort some years before.
- Industry organizations: State and national business license organizations were also contacted for assistance. These included the South Carolina Municipal Association and its Business Licensing Officials Association (BLOA), which has the additional benefit of a Business License Handbook and a Model Ordinance. The National Bureau of Business Licensing Officials (NBBLO) was another resource. The California Municipal Revenue and Taxation Association (CMRTA – the “other” CMRTA) was also contacted and particularly helpful.
- Legal resources: A legal perspective was also often sought from a variety of resources. The County's legal department was consulted for guidance and direction, as it is recognized that, ultimately, they are responsible for defending the County in any legal action. Part of an effective legal response is to discover what other jurisdictions do, and for their information as well as my own, other legal resources were also explored.

This included Charleston County and the City of Charleston's legal staff, who had significant experience and familiarity with business license issues. The Municipal Association, which staffs the Business Licensing Officials Association (BLOA) and which had an attorney on retainer for business license issues, was also queried periodically. The national business license organization NBBLO offers a substantial business license case law review at its annual conference, and this was referenced for particular issues on a number of occasions.

State laws relating to business license issues were also studied for guidance. State laws are helpful for understanding what is and is not allowed, but other resources proved more helpful in guiding how those laws are interpreted and implemented by those subject to it. Existing Attorney General opinions were also sought on certain issues.

## **Policies Manual**

The policies which have been drafted are in the attached Policies Manual.

**C. Financial Impact**

Approving these departmental policies as described will maintain the department’s budget projections. Modifying these policies may impact these projections positively or negatively depending upon the policies that are approved.

**D. Alternatives**

1. Approve the departmental policies as described.
2. Modify any or all policies as Council deems appropriate.

**E. Recommendation**

It is recommended that the policies which have been drafted based upon the described resources be approved.

Recommended by: Pam Davis, Director Department: BSC. Date: 11/05/09

**F. Reviews**

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

**Finance**

Reviewed by: Daniel Driggers

Date: 11/12/09

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

**Legal**

Reviewed by: Larry Smith

Date: 11-13-09

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

**Administration**

Reviewed by: Roxanne M. Ancheta

Date: November 13, 2009

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation: It is recommended that the attached policies, which have been reviewed by the Business Service Center, the Legal Department, and Administration, be approved.

# Council Policies for the



# Richland County Business Service Center

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## **Annexations**

- A business which is annexed after being issued a current year business license and will not be doing business in the unincorporated area of Richland County will be given a refund, provided no other funds are due to the County from the business.
- Business license fees and penalties paid to the County in error from businesses which were annexed will be issued any applicable refunds, in accordance with the State Statute of Limitations.
- Refunds for businesses will be automatically issued for businesses if the business was annexed prior to 2005 and does not do business in the County after annexation.
- Businesses annexed during or after 2005 shall receive an audit following the annexation to determine if the business is owed a refund or if the County is owed any business license fees/penalties.

## **Appeals**

- In the interest of expediting appeals, appeals to the County Council shall be made directly to the full County Council – not placed on a Council Committee agenda.
- Attorneys for involved parties are permitted to be present at appeals hearings.

## **Background Checks**

- Background checks will only be conducted on an as-needed basis. This may stem from notification from the Sheriff's Department or other local, state, or federal law enforcement agencies. Written complaints or information from the public at large may also be accepted as cause to conduct a background check.
- Richland County reserves the right to randomly conduct background checks on any of its business license applicants. Failure to provide any necessary information required in order to conduct a background check may be cause to deny or revoke a business license.

## **Business Names**

- A business may not change its name to a name which is already found in the Business Service Center database, to the extent possible, to limit confusion.

- A new business may not use a name which is already found in the Business Service Center database, to the extent possible.

## **Business Ownership**

- A person of any age may obtain a business license. However, any person under the age of 18 must have a legal guardian also sign as a business owner or indicate knowledge and approval of the minor's business.

## **Closing Businesses**

- A business shall be considered closed if the following conditions are met:
  - two mailings have been sent to the business and the letters have been returned by the Post Office as undeliverable, or
  - the business has not renewed its license for four consecutive years, and attempts to reach the business are unsuccessful.
- A business which closes prior to the business license deadline is not required to pay for the current year's business license. However, a business which closes after the business license deadline shall be required to pay for the business license for that year, with penalty for obtaining its business license after the deadline.
- A business may not close simply to avoid paying a business license fee. A business which closes and reopens within twelve months with the same owner, same name, same type of business, and/or the same location shall owe any applicable business license fees and penalties.

## **Compliance**

- Failure of a business to pay its business license fees and penalties will result in efforts by the County to recover these funds. Participation in the GEAR and Set-off Debt program, which allows the garnishment of wages and other income, may be explored and/or used.



## Exemptions

- A business that is exempted from the requirements of the business license ordinance may be required to obtain a business license, but will be exempt from having to pay for that business license.

## Home Sales

### Garage Sales

- Two garage sales a year are not considered “doing business” and are allowed by any person or group of persons without being required to have a business license. Having more than two garage sales a year shall result in a business license being required.

### Vehicle Sales

- An individual selling two vehicles a year is not considered “doing business” and is not required to have a business license. Selling more than two requires a business license.

### Animal Breeders

- An individual selling, once a year, puppies, kittens, or other offspring from animals they own does not constitute “doing business” and does not require a business license.
- Animal breeders, defined as people who own animals that reproduce, whether intentionally or accidentally, more than once a year and sell the offspring, are required to have a business license.

## Hospitality Taxes

- Refunds will be issued to businesses that are documented as continuing to collect and remit Hospitality Taxes at the 2% rate. However, these businesses will be notified of the need to collect and remit at the temporary 1% rate.
- Businesses selling goods in addition to foods and/or beverages subject to the Hospitality Tax must separate the revenues generated by the Hospitality Tax applicable items from other sales, so Hospitality Taxes are paid only on the revenue generated by those sales. If the business will not or cannot separate the revenue, an audit will be conducted to determine the amount of gross revenue generated by the sale of items subject to the Hospitality Tax.
- Caterers pay Hospitality Taxes based upon the location of the preparation of the Hospitality Tax applicable items.

- Businesses selling foods or beverages that are subject to the Hospitality Tax on portions of Ft. Jackson which are located in the unincorporated area of the County and which prepare the food and/or beverages in the unincorporated area of Richland County are responsible for paying Hospitality Taxes on those sales.
- Businesses whose payments are five dollars (\$5.00) or less short or high will neither have their payments sent back (if short) or will receive refunds (if high).
- Payment plans may be offered to businesses to pay delinquent Hospitality Taxes.
- Businesses that close are not necessarily excused from paying the remainder of any delinquent Hospitality Tax payments. Efforts to collect unpaid Hospitality Tax fees and payments will continue on a case-by-case basis.
- When a business is annexed into a municipality which does not have their own Hospitality Tax, the County's Hospitality Tax will be reduced from 2% to 1%, and the payments of the Hospitality Taxes (and penalties) will continue to be remitted to the County.
- If a business that should have been paying Hospitality Taxes but was not paying these taxes is annexed, the County is entitled to seek redress directly from the business for delinquent Hospitality Taxes, including penalties, up to the date of annexation.
- Businesses that are annexed and are subject to Hospitality Taxes for both the annexing city as well as the County, shall remit the Hospitality Taxes directly to the County on the frequency established by the Hospitality Tax ordinance.

## **Independent Contractors**

- Independent contractors, people paid with IRS Form 1099s in which taxes are not withheld, are considered as having their own business and are thus required to obtain their own business license. However, if the activity for which the person is paid some nominal amount does not represent the person's primary, or even secondary, occupation, engaging in the activity shall not be considered "doing business" and no business license is required.

## **Insurance Companies**

- For the purposes of this policy only, an "insurance company" is defined by Richland County to mean any company recognized by the State as an "insurance company" by virtue of being registered with the SC Department of Insurance and by virtue of the company also, though not exclusively, engaging in "insurance company" activities.
- The above conditions include businesses which may be considered Health Maintenance Organizations "HMO's" or other variations.

- All activities, even those not of an “insurance” nature, of any such business covered by the conditions above shall be exempt from paying for a business license for ANY activity by that business. They may be required to obtain a business license, but no fee will be charged for that license.

## **Landlords**

- The rental or leasing of three or more single family unit residential properties is considered “doing business” and requires a business license.
- The rental or leasing of one residential property with three or more residential units located on it is considered “doing business” and requires a business license. (This includes mobile home parks, triplexes, quadraplexes, apartments, etc.)
- The rental or leasing of one or more commercial properties, or any part of a commercial property, is considered “doing business” and requires a business license.

## **NAICS Codes**

- NAICS (North American Industrial Classification System) codes in the BSC database will be updated every five years following the completion of NAICS code reviews by the Census Bureau every five years.  
(See <http://www.census.gov/epcd/www/drnaics.htm#q20>.)

## **New Businesses**

- Businesses obtaining a business license for the first time while operating without a business license shall obtain a business license in accordance with the State Statute of Limitations.

## **Online Convenience Fees**

- Fees charged by the Visa and Mastercard companies to companies which allow their cards to be used either on-site or on their websites, commonly called “convenience fees,” shall be passed on to the cardholder.

## **Payments Short or Over**

- No business licenses shall be issued if the full payment is not received.
- When a check payment is received via mail is less than \$5.00 under the correct amount, the amount that the check is short shall be waived.
- When a check payment received via mail is less than \$5.00 over the correct amount, the amount that the check is over shall be waived and deposited with the regular cash drawer deposit when the cash drawer is closed.
- When a payment is more than \$5.00 over the proper amount, the amount of the overpayment shall be deposited as a credit to the business the following year (if \$50.00 or less overpaid) or refunded to the business (if over \$50.00 overpaid).
- Exceptions to these ranges will only be made if an error is made on the part of the Business Service Center.

## **Payments**

- Any business making a payment with a check that is returned by the bank for any reason will be required to pay with cash or certified funds the following year. This includes any checks that are paid to the Treasurer's Office for payment of Merchant Taxes.
- Payments with deadlines which fall on a Saturday, Sunday, or County holiday may be personally delivered or postmarked on the next business day and not be charged a late fee.

## **Refunds**

- A new business which accidentally pays for a County license rather than a City license may receive a refund in accordance with the State Statute of Limitations.
- If a business requests a refund due to an overpayment, this request must be submitted in writing. An audit will first be conducted of the business to determine the accurate amount of refund due.
- A business which closes, or which never opens, after paying its business license for that year will not be given a refund. A business which moves out of the unincorporated area of Richland County and will not be doing business in the unincorporated area of Richland County will not be given a refund.
- A business which is annexed after being issued a current year business license and will not be doing business in the unincorporated area of Richland County will be given a refund, provided no other funds are due to the County from the business.

- In accordance with the Statute of Limitations, a business which was annexed one or more years prior to the year of discovery shall be refunded its business license fees for no more than the current plus three immediate prior years since annexation as appropriate (assuming the business no longer does business in the unincorporated areas of Richland County).
- No business which has any type of liability to the County, other than real estate property taxes, will be issued a refund until the liability is paid in full. Furthermore, refunds owed to a business with a County liability will be applied to the liability. If the refund exceeds the liability, the remaining balance of the refund will be issued to the business.
- Refunds to be made shall always be made to the business – even in the event that the funds were paid to the County in error and should have been paid to a municipality.
- See also refund policies referenced in policies relating to annexations, Hospitality Taxes, and zoning fees.

## **Smoking Ban**

- Enforcement of the smoking ban shall be conducted on an as-needed and random basis.
- Only commissioned code enforcement officers are qualified to document a violation of the smoking ban, and only after personally witnessing violations will Uniform Ordinance Summons be issued.

## **Students**

- “Students” – defined as people regularly attending a public or accredited school or apprenticeship program to further education or learn a trade (including but not limited to barber, beauty or cosmetology schools; massage schools; or veterinary schools) – who practice their trade or education for which they are attending school and obtain only tips (considered to be 25% or less of the value of the service) in exchange for their service shall not be required to have a business license, as working for tips is not considered as “doing business.”
- However, students practicing their trade or education for which they are attending school and receive revenue (defined as more than 25% of the fair market value of the service) from sales or in exchange for a service provided shall be considered as doing business and are required to obtain a business license.
- Students of a non-profit or State-supported school who (1) practice their trade in exchange for more than 25% of fair market value and (2) whose revenues belong to the students and not to the organization shall (1) not be covered by the organization’s non-profit or 501(c)(3) status or the “political subdivision” status and (2) shall be required to obtain a business license.

## **Uniform Ordinance Summons**

- Tickets may be nolle prossed only with the knowledge and consent of the Director of the Business Service Center.

## **Zoning Fees**

- The zoning review fee will only be refunded if the property is found to be located not in the unincorporated area of the County (i.e., in a municipality or outside Richland County altogether).
- There are no exemptions from paying the zoning fee.

# Richland County Council Request of Action

**Subject**

Business Services Center-Records Retention Schedule [**PAGES 72-78**]

## Richland County Council Request of Action

**Subject:** Business Service Center – Record Retention Schedules

### **A. Purpose**

County Council is requested to approve the record retention schedules developed by and in cooperation with the SC Department of Archives & History.

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

As part of creating and operating the Business Service Center, the staff inventoried each document type that the office generates, collects, uses, or keeps. Staff then reviewed the State Department of Archives & History's record retention schedules for counties to determine what the retention schedules were for each type of record. This comparison resulted in a finding that some document types in the office did not have applicable retention schedules.

While the State long ago established record retention schedules for many municipal operations, the same schedules were not always developed for counties, since most counties, when the schedules were developed, did not include many of the municipal operations. These include business licenses, Hospitality Taxes, Tourism Development Fees, and others. Since counties are unable to use schedules developed for municipalities, retention schedules for some county operations had to be developed.

The Business Service Center coordinated with the State Department of Archives & History to develop the proposed record retention schedules. With the drafts complete, the State now requires the county's governing body to approve them.

The new record retention schedules are attached for your review.

### **C. Financial Impact**

Approving these record retention schedules will have no negative financial impact on the County. Additionally, implementing approved retention schedules will have the positive financial impact of reducing the County's costs associated with storing records.

### **D. Alternatives**

1. Approve the record retention schedules as described.
2. Disapprove the record retention schedules as described. Concerns should be clearly stated so they may be considered by the SC Dept. of Archives & History for possible revision to the schedules.

### **E. Recommendation**

It is recommended that the record retention schedules developed by the SC Dept. of Archives & History be approved.

Recommended by: Pam Davis, Director Department: BSC Date: 11/05/09



## F. Reviews

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

### Finance

Reviewed by: Daniel Driggers

Date: 11/09/09

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Would recommend that all retention schedules be reviewed periodically as a group to ensure compliance.

### Legal

Reviewed by: Larry Smith

Date: 11-9-09

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

### Administration

Reviewed by: Roxanne Ancheta

Date: November 9, 2009

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: It is recommended that the record retention schedules developed by the SC Dept. of Archives & History be approved.



**RICHLAND COUNTY**

**RECORD GROUP NUMBER: 0040**

**BUSINESS SERVICE CENTER**

**15366 BUSINESS LICENSE FILE**

Description:

Applications submitted for approval to operate businesses or change business information in the county. Information includes business name and address, location, classification, license number, gross sales to preceding calendar year, type of application, date, fee, Federal Identification Number, or Social Security Number; Business License: number, date issued, classification location, name of business, and signature of Finance Director; Receipt: date, amount, applicant name, address, class of business or profession, payment type, receipt number and authorized signature; and related correspondence.

Retention:

Business Licenses for Earliest Extant Year and Every Other Year Thereafter:  
**PERMANENT.**

All Other Records: 3 years, then destroy.

**15367 HOSPITALITY TAX ENROLLMENT FORM**

Form used for enrolling new and existing businesses for hospitality tax. Information includes new business or purchasing an existing one, first time enrollment, business name, Federal ID Number or Social Security Number, SC sales and use tax number, physical location, Tax Map Sheet (TMS) number, tax district, mailing address, date business opened, work phone number, business license number, emergency phone number, seasonal business and active months, projected monthly revenue, NAICS (North American Industry Classification System) code, owner, partnership or corporation name, mailing address, work phone number, fax number, email address, hospitality contact information, voucher form preference, signature and title of applicant, hospitality tax enrollment number, payment percentage, frequency, payment voucher status, staff signature, and date.

Retention:

2 years, then destroy.



**15368 HOSPITALITY TAX CERTIFICATION FORM**

Description:

Record of businesses certifying they are exempt from hospitality tax fees given that they do not sell foods or beverages. Information includes business name, hospitality tax number (if applicable), physical address, business license number, business type, NAICS (North American Industry Classification System) code, business phone number, certification statement, title signature, date, sworn date, notary public name, notary public for, commission expiration date, and signature.

Retention:

2 years, then destroy.

**15369 HOSPITALITY TAX UPDATE FORM**

Description:

Form used to gather information on hospitality tax, or exemption from the tax. Information includes business name, doing business as (name as appearing in public), hospitality tax number, percent, frequency, Business license number, Federal Employment Identification Number (FEIN), physical location, business open date, business activity, owner's name, phone, owner's mailing address, contact person for business, title, contact mailing address, contact phone and fax number, information check list, printed name, title, signature, date, sworn date, Notary public name, Notary public for, commission expiration date, and signature.

Retention:

1 year, then destroy.



**15370 PEDDLERS LICENSE APPLICATION**

Description:

Record of persons requesting to operate a street business/peddler business within the county, as defined by county ordinance. Information includes Peddlers License Application Form: Business Information - business name, doing Business as (if different), Federal ID Number/Social Security Number, business license number, date business started, local business phone, emergency phone, NAICS (North American Industry Classification System) code, Type of Business; Peddling Information – type of merchandise to be sold, number of people that will be hawking or peddling, type of peddling requested, location of peddling; contact information – name, title, work phone, emergency phone, business mailing address, corporate mailing address, corporate contact name and title, other affiliated companies, firms, or corporations; signature of applicant, name, title, date, signature of Business Service Center staff, and date; and other related documentation.

Retention:

3 years, then destroy.

**15371 TOURISM DEVELOPMENT FEE REMITTANCE FORM**

Description:

Series used for billing businesses monthly on all gross proceeds resulting from the rental of accommodations within the unincorporated areas of Richland County. Information includes business name and mailing address business license number, Federal ID Number, SC retail tax number month and year, computation of tourism development fee (gross proceeds of sales, allowable deductions for 30 day continuous rentals, adjusted gross, balance due, penalty, total fee and penalty due) signature, title, date, phone number, copy of the State of SC Sales, Use Accommodations, and Local Tax Return, and any other pertinent information requested.

Retention:

3 years, then destroy.



**15372 TOURISM DEVELOPMENT FEE UPDATE FORM**

Description:

Form used to gather information from businesses on tourism development tax. Information includes business name and mailing address business license number, Federal ID Number, SC retail tax number month and year, computation of tourism development fee (gross proceeds of sales, allowable deductions for 30 day continuous rentals, adjusted gross, balance due, penalty, total fee and penalty due) signature, title, date, phone number, copy of the State of SC Sales, Use Accommodations, and Local Tax Return, and any other pertinent information requested.

Retention:

1 year, then destroy.

**South Carolina Department of Archives and History  
Division of Archives and Records Management**

**Guidelines For Understanding And Implementing  
Records Retention Schedules**

The following guidelines describe basic terms related to records retention schedules and define the responsibilities associated with schedule approval and implementation.

**Records Retention Schedule** – A records retention schedule describes one or several records series and indicates the length of time records should be retained prior to final disposition. Schedules are issued to state agencies or local government subdivisions and must be approved in accordance with provisions of the Public Records Act, as amended. Upon approval, the latest retention schedule supersedes any schedule previously approved for the same records series or group of records series.

**Copies** – All official copies of state agency and local government subdivision records must be inventoried, appraised, and scheduled. Convenience and other extra copies do not need a records retention schedule and may be disposed of when no longer needed for reference.

**Legal Retention Requirements** – The approval of schedules by state agencies or local government subdivisions should include a legal review to ensure that retention periods are in compliance with all applicable laws and regulations. In addition, state agencies and local government subdivisions are responsible for ensuring that records are retained for any additional time necessary to fulfill special legal considerations or requirements, such as those related to pending litigation, government investigations, or court orders.

**Confidentiality and Restrictions** – State agencies and local government subdivisions should ensure that confidential records are properly filed, accessed, and disposed of in accordance with federal, state, and local legal requirements.

**Audit Requirements** – State agencies and local government subdivisions are responsible for ensuring that records are retained to comply with all audit requirements.

**Destruction of Records** – Non-microfilmed records destroyed in accordance with approved schedules should be reported to the Department of Archives and History by submitting a copy of the State and Local Government Report of Records Destroyed. A copy of each destruction report should be retained by the state or local office as documentation of records destroyed in accordance with the approved retention schedules. (For information on the disposal of microfilmed records, see Microfilm Applications on reverse side.)

**Records Storage** – Permanent records must be maintained, protected, and preserved in an appropriate environment as required by section 30-1-70 of the Public Records Act, as amended. The State Records Center will accept scheduled semi-active state agency records for temporary storage on a space available basis. It will also receive permanent records scheduled for transfer to the Department of Archives and History.

# Richland County Council Request of Action

**Subject**

Hospitality Tax Ordinance Amendment: County Promotions 75%/25% Split

**Notes**

First Reading: November 17, 2009

Second Reading:

Third Reading:

Public Hearing:

# Richland County Council Request of Action

**Subject**

09-11MA  
Abdalla Yaghy  
Abdalla Yaghy  
RU to RC (4.19 Acres)  
35206-02-06 & 35200-09-56  
Corner of Garners Ferry Rd. & Pond Dr. **[PAGE 81]**



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-09HR

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 # 35206-02-06 AND TMS # 35200-09-56 FROM RU (RURAL DISTRICTS) TO RC (RURAL COMMERCIAL DISTRICTS); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 35206-02-06 and TMS # 35200-09-56 from RU (Rural District) zoning to RC (Rural 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 \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

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

Public Hearing:           October 27, 2009  
First Reading:           November 24, 2009 (tentative)  
Second Reading:  
Third Reading:

# Richland County Council Request of Action

**Subject**

Development and Services Report of Actions **[PAGES 83-84]**



# RICHLAND COUNTY COUNCIL

## DEVELOPMENT AND SERVICES COMMITTEE

Gwendolyn Kennedy  
District 7

Damon Jeter  
District 3

Norman Jackson, Chair  
District 11

Jim Manning  
District 8

Bill Malinowski  
District 1

*Tuesday, November 24, 2009*  
*5:00 PM*

### Report of Actions

#### CALL TO ORDER

Norman Jackson called the meeting to order.

#### APPROVAL OF MINUTES

1. Regular Session: October 27, 2009 – The minutes of the October 27, 2009 committee meeting were approved.

#### ADOPTION OF AGENDA

The agenda was adopted as amended. Item 2 A Resolution to recognize, endorse, and support the “Richland County Neighborhood Council and Item 4 Implementation of the Renaissance Plan (Decker Blvd) were deferred to the December Committee meeting. A Conservation Property Donation was added as item 7 of the agenda.

#### ITEMS FOR ACTION

- Consent** 2. A Resolution to recognize, endorse, and support the “Richland County Neighborhood Council – The committee deferred this item to the December Committee meeting. The vote in favor was unanimous.
- Consent** 3. Discharge of Firearms in Certain Areas Unlawful - The committee recommended that Council amend section 18-1(b) of the Richland County Code of Ordinances regarding the discharge of firearms in certain areas as being unlawful. The vote in favor was unanimous.

- Consent** 4. Implementation of the Renaissance Plan (Decker Blvd) – The committee deferred this item to the December Committee meeting. The vote in favor was unanimous.
  
- Consent** 5. Ordinance Amendments regarding Commercial Enforcement of Unlicensed Vehicles and Weeds and Rank Vegetation – The committee deferred this item to the December Committee meeting. The vote in favor was unanimous.
  
- Consent** 6. What would it take for qualified Fire Engine Drivers to be able to Drive an EMS ambulance in an emergency situation – The committee recommended that Council accept staff recommendation to accept and support the City of Columbia’s request to allow firefighters to drive ambulances in appropriate instances under certain conditions. Staff will also obtain cost information and gather liability documentation on this item. Additionally, staff will forward an MOU or MOA to the City of Columbia for consideration and acceptance. The vote in favor was unanimous.
  
- Consent** 7. Conservation Property Donation - The committee recommended that Council accept conservation property of 8.5 acres as a fee simple title donation to Richland County in order to protect valuable natural resources, water quality, and preserve open spaces near the Summer Valley sub-division off Hard Scrabble Road. The vote in favor was unanimous.

**ITEMS FOR DISCUSSION / INFORMATION**

- Consent** 8. Pineview Property Follow up – The committee recommended that this item be moved to the December Committee meeting as an action item. Staff is to gather information on regional markets legislation / appropriations. Mr. Jackson has information, including sketches, that he will provide to staff.
  
- Consent** 9. Planning Commission Members and Occupations – The committee recommended that council forward this item to the Rules Committee.

**OTHER ITEMS**

- Consent** 10. Contractual Matter: Offer to Purchase/Lease County Property [Executive Session] - The committee directed the County Administrator to report back to the committee after getting additional information.

Staffed by Randy Cherry

# Richland County Council Request of Action

**Subject**

What would it take for qualified Fire Engine Drivers to be able to Drive an EMS ambulance in an emergency situation  
**[PAGES 86-88]**

# 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*

By Motion of Councilman James Manning and Councilman Kelvin Washington, County staff has been asked/directed to report findings on what it would take for City Firefighters to drive County Ambulances and a request to explore an option for Firefighters to drive Ambulances from the City of Columbia (see attached request).

**10-6-09 Council Meeting Motion (Councilman Manning and Washington): Council directs staff to investigate and report the findings on what it would take for qualified fire engine drivers to be able to drive an EMS ambulance in an emergency situation.**

Administration and Emergency Services both accept and support the City of Columbia's request to allow firefighters to drive ambulances in appropriate instances with the following conditions:

1. City of Columbia Fire Department will become a legally licensed First Responder Agency.
2. County Council would have to amend our driving policy for non-County employees.
3. City Fire personnel would have to successfully complete the County's Defensive Driving Program.
4. City Fire personnel must be trained, and sign a memo of understanding concerning Federal Privacy laws including termination for violations of the law.
5. City Fire personnel must be trained and equipped to meet the requirements for blood borne and air borne pathogen protection standards.
6. City of Columbia must acknowledge in writing acceptance of all liability and cost of associated incidents occurring as a result of driver operations.





# Columbia Fire Department

www.columbiasc.net

To: Michael A. King  
Assistant City Manager for Public Safety

From: Wm. Bradley Anderson *WBA*  
Fire Chief

Date: 29 September 2009

Subject: **Request to Explore Option for Firefighters to Drive Ambulances**

In an effort to better support Richland County EMS in their service to the public, we would like to explore the possibility of providing Senior Firefighters and Engineers to drive ambulances from emergency scenes to hospitals during incidents in which two EMS employees are needed to work in the back of the ambulance. An overview of these employees' qualifications is provided below. We would agree to meet any additional RCEMS requirements that are within our budget constraints. With your approval, and in cooperation with RCEMS, we would like to proceed in this endeavor.

#### Current Minimum Qualifications Senior Firefighter

- Two years of continuous service in Department
- Commercial Driver's License
- Random drug testing
- Emergency Vehicle Driver Training (40-hour course)
- Check-off on two engines and a ladder truck
- 60 days of supervised non-emergency driving
- After promotion there is a six-month probationary period
- There are also fire-specific courses in the Senior Firefighter program including Pump Operations (40-hour course), Pump Troubleshooting (24 hours), Ladder Truck Operations (24 hours), operation of the rehabilitation truck, brush trucks and backing trailers (8 hours), training on incident reports and reporting mechanical problems (8 hours).

#### Current Minimum Qualifications Engineer

- Same as for Senior Firefighter, plus the following
- Five years of continuous service in the Department
- Two years in the rank of Senior Firefighter
- Written examination
- Structured oral Interview
- Practical exam in pumping and ladder operations
- A series of courses in an Engineers Candidate Program is being phased in for promotions in 2011.

I respectfully request the following approvals to implement this plan.

Michael A. King: \_\_\_\_\_  
Assistant City Manager for Public Safety

Michael A. Byrd: \_\_\_\_\_  
Director of Richland County Emergency Services

Steven A. Gantt: \_\_\_\_\_  
Interim City Manager

J. Milton Pope: \_\_\_\_\_  
Richland County Administrator

Item# 17

Attachment number 1  
Page 2 of 2

# 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*



## Addendum to the Development and Services Committee Report

On October 27, 2009 the D&S Committee heard and discussed information related to the questions of Council and a request from the City to allow City Firefighters to drive County Ambulances in limited situations. This item was deferred with the following direction to staff..."

**What would it take for City Firefighters to drive County Ambulances in an Emergency Situation- The Committee directed staff to get an estimate on liability costs and present this as an action item during the November Committee meeting. This item remains in Committee. The vote in favor was unanimous."**

Based upon that direction Administration has been working with our Risk Management staff to obtain cost information and to gather liability documentation from our legal counsel. The requested information is not yet available from either our insurance broker or legal counsel as of today. Staff will either e-mail this documentation out prior to the meeting or present the information at the meeting on Tuesday.

J. Milton Pope  
County Administrator

Item# 17

Attachment number 2  
Page 1 of 1



# Richland County Council Request of Action

**Subject**

Administration and Finance Report of Actions [**PAGES 90-91**]



# RICHLAND COUNTY COUNCIL

## ADMINISTRATION AND FINANCE COMMITTEE

Kelvin Washington  
District 10

Greg Pearce  
District 6

Joyce Dickerson, Chair  
District 2

Kit Smith  
District 5

Val Hutchinson  
District 9

*Tuesday, November 24, 2009*  
*6:00 PM*

### Report of Actions

#### CALL TO ORDER

Joyce Dickerson called the meeting to order

#### APPROVAL OF MINUTES

1. **Regular Session: October 27, 2009** – The minutes of October 27, 2009 meeting were approved as amended. Mr. Jackson's withdrawal of a motion on the Purchase/Sale of Wetlands on page 5 of October 27, 2009 meeting was removed because he is not a member of the Administrative and Finance Committee.

#### ADOPTION OF AGENDA

The agenda was adopted as amended. The meeting time was corrected to reflect 6 P.M. instead of 6 A.M.

#### ITEMS FOR ACTION

- Consent**      2. AT&T Leased Line Connections - The committee recommended that Council approve the purchase of phone and data lines connecting County facilities from AT&T. The vote in favor was unanimous.
- Consent**      3. Business Services Center-Policies Approval - The committee recommended that Council approve the policies drafted for the Business Services Center. The vote in favor was unanimous.
- Consent**      4. Business Services Center-Records Retention Schedule - The committee recommended that Council approve the record retention schedules developed by and in cooperation with the SC Department of Archives and History. The vote in favor was unanimous.

Item# 18

Attachment number 1  
Page 1 of 2

- Consent** 5. Hospitality Tax County Promotions Grant Guidelines and Application Changes - The committee recommended that Council approve the grant guidelines and application documents with the following changes: **Round One**: For projects occurring **and continuing** between July 1, 2010 and June 30, 2011. On ~~April 7, 2009~~ **March 17, 2009**, County Council passed an amendment to the ordinance to temporarily reduce the H-Tax to 1% (one percent) in the unincorporated areas of Richland County **through June 30, 2011**. The vote in favor was unanimous.

#### ITEMS FOR DISCUSSION/INFORMATION

- Consent** 6. \$100,000 Hospitality Tax Allocation Recommendations, Public Information - The committee recommended that this item be moved to the December Committee as an action item. The vote in favor was unanimous.
- Consent** 7. FY10 – Hospitality Tax Budget – The Committee received this item as information.
- Consent** 8. Phone Tree Messaging Software Update - The committee recommended that this item be moved to the December Committee as an action item. The vote in favor was unanimous.

Staffed by Randy Cherry

# Richland County Council Request of Action

**Subject**

Hospitality Tax County Promotions Grant Guidelines and Application Changes [**PAGES 93-102**]



## RICHLAND COUNTY HOSPITALITY TAX FUND GUIDELINES FOR DISTRIBUTION OF COUNTY PROMOTIONS FUNDS ROUND ONE FY 2010 –2011

**NOTE: Please read all guidelines carefully! This program has changed.**

### **PROGRAM DESCRIPTION**

Promotion Grants are funded through Hospitality Tax (H-Tax) revenues collected in **unincorporated** Richland County as well as incorporated municipal areas of the Town of Irmo which lie in Richland County and the entire incorporated municipal area of the Town of Eastover. These funds may be used for tourism related events and programs in Richland County, with a priority of funding projects in those areas where H-Tax funds are collected. Please pay close attention to grant guidelines as they explain organization and program eligibility as well as funding priorities.

On May 6, 2003, Richland County Council passed an ordinance establishing a two-percent (2%) H-Tax on all prepared food and beverages sold in the unincorporated areas of Richland County. On **April 7, 2009** **March 17, 2009**, County Council passed an amendment to the ordinance to temporarily reduce the H-Tax to 1% (one percent) in the unincorporated areas of Richland County **through June 30, 2011**. The proceeds from this tax are to be used for the dedicated purpose of promoting tourism in Richland County. The County Promotions program is a competitive grants program that provides H-Tax funds to eligible organizations.

On July 24, 2007, Richland County Council voted to modify the County Promotions Competitive Grant award cycle from one annual cycle to two cycles (rounds) per year. The following information details the requirements for FY 2010-2011:

**Round One:** For projects occurring **and continuing** between July 1, 2010 and June 30, 2011  
**(Application Deadline: February 26, 2010)**

**Round Two:** For projects occurring between January 1, 2011 and June 30, 2011  
**(Application Deadline: August 27, 2010)**

**Please Note:** Hospitality Advisory Committee has the right to defer Round One applications to Round Two if their program falls between January 1 and June 30, 2011. Organizations that receive funding in Round One are **not** eligible to apply for Round Two funding.

### **ALLOCATION REQUIREMENTS**

The Richland County Hospitality Tax Ordinance provides for the annual distribution of H-Tax revenues to the following agencies and programs:

- Columbia Museum of Art
- Historic Columbia Foundation
- EdVenture Children's Museum
- **County Promotions (Competitive Grants Program)**

June 12, 2009, Richland County Council amended the Hospitality Tax Ordinance to state:

For the amounts distributed under the County Promotions program, funds will be distributed with a goal of seventy-five percent (75%) dedicated to **organizations and projects that generate tourism in the unincorporated areas of Richland County and in municipal areas where Hospitality Tax revenues are collected by the county**. These shall include:

- a. Organizations that are physically located in the areas where the county collects Hospitality Tax revenues, provided the organization also sponsors projects or events within those areas;
- b. Organizations that are not physically located in the areas where the county collects Hospitality Tax Revenues; however, the organization sponsors projects or events within those areas; and
- c. Regional marketing organizations whose primary mission is to bring tourists to the region, including the areas where the county collects Hospitality Tax Revenues.

## **COUNTY PROMOTIONS GRANT TIMELINE – ROUND ONE**

Request for applications	January – February 2010
Grant Workshop for Applicants	January 2010 (Date TBA)
Application due date (5:00 PM)	February 26, 2010
H-Tax Committee meeting & applicant presentations	March –April 2010 (Date TBA)
Committee recommendations go to County Council	May 2010
County Council budget process	May – June 2010
Budget public hearing	June 2010 (Date TBA)
Grant award notifications	End of June 2010

## **COUNTY PROMOTIONS GRANT PROCESS**

To be considered for funding, an application must be received by the published funding round deadline. Once all applications for H-Tax County Promotions Grant funds are received by Richland County and eligibility is verified, they will be forwarded to the Hospitality Tax Advisory Committee for review.

Applicants will be required to deliver a five (5) minute presentation on their program to the Committee in March or early April. The date will be announced as soon as possible.

The Committee will review and score each application based on the evaluation measures described below. Applications will be ranked based on the scores and the Committee will determine funding recommendations. The Committee will submit its funding recommendations to the county for review by County Council. County Council makes all funding decisions; however, the Council relies heavily on the recommendations of the Committee.

Any Hospitality Tax revenue not distributed to the agencies or programs specified in the Hospitality Tax Ordinance may be distributed as directed by County Council for projects related to tourism development, including, but not limited to the Township Auditorium, Regional Sports Complex, Recreation Capital Improvements, and Riverbanks Zoo and Gardens.

Funding of all projects is entirely dependent upon H-Tax funds being received by Richland County.

## **ORGANIZATION ELIGIBILITY REQUIREMENTS**

Applicant organizations must have been in existence for at least one (1) year prior to requesting funds.

All applicants must provide proof of their federal employer identification number as registered with the Internal Revenue Service.

Applicants must provide proof of their non-profit status and fall into one of the following categories:

- Organizations exempt from federal income tax under Section 501(C)(3) of the Internal Revenue Code and whose primary goal is to attract additional visitors through tourism promotion. The letter of exemption from the Internal Revenue Service must accompany your proposal.
- Destination Marketing Organizations, which are recognized non-profit organizations charged with the responsibility of marketing tourism for their specific municipalities, counties or regions, such as Chambers of Commerce, Convention and Visitors Bureaus and Regional Tourism Commissions.

Richland County will not award H-Tax funds to individuals, fraternity organizations, religious organizations, or organizations that support and/or endorse political campaigns.

## **CRITERIA FOR PROJECT ELIGIBILITY**

As required by the Hospitality Tax Ordinance, projects to be funded by Hospitality Tax funds must result in the attraction of tourists to Richland County.

Priority will be given to projects that demonstrate a benefit to **unincorporated** Richland County or regional marketing efforts that draw tourists to the area, especially those areas where Richland County collects Hospitality Tax (**Unincorporated Richland County, Town of Eastover and the Richland County portions of the Town of Irmo**).

If you are not sure if your program or organization is located in incorporated or unincorporated Richland County, please call the Grants Office for assistance at 803.576.2069.

Each application/proposed project will be reviewed individually to determine the potential impact it will have for tourism in unincorporated Richland County.

### **FUNDING PRIORITIES/ELIGIBLE EXPENDITURES**

**Priority will be given to projects that:**

- Promote dining at restaurants, cafeterias, and other eating and drinking establishments where Richland County collects Hospitality Tax (Unincorporated Richland County, Town of Eastover and the Richland County portions of the Town of Irmo);
- Generate overnight stay in **unincorporated** Richland County's lodging facilities; and
- Promote and highlight **unincorporated** Richland County's historic and cultural venues, recreational facilities and events, and the uniqueness and flavor of the local community.

Funds will be distributed with a goal of seventy-five percent (75%) dedicated to **organizations and projects that generate tourism in the unincorporated areas of Richland County and in municipal areas where Hospitality Tax revenues are collected by the county (Unincorporated Richland County, Town of Eastover and the Richland County portions of the Town of Irmo).**

**County Promotions grant funds are to be used for tourism related expenses only.**

### **APPLICATION PACKAGE**

In order to be considered for funding, applicants must submit a complete application package for the H-Tax County Promotions grant program. This includes:

- Completed and signed application form (<http://www.rcgov.us/Business/Hospitality.asp>).
- Required Attachments:
  - Budget and budget justification (See application for template.)
  - Letter from IRS confirming 501(C)(3) status (current letter from SC Secretary of State confirming non-profit status is also acceptable)
  - Organization's Current Board Members/Directors
  - Organization's latest audited financial statement

Applicants must provide six (6) copies of the complete application package, including one original (7 packages total) to Richland County. To save paper, please provide only one (1) copy of the audited financial statement.

Please submit only the required elements secured with a binder clip. Folders, report covers, binders, brochures, pictures, newsletters and other items will be discarded.

Applications may be mailed in or hand delivered by 5:00 p.m. February 26, 2010. Emailed or faxed applications will not be accepted. Due dates are not post mark dates. Applications must be received by 5:00 pm or they will not be considered for funding.

Mail: Richland County Grants Office, Attn: Sara Salley, PO Box 192, Columbia, SC 29202

Hand Deliver: Richland County Administrator's Office, 2020 Hampton Street, 4<sup>th</sup> floor, Suite 4069, Columbia, SC 29204.

### **APPLICATION EVALUATION**

Staff will indicate the eligibility of the individual application for review and include comments on any deemed ineligible. All applications will then be forwarded to the Hospitality Tax Advisory Committee for review.

The Committee will use the following evaluation criteria to evaluate applications and proposed projects. The individual factors are important in project evaluation, as they are an indication of the degree to which the proposed project will contribute to the tourism in Richland County. These factors, with their corresponding point values, are:

**Thoroughness of Proposal:** 5 points maximum

Item# 19

Attachment number 1  
Page 3 of 10

All required forms and application are complete and submitted on time. Responses are clear and complete. Budget is complete. Support Documents are provided.

**Project Design:** 65 points maximum

- **Benefit to Tourism:** Does the project promote tourism in the areas of the County in which Richland County Hospitality Taxes are collected? Will it promote a positive image for the County? Will it attract visitors, build new audiences and encourage tourism expansion in the areas of the County in which Richland County Hospitality Taxes are collected? Will it increase awareness of the County's amenities, history, facilities, and natural environment in the areas of the County in which Richland County Hospitality Taxes are collected? (15 Points)
- **Benefit to the Community:** How will this project benefit the citizens of Richland County? Will the project benefit unincorporated Richland County? Who will attend the event? How many visitors will the event serve? A visitor is defined by someone who travels at least 10 miles to attend the event. (10 Points)
- **Innovation:** Is this project unusual or unique? Does it move an existing program in a new direction? (10 Points)
- **Community Support:** Does the project have broad-based community appeal or support? What is the evidence of need for this project in the County? (10 Points)
- **Evidence of Partnerships:** What kind and degree of partnership does the project exhibit? Does it exhibit volunteer involvement or inter-jurisdictional, corporate, business, and/or civic support? (10 Points)
- **Management Capability:** Does the applicant organization demonstrate an ability to successfully complete the project through effective business practices in the areas of finance, administration, marketing, and production? If this organization has received County Hospitality Tax funding previously, was the project successful? (10 Points)

**Economic Impact & Accountability:** 30 points maximum

- **Reliable Tracking Mechanism:** Surveys, License Plates, etc. (10 Points)
- **Expected Revenue Generated:** What are the projected direct and indirect dollar expenditures by visitors/tourists? What is the estimated number of meals consumed? Are any overnight stays anticipated? (10 Points)
- **Reasonable Cost / Benefit Ratio:** Does the benefit of the project (i.e. number of tourists estimated; expected revenue generated) exceed the cost of the project? Is this project "worth" its cost? (10 Points)

**AWARD NOTIFICATION**

Once the fiscal year 2010 – 2011 Richland County budget is approved, the Grants Manager will notify all applicant organizations of the funding outcome in writing. Awards will be available for reimbursement beginning July 1, 2010. Quarterly reimbursement requests must be submitted in writing or via email. Final reports for the previous fiscal year, if applicable, must be received before payments are released.

**REPORTING REQUIREMENTS**

At the completion of the grant funded project, Richland County requires grantees to complete a final report for H-Tax County Promotions funds. This report will be due one month after the grant project has been completed. Reports for the previous year, if applicable, must be on file prior to drawing down of current year funds. The report may be found on the Richland County website at (<http://www.rcgov.us/Business/Hospitality.asp>).

Grantees must acknowledge the receipt of H-Tax County Promotions funding by including the Richland County Government logo, or by listing "Richland County Government" on all program/project advertising, marketing and promotional materials. Examples of this must be included in your final report.

**FREEDOM OF INFORMATION ACT NOTICE**

Please be advised that all materials submitted for H-Tax County Promotions grant funding are subject to disclosure based on the Freedom of Information Act (FOIA).

**CONTACT**

Please feel free to contact the Grants Office with questions regarding your application.  
Sara Salley, Grants Manager  
PO Box 192  
Columbia, SC 29202



803.576.2069  
[Salleys@rcgov.us](mailto:Salleys@rcgov.us)



## HOSPITALITY TAX COUNTY PROMOTIONS APPLICATION

Round One Funding for FY2010-2011 (July 1, 2010 – June 30, 2011)

PLEASE DO NOT ALTER APPLICATION FORM OR USE FONT SIZES  
SMALLER THAN 10 PT.

DATE:

FEDERAL ID:

ORGANIZATION:

MISSION STATEMENT:

CONTACT:

TITLE:

ORGANIZATION ADDRESS:

PHONE:

EMAIL:

PROJECT TITLE:

TOTAL AMOUNT REQUESTED: \$

TOTAL PROJECT COST: \$

PROJECT START DATE:

PROJECT END DATE:

PROJECT/PROGRAM DESCRIPTION (Add one (1) additional sheet if needed):

BENEFIT TO TOURISM IN UNINCORPORATED RICHLAND COUNTY AND MUNICIPAL AREAS WHERE H-TAX IS COLLECTED (See Guidelines for a description of H-Tax areas)

BENEFIT TO COMMUNITY IN WHICH PROJECT WILL BE HELD:

INNOVATIVE ASPECTS OF PROJECT:

PARTNER/COMMUNITY SUPPORT FOR PROJECT:

BRIEFLY OUTLINE PROJECT MARKETING PLAN:

MANAGEMENT CAPABILITY TO MAKE THIS PROJECT SUCCESSFUL:

TRACKING MECHANISM USED TO DETERMINE SUCCESS OF PROJECT:

WHICH OF THE FOLLOWING DESCRIBES THE PHYSICAL LOCATION OF YOUR ORGANIZATION? (SELECT ONE)

- Unincorporated Richland County
- Town of Eastover or Town of Irmo (Richland County portion only)
- City of Columbia, City of Forest Acres, Town of Blythewood, or Town of Arcadia Lakes
- Outside of Richland County \_\_\_\_\_

WHICH OF THE FOLLOWING BEST DESCRIBES THE PHYSICAL LOCATION OF THE PROJECT(S) FOR WHICH YOU ARE SEEKING FUNDING? (SELECT ONE)

- The project(s) will take place PRIMARILY in areas where Richland County collects hospitality tax funds. These areas include unincorporated Richland County, and the Towns of Eastover and Irmo (Richland County portion only).
- The project(s) will take place PRIMARILY in areas where a municipality collects hospitality tax funds. These areas include the City of Columbia, City of Forest Acres, Town of Blythewood, and Town of Arcadia Lakes.
- The projects(s) will be undertaken by a regional marketing organization whose primary mission is to promote and bring tourists to the region. (Examples may include Convention Centers, Visitors Bureaus, Regional Tourism Agencies and Chambers of Commerce)
- Other \_\_\_\_\_

PROGRAM LOCATIONS: Please list the address(es), if known, of all program locations that will be funded through H-Tax grant funds.

HOW MANY MEALS CONSUMED AT ESTABLISHMENTS IN **UNINCORPORATED RICHLAND COUNTY** ARE PROJECTED TO BE ADDED AS A DIRECT RESULT OF THIS PROJECT? (Please attach a brief work paper indicating your analysis.) : \_\_\_\_\_

COST/BENEFIT RATIO:

REQUEST PERCENTAGE OF TOTAL PROJECT BUDGET:

Complete the following:

**The requested amount of \$ \_\_\_\_\_ is \_\_\_\_\_ % of the total project expenses.**

Signature of Chairman of Board of Directors:

Date:

Signature of Executive Director:

Date:

**REQUIRED ATTACHMENTS: Please send one copy of each.**

- A. Budget and budget justification (See template below)
- B. Letter from IRS confirming 501(C)(3) status (current letter from SC Secretary of State confirming non-profit status is also acceptable)
- C. Organization’s Current Board Members/Directors
- D. Organization’s latest financial statement.

Please do not attach newsletters, promotional items or flyers.

**BUDGET:**

**On a separate sheet**, attach a budget for project(s) listed in this application (not organization budget). The budget should reflect in financial terms the actual costs of achieving the objectives of the project(s) you propose in your application narrative.

Please use the sample budget below as template for your project’s budget. The project expenses section may or may not contain all of the listed “Budget Categories,” depending on the size and type of project you propose. **H-Tax County Promotions funds are to be used for tourism related expenses only.**

Under project revenues, list known and anticipated funding sources, including any that are pending. Be sure to include the Richland County request in this list. Also include any in-kind contributions under project revenues.

**SAMPLE BUDGET: 2010 Celebration Festival**

<u>Project Expense Category</u>	<u>Grant Funds</u>	<u>Other Sources</u>	<u>Total</u>
Salary	N/A	\$ 17,000	\$ 17,000
Fringe Benefits	N/A	\$ 1,000	\$ 1,000
Travel/Lodging	N/A	\$ 0	\$ 0
Equipment	N/A	\$ 2,000	\$ 2,000
Event Expense (rentals, AV, venue)	\$ 2,000	\$10,000	\$ 12,000
Postage/Supplies	\$ 750	\$ 2,000	\$ 2,750
Contractual	\$ 6,000	\$ 6,000	\$ 12,000
Construction	N/A	\$ 0	\$ 0
Marketing/Advertising	\$ 3,250	\$ 10,000	\$ 13,250
Printing	\$ 2,000	\$ 4,000	\$ 6,000
<b>Total</b>	<b>\$ 14,000</b>	<b>\$ 52,000</b>	<b>\$ 66,000</b>

<u>Income Source(s)</u>	<u>Amount</u>	<u>Pending/Received</u>
Richland County H-Tax Grant	\$ 14,000	Pending
Corporate Sponsorship	\$ 20,000	Received
City of Columbia H-Tax Grant	\$ 20,000	Pending
Ticket Sales	\$ 2,000	Pending
XYZ Foundation Grant	\$ 5,000	Received
Organization Operating Income	\$ 5,000	Received
<b>Total</b>	<b>\$ 66,000</b>	

**Budget Justification (Grant Funds Only)** - Please include a brief 1-2 sentence description for each category included as a budget. For example:

- Event Expenses - \$500 tent rental for one day, \$1,000 AV equipment rental, \$500 refreshments
- Postage Supplies - \$750 postage for mailing postcards to county residents
- Contractual – hire 2 bands for the event @ \$3,000 each
- Marketing/Advertising – \$250 Print ad in The Free Times, \$2000 TV ads on WIS, and \$1,000 radio ads on WXYR
- Printing - \$2,000 post cards to be mailed to County residents announcing event

**Please contact the Grants Office at 576-2069 if you have any questions regarding your program application or budget.**

**APPLICATION CHECKLIST – This sheet is not part of the application, but a tool to assist you in preparing your application.**

**Required Elements:**

- Completed each section of the H-Tax County Promotions Grant Application. Please do not use font sizes lower than 10 point. Anything smaller makes it difficult for reviewers to read.
- Board Chair signed and dated the application
- Executive Director signed and dated the application
- On separate sheet(s), used the budget template to outline the program/project budget and justification
- Attached Proof of Nonprofit Status (IRS or Secretary of State)
- Attached list of current Board of Directors
- Attached latest financial statement
- Attached additional one-page project description (**OPTIONAL**) - one side only using 1 inch margins and at least 10 point font.

**Application Packet**

- Made a copy to keep on file (applicant organization)
- Prepared 6 copies of the application, including the original to send to Richland County
- Secured each application with a paper clip or binder clip - no staples or report folders, please

**REMINDERS**

The Application deadline is 5:00 pm Friday, February 26, 2010. Late applications will NOT be accepted. Richland County does NOT accept applications sent via fax or email.

**Mail Application to:**

Richland County Administrator's Office  
Attn: Sara Salley  
PO Box 192  
Columbia, SC 29202

**Hand Deliver Application to:**

Richland County Administrator's Office  
Attn: Sara Salley  
2020 Hampton Street, Suite 4069  
Columbia, SC 29204

If awarded funding, you will be required to request quarterly payments in writing. When requesting funds, you **must submit a balance sheet and expenditure summary** at the end of the preceding quarter/year, whichever is applicable.

**PREVIOUS YEAR GRANTEES**

If you received funding for fiscal year 2009-2010, please send in your final report form no later than July 31. You will not be able to receive 2010-2011 funding until Richland County has received this report. Report forms can be found at <http://www.rcgov.us/Business/Hospitality.asp>. You may mail reports to the address above.

**QUESTIONS**

Call 803.576.2069 or email [salleys@rcgov.us](mailto:salleys@rcgov.us) if you have any questions concerning the application process or the H-Tax County Promotions grant program.

# Richland County Council Request of Action

**Subject**

Project Pearl MOU [**PAGES 104-153**]

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the “Memorandum” or “MOU”) has been entered into between **Project Pearl** (the “Company”) and Richland County. This MOU represents commitments between the Company, and other investors associated with the project, and Richland County, including its constituent agencies, departments and other entities (the “County”), and summarizes and incorporates commitments of certain other entities (see attached correspondence and documents) to the Company. It is acknowledged, however, that in each and every instance relating to the County’s commitments, such commitments shall not be binding until the Richland County Council shall have approved an Ordinance authorizing and approving the definitive documents outlining such commitments (“Definitive Documentation”). Moreover, the County shall have no responsibility relating to the commitments of the third parties discussed below.

These commitments are made as part of an incentive package offered to the Company for the purpose of inducing the Company to acquire a new campus, construct new facilities, and expand its call center operations on the Company’s site in Richland County, South Carolina (the “Property”) as identified in **Addendum A**. The expansion includes real property acquisition and improvements and personal property, and may include new jobs in the future (collectively, the “Project”). The Company plans for the Project to consist of approximately Forty Million Dollars (\$40,000,000.00) or more in new investment by the end of 2011. The parties hereto acknowledge that each has agreed to undertake the commitments described herein based on the promise of the other party to fulfill its commitments.

1. Zoning/Land Use. The Site is zoned as a PDD, a description of which is attached as **Addendum B**, which is consistent with the Company’s intended future uses, which are permitted uses on the Site. The Site is subject to an Annexation Agreement with the City of Columbia. The Annexation Agreement is attached hereto as **Addendum C**. To the best knowledge of the County, no other zoning, land use or site



development requirement or authority exists which may restrict or delay the Company's development of the Site as proposed.

2. Permitting. To the maximum extent allowed by law, the County will assist with the identification and coordination of, and will use its best efforts to cause, all County and other local construction and other permits, approvals and consents which may be necessary or desirable in connection with the construction and operation of the Project to be issued or obtained on a timely basis. The County agrees to use its best efforts to issue and assist Company in obtaining the necessary permits by November 25, 2009, in order to commence construction of the Project.
  
3. Multi-County Industrial Park. The Site will be designated a multi-county industrial park, established by the County and another county in accordance with South Carolina Code 4-1-170. Richland County agrees not to terminate this park within 20 years of the Project being placed in service; to use all reasonable efforts to avoid termination of the park by the partnering county; and, if for any reason the park is terminated, to use its reasonable efforts to re-establish the park as soon as possible.
  
4. Fees-in-Lieu of taxes. The County will provide the Company a fee-lieu of taxes ("FILOT") incentive with a fixed millage rate for 20 years at a rate of not more than 423, and subject to change as described below should the Site be annexed by the City of Columbia ("City") and be subject to taxes assessed by the City, and assessment ratio of 6 percent in accordance with one or more of South Carolina's three fee-in-lieu of taxes statutes - South Carolina Code 4-29-67; South Carolina Code 4-12-10, et seq.; and/or South Carolina Code 12-44-10, et seq.. The fee shall be applied to all real and personal property of the Company (owned or leased by Company) on the Site.

Upon annexation of the Site by the City pursuant to the annexation agreement attached hereto as **Addendum C**, and the assertion of tax liability by the City, the City millage applicable to the Site shall be the effective rate at the time of annexation

as described **Addendum D**. Thereafter, the total millage applicable to the Site for purposes of calculating the annual FILOT payments shall be fixed at 423 plus the applicable City millage.

5. Infrastructure Credit. The County will support the Company's expenditures in connection with the Project on utilities site work, site preparation and related work by providing the Company with an infrastructure credit, under S.C. Code Section 4-12-30(K)(3) and S.C. Code Section 4-1-175, or S.C. Code Section 12-44-20 and 12-44-70 (or comparable provisions from existing or successor statutes), in the form of an annual credit of ten (10) percent of Company's total annual FILOT payments in each of the first ten (10) years FILOT tax payments are to be made by the Company to the County.
  
6. Utilities.
  - A. Electrical Service. Electrical service to the Project will be provided by South Carolina Electric & Gas ("SCE&G"). The Company will negotiate a separate agreement with SCE&G for its service.
  
  - B. Water Service. Water service to the Site is provided by the City of Columbia (the "City.") The Company will negotiate a separate agreement with the City of Columbia for its service.
  
  - C. Sewer Service. Sewer service to the Site is provided by the City. The Company will negotiate a separate agreement with a sewer provider for its service.
  
  - D. Gas Service. Gas service to the Project will be provided by South Carolina Electric & Gas ("SCE&G"). The Company will negotiate a separate agreement with SCE&G for its service.

7. State Grant. The South Carolina Coordinating Council for Economic Development has committed to transfer and enhance the Company's RVA currently in force with the South Carolina Department of Commerce as an inducement to the Project.
  
8. Company-Provided Information. During the term of the FILOT arrangement, the Company will annually provide information required by the Richland County, South Carolina Economic Development Checklist (attached hereto as **Addendum E**) on or before the 31<sup>st</sup> day of January each applicable year; and the Company and the County agree that this information, and the period during which it is to be provided, satisfies all requirements under the June 18, 1997 resolution of Richland County Council setting forth certain information submission requirements. This information shall be submitted to the Richland County Administrator.
  
9. Miscellaneous: Contingencies and Reimbursement.
  - A. The Company's commitment to go forward with the Project is contingent upon fulfillment of all the commitments referenced herein by the County and the other entities as set forth herein.
  
  - B. The County's commitments are contingent upon the Company's selection of the Richland County site for the Project and the Company investing or causing to be invested \$40,000,000.00 by December 31, 2016.
  
  - C. If by December 31, 2016, the Company has not invested or caused to be invested at least \$40,000,000.00 in the Project, then (i) the Company shall reimburse to the County within thirty (30) days of its receipt of a written request from the County the full amount of the Infrastructure Credit granted to the Company prior to December 31, 2016, (ii) the Infrastructure Credit shall immediately terminate; and (iii) the FILOT incentive shall be subject to prospective adjustment as follows: (a) If the Company invests at least \$25,000,000, there shall be no adjustment, (b) if the Company

invests less than \$25,000,000 but at least \$15,000,000, the FILOT assessment ratio shall increase to 7%, and (c) if the Company invests less than \$15,000,000, the FILOT shall immediately terminate.

11. Confidentiality. Except as otherwise required to be made available under the South Carolina Freedom of Information Act, the County will keep the contents of this Memorandum, as well as other communications and discussions with respect to the Project, strictly confidential, and will consult with and obtain approval of the Company prior to issuing any press release or otherwise making any public announcement or statement with respect to the transactions contemplated hereby.

12. Company Responsible for County Expenses. The Company shall be responsible for payment of the County's reasonable legal expenses relating to the negotiation and approval of this Memorandum of Understanding and the Definitive Documentation. All invoices for such legal expense will describe the number of hours of service provided by counsel for the County and the hourly rate charged by the billing attorneys. The invoices will not provide a description of the legal services in order to protect attorney/client confidentiality. All expenses shall be capped at \$10,000, unless otherwise agreed to by the County and Company. The Company agrees, subject to its review and approval of the applicable invoices, to pay the legal expenses incurred by County in the current year in an amount not to exceed \$3,500. Such legal expenses shall be payable by December 31, 2009 and shall be applied to the cap of \$10,000 set forth above.

*[End of Memorandum of Understanding, Signature Page follows]*

The effective date of this Memorandum of Understanding shall be the latest of the dates of execution set forth below.

RICHLAND COUNTY,  
SOUTH CAROLINA

Date: \_\_\_\_\_

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

Its: \_\_\_\_\_

ACCEPTED:

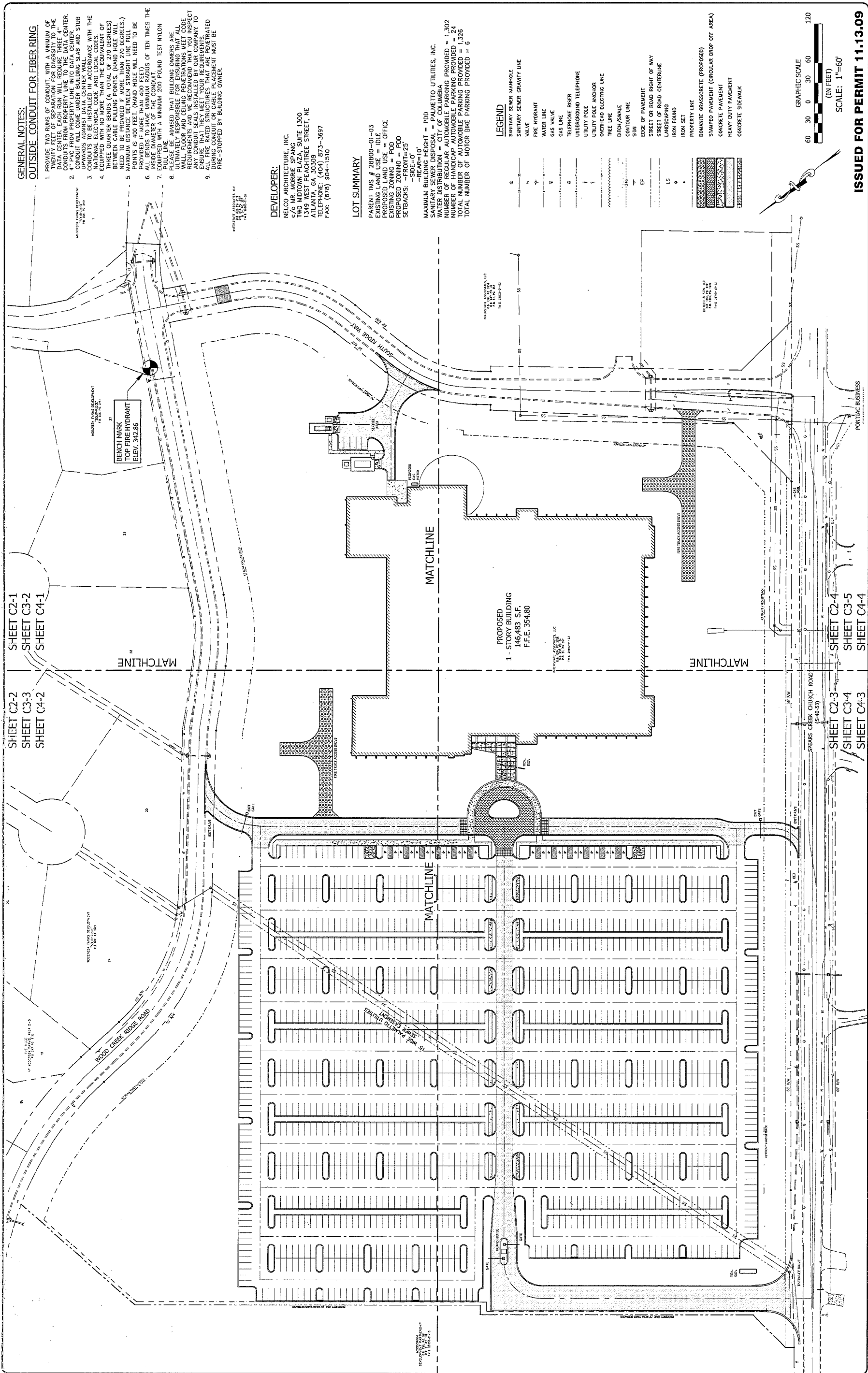
PROJECT PEARL

Date: \_\_\_\_\_

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

Its: \_\_\_\_\_

# **ADDENDUM A**



**GENERAL NOTES:**  
**OUTSIDE CONDUIT FOR FIBER RING**

1. PROVIDE TWO RUNS OF CONDUIT, WITH A MINIMUM OF TWENTY FEET OF SEPARATION FOR OVERSIGHT TO THE CONDUIT. THE CONDUIT SHALL BE INSTALLED TO THE DATA CENTER. CONDUITS FROM PROPERTY LINE INTO DATA CENTER.
2. 4" PVC FROM PROPERTY LINE INTO DATA CENTER. CONDUITS WILL BE UNDER BUILDING SLAB AND STUB CONDUITS WILL BE UNDER BUILDING SLAB AND STUB CONDUITS TO BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND LOCAL CODES.
3. CONDUITS TO BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND LOCAL CODES. CONDUITS TO BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND LOCAL CODES.
4. EQUIPPED WITH NO MORE THAN THE EQUIVALENT OF ONE (1) CONDUIT PULLING POINTS (HAND HOLE WILL NEED TO BE PROVIDED IF MORE THAN 270 DEGREES.)
5. MAXIMUM DISTANCE BETWEEN STRAIGHT LINE PULL POINTS IS 400 FEET. (HAND HOLE WILL NEED TO BE PROVIDED IF MORE THAN 270 DEGREES.)
6. ALL BENDS TO HAVE MINIMUM RADIUS OF TEN TIMES THE INSIDE DIAMETER OF THE CONDUIT.
7. EQUIPPED WITH A MINIMUM 200 POUND TEST NYLON RING.
8. PLEASE BE ADVISED THAT BUILDING OWNERS ARE ULTIMATELY RESPONSIBLE FOR ENSURING THAT ALL WALL, FLOOR AND CEILING PENETRATIONS MEET CODE REQUIREMENTS. PENETRATIONS SHALL BE INSTALLED BY ANY CONDUIT SEAMS INSTALLED BY OUR COMPANY TO ENSURE THAT THEY MEET YOUR REQUIREMENTS.
9. ALL UTILITY RATED STRUCTURES THAT ARE PENETRATED BY CONDUITS SHALL BE INSTALLED BY THE BUILDING OWNER. FIRE-STOPPED BY BUILDING OWNER.

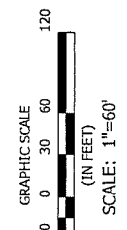
**DEVELOPER:**  
 NELCO ARCHITECTURE, INC.  
 C/O MR. MORRIS SPANG  
 TWO MIDTOWN PLAZA, SUITE 1300  
 1349 WEST PEACH-TREE STREET, NE  
 ATLANTA, GA 30309  
 TELEPHONE: (404) 873-3697  
 FAX: (404) 804-1910

**LOT SUMMARY**

PARENT TMS # 28800-01-03  
 EXISTING LAND USE = IDLE  
 EXISTING ZONING = U-1 OFFICE  
 EXISTING CONDUIT = PDD  
 PROPOSED ZONING = PDD  
 SETBACKS: -FRONT=25'  
 -SIDE=0'  
 -REAR=10'  
 MAXIMUM BUILDING HEIGHT = PDD  
 WATER DISTRIBUTION CITY OF COLUMBIA  
 NUMBER OF REGULAR AUTOMOBILE PARKING PROVIDED = 1,302  
 NUMBER OF HANDICAP AUTOMOBILE PARKING PROVIDED = 24  
 TOTAL NUMBER OF AUTOMOBILE PARKING PROVIDED = 1,326  
 TOTAL NUMBER OF MOTOR BIKE PARKING PROVIDED = 6

**LEGEND**

- SANITARY SEWER MANHOLE
- SANITARY SEWER GRAVITY LINE
- ▽ VALVE
- FIRE HYDRANT
- WATER LINE
- GAS VALVE
- GAS LINE
- TELEPHONE RISER
- UNDERGROUND TELEPHONE
- UTILITY POLE
- UTILITY POLE ANCHOR
- OVERHEAD ELECTRIC LINE
- TREE LINE
- DRIVE/SHALE
- CONDUIT LINE
- EP
- STREET OR ROAD RIGHT OF WAY
- STREET OF ROAD CENTERLINE
- LANDSCAPING
- IRON FOUND
- IRON SET
- PROPERTY LINE
- BOMITE GRASSCOTTE (PROPOSED)
- STAMPED PAVEMENT (CIRCULAR DROP OFF AREA)
- CONCRETE PAVEMENT
- HEAVY DUTY PAVEMENT
- CONCRETE SIDEWALK

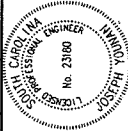


**ISSUED FOR PERMIT 11.13.09**

C2-0  
27

OVERALL LAYOUT

PROJECT DIAMOND  
 PREPARED FOR  
 NELCO ARCHITECTURE, INC.  
 RICHLAND COUNTY, SOUTH CAROLINA



PROJECT MANAGER	DATE
DESIGNED BY	DATE
CHECKED BY	DATE
APPROVED BY	DATE
REVISIONS	

1001 PRINCE POND DRIVE COLUMBIA, SC 29223 (803) 786-4561	RELEASED FOR APPROVALS BORING CONSTRUCTION RECORD DWG.
Office Locations: North Carolina South Carolina	

REV. NO.	DESCRIPTION	DATE
2	REVISED PER RICHLAND COUNTY ORDINANCES	11/13/09
1	ISSUED FOR PERMIT	11/13/09

REPRODUCTION OR USE OF THE CONTENTS OF THIS DOCUMENT, WITHOUT THE WRITTEN CONSENT OF WK DICKSON & COMPANY, INC., IS PROHIBITED. ONLY COPIES FROM THE ORIGINAL OF THIS DOCUMENT, MARKED WITH AN ORIGINAL SIGNATURE AND SEAL, SHALL BE CONSIDERED TO BE VALID. THIS CONTRACT IS VOID WITHOUT THE WRITTEN CONSENT OF WK DICKSON & COMPANY, INC.

# **ADDENDUM B**



# ADDENDUM C

1335/863

TRIM# 28900-03-02,05,07, 11+28 (WOODCREEK FARMS DEVELOPMENT)

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
COUNTY OF KERSHAW )

DECLARATION OF COVENANT

FILED  
AUG 23 11 23 54

WHEREAS, Woodcreek Development Partnership, a South Carolina General Partnership, (the "Partnership") is the owner of certain land situated in the County of Richland, State of South Carolina, being more fully described in ~~Exhibit A~~ attached hereto and incorporated herein by reference ~~(the "Property")~~; and

WHEREAS, the Property is not presently contiguous to the City limits of the City of Columbia, South Carolina (the "City"); and

WHEREAS, the Columbia City Council has determined that it is in the best interest of the citizens of the City to extend water service to a portion of the property; and,

WHEREAS, in order to induce the City to extend water service to a portion of the Property, the Partnership has agreed to place certain restrictive covenants on the Property;

NOW, THEREFORE, in consideration of the provision of water service by the City to the first phase of development upon the Property and of the mutual benefits derived from the covenants herein set forth, Woodcreek Development Partnership hereby imposes the following restrictive covenants, terms and conditions on the Property described in ~~Exhibit A~~, which covenants, terms and conditions shall ~~be binding upon the Partnership, its successors and assigns and all persons and legal entities who shall hereafter purchase any piece, parcel or portion of the property described in Exhibit A.~~

1. That the Property shall be developed in phases for residential and commercial use. For the purposes hereof, the term of "commencement of any phase" shall be defined as the platting and improvement of a block of lots of land in sufficient form so as to qualify the owner thereof for a permit to construct a dwelling or commercial premises upon same.
2. Upon commencement of any phase, the owner of the phase shall cause a Declaration of Covenant, substantially in the form of Exhibit B attached hereto and incorporated herein by reference, encumbering only the portion of the property contained in such phase to be executed and filed in the Office of the Register of Mesne Conveyances for Richland County. Said Declaration of Covenant shall provide that at such time as the property subject to the Declaration, or any portion thereof, becomes contiguous with the City limits of the City of Columbia, the owners of the property will execute a proper annexation petition and will consent to be annexed into the City of Columbia.
3. The Property shall not be developed in a manner which, upon completion of the development plan, will leave any piece, parcel or lot of land which is not suitable for development between the developed phases and the city limits. Provided, however, this covenant is not to be construed to prevent the development of the property as the owner deems fit, but it is intended to insure that at such time as the entire parcel has been developed to the fullest extent possible that no

AUG 23 11 26 24

1335/868

undeveloped tract will prevent the City of Columbia from annexing the completed phases should the property described in Exhibit A become contiguous with the city limits.

4. In the event the City's corporate limits become contiguous to any boundary of the Property, the Partnership and its successors and assigns shall petition for the annexation of such portion of the Property as the City deems necessary so as to render the City's corporate limits contiguous to any developed phase, and any phase then under development. Thereafter, the Partnership and its successors and assigns shall petition for the annexation of such portion or portions of the Property as the City deems necessary so as to render the City's corporate limits contiguous to any phase to be developed, it being the intention of the Partnership to cause, to the extent the Partnership is able, the annexation of the entire Property in phases as contemplated by Paragraph (two) 2 of this Declaration of Covenant, in the event the City's corporate limits expand to any boundary of the Property. In no event shall this Declaration be construed to require annexation of the property described in Exhibit "A" except for those phases for which an Exhibit "B" has been executed and the minimum amount necessary to make it possible for those phases to become contiguous as provided herein.

5. The Partnership, and the partners executing this agreement, represent and warrant that title to the Property is as of the date hereof, fully vested in the name of Woodcreek Development Partnership; that there have been no conveyances out of the partnership; and that the Partnership will give notice in writing to the City of any conveyance of any portion of the Property made prior to the date this agreement is filed of record in the Register of Mesne Conveyance for Richland County.

IN WITNESS WHEREOF, the undersigned Woodcreek Development Partnership has caused this instrument to be signed, sealed and delivered on the 24th day of April, 1996.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

Billie L. [Signature]  
Betty N. [Signature]  
Billie L. [Signature]  
Betty N. [Signature]

WOODCREEK DEVELOPMENT PARTNERSHIP

BY: [Signature]  
Edwin H. Cooper, Jr.

BY: [Signature]  
C. Heath Manning

1335/865

**EXHIBIT A**  
**EXHIBIT "A"**

*Richland County Tax 28900-03-85, 07, 11 + 28*

All those certain pieces, parcels, or tracts of land, situate, lying and being near the Town of Pontiac, the Counties of Richland and Kershaw, State of South Carolina, consisting of approximately two thousand and thirty-one and three-tenths (2,031.3) acres, more or less, of which approximately thirty-one and twenty-two hundredths (31.22) acres are South Carolina Highway right-of-ways, leaving a net acreage of two thousand and eight one-hundredths (2,000.08) acres with said property being shown and designated as Tracts A, B, C, D, E, F, G, and H on a plat of property of Woodcreek Properties prepared by Daniel Riddick and Associates, Inc., dated July 1, 1986, and recorded in the Office of the RMC for Richland County in Plat [redacted] and in the Office of the Clerk of Court for Kershaw County in Plat Book 37 at Page 2306.

LESS: *Richland County Tax 28900-03-02*

All that certain piece, parcel or tract of land containing three and sixty-seven (3.67) acres as shown on a plat prepared for Woodcreek Farms, Inc., by William Wingfield, Reg. Surveyor, dated February 1, 1974, and revised March 22, 1974, recorded in the Office of RMC for Richland County in Plat Book [redacted] at page [redacted]. Said property being square in shape and bounded and measuring four hundred (400') feet, on each side, and as shown on said plat; together with a fifty foot right-of-way easement from said property to S.C. Road #1097. Said property having been conveyed to Robert W. Cooper by deed of Woodcreek Farms, Inc. recorded February 20, 1974, in Deed Book D-307, Page 108.

LESS:

All that certain piece, parcel or lot of land, together with improvements thereon, situate, lying and being in the State of South Carolina, County of Richland, near the Town of Pontiac, at the end of State Road No. 40-2128, as more particularly shown and delineated on plat prepared for Tucker Enterprises, Inc., by Monroe F. Greene, R.L.S., dated March, 1977, and recorded in the Office of the RMC for Richland County in Plat Book Y, at page 917. Said property is bounded on the North by other property now or formerly of Woodcreek Farms, Inc., whereon it measures two hundred twenty-five (225') feet, more or less; on the East by other property now or formerly of Woodcreek Farms, Inc., whereon it measures three hundred forty (340') feet, more or less; on the South by other property now or formerly of Woodcreek Farms, Inc., whereon it measures two hundred twenty-five (225') feet, more or less; and, on the West by other property now or formerly of Woodcreek Farms, Inc., whereon it measures three hundred twenty-five (325') feet, more or less.

LESS:

All that certain piece, parcel, and lot of land, together with improvements thereon, situate, lying and being in the County of Richland, State of South Carolina, near the Town of Pontiac, approximately one half mile south of U.S. Hwy. #1, and being a portion of Lot 33/34, Block 2, on Page 2900 shown on the Richland County Tax Map, more particularly shown and delineated on a plat prepared for William C. Cooper and

1335/866

**EXHIBIT A**

Patricia P. Cooper by Daniel D. Riddick RLS #3322, dated January 11, 1985, and recorded in the office of the RMC for Richland County in Plat Book \_\_\_\_\_ at Page \_\_\_\_\_. Said property being bounded on the North by a pond whereon it measures two hundred thirty-eight sixty-six and 16/100 (166.16') feet, more or less; on the East by property of Woodcreek Farms, Inc., whereon it measures two hundred eighty-five and 85/100 (285.85') feet, more or less; and on the West by property of Woodcreek Farms, Inc. whereon it measures two hundred one and 55/100 (201.55') feet, more or less. ALSO and together with an easement for ingress and egress over a temporary roadway approximately twenty (20') feet in width shown on the above mentioned plat, such easement to continue in effect until a permanent road is constructed to the property herein described.

DERIVATION: This being the identical premises heretofore conveyed to Woodcreek Development Partnership by deed of Woodcreek Properties Partnership dated July 1, 1986 and recorded in the RMC Office for Richland County in Deed Book D799, Page 591 and in the Clerk of Court Office for Kershaw County in Deed Book IV, Page 2602.

1335 / 867

TMS # \_\_\_\_\_

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

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
(Insert name of county  
where the real property is  
located.)

DECLARATION OF COVENANT

THIS DECLARATION OF COVENANT is made this Lot day of  
March \_\_\_\_\_, 19 96 by \_\_\_\_\_

- ( ) a corporation, incorporated under the laws of the State of \_\_\_\_\_  
(CHECK APPLICABLE TERM)  
(Insert name of State of incorporation)
- (X) general/limited partnership (Strike inapplicable term)
- ( ) an individual doing business as \_\_\_\_\_  
(Insert name doing business as)
- ( ) individual(s),

hereinafter referred to as Declarant.

WHEREAS, Declarant is the owner of real property which is described on Exhibit A which is attached hereto and incorporated herein by specific reference thereto, the same being hereinafter referred to as real property; and,

WHEREAS, the real property is not contiguous to the City limits of the City of Columbia, South Carolina; and,

WHEREAS, Declarant has requested that the City of Columbia provide sewer and/or water service to the real property; and,

WHEREAS, Declarant has entered into a Water Service Contract or Sewer Service Contract or Water Main Extension Agreement or Sanitary Sewer Agreement with the City of Columbia in order to secure water or sewer service to the real property from the City of Columbia; and,

WHEREAS, the City of Columbia, for and in consideration of providing water or sewer service to the real property, which is not contiguous to the City of Columbia City limits, has required the Declarant to agree to cause the real property to be annexed to the City of Columbia in the event the real property, or any portion thereof, becomes contiguous to the City limits of the City of Columbia; and,

WHEREAS, Declarant desires to insure future compliance with such contractual agreement made with the City of Columbia;

NOW THEREFORE, the Declarant hereby declares as follows:

IMPOSITION OF COVENANT

From this day forward, the real property shall be held, transferred, sold or conveyed subject to the covenant contained herein which is for the purpose of providing future water or sewer service to the real property by the City of Columbia. The covenant shall touch and concern and run with title to the real property. This Declaration of Covenant and all provisions hereof shall be binding on all persons or entities having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns, and shall inure to the benefit of each owner thereof. The enumerated covenant shall be deemed a covenant and not a condition.

Ln -

1335/868

COVENANT

At any future time should any part of the real property become contiguous to the City limits of the City of Columbia, all then current owner(s) of the entire parcel of real property will cause the real property to be annexed into the City of Columbia.

ENFORCEMENT OF COVENANT

Failure of the owner(s) to cause such real property to be annexed into the City of Columbia upon any portion thereof becoming contiguous to the City limits of the City of Columbia will result in a termination of water or sewer service to all of the real property until such time the owner(s) of the real property cause the real property to be annexed into the City of Columbia. Additionally, this Covenant may be enforced by an action for specific performance. In addition to the remedies specifically set forth herein, all public and private remedies allowed by law or in equity against anyone in violation of this Covenant shall be available. All of the remedies set forth herein are cumulative and not exclusive. Any person or entity having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns or the City of Columbia shall be entitled to bring an action for enforcement of the Covenant.

The failure of any person or entity having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns or the City of Columbia to bring an action to enforce this Covenant shall not operate as a waiver of the right to do so for any subsequent violations or of the right to enforce any other part of this Covenant at any future time. The failure of any person or entity having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns or the City of Columbia to exercise or to delay in exercising any right or remedy available hereunder or at law or in equity shall not operate as a waiver. Notice of default or violation shall not be deemed as a condition precedent to the exercise of any right or remedy available hereunder or at law or in equity. Should any person or entity having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns or the City of Columbia fail to bring action for enforcement of this Covenant or seek any other remedy allowed at law or in equity such shall not create any liability for the recovery of damages for the failure to so act.

DURATION OF COVENANT

This covenant shall run with the land and shall be binding upon any person or entity having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns, forever.

INTERPRETATION

In interpreting words in this Declaration of Covenant, unless the context shall otherwise provide or require, singular shall include the plural, the plural shall include the singular, and the use of any gender shall included all genders.

The headings are included for purposes of convenient reference and such shall not affect the meaning or interpretation of this Declaration of Covenant.

IN WITNESS WHEREOF, Declarant has executed this Declaration of Covenant on the day and year first above written.

(SIGNATURES APPEAR ON THE NEXT PAGE)

1335 / 869

(GENERAL OR LIMITED PARTNERSHIP EXECUTION)

WITNESSES:

DECLARANT:

Will C. Cox  
Signature of Witness #1

WOODCREEK DEVELOPMENT PARTNERSHIP  
(Insert Name of Partnership)  
A General/Limited Partnership  
(Strike Inapplicable Term)

Betty M. Bagner  
Signature of Witness #2

John H. Keyser  
BY: John H. Keyser  
Signature of General Partner

\_\_\_\_\_  
(Print or Type Name)

ITS: General Partner

STATE OF South Carolina )  
(Insert name of State where notarized) )  
COUNTY OF Richland )  
(Insert name of County where notarized) )

PROBATE

PERSONALLY APPEARED before me the undersigned witness, who, first being duly sworn, deposes and says that (s)he saw the within named Declarant sign, seal and deliver the within Declaration of Covenant; and, that (s)he, with the other witness whose signature appears above, witnessed the execution thereof.

Sworn to before me this 1st day of March, 19 96.  
(Insert day, month and year witness signed before the Notary Public)

Betty M. Bagner  
(Signature of Notary Public)

Will C. Cox  
(Signature of Witness #1 or #2)

Notary Public for South Carolina  
(Insert Notary Public's State)

My commission expires: 7/23/97  
(Insert date the Notary Public's commission expires)  
(Affix Notary Public's seal over Notary Public's signature, in all State other than South Carolina)

TA:1F W-D-23 XI-4

0 ✓



1335/ 870

## EXHIBIT A

### LEGAL DESCRIPTION

All that certain piece, parcel or tract of land, situate, lying and being north of the City of Columbia, near the Town of Pontiac, County of Richland, State of South Carolina, being shown as Lots 1-35 (inclusive), Block D-4 and Lots P-1 - P-18 (inclusive), Block D-4a, Woodcreek Farms Development on a Plat by United Design Services, Inc. dated February 28, 1996, said property being bounded as follows:

On the North by Jacobs Mill Pond Road, on the East by proposed golf fairway #13, on the South by Beaver Lake and on the West by road shown as "Collector Road".

1335/891

TMS # 28900-03-07

Property Address: WOODCREEK FARMS DEVELOPMENT, Phase 1, Col. 6C 29229  
LOTS 1-35, BLOCK DA + LOTS 36-70, BLOCK DAA

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
(Insert name of county  
where the real property is  
located.)

DECLARATION OF COVENANT

REGISTERED  
STATE OF  
SOUTH CAROLINA  
55 AUG 29 PM 2:54  
FILED

AUG 29 14 25 25

THIS DECLARATION OF COVENANT is made this 1st day of

March, 19 96 by WOODCREEK DEVELOPMENT PARTNERSHIP

- ( ) a corporation, incorporated under the laws of the State of \_\_\_\_\_ (Insert name of State of incorporation) (CHECK APPLICABLE TERM)
- (x) general/limited partnership (Strike inapplicable term)
- ( ) an individual doing business as \_\_\_\_\_ (Insert name doing business as)
- ( ) individual(s),

hereinafter referred to as Declarant.

WHEREAS, Declarant is the owner of real property which is described on Exhibit A which is attached hereto and incorporated herein by specific reference thereto, the same being hereinafter referred to as real property; and,

WHEREAS, the real property is not contiguous to the City limits of the City of Columbia, South Carolina; and,

WHEREAS, Declarant has requested that the City of Columbia provide sewer and/or water service to the real property; and,

WHEREAS, Declarant has entered into a Water Service Contract or Sewer Service Contract or Water Main Extension Agreement or Sanitary Sewer Agreement with the City of Columbia in order to secure water or sewer service to the real property from the City of Columbia; and,

WHEREAS, the City of Columbia, for and in consideration of providing water or sewer service to the real property, which is not contiguous to the City of Columbia City limits, has required the Declarant to agree to cause the real property to be annexed to the City of Columbia in the event the real property, or any portion thereof, becomes contiguous to the City limits of the City of Columbia; and,

WHEREAS, Declarant desires to insure future compliance with such contractual agreement made with the City of Columbia;

NOW THEREFORE, the Declarant hereby declares as follows:

IMPOSITION OF COVENANT

From this day forward, the real property shall be held, transferred, sold or conveyed subject to the covenant contained herein which is for the purpose of providing future water or sewer service to the real property by the City of Columbia. The covenant shall touch and concern and run with title to the real property. This Declaration of Covenant and all provisions hereof shall be binding on all persons or entities having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns, and shall inure to the benefit of each owner thereof. The enumerated covenant shall be deemed a covenant and not a condition.

1335/872

COVENANT

At any future time should any part of the real property become contiguous to the City limits of the City of Columbia, all then current owner(s) of the entire parcel of real property will cause the real property to be annexed into the City of Columbia.

ENFORCEMENT OF COVENANT

Failure of the owner(s) to cause such real property to be annexed into the City of Columbia upon any portion thereof becoming contiguous to the City limits of the City of Columbia will result in a termination of water or sewer service to all of the real property until such time the owner(s) of the real property cause the real property to be annexed into the City of Columbia. Additionally, this Covenant may be enforced by an action for specific performance. In addition to the remedies specifically set forth herein, all public and private remedies allowed by law or in equity against anyone in violation of this Covenant shall be available. All of the remedies set forth herein are cumulative and not exclusive. Any person or entity having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns or the City of Columbia shall be entitled to bring an action for enforcement of the Covenant.

The failure of any person or entity having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns or the City of Columbia to bring an action to enforce this Covenant shall not operate as a waiver of the right to do so for any subsequent violations or of the right to enforce any other part of this Covenant at any future time. The failure of any person or entity having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns or the City of Columbia to exercise or to delay in exercising any right or remedy available hereunder or at law or in equity shall not operate as a waiver. Notice of default or violation shall not be deemed as a condition precedent to the exercise of any right or remedy available hereunder or at law or in equity. Should any person or entity having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns or the City of Columbia fail to bring action for enforcement of this Covenant or seek any other remedy allowed at law or in equity such shall not create any liability for the recovery of damages for the failure to so act.

DURATION OF COVENANT

This covenant shall run with the land and shall be binding upon any person or entity having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns, forever.

INTERPRETATION

In interpreting words in this Declaration of Covenant, unless the context shall otherwise provide or require, singular shall include the plural, the plural shall include the singular, and the use of any gender shall include all genders.

The headings are included for purposes of convenient reference and such shall not affect the meaning or interpretation of this Declaration of Covenant.

IN WITNESS WHEREOF, Declarant has executed this Declaration of Covenant on the day and year first above written.

(SIGNATURES APPEAR ON THE NEXT PAGE)

pr298

1335/873

(GENERAL OR LIMITED PARTNERSHIP EXECUTION)

WITNESSES:

Will C. Cooper  
Signature of Witness #1

Betty M. Baggett  
Signature of Witness #2

DECLARANT:

WOODCREEK DEVELOPMENT PARTNERSHIP  
(Insert Name of Partnership)  
A General/Limited Partnership  
(Strike Inapplicable Term)

BY: Edwin H. Cooper, Jr.  
Signature of General Partner  
EDWIN H. COOPER, JR.  
E. HEATH MANNING  
(Print or Type Name)

ITS: General Partner

STATE OF South Carolina )  
(Insert name of State where notarized) )  
COUNTY OF Richland )  
(Insert name of County where notarized) )

PROBATE

PERSONALLY APPEARED before me the undersigned witness, who, first being duly sworn, deposes and says that (s)he saw the within named Declarant sign, seal and deliver the within Declaration of Covenant; and, that (s)he, with the other witness whose signature appears above, witnessed the execution thereof.

Sworn to before me this 1st day of March, 19 96.  
(Insert day, month and year witness signed before the Notary Public)

Betty M. Baggett  
(Signature of Notary Public)

Will C. Cooper  
(Signature of Witness #1 or #2)

Notary Public for South Carolina  
(Insert Notary Public's State)

My commission expires: 7/23/97  
(Insert date the Notary Public's commission expires)  
(Affix Notary Public's seal over Notary Public's signature, in all State other than South Carolina)

TA:lf W-D-23 XI-4

- 3 -

1335/874

**EXHIBIT A**

**LEGAL DESCRIPTION**

All that certain piece, parcel or tract of land, situate, lying and being north of the City of Columbia, near the Town of Pontiac, County of Richland, State of South Carolina, being shown as Lots 1-35 (inclusive), Block D-4 and Lots P-1 - P-18 (inclusive), Block D-4a, Woodcreek Farms Development on a Plat by United Design Services, Inc. dated February 28, 1996, said property being bounded as follows:

On the North by Jacobs Mill Pond Road, on the East by proposed golf fairway #13, on the South by Beaver Lake and on the West by road shown as "Collector Road".

R-TMS# 28900-03-07

A

1335/875

TRM# 28800-01-03

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND 95) AUG 29 PM 2:54 DECLARATION OF COVENANT  
TRM# 28800-01-03

FILED

REGISTER OF  
MESNE CONVEYANCE

WHEREAS, Interstate Associates, S.C. a South Carolina General Partnership, Beaver Lake, L.P. a South Carolina Limited Partnership, and R. Gordon Mathews & Associates, a Pennsylvania General Partnership, (the "Partnerships") are the owner of certain land situate in the County of Richland, State of South Carolina, being more fully described in Exhibit A attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, the Property is not presently contiguous to the City limits of the City of Columbia, South Carolina (the "City"); and

WHEREAS, the Columbia City Council has determined that it is in the best interest of the citizens of the City to extend water service to a portion of the property; and,

WHEREAS, in order to induce the City to extend water service to a portion of the Property, the Partnerships have agreed to place certain restrictive covenants on the Property;

NOW, THEREFORE, in consideration of the provision of water service by the City to the first phase of development upon the Property and of the mutual benefits derived from the covenants herein set forth, the Partnerships, as set forth hereinabove, hereby impose the following restrictive covenants, terms and conditions on the Property described in Exhibit "A" attached hereto, which covenants, terms and conditions shall be binding upon itself and its successors and assigns and all persons and legal entities who shall hereafter purchase any piece, parcel or portion of the property described in Exhibit "A":

AUG 29 1995 142626

1. That the Property shall be developed in phases for residential and commercial use. For the purposes hereof, the term of "commencement of any phase" shall be defined as the platting and improvement of a block of lots of land in sufficient form so as to qualify the owner thereof for a permit to construct a dwelling or commercial premises upon same.

4/11/95

2. Upon commencement of any phase, the owner of the phase shall cause a Declaration of Covenant, substantially in the form of Exhibit "B" attached hereto and incorporated herein by reference, encumbering only the portion of the property contained in such phase to be executed and filed in the Office of the Register of Mesne Conveyances for Richland County. Said Declaration of Covenant shall provide that at such time as the property subject to the Declaration, or any portion thereof, becomes contiguous with the City limits of the City of Columbia, the owners of the property will execute a proper annexation petition and will consent to be annexed into the City of Columbia.

3. The Property shall not be developed in a manner which, upon completion of the development plan, will leave any piece, parcel or lot of land which is not suitable for development between the developed phases and the city limits. Provided, however, this covenant is not to be construed to prevent the development of the property as the owner

1395/876

deems fit, but it is intended to insure that at such time as the entire parcel has been developed to the fullest extent possible that no undeveloped tract will prevent the City of Columbia from annexing the completed phases should the property described in Exhibit "A" become contiguous with the city limits.

4. In the event the City's corporate limits become contiguous to any boundary of the Property, the Partnerships and their successors and assigns shall petition for the annexation of such portion of the Property as the City deems necessary so as to render the City's corporate limits contiguous to any developed phase, and any phase then under development. Thereafter, the Partnerships and their successors and assigns shall petition for the annexation of such portion or portions of the Property as the City deems necessary so as to render the City's corporate limits contiguous to any phase to be developed, it being the intention of the Partnerships to cause, to the extent the Partnerships are able, the annexation of the entire Property in phases as contemplated by Paragraph (two) 2 of this Declaration of Covenant, in the event the City's corporate limits expand to any boundary of the Property. In no event shall this Declaration be construed to require annexation of the property described in Exhibit "A" except for those phases for which an Exhibit "B" has been executed and the minimum amount necessary to make it possible for those phases to become contiguous as provided herein.

5. The Partnerships, and the various owners executing this agreement, represent and warrant that title to the Property is as of the date hereof, fully vested in the names of the various owners as set forth hereinabove; that there have been no conveyances out of the partnership; and that the Partnerships will give notice in writing to the City of any conveyance of any portion of the Property made prior to the date this agreement is filed of record in the Register of Mesne Conveyance for Richland County.

IN WITNESS WHEREOF, the undersigned Partnerships have caused this instrument to be signed, sealed and delivered on the 24 day of JULY, 1996.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

INTERSTATE ASSOCIATES, a South Carolina  
General Partnership  
BY: WOODCREEK DEVELOPMENT PARTNERSHIP,  
General Partner

Willie C. Case  
Butter M. Baggett  
Willie C. Case  
Butter M. Baggett

Edwin H. Cooper, Jr.  
Edwin H. Cooper, Jr.  
C. Heath Manning  
C. Heath Manning

1335/877

xx William Long  
xx Jo. Ann Th. Noble

BY: R. GORDON MATHEWS & ASSOCIATES,  
General Partner  
R. Gordon Mathews  
R. Gordon Mathews

Will C. Cooper  
Bobby M. Boyer

BEAVER LAKE, L.P. A South Carolina  
Limited Partnership  
BY: WOODCREEK DEVELOPMENT PARTNERSHIP,  
General Partner  
Edwin H. Cooper, Jr.  
Edwin H. Cooper, Jr.  
C. Heath Manning  
C. Heath Manning

xx William Long  
xx Jo. Ann Th. Noble

R. GORDON MATHEWS & ASSOCIATES,  
A Pennsylvania General Partnership  
BY: R. Gordon Mathews  
R. Gordon Mathews

STATE OF SOUTH CAROLINA )  
                                  )  
COUNTY OF RICHLAND      )

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that s/he saw the within-named Interstate Associates, by Woodcreek Development Partnership, sign, seal and, as its act and deed, deliver the within Declaration for the uses and purposes mentioned therein, and s/he with the other witness whose signature appears above, witnessed the execution thereof.

xx Will C. Cooper  
Witness #1

SWORN TO before me this 24th day of July, 1996.

Bobby M. Boyer (L.S.)  
NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission expires: 7/23/97.



1335/878

STATE OF PENNSYLVANIA )  
COUNTY OF Allegheny )

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that s/he saw the within-named Interstate Associates, by R. Gordon Mathews & Associates, sign, seal and, as its act and deed, deliver the within Declaration for the uses and purposes mentioned therein, and s/he with the other witness whose signature appears above, witnessed the execution thereof.

xx William Longan  
Witness #1

SWORN TO before me this 19th day of July, 1996.

Linda C. Kramer (L.S.)  
NOTARY PUBLIC FOR PENNSYLVANIA

My Commission expires: 6-29-98

Notarial Seal  
Linda C. Kramer, Notary Public  
Mt. Lebanon Twp., Allegheny County  
My Commission Expires June 29, 1998  
Member, Pennsylvania Association of Notaries

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that s/he saw the within-named Beaver Lake, L.P. by its duly authorized General Partner for the uses and purposes therein mentioned, and that s/he with the other witness whose signature appears above, witnessed the execution thereof.

William C. Clay

SWORN TO before me this 24th day of July, 1996

Robert M. Simpson (L.S.)  
NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission expires: 7/31/97

1335/ 879

STATE OF PENNSYLVANIA )  
COUNTY OF Allegheny ) PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that s/he saw the within-named R. Gordon Mathews & Associates, by its duly authorized partner, sign, seal and, as its act and deed, deliver the within Declaration for the uses and purposes mentioned therein, and s/he with the other witness whose signature appears above, witnessed the execution thereof.

*[Signature]*  
Witness #1 of 2

SWORN TO before me this 19th day of July, 1996.

*[Signature]* (L.S.)  
NOTARY PUBLIC FOR PENNSYLVANIA

My Commission expires: 6-22-98

Notarial Seal  
Linda C. Kramer, Notary Public  
Mt. Lebanon Twp., Allegheny County  
My Commission Expires June 22, 1998  
Member, Pennsylvania Association of Notaries

1335 / 880

D1277-1100

**EXHIBIT A**

All that certain piece, parcel or tract of land situate, lying and being northeast of the City of Columbia, and about two miles southeast of the Town of Pontiac, in the County of Richland, State of South Carolina, containing 261.0 acres, more or less, being shown on Plat of Property of Mary Lorick Boyle, prepared by Daniel Riddick, R.L.S. No. 3322, dated June 27, 1986, recorded in the RMC Office for Richland County in Plat Book 51, Page 357 and being bounded and measuring as will more fully appear by reference to said plat.

DERIVATION: Deed of Woodcreek Interstate Partnership, dated May 30, 1989, recorded May 31, 1989 in Deed Book D-937, Page 34.

*R-TM# 28800-01-03*

-6-

1335/881

EXHIBIT "B"

TMS # \_\_\_\_\_

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

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
(Insert name of county  
where the real property is  
located.)

DECLARATION OF COVENANT

THIS DECLARATION OF COVENANT is made this 1st day of  
March, 19 96 by \_\_\_\_\_,  
(CHECK APPLICABLE TERM)  
( ) a corporation, incorporated under the laws of the State of \_\_\_\_\_  
(Insert name of State of incorporation)  
(X) general/limited partnership (Strike inapplicable term)  
( ) an individual doing business as \_\_\_\_\_  
(Insert name doing business as)  
( ) individual(s),

herinafter referred to as Declarant.

WHEREAS, Declarant is the owner of real property which is described on Exhibit A which is attached hereto and incorporated herein by specific reference thereto, the same being hereinafter referred to as real property; and,

WHEREAS, the real property is not contiguous to the City limits of the City of Columbia, South Carolina; and,

WHEREAS, Declarant has requested that the City of Columbia provide sewer and/or water service to the real property; and,

WHEREAS, Declarant has entered into a Water Service Contract or Sewer Service Contract or Water Main Extension Agreement or Sanitary Sewer Agreement with the City of Columbia in order to secure water or sewer service to the real property from the City of Columbia; and,

WHEREAS, the City of Columbia, for and in consideration of providing water or sewer service to the real property, which is not contiguous to the City of Columbia City limits, has required the Declarant to agree to cause the real property to be annexed to the City of Columbia in the event the real property, or any portion thereof, becomes contiguous to the City limits of the City of Columbia; and,

WHEREAS, Declarant desires to insure future compliance with such contractual agreement made with the City of Columbia;

NOW THEREFORE, the Declarant hereby declares as follows:

IMPOSITION OF COVENANT

From this day forward, the real property shall be held, transferred, sold or conveyed subject to the covenant contained herein which is for the purpose of providing future water or sewer service to the real property by the City of Columbia. The covenant shall touch and concern and run with title to the real property. This Declaration of Covenant and all provisions hereof shall be binding on all persons or entities having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns, and shall inure to the benefit of each owner thereof. The enumerated covenant shall be deemed a covenant and not a condition.

1335/882

COVENANT

At any future time should any part of the real property become contiguous to the City limits of the City of Columbia, all then current owner(s) of the entire parcel of real property will cause the real property to be annexed into the City of Columbia.

ENFORCEMENT OF COVENANT

Failure of the owner(s) to cause such real property to be annexed into the City of Columbia upon any portion thereof becoming contiguous to the City limits of the City of Columbia will result in a termination of water or sewer service to all of the real property until such time the owner(s) of the real property cause the real property to be annexed into the City of Columbia. Additionally, this Covenant may be enforced by an action for specific performance. In addition to the remedies specifically set forth herein, all public and private remedies allowed by law or in equity against anyone in violation of this Covenant shall be available. All of the remedies set forth herein are cumulative and not exclusive. Any person or entity having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns or the City of Columbia shall be entitled to bring an action for enforcement of the Covenant.

The failure of any person or entity having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns or the City of Columbia to bring an action to enforce this Covenant shall not operate as a waiver of the right to do so for any subsequent violations or of the right to enforce any other part of this Covenant at any future time. The failure of any person or entity having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns or the City of Columbia to exercise or to delay in exercising any right or remedy available hereunder or at law or in equity shall not operate as a waiver. Notice of default or violation shall not be deemed as a condition precedent to the exercise of any right or remedy available hereunder or at law or in equity. Should any person or entity having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns or the City of Columbia fail to bring action for enforcement of this Covenant or seek any other remedy allowed at law or in equity such shall not create any liability for the recovery of damages for the failure to so act.

DURATION OF COVENANT

This covenant shall run with the land and shall be binding upon any person or entity having any right, title or interest in the real property, or any portion thereof, including the Declarant, and their respective heirs, successors, successors in title and assigns, forever.

INTERPRETATION

In interpreting words in this Declaration of Covenant, unless the context shall otherwise provide or require, singular shall include the plural, the plural shall include the singular, and the use of any gender shall include all genders.

The headings are included for purposes of convenient reference and such shall not affect the meaning or interpretation of this Declaration of Covenant.

IN WITNESS WHEREOF, Declarant has executed this Declaration of Covenant on the day and year first above written.

(SIGNATURES APPEAR ON THE NEXT PAGE)

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-B-

1335/883

(GENERAL OR LIMITED PARTNERSHIP EXECUTION)

WITNESSES:

DECLARANT:

Will C. Clay  
Signature of Witness #1

WOODCREEK DEVELOPMENT PARTNERSHIP  
(Insert Name of Partnership)  
A General/Limited Partnership  
(Strike Inapplicable Term)

Litty M. Bagner  
Signature of Witness #2

John H. Keyser  
BY: Edith M. ...  
Signature of General Partner

(Print or Type Name)

ITS: General Partner

STATE OF South Carolina )  
(Insert name of State where notarized) )  
COUNTY OF Richland )  
(Insert name of County where notarized) )

PROBATE

PERSONALLY APPEARED before me the undersigned witness, who, first being duly sworn, deposes and says that (s)he saw the within named Declarant sign, seal and deliver the within Declaration of Covenant; and, that (s)he, with the other witness whose signature appears above, witnessed the execution thereof.

Sworn to before me this 1st day of March, 19 96.  
(Insert day, month and year witness signed before the Notary Public)

Litty M. Bagner  
(Signature of Notary Public)

Will C. Clay  
(Signature of Witness #1 or #2)

Notary Public for South Carolina  
(Insert Notary Public's State)

My commission expires: 7/23/97  
(Insert date the Notary Public's commission expires)  
(Affix Notary Public's seal over Notary Public's signature, in all State other than South Carolina)

TA:lf W-D-23 XI-4

# **ADDENDUM D**



## Holcombe Bomar, P.A.

100 Dunbar Street, Suite 200  
Spartanburg, SC 29306  
P.O. Box 1897  
Spartanburg, SC 29304

phone (864) 594-5300  
fax (864) 585-3844

[www.holcombebomar.com](http://www.holcombebomar.com)

William U. Gunn  
Koger M. Bradford  
Perry D. Bouller  
William B. Darwin, Jr.  
Robert M. Barrett  
James H. Ritchie, Jr.\*  
Ginger D. Goforth  
Walter M. White  
A. Todd Darwin  
Stacey Campbell Davis  
J. Hayes Walsh  
Nathaniel P. Mark

\* - also admitted in NC

Neville Holcombe, 1902-1983  
Horace L. Bomar, 1912-1994  
Robert L. Wynn, III, Retired

November 10, 2009

Mr. Steve Gantt, Manager  
City of Columbia  
Post Office Box 147  
Columbia, SC 29217

Re: Project Pearl

Dear Steve:

I write in follow up to our meetings and discussions concerning the above-referenced matter. We certainly appreciate the city's active support of this project and its willingness to move swiftly to land this economic development project for the community. We are quickly approaching the time for completing the initial phases of this project. We are confident that with your assistance, these initial matters will be concluded in the next three weeks.

As we have agreed, the proposed project site is subject to an annexation agreement with the City of Columbia. The annexation agreement requires among other things, that at the appropriate time the owner of the parcel will commence the annexation process with the City of Columbia. In order to bring certainty to the project, this letter will confirm that in the event the subject property is annexed into the City of Columbia and any City taxes are levied, the millage rate for the annexed land will be at the City's current millage rate at the time of annexation. I would appreciate your confirmation of this agreement where indicated below. Please return the executed letter to me at your earliest opportunity.

Item# 20

Attachment number 1  
Page 33 of 35

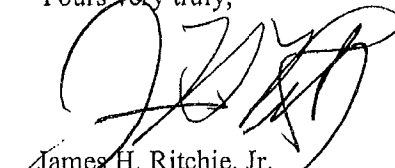


Page Two  
November 10, 2009  
Mr. Steve Gantt

We look forward to our continued positive working relationship with the City of Columbia.

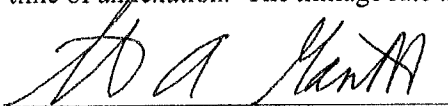
With warmest regards, I am

Yours very truly,



James H. Ritchie, Jr.  
Counsel for Project Pearl

I hereby confirm that in the event the subject parcels for Project Pearl are annexed into the City and City taxes are imposed, the millage rate shall be the applicable rate at the time of annexation. The millage rate as of the date of this letter is 98.1 mils.



Steve Gantt, City Manager  
City of Columbia

BW/ra

# **ADDENDUM E**



**RICHLAND COUNTY, SOUTH CAROLINA**  
**PLANNING & DEVELOPMENT SERVICES DEPARTMENT**

Zoning & Land Development Division  
Office: (803) 576-2180 Fax: (803) 576-2182

12 May 2009

Anna Almeida  
Deputy Planning Director  
Richland County Planning Department  
202 Hampton Street  
Columbia, SC 29204

RE: C-1 designation for the Woodcreek Farms Planned Development

Dear Mrs. Almeida:

Richland County records indicate that the above captioned development is zoned PDD (Planned Development District) (formerly PUD-2 (Planned Unit Development)). Section 26-71 of the Richland County Zoning Ordinance (the former land development code) permitted "any use which is otherwise lawful, which would not otherwise be prohibited by this ordinance..." and approved by the Richland County Council. As part of the map amendment, the proposed uses and design of the proposed development were required to be identified within the general development plan.

A review of case files 91-040 MA (the original map amendment) and 96-055 MA (a map amendment revision) indicates that the general development plan for the Woodcreek Farms PDD designated 262.4 acres (11% of the gross area) of the development for commercial land use. Specifically, 132.4 acres are designated as C-1. This zoning category allows for the establishment of office, institutional, and various residential type uses. Section 26-65 of the Richland County Zoning Ordinance (the land development code used during the period in which the PDD ordinance was adopted) enumerates the permitted uses within this zoning category.

In addition, modifications of the locations of the zoning classifications within the Woodcreek Farms PDD, as indicated on the generalized drawing of the General Development Plan, are permitted. The Woodcreek Farm PDD General Development Plan, which was approved as part of the rezoning request, permits the developer to "...change product types within the allowable zoning categories, or modify zoning designations within the established yield for the overall development..."

Please call me if you have any questions or need additional information at 576-2174.

Sincerely,

A handwritten signature in black ink that reads "Geonard H. Price". The signature is written in a cursive style and is set against a light blue rectangular background.

Geonard H. Price  
Zoning Administrator

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. 029-96HR

006 143

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JUL 30 PM 4:16  
BARBARA A. SCOTT  
C.C.C. & G.S. CLERK

AN ORDINANCE AMENDING THE RICHLAND COUNTY ZONING CLASSIFICATION OF PUD-2 (PLANNED UNIT, DEVELOPMENT-2 DISTRICT), WOODCREEK SUBDIVISION, BY REVISION THERETO.

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 Zoning Maps are hereby amended by a revision of PUD-2 (Planned Unit, Development-2 District), Woodcreek Subdivision; with the narrative attached hereto.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after May 21, 1996.

RICHLAND COUNTY COUNCIL

BY: Harriet Gardin Fields  
Harriet Gardin Fields, Chair

ATTEST this the 22<sup>ND</sup> day of

July, 1996.

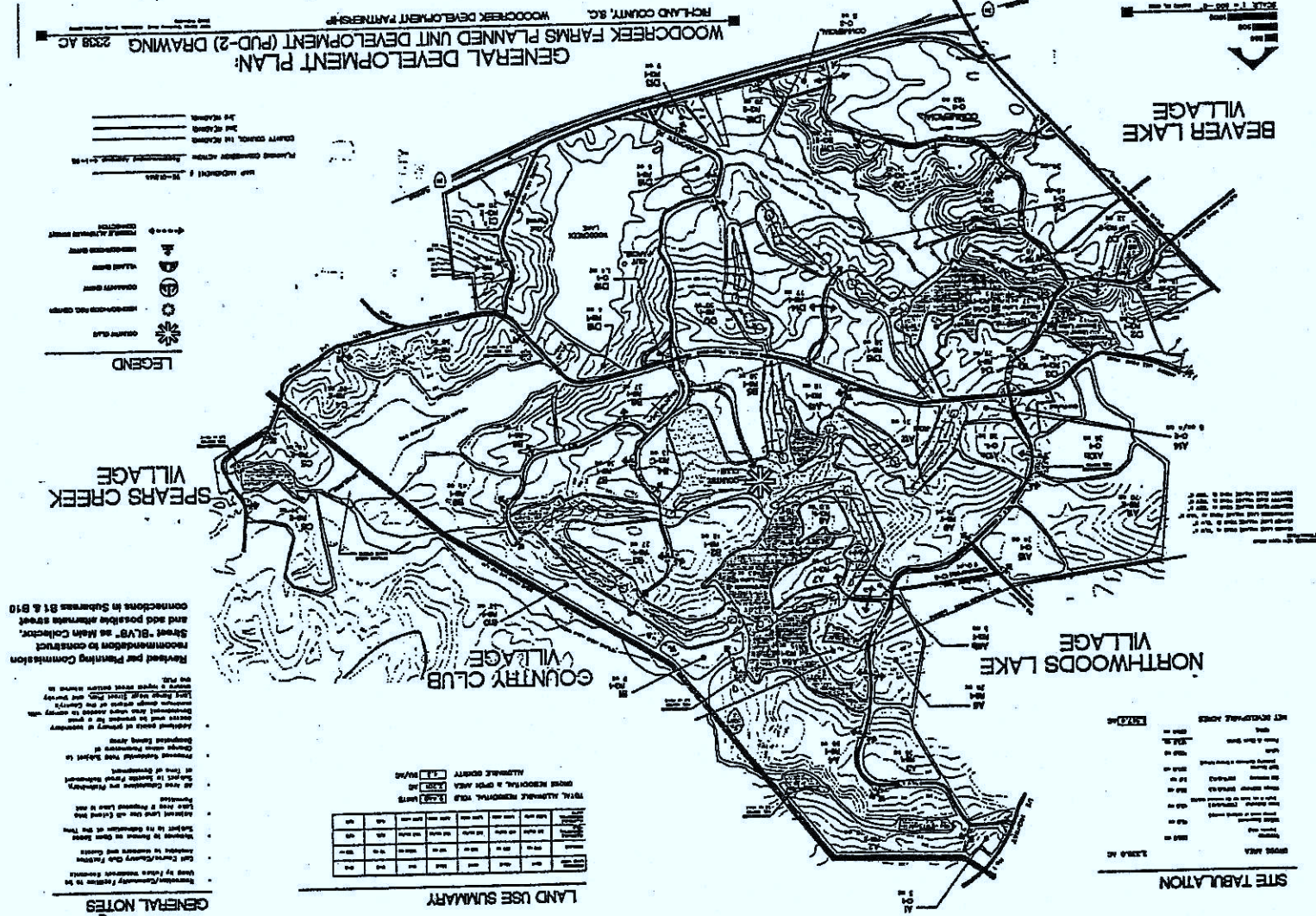
Michelle R. Cannon Finch  
Michelle R. Cannon-Finch, Interim Clerk of Council



Third Reading: May 21, 1996

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 BARBARA A. SCOTT  
 C.C.G. & G.S.

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- LEGEND**
- Proposed Road
  - Existing Road
  - Utility Line
  - Easement
  - Boundary
  - Contour Line
  - Spot Elevation
  - Proposed Building Footprint
  - Existing Building Footprint
  - Proposed Land Use
  - Existing Land Use

**GENERAL NOTES**

1. This plan is subject to the approval of the Planning Commission and the Board of Commissioners.
2. All proposed roads shall be constructed to meet the standards set forth in the applicable subdivision ordinance.
3. All proposed buildings shall be constructed in accordance with the applicable zoning ordinance.
4. The proposed land use shall be consistent with the applicable comprehensive plan.
5. The proposed plan shall be subject to the approval of the appropriate regulatory agencies.
6. The proposed plan shall be subject to the approval of the appropriate regulatory agencies.
7. The proposed plan shall be subject to the approval of the appropriate regulatory agencies.
8. The proposed plan shall be subject to the approval of the appropriate regulatory agencies.
9. The proposed plan shall be subject to the approval of the appropriate regulatory agencies.
10. The proposed plan shall be subject to the approval of the appropriate regulatory agencies.

**LAND USE SUMMARY**

Category	Area (Acres)	Percentage
Residential Single-Family	100.00	100%
Commercial	0.00	0%
Industrial	0.00	0%
Public Use	0.00	0%
Open Space	0.00	0%
Other	0.00	0%
<b>Total</b>	<b>100.00</b>	<b>100%</b>

**STATE TABULATION**

Category	Area (Acres)
Residential Single-Family	100.00
Commercial	0.00
Industrial	0.00
Public Use	0.00
Open Space	0.00
Other	0.00
<b>Total</b>	<b>100.00</b>

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C.C.C. & G.S.

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96-018 MA

GENERAL DEVELOPMENT PLAN: WOODCREEK FARMS PLANNED UNIT DEVELOPMENT  
(PUD-2) DISTRICT DESCRIPTIVE STATEMENT

OWNER &amp; DEVELOPER: Woodcreek Development Partnership

MANAGING PARTNERS: C. Heath Manning and Edwin H. Cooper, Jr.

A. Planning Objectives: The planning objective for the Woodcreek Farms project is to develop a homogeneous mix of various residential uses for an upscale community, which will include several lakes and ponds, an 18-hole golf course and other open areas. Cluster housing and zero lot line development will be used within portions of the property to enable the developer to maximize the use of open space and side yard areas. Commercial areas will be located mainly at the intersection of Spears Creek Road and I-20, on the southwestern corner of the PUD II with small areas of neighborhood commercial within the interior of the project. Multifamily use will be located so as to have minimal impact on low density residential areas.

B. Percentage of Various Land Uses:

Land Use	Acres	Percent of Gross Area (2,338 A.)
Residential	1,255 A.	54%
Commercial	262.4 A.	11%
Industrial	-0-	-0-
Open Space	795.6 A.	34%
Community Use	25 A.	1%

C. Proposed Density: (see Land Use Summary above and the General Development Plan Drawing)

D. Description of Properties: (see attached Exhibit "A" for tax map numbers and location/acres figures)

E. Development Areas: (see General Development Plan Drawing)

F. Various Types of Units: (see General Development Plan Drawing) These unit counts are based upon allowable density under the proposed zoning designations of each parcel and indicate the maximum number of units only, with the understanding that the types and numbers of units may be less depending on demands within the market over the extended period of this development. The developer intends to develop a medium priced to upscale community, however, the definition of what composes an upscale community may change from time to time.

G. Open Spaces and Community Facilities: (see General Development Plan Drawing) Open space will be utilized throughout the

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C.C.C. & G.S.

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subdivision for buffering and other purposes so as to create a low-density atmosphere within the property where different neighborhoods are created within the overall community.

Many wetlands areas will comprise open space which will be deeded to an appropriate entity with restrictions that will ensure that the property remains open. The General Development Plan Drawing shows the general location of these areas, however, the boundaries have not been determined at this time and may vary as each parcel is actually developed and surveyed and a determination made as to whether the property is wetlands or not.

Community facilities such as beach clubs and neighborhood recreational areas may be established throughout the property in such numbers and locations as the market may demand from time to time. Several of these areas are indicated on the General Development Plan Drawing as possible areas where a community facility might be desirable, however, a determination as to the exact number of these areas has not been made at this time and will be made as specific areas area developed and platted which would utilize a given recreational area. A golf club, with pool and tennis courts will be constructed on the properties indicated, this to be established as a private club with membership to be totally separate and apart from ownership of property within the area.

H. Development Phasing: D-4 and D-4a will be Phase I of the development with D-15 to follow as Phase II. Other phases will be brought on line and will consist of the number of units and types of units as the market may dictate at that time.

I. Homeowners Association: It is anticipated that a master homeowners association will be set up to take control and oversee maintenance of all entrances, street scapes and other common property which is not a part of an individual community. Individual community associations or sub-associations within the larger association will be set up as each community is developed which will be responsible for maintenance of the common areas within that particular community that are common for that particular community, including individual entrances, street scapes, lakes and/or ponds, community centers or other amenities within the particular area.

J. Design Standards: Each community within the proposed development will have certain design criteria that will be met within that particular community with the restrictive covenants contained in all conveyances to require submittal and architectural approval of all building plans, plot plans and landscaping plans within the property. It is anticipated that a qualified architect will be employed to assist in the review process to insure that each neighborhood is done in the best way possible.

K. Existing and Proposed Road Classification: (see attached Exhibit "B")

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C.C.C. & G.S.

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EXHIBIT "A"

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TMS #	PROPERTY DESCRIPTION
25800-03-27	57.56 ACRES
25800-03-28	Old National Hwy. - 167.50 acres
28800-01-04	N/S Hwy. I-10 - 6 acres
28800-02-01	Rear of Percival Rd., I-20 - .7 acres
28812-01-06	N/S Woodcreek Road - 6.8 acres
28812-01-09	N/S I-20 - .64 acres
28816-02-01	N/S I-20
28900-01-11	Hwy. 1057 - 1,244.35 acres
28900-03-07	S/S Hwy. 1097 - 500.25 acres
28910-01-01	S/E/S Jacobs Millpond Road
28800-01-06	S/S Woodcreek Road - 3.86 acres
28913-02-03	N/E/S Jacobs Millpond Road
28800-01-03	261 acres (Boyle property)
03680000001	10.5 acres (Kershaw County)

TOTAL ACREAGE PER RICHLAND COUNTY TAX MAPS 2,326.11 A.  
Adjust acreage as per surveys to 2,338.27 A.



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96-018 MA

EXHIBIT "B"  
WOODCREEK FARMS PLANNED UNIT DEVELOPMENT  
EXISTING & PROPOSED ROAD CLASSIFICATIONS

PURPOSE

The purpose of this supplement to the Woodcreek Farms Planned Unit Development is to clarify the status of existing roads and classify proposed roads in the Woodcreek Farms Development. This clarification and classification is necessary so that the developers may prepare realistic pro-formas for the various segments of the PUD over a several year time.

CLASSIFICATIONS

The street and road network shown on the Woodcreek Farms General Development Plan Drawing is classified as follows:

- \* Main Collector
- \* Minor Collector
- \* Local and Minor Streets (Residential & Commercial)
- \* Existing public roads

The streets in each village within the development will be discussed separately. The streets are shown on the accompanying Woodcreek Farms General Development Plan Drawing. Generally, access points will comply with the Access and Roadside Management Standards published by the South Carolina Department of Highways and Public Transportation (aka SCDOT). In some cases, the placement and distance between curb cuts, turn lanes, and other improvements may allow the transition/reduction of pavement width to two lanes.

I. BEAVER LAKE VILLAGE

Beaver Lake Village is bounded on the west by Spears Creek Church Road, on the North by Jacobs Mill Pond Road, on the east by Woodcreek Road, and on the south by the I-20 frontage road.

A. Main Collector Street: R.O.W. 66 feet, minimum surface width - 37 feet back of curb

- (1) Beaver Lake Village "BLV A": This is a new street to be constructed by the developers. This street will connect Spears Creek Church Road and Jacobs Mill Pond Road. It will function as a major entrance to the development.

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C.C.C. & G.S.

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(2) Beaver Lake Village "BLV B": This is a new street to be constructed by the developers. This street will connect "BLV A" and the I-20 frontage road and will provide access to residential and commercial areas.

B. Minor Collector Street: (None planned in Beaver Lake Village)

C. Local and Minor Streets:

(1) For residential sub-areas - R.O.W. 50 feet, minimum surface width 25' back of curb and 21' back of curb, respectively.

(2) For nonresidential sub-areas - R.O.W. 66 feet, minimum surface width 37 feet back of curb.

The layouts of these streets are not shown on the general development plan drawing. Instead, the minimum number of access points to serve the village sub-areas are shown as arrows feeding off the larger street network. They will be shown on the subdivision plans for the various sub-areas as they are submitted for approval. These streets will serve as major points of access for the village sub-areas. In some cases, a two-laned egress will be provided as required to feed into the larger street network; and additional points of access will be provided as needed to comply with the minimum design criteria as established by the County's Long Range Major Street Plan. These streets which will serve as access to residential and related sub-areas will be built by the developers.

D. Existing Public Roads:

The existing public roads affecting Beaver Lake Village, i.e. Spears Creek Church Road, Jacobs Mill Pond Road, Woodcreek Road, and the I-20 frontage road are currently maintained by the county or state. The developer's responsibility for these public roads will extend only to the county regulation requirement of "Additional Right of Way" and/or additional building setbacks if such is determined at the time subdivision plans are presented for property abutting these existing public roads. As shown on the accompanying general development plan drawing, the developer proposes to make some alignment improvements on Woodcreek Road.

II. NORTH WOODS LAKE VILLAGE

As shown on the attached General Development Plan Drawing, Northwoods Lake Village is bounded on the west and north by the property boundary with a short frontage on U.S. Hwy. #1 as a part of this boundary, on the east by Northwoods Lake and the 18th hole of the planned golf course, and on the south by Jacobs Mill Pond Road.

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A. Main Collector Street: R.O.W. 66 feet, minimum surface width - 37 feet back of curb

(1) Northwoods Lake Village "NLV A" as shown on the accompanying General Development Plan Drawing will connect from Jacobs Mill Pond Road to U.S. Hwy. #1. This is a new street to be constructed by the developer. The southern end of this street will be a relocation of Old National Highway. This southern section will be constructed as a separate project from the balance of this street.

B. Minor Collector Streets: (None planned in Northwoods Lake Village)

C. Local and Minor Streets:

(1) For residential sub-areas - R.O.W. 50 feet, minimum surface width 25' back of curb and 21' back of curb, respectively.

(2) For nonresidential sub-areas - R.O.W. 66 feet, minimum surface width 37 feet back of curb.

The layouts of these streets are not shown on the general development plan drawing. Instead, the minimum number of access points to serve the village sub-areas are shown as arrows feeding off the larger street network. They will be shown on the subdivision plans for the various sub-areas as they are submitted for approval. These streets will serve as major points of access for the village sub-areas. In some cases, a two-laned egress will be provided as required to feed into the larger street network; and additional points of access will be provided as needed to comply with the minimum design criteria as established by the County's Long Range Major Street Plan. These streets which will serve as access to residential and related sub-areas will be built by the developers.

D. Existing Public Roads:

The existing public roads affecting Northwoods Lake Village, i.e., U.S. Hwy. #1, Old National Highway and Jacobs Mill Pond Road are currently maintained by the county or state. The developer's responsibility for these public roads will extend only to the county regulation requirement of "Additional Right of Way" and/or additional building setbacks if such is determined at the time subdivision plans are presented for property abutting these existing public roads.

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III. COUNTRY CLUB VILLAGE

Country Club Village is generally bounded on the west by Northwoods Lake Village on the North by the property boundary, on the east by Spears Creek Village, and on the South by Jacobs Mill Pond Road.

A. Main Collector Street: R.O.W. 66 feet, minimum surface width - 37 feet back of curb.

(1) Country Club Village "CCV A" from Jacobs Mill Pond Road to entrance road to the Country Club which is shown on the accompanying general development plan drawing. Beyond this point, a deceleration lane (right turn only), will be provided for traffic onto Road "CCV B". This is a new street to be constructed by the developer. This segment will connect the Country Club to Jacobs Mill Pond Road. It will function as the major access to the Country Club.

B. Minor Collector Street: R.O.W. 50 feet, minimum surface width - 25 feet back of curb.

(1) The remaining portion of Country Club Village "CCV A" and Country Club Village "CCV B". This is a new street to be constructed by the developers which will provide access to the several residential and related development sub-areas.

(2) Country Club Village "CCV C" is a new street to be built by the developer. This short street will provide access to the Country Club and development parcels fronting this street.

C. Local and Minor Streets:

(1) For residential sub-areas - R.O.W. 50 feet, minimum surface width 25' back of curb and 21' back of curb, respectively.

(2) For nonresidential sub-areas - R.O.W. 66 feet, minimum surface width 37 feet back of curb.

The layouts of these streets are not shown on the general development plan drawing. Instead, the minimum number of access points to serve the village sub-areas are shown as arrows feeding off the larger street network. They will be shown on the subdivision plans for the various sub-areas as they are submitted for approval. These streets will serve as major points of access for the village sub-areas. In some cases, a two-laned egress will be provided as required to feed into the larger street network; and additional points of access will be provided as needed to comply with the minimum design criteria as established by the County's Long Range

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C.C.C. & G.S.

96-018 MA

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Major Street plan. These streets which will serve as access to residential and related sub-areas will be built by the developers.

D. Existing Public Roads:

The existing public road affecting Country Club Village is Jacobs Mill Pond Road. This road is maintained by the South Carolina Department of Transportation. The developer's responsibility for this public roads will extend only to the county regulation requirement of "Additional Right of Way" and/or additional building setbacks if such is determined at the time subdivision plans are presented for property abutting these existing public roads.

IV. SPEARS CREEK VILLAGE

Spears Creek Village is the easternmost part of Woodcreek Development and is bounded on the north by the property boundary on the south by County Line Road, Sandy Oaks Road and Jacobs Mill Pond Road and on the west by the Country Club Village.

A. Main Collector Street: R.O.W. 66 feet, minimum surface width - 37 feet back of curb.

(1) No new main collector streets planned for Spears Creek Village.

B. Minor Collector Street: R.O.W. 50 feet, minimum surface width - 25 feet back of curb.

(1) No new minor collector streets planned for Spears Creek Village.

C. Local and Minor Streets:

(1) For residential sub-areas - R.O.W. 50 feet, minimum surface width 25' back of curb and 21' back of curb, respectively.

(2) For nonresidential sub-areas - R.O.W. 66 feet, minimum surface width 37 feet back of curb.

The layouts of these streets are not shown on the general development plan drawing. Instead, the minimum number of access points to serve the village sub-areas are shown as arrows feeding off the larger street network. They will be shown on the subdivision plans for the various sub-areas as they are submitted for approval. These streets will serve as major points of access for the village sub-areas. In some cases, a two-laned egress will be provided as required to feed

FILED

96 JUL 30 PM 4: 17 MA  
BARBARA A. SCOTT  
C.C.C. & G.S. 96-018 MA

0006 153

into the larger street network; and additional points of access will be provided as needed to comply with the minimum design criteria as established by the County's Long Range

Major Street Plan. These streets which will serve as access to residential and related sub-areas will be built by the developers.

D. Existing Public Roads:

The existing public road affecting Spears Creek Village is Jacobs Mill Pond Road. This road is maintained by the South Carolina Department of Transportation. The developer's responsibility for this public roads will extend only to the county regulation requirement of "Additional Right of Way" and/or additional building setbacks if such is determined at the time subdivision plans are presented for property abutting these existing public roads.

## **WOODCREEK COMMUNITY PLANNING CONCEPT**

Woodcreek is proposed to be a 2,345-acre Master Planned Community located in Richland County, South Carolina. The General Development Plan represents a coordinated response to the immediate needs and long-range market demands for a multiple-use, recreation-oriented master planned community. It also represents an unique opportunity for Richland County to accommodate high-quality residential neighborhoods, while benefitting from the expanded economic base of their anticipated commercial uses.

The property, north of I-20 at Spears Creek Church Road, consists of heavily wooded hillsides enclosing several beautiful lakes and wetlands valleys. Due to its convenient location adjacent to I-20, Woodcreek residents will be afforded an exclusive community lifestyle in close proximity to the northeast Columbia services and activities. Planned as a complete multi-use living environment, the community will accommodate residential, commercial and recreational land uses. These uses have been carefully located to take advantage of the sites' natural features. All architectural development will conform to the existing hillside terrain, thereby minimizing the required grading, and preserving the wooded character of the site.

The General Development Plan anticipates a recreational theme for the community, and reserves approximately 30% of the property for open space and recreational uses. Key to this concept is an 18-hole championship golf course, designed by renowned golf course architect, Tom Fazio. A quality clubhouse facility will accommodate swimming, tennis, and community events. The 168 acres of existing lakes, in conjunction with two new proposed lakes covering 156 acres, will serve as major focal elements for a variety of residential uses. Several Community Beach Clubs and Neighborhood Recreation Centers have been incorporated to offer water amenities and outdoor activities to all Woodcreek residents.

The Land Use Plan is organized to create four identifiable villages. Each village will contain a major open space/recreational element, a variety of residential housing types, commercial establishments, and a distinctive character theme. Although the architectural style of each village will be established at the time of its definitive planning, the overall community character will be created and maintained through coordinated site features and landscape elements which will be consistent throughout the development.

The Circulation Plan reinforces this Village concept by providing a hierarchy of entry experiences leading to identifiable neighborhoods. Spears Creek Church Road will serve as the primary entrance to the community. A Community Collector Drive, which passes between the existing Upper and Middle Beaver Lakes, will offer a unique visual amenity to the entire community, and provide access to all four residential villages. The majority of commercial and public facilities are located or accessed from Woodcreek's Collector Drive. Village Collector Roads, extending from the Community Collector Drive, serve each of the neighborhood parcels. Careful attention has been given to create a traveling experience that will be unique among county streetscenes, offering open space views and vistas to all residents, while effectively responding to the natural topography.

91-040 MA  
Item# 20

A potential for 6370 residences on 1422 residential acres are incorporated in the General Development Plan, for an overall density of 4.5 DU/AC. However, their respective zoning categories will accommodate up to 8325 total residences for an allowable overall density of 5.7 DU/AC, in response to future market demand. Residential products shall include single family detached homes, cluster homes and multi-family apartments, with the primary emphasis on a quality detached lifestyle.

Community commercial uses have been located along Spears Creek Church Road, taking advantage of the I-20 highway access, and providing commercial services to both Woodcreek and neighboring developments. Three commercial "flex parcels" located within the development provide an opportunity for neighborhood commercial centers, offices, churches, school sites or parks, to meet future community needs.

The composition of Woodcreek's land uses are intended to serve as a model for new high-quality developments in Richland County. This General Development Plan provides a framework to integrate a variety of land uses and intensities, while promoting the development of low-density, upscale residential neighborhoods oriented to open space. The flexibility to change product types within the allowable zoning categories, or modify zoning designations within the established yield for the overall development, will allow Woodcreek to respond to reasonable shifts in market demand and neighborhood development patterns -- creating a viable and enduring new community.

91-040 MA

Item# 20



**SITE TABULATION**

CROSS AREA	2,338.0 AC
NET DEVELOPABLE ACRES	1,517.9 AC
BEAVER LAKE VILLAGE	528.7 ac
NORTHWOODS LAKE VILLAGE	54.0 ac
COUNTRY CLUB VILLAGE	42.8 ac
SPEARS CREEK VILLAGE	23.0 ac
COMMERCIAL	10.0 ac
WOODCREEK FARMS	10.0 ac
WOODCREEK DEVELOPMENT PARTNERSHIP	10.0 ac
WOODCREEK LAKE	10.0 ac
WOODCREEK PARK	10.0 ac
WOODCREEK TRAIL	10.0 ac
WOODCREEK DRIVE	10.0 ac
WOODCREEK ROAD	10.0 ac
WOODCREEK LANE	10.0 ac
WOODCREEK COURT	10.0 ac
WOODCREEK PLACE	10.0 ac
WOODCREEK TERRACE	10.0 ac
WOODCREEK BLVD	10.0 ac
WOODCREEK PKWY	10.0 ac
WOODCREEK DR	10.0 ac
WOODCREEK ST	10.0 ac
WOODCREEK RD	10.0 ac
WOODCREEK LN	10.0 ac
WOODCREEK CR	10.0 ac
WOODCREEK CV	10.0 ac
WOODCREEK CT	10.0 ac
WOODCREEK CL	10.0 ac
WOODCREEK CC	10.0 ac
WOODCREEK CB	10.0 ac
WOODCREEK CA	10.0 ac
WOODCREEK C9	10.0 ac
WOODCREEK C8	10.0 ac
WOODCREEK C7	10.0 ac
WOODCREEK C6	10.0 ac
WOODCREEK C5	10.0 ac
WOODCREEK C4	10.0 ac
WOODCREEK C3	10.0 ac
WOODCREEK C2	10.0 ac
WOODCREEK C1	10.0 ac

**LAND USE SUMMARY**

LAND USE	ACRES	%
BEAVER LAKE VILLAGE	528.7	22.7%
NORTHWOODS LAKE VILLAGE	54.0	2.3%
COUNTRY CLUB VILLAGE	42.8	1.8%
SPEARS CREEK VILLAGE	23.0	1.0%
COMMERCIAL	10.0	0.4%
WOODCREEK FARMS	10.0	0.4%
WOODCREEK DEVELOPMENT PARTNERSHIP	10.0	0.4%
WOODCREEK LAKE	10.0	0.4%
WOODCREEK PARK	10.0	0.4%
WOODCREEK TRAIL	10.0	0.4%
WOODCREEK DRIVE	10.0	0.4%
WOODCREEK ROAD	10.0	0.4%
WOODCREEK LANE	10.0	0.4%
WOODCREEK COURT	10.0	0.4%
WOODCREEK PLACE	10.0	0.4%
WOODCREEK TERRACE	10.0	0.4%
WOODCREEK BLVD	10.0	0.4%
WOODCREEK PKWY	10.0	0.4%
WOODCREEK DR	10.0	0.4%
WOODCREEK ST	10.0	0.4%
WOODCREEK RD	10.0	0.4%
WOODCREEK LN	10.0	0.4%
WOODCREEK CR	10.0	0.4%
WOODCREEK CV	10.0	0.4%
WOODCREEK CT	10.0	0.4%
WOODCREEK CL	10.0	0.4%
WOODCREEK CC	10.0	0.4%
WOODCREEK CB	10.0	0.4%
WOODCREEK CA	10.0	0.4%
WOODCREEK C9	10.0	0.4%
WOODCREEK C8	10.0	0.4%
WOODCREEK C7	10.0	0.4%
WOODCREEK C6	10.0	0.4%
WOODCREEK C5	10.0	0.4%
WOODCREEK C4	10.0	0.4%
WOODCREEK C3	10.0	0.4%
WOODCREEK C2	10.0	0.4%
WOODCREEK C1	10.0	0.4%

TOTAL ALLOWABLE RESIDENTIAL YIELD: 9,250 UNITS  
 GROSS RESIDENTIAL & OPEN AREA: 3,268 AC  
 ALLOWABLE DENSITY: 4.3 DU/AC

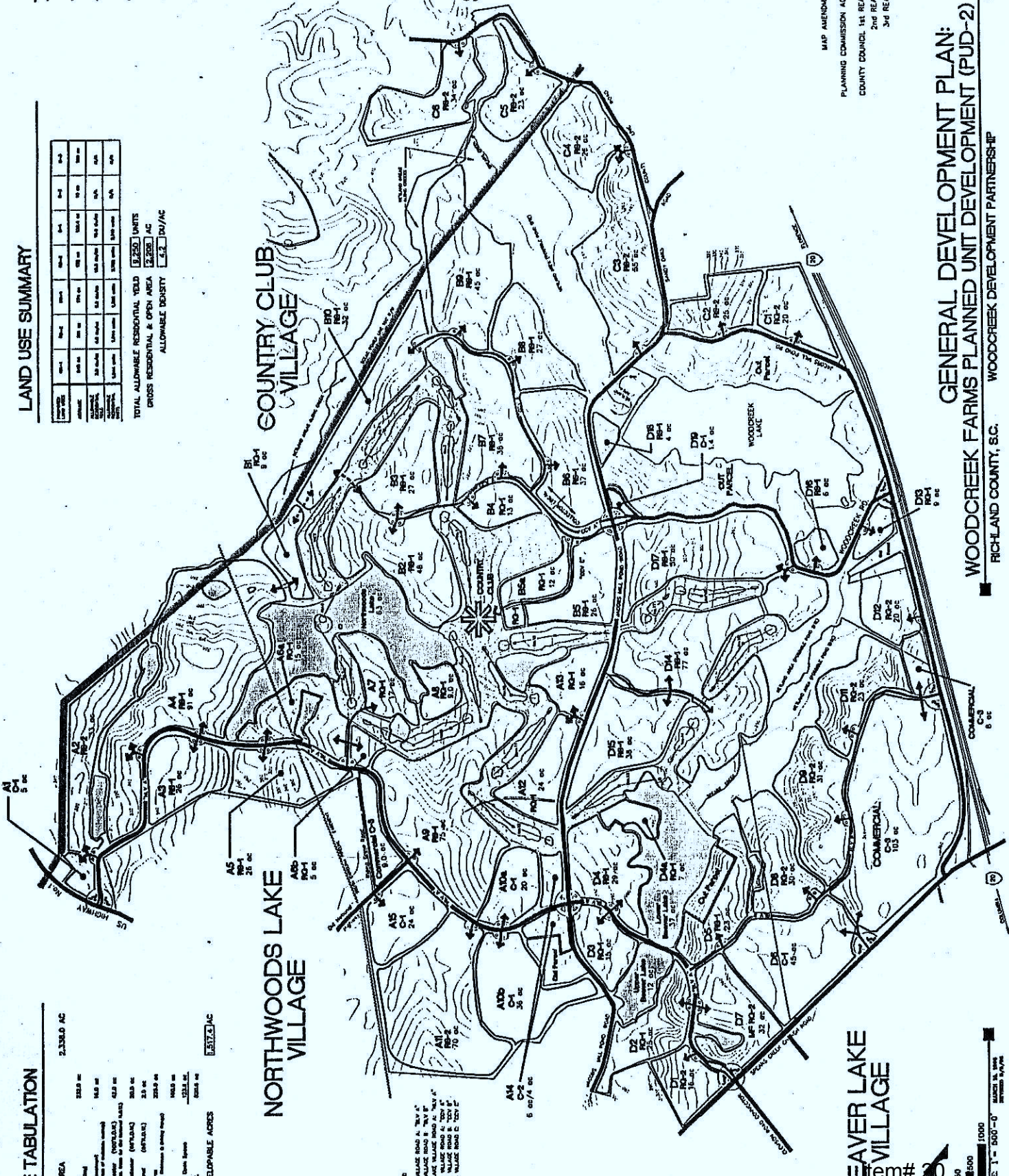
**GENERAL NOTES**

- 1. Golf Course/Country Club Facilities Available to Members and Guests.
- 2. Wetlands to Remain as Open Space Subject to its Dedication at the Time.
- 3. Adjacent Land Use will Extend into Lake Area if Proposed Lake is not Permitted.
- 4. All Area Calculations are Preliminary, Subject to Specific Parcel Refinement at Time of Development.
- 5. Proposed Resignated Yield Subject to Change within Parameters of Designated Zoning Areas.
- 6. Additional points of primary or secondary access shall be provided for a full Development of the site in compliance with the design criteria of the County's Land Ramp Motor Street Plan, and thereby ensure a logical street pattern intended to the PUD.

**SPEARS CREEK VILLAGE**

**COUNTRY CLUB VILLAGE**

**NORTHWOODS LAKE VILLAGE**



**LEGEND**

- COUNTRY CLUB
- COMMUNITY ENTRY
- VILLAGE ENTRY
- NEIGHBORHOOD ENTRY
- POSSIBLE ALTERNATE STREET CONNECTION

MAP AMENDMENT # \_\_\_\_\_  
 PLANNING COMMISSION ACTION: \_\_\_\_\_  
 COUNTY COUNCIL 1st READING: \_\_\_\_\_  
 2nd READING: \_\_\_\_\_  
 3rd READING: \_\_\_\_\_

**GENERAL DEVELOPMENT PLAN:  
 WOODCREEK FARMS PLANNED UNIT DEVELOPMENT (PUD-2) DRAWING 2538 AC**

WOODCREEK DEVELOPMENT PARTNERSHIP  
 RICHLAND COUNTY, SC

**BEAVER LAKE VILLAGE**

Item # 20  
 Attachment number  
 Page 3 of 3  
 SCALE: 1" = 500'-0"  
 MARCH 15, 2004  
 SHEETS 3 A, 3 B

# Richland County Council Request of Action

**Subject**

Employee Grievance Committee-1 [there were no applications received]

# Richland County Council Request of Action

**Subject**

Board of Assessment and Appeals-1 [Veronica Green-Strong, Chalon Shepard Headley, II] **[PAGES 156-161]**



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Veronica Green-Strang
Home Address: 1401 Longcreek Dr. Apt. 207D
Telephone: (home) 803-798-2057 (work)
Office Address: 1401 Longcreek Dr.
Email Address: vrgreen7@gmail.com
Educational Background: Bachelor of Science
Professional Background: Business owner and Public officer
Male [ ] Female [x] Age: 18-25 [ ] 26-50 [x] Over 50 [ ]
Name of Committee in which interested: Board of Assessment App
Reason for interest: public services

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

Business Leader
Healthcare Worker

Presently serve on any County Committee, Board or Commission? no
Any other information you wish to give? Commissioned as Notary public
Recommended by Council Member(s): no
Hours willing to commit each month: Required by Council

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No NO

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No NO

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

V Strong  
Applicant's Signature

11/10/09  
Date

Return to:  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file

FAX to 576-2136



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Chalon Shepard Headley, II

Home Address: 14 Kirkman Court - Columbia, S. C. 29209

Telephone: (home) 803-776-9641 (work) 803-730-1034 (cell)

Office Address: 14 Kirkman Ct. Columbia, SC 29209

Email Address: shepheadley@sc.rr.com

Educational Background: BS - Business Management - U.S.C.

Professional Background:

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

Name of Committee in which interested: Board of Assessment Appeals

Reason for interest: As a residential appraiser and former member and chair of the Board of Assessment Control,

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission: I feel I would be an asset to this committee.

Commission: Certified Real Estate Appraiser, Realtor, 7 year member of Board of Assessment Control

Presently serve on any County Committee, Board or Commission? Yes, Board of Assessment Control

Any other information you wish to give? Longtime community volunteer, 2002-2009

Recommended by Council Member(s): Jackson

Hours willing to commit each month: Flexible

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes \_\_\_\_\_ No   X  

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No   X  

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Step Headley  
Applicant's Signature

11/5/2009  
Date

**Return to:**  
**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**  
**For information, call 576-2060.**  
**Fax Number: 576-2136**

**One form must be submitted for each Committee, Board or Commission on which you wish to serve.**

**Applications are current for one year.**

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file

## Chalon Shepard Headley, II

Certified Residential Appraiser CR-3008

Real Estate Sales License 71498

14 Kirkman Court

Columbia, South Carolina 29209

(803) 776-9641

(803) 776-2438 (Fax)

(803) 730-1034 (Cell)

shepheadley@sc.rr.com

### EDUCATION

- Dreher High School, Columbia, South Carolina  
Graduated with Honors
- University of South Carolina  
Degree: Bachelor of Science                      Major: Personnel Management

### REAL ESTATE EMPLOYMENT

- 12/99 – Present                      Headley Residential Appraisal  
Positions Held:                      Owner, State Certified Residential Real Estate Appraiser, CR-3008
- Residential real estate appraisal services including SFR, Condo, 2-4  
Multi-family, REO, land appraisals, reviews and FHA.
- 8/97 - 2/00                              JKS Appraisal Services, Inc.  
Positions Held:                      Real Estate Appraiser
- 2/08 – Present                              Nancy Bradley and Associates  
Real Estate Salesman/ Realtor

### REAL ESTATE INFORMATION

- University of  
South Carolina:                      Fundamentals of Real Estate, Real Estate Finance, Accounting,  
Finance, Marketing, Personal Finance
- Appraisal Courses:                      L1, L2, L3 (Standards), Appraisal Forms, CR, Standards Updates,  
Appraisal Updates 2001, Computers 2001, Updates 2002, Nuts &  
Bolts, USAP Update 2003, Tools or Toys 2003, USPAP Update  
2004, FHA Guidelines, Property Inspection, New Appraisal Forms,  
Six Critical Problems, USPAP Update 2006, The New URAR,  
Fraud: How to Detect and Prevent It, C-1 Income Property  
Valuation, USPAP Update 2008, FHA Tools of the Trade
- Real Estate Courses:                      Real Estate Pre-Licensing, Final Sales, Real Estate Ethics



**CIVIC INFORMATION**

2008-Present Brennen Elementary School Improvement Council

2002-2009 Richland County Assessment Control Board (Appointed by County Council twice for 3-year terms), Chairman (October 2006-April 2009), Secretary (2005-2006)

1997 – 2008  
Positions Held: Yorkshire Neighborhood Association  
Membership/Fellowship Committee Chairman (2007-2008),  
Legal/Political Committee Chairman (2003-2005), Past President (2003), President (2002), Vice-President (2000-2001),  
Membership/Fellowship Committee (1997-2008), Legal/ Political Committee (1998, 2003-2005)

2003-2004 Columbia Council of Neighborhoods Board, Parliamentarian

2003 Columbia Council of Neighborhoods 2003 Volunteer of the Year

2000 Precinct Manager - South Carolina Primary

2000-2009 YMCA Soccer Coach (Spring and Fall) 16 seasons as head coach, 15 seasons as assistant coach (31 Teams)

2006 Plex Summer Indoor Soccer Head Coach

2004-9 Trenhom Park basketball, assistant coach, 4 seasons

2005-6 YMCA Minor League Baseball, head coach '06, assistant coach '05

**PERSONAL INFORMATION**

Place of Birth: Columbia, South Carolina

Married: Anne Williams Headley

Children: Chalon, Ashley, Emily, Caroline and Will

Hobbies: Family, University of South Carolina Sports, Golf

# Richland County Council Request of Action

**Subject**

Internal Audit Committee-2 [no applications were received]

# Richland County Council Request of Action

**Subject**

Lexington/Richland Drug Abuse Council-2 [Paul R. Bouknight\*, Roosevelt Garrick, Jr.\*, Veronica Green-Strong]  
**[PAGES 164-170]**



**APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION**

**Applicant must reside in Richland County.**

Name: Paul Ray Bouknight

Home Address: 1324 Confederate Ave., Columbia, SC 29201

Telephone: (home) 803-255-8015 (work) 803-434-4444

Office Address: 5 Richland Medical Park, Columbia, SC 29203

Email Address: paul.bouknight@palmettohealth.org

Educational Background: BS in Architecture, Clemson University

Professional Background: Director of Facilities Planning, Palmetto Health

Male  Female  Age: 18-25  26-50  Over 50

Name of Committee in which interested: LRADAC

Reason for interest: I have enjoyed my time as a board member with LRADAC and would like to continue in this position.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

My experience in Facility planning and design has been an asset during the design and construction process.

Do you presently serve on any County Committee, Board or Commission? LRADAC

Any other information you wish to give? \_\_\_\_\_

Recommended by Council Member(s): \_\_\_\_\_

Hours willing to commit each month: 8

**CONFLICT OF INTEREST POLICY**

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No X \_\_\_\_\_

#### STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No X \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Paul R. Bouknight

Applicant's Signature

November 20, 2009\_\_

Date

**Return to:  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.**

**One form must be submitted for each Committee, Board or Commission on which you wish to serve.**

**Applications are current for one year.**

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	Item# 24



**APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION**

**Applicant must reside in Richland County.**

Name: Roosevelt Garrick, Jr.

Home Address: 3113 Berkeley Forest Drive, Columbia, S.C. 29209

Telephone: (home) (803) 776-6338 (work) (803) 738-3219

Office Address: Richland School District Two, 6831 Brookfield Road, Columbia, S.C. 29206

Email Address: \_rgarrick@richland2.org

Educational Background: Masters Degree

Professional Background: School District Administrator

Male  Female  Age: 18-25  26-50  Over 50

Name of Committee in which interested: Adolescent Advisory Committee

Reason for interest: I am extremely interested in the well being of the students of Richland County whom I work with and serve on a daily basis.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

I work and have worked in the education arena for over 30 years along side law enforcement personnel, attorneys, judges, and other interested members of the community in the best interest of the youth of Richland County.

Presently serve on any County Committee, Board or Commission? LRADAC Board.

Any other information you wish to give? None

Recommended by Council Member(s): \_\_\_\_\_

Hours willing to commit each month: 10 to 15

**CONFLICT OF INTEREST POLICY**

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*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No X \_\_\_\_\_

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No X \_\_\_\_\_

If so, describe: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Roosevelt Garrick, Jr. \_\_\_\_\_  
Applicant's Signature

11-11-2009 \_\_\_\_\_  
Date

**Return to:  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.**

**One form must be submitted for each Committee, Board or Commission on which you wish to serve.**

**Applications are current for one year.**

<b>Staff Use Only</b>		
Date Received: _____	Received by: _____	
Date Sent to Council: _____		
Status of Application:	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file





APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Veronica Green-Strong

Home Address: 1401 Longcreek Dr. Apt. 207D

Telephone: (home) 803-798-2057 (work) \_\_\_\_\_

Office Address: 1401 Longcreek Dr.

Email Address: Vrgreen7@gmail.com

Educational Background: Bachelor of Science

Professional Background: Business owner and Public officer

Male  Female

Age: 18-25  26-50  Over 50

Name of Committee in which interested: Lexington/Richland Alcohol and Drug Abuse

Reason for interest: \_\_\_\_\_

public service

Your characteristics/qualifications, which would be an asset to Committee, Board or

Commission:

Business Leader

Healthcare Worker

Presently serve on any County Committee, Board or Commission? no

Any other information you wish to give? Commissioner as notary public

Recommended by Council Member(s): no

Hours willing to commit each month: required by council

CONFLICT OF INTEREST POLICY

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Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

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*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No NO

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No NO

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

V. Strong  
Applicant's Signature

11/10/09  
Date

Return to:  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file

Item# 24

# Richland County Council Request of Action

**Subject**

Midlands Regional Convention Center Authority-1 [Veronica Green-Strong, Rick Patel] **[PAGES 172-174]**



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Veronica Green-Strong
Home Address: 1401 Longcreek Dr. Apt. 207D
Telephone: (home) 803-798-2057 (work)
Office Address: 1401 Longcreek Dr.
Email Address: Yrgreen7@gmail.com
Educational Background: Bachelor of Science
Professional Background: Business owner and Public officer
Male r Female r Age: 18-25 r 26-50 r Over 50 r
Name of Committee in which interested: Midlands Regional convention
Reason for interest: public service

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

Business Leader
Healthcare Worker

Presently serve on any County Committee, Board or Commission? no

Any other information you wish to give? Commissioner as notary public

Recommended by Council Member(s): no

Hours willing to commit each month: required by council

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No no

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No no

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

V. Strong  
Applicant's Signature

11/10/09  
Date

Return to:  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	

Item# 25

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

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*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No  \_\_\_\_\_

### STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No  \_\_\_\_\_

If so, describe:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Applicant's Signature

Date

**Return to:**

**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**

**For information, call 576-2060.**

**One form must be submitted for each Committee, Board or Commission on which you wish to serve.**

# Richland County Council Request of Action

**Subject**

Richland Memorial Hospital Board-3 [Bill Bradshaw\*, Wallace Brown, Sr., Calvin H. Elam, Charles E. Offutt, Jerome (Jerry) Odom\*] [**PAGES 176-189**]



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: BILL BRADSHAW

Home Address: 1675 TANGLEWOOD RD COLUMBIA, S.C. 29204

Telephone: (home) (803) 254-1662 (work) (803) 429-8009

Office Address: SAME AS HOME

Email Address: webuildchampions@sc.rr.com

Educational Background: BA Broadcast Journalism - University of S.C.

Professional Background: Retail, Insurance and Investments, Real Estate

Male  Female  Age: 18-25  26-50  Over 50

Name of Committee in which interested: Palmetto Health Richland Board member

Reason for interest: HAVE served 4 years and have passed the learning curve so I feel like I can be effective and add value to the board

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

Owned and operated Retail businesses, Held securities 6, 63, 65 Insurance/Investment. Currently have a real estate license and own a sales organization.

Presently serve on any County Committee, Board or Commission? PH Richland Board, Finance Committee, Children Hospital

Any other information you wish to give? Have served on Education Committee, Patient Care

Recommended by Council Member(s): Grey PEARCE

Hours willing to commit each month: currently spend about 10 hours each month

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all



Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No  \_\_\_\_\_

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No  \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Bill Bradshaw  
Applicant's Signature

11-10-09  
Date

**Return to:  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.**

**One form must be submitted for each Committee, Board or Commission on which you wish to serve.**

**Applications are current for one year.**

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	

2

Item# 26



**APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION**

**Applicant must reside in Richland County.**

Name: WALLACE BROWN SR.

Home Address: 316 MEADOWLAKE DR. Columbia, SC 29203

Telephone: (home) (803) 754-1282 (work) (803) 608-2332

Office Address: 100 EXECUTIVE CENTER DRIVE Columbia, SC 29210 Suite A-13

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

Educational Background: BA BENEDETT COLLEGE

Professional Background: HEALTH CONSULTANT

Male  Female  Age: 18-25  26-50  Over 50

Name of Committee in which interested: PALMETTO RICHLAND MEMORIAL HOSPITAL BOARD

Reason for interest: I AM CONCERNED ABOUT HEALTHCARE FOR THE POOR AND GRADUATE MEDICAL EDUCATION i.e. THE AVAILABILITY OF PRIMARY CARE PROVIDERS WHO CARE FOR THE POOR.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:  
I'VE SERVED IN VARIOUS HEALTHCARE RELATED POSITIONS AND CAPABILITIES FOR 30 YEARS

Presently serve on any County Committee, Board or Commission? NO

Any other information you wish to give? see resume attached

Recommended by Council Member(s): GWENDOLYN KENNEDY

Hours willing to commit each month: AS REQUIRED TO FULFILL THE RESPONSIBILITIES OF THE BOARD

**CONFLICT OF INTEREST POLICY**

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

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*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No X \_\_\_\_\_

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes X \_\_\_\_\_ No \_\_\_\_\_

If so, describe: INDIRECTLY IN THAT I DO CONSULTANT WORK FOR UNISON HEALTH PLAN A MEDICAID HMO

Walter Brown  
Applicant's Signature

11/25/09  
Date

**Return to:  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.**

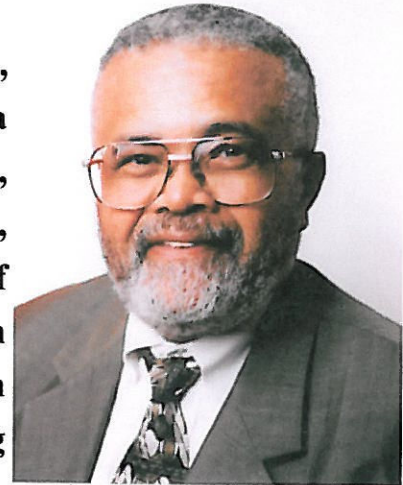
**One form must be submitted for each Committee, Board or Commission on which you wish to serve.**

**Applications are current for one year.**

<b>Staff Use Only</b>	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file

## **Wallace Brown, Sr.**

**Wallace Brown, Sr. is a native of Los Angeles, California. He was raised in Monrovia, California where he graduated from Monrovia High School, and is a graduate of Citrus Junior College in Azusa, California. Wallace Brown received his Bachelors of Arts degree from Benedict College, Columbia, South Carolina and completed an Executive Program in Health, Policy, Planning and Regulation, receiving his certificate from the Harvard School of Public Health in Boston, Massachusetts. Wallace Brown has served in various positions of Executive and Administrative responsibilities, including health administration, State government, college administration and community service. He served as Deputy Director of Beaufort-Jasper Comprehensive Health Services, Inc. from 4/1972 to 6/1980 in Beaufort, SC; Executive Director/CEO of Richland Community Health Care Association from 11/19/92 to 5/7/07 in Columbia, South Carolina. He is currently a consultant for Unison Health Plan A Medicaid Health Maintenance Organization. He is a member of the Board of Directors of Senior Resources; former Chairman of the FIRST STEPS Board in Richland County and former Chairman of Richland Community Health Partners; served for eight years on the Board of Directors of Richland Memorial Hospital; Chairman of the Board of Directors for the United Black Fund of the Midlands, and Secretary of the Official Board of Deacons and Co-Chair of the Church Budget Committee; Adult Sunday School Teacher and Church Clerk of Saint John Baptist Church in Columbia, South Carolina. He a member of the Capital City Rotary Club. Mr. Brown was inducted into the Order of the Palmetto by Governor Richard W. Riley and was given the Outstanding Community Service Award by the South Carolina Legislative Black Caucus. He is married to the former Selena M. Brunson of Santa Monica, California. They have four children and four grandchildren.**





**APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION**

**Applicant must reside in Richland County.**

Name: Calvin H. Elam

Home Address: 202 Landstone Cir, Irmo SC 29063

Telephone: (home) 781-8307 (work) 799-9503

Office Address: 1523 Richland St, Columbia SC 29201

Email Address: efg293@aol.com

Educational Background: B.S. - Business Admin (Marketing) U.S.C.

Professional Background: Financial Consultant / Advisor

Male  Female  Age: 18-25  26-50  Over 50

Name of Committee in which interested: Richland Memorial Hospital Board

Reason for interest: Currently on Palmetto Board - want to help continue progress being made to improve patient safety & access to health care

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

Former chair of Palmetto Health Board of Trustees & Vice chair of Richland Memorial Board of Trustees

Presently serve on any County Committee, Board or Commission? NO

Any other information you wish to give? -

Recommended by Council Member(s): Greg Pearce

Hours willing to commit each month: Time required by Board

**CONFLICT OF INTEREST POLICY**

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Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No  \_\_\_\_\_

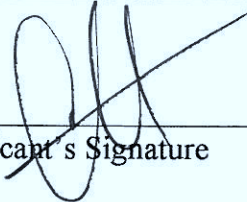
**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No  \_\_\_\_\_

If so, describe: \_\_\_\_\_

\_\_\_\_\_

  
Applicant's Signature

10/26/09  
Date

**Return to:  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.**

**One form must be submitted for each Committee, Board or Commission on which you wish to serve.**

**Applications are current for one year.**

<b>Staff Use Only</b>	
Date Received: _____	Received by: _____
Date Sent to Council: _____	

2

Item# 26



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: CHARLES E. OFFUTT

Home Address: 2 Woodlands Ridge Ct

Telephone: (home) 803 315 4695 (work)

Office Address:

Email Address: charo2000@aol.com

Educational Background: Master of Science (see attachment)

Professional Background: Healthcare - Information Systems

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

Name of Committee in which interested: Richland Memorial Hospital Board

Reason for interest: Want to serve my community.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

See attachment page two.

Presently serve on any County Committee, Board or Commission? NO

Any other information you wish to give?

Recommended by Council Member(s):

Hours willing to commit each month: 35

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

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*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No X \_\_\_\_\_

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No X \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Charles [Signature]  
Applicant's Signature

11 NOV 2009  
Date

**Return to:**  
**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**  
**For information, call 576-2060.**

**One form must be submitted for each Committee, Board or Commission on which you wish to serve.**

**Applications are current for one year.**

<b>Staff Use Only</b>	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	Item# 26

2



**EDUCATION**

**M.S.**, Management of Computer Information Systems, Strayer University, Washington, DC  
**B.S.**, Management of Computer Information Systems, Park College, Parkville, MO  
**A.S.**, Computer Science, Park College, Parkville, MO  
**A.S.**, Management Technology, Austin Peay University, Clarkville, TN  
**A.S.**, Computer Science, Midlands Technical College, Columbia, SC  
**A.S.**, Telecommunication Systems Management, Midlands Technical College, Columbia, SC

**Certificate**

Information Systems Network,  
Midlands Technical College, Columbia, SC

Application Programming,  
Midlands Technical College, Columbia, SC

Enterprise Systems,  
Midlands Technical College, Columbia, SC

Fundamentals of Life and Health Insurance,  
Life Office Management Association Inc., Atlanta, GA

**Designation**

Fellow, Life Management Institute (FLMI),  
Life Office Management Association Inc., Atlanta, GA

Professional, Academy for Healthcare Management (PAHM),  
Academy Healthcare Management, Washington, DC

Associate, Customer Service (ACS),  
Life Office Management Association Inc., Atlanta, GA

**Professional Education**

Have completed Certification Exam in:

Healthcare Management  
Academy Healthcare Management, Washington, DC

Medical Management in Managed Cared Organizations  
Academy Healthcare Management, Washington, DC

Healthcare Network Management  
Academy Healthcare Management, Washington, DC

Healthcare Plan Finance and Risk Management  
Academy Healthcare Management, Washington, DC

Healthcare Governance and Regulation  
Academy Healthcare Management, Washington, DC

Charles E. Offutt

Question: **Your characteristics/qualifications, which would be asset to Committee/Board/Commission**

I am team player.

I have a working knowledge of how external and internal legal and regulatory requirement and accreditation standard influences medical management, purchaser, provider and plan member decision about healthcare.



**APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION**

**Applicant must reside in Richland County.**

Name: Jerome (Jerry) D. Odom

Home Address: 510 Eagle Pointe Drive Columbia, SC 29229

Telephone: (home) 803-736-2051 (work) 803-777-9795

Office Address: 107 Osborne, University of South Carolina Columbia, SC 29208

Email Address: odom@sc.edu

Educational Background: B.S. UNC-Chapel Hill; Ph.D. Indiana University, Bloomington

Professional Background: Faculty member, Chair, Dean, VP-Academic Affairs, Foundations

Director—all at University of South Carolina

Male  Female  Age: 18-25  26-50  Over 50

Name of Committee in which interested: Palmetto Health Richland Board of Trustees

Reason for interest: Currently ending 1<sup>st</sup> term. Feel that I have made a positive contribution to the Board and wish to continue.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

I am currently a member of the PH Richland Board. I have served as Treasurer, Chair of both the Education and Finance Committees and have served as a Class R member of the Palmetto Health Board.

Presently serve on any County Committee, Board or Commission? Only the Board discussed above

Any other information you wish to give? I have received great satisfaction serving Richland County on the above board.

Recommended by Council Member(s): Greg Pearce

1

Hours willing to commit each month: I have and will continue to commit the time necessary to serve in a satisfactory manner. \_\_\_\_\_

**CONFLICT OF INTEREST POLICY**

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

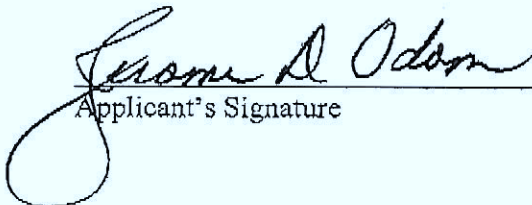
*Yes* \_\_\_\_\_ *No*   X   \_\_\_\_\_

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No   X   \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Applicant's Signature

  11/23/09    
Date

Return to:

**Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.**

**One form must be submitted for each Committee, Board or Commission on which you wish  
to serve.**

**Applications are current for one year.**

<b>Staff Use Only</b>		
Date Received: _____	Received by: _____	
Date Sent to Council: _____		
Status of Application:	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file

# Richland County Council Request of Action

**Subject**

Riverbank Park Commission-1 [M. F. Phil Bartlett, Veronica Green-Strong] [**PAGES 191-194**]



APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: M.F. "Phil" BARTLETT  
Home Address: 111 SOUTHLAKE ROAD, 29223  
Telephone: (home) 803-447 6533 (work) 803-255-3458  
Office Address: 4 MEDICAL PARK DR, SUITE 301, 29203  
Email Address: BARTLETT@USCMED.SC.EDU  
Educational Background: BS, MA, MBA  
Professional Background: PROFESSOR - MOORE SCHOOL OF BUSINESS,  
Male  Female  Age: 18-25  26-50  Over 50   
Name of Committee in which interested: RIVERBANKS PARK COMMISSION  
Reason for interest: I VOLUNTEER AT RIVERBANKS WORKING  
WITH VARIOUS ANIMALS, AND EXHIBITS  
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:  
AN UNDERSTANDING OF THE ZOO; LEADERSHIP ABILITIES  
AND STRATEGIC PLANNING BACKGROUND  
Presently serve on any County Board/Commission/Committee? NO  
Any other information you wish to give? \_\_\_\_\_  
Recommended by Council Member(s): DAMON JETER  
Hours willing to commit each month: AS NEEDED

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the board for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all boards shall be required to abstain from voting or influencing through discussion or debate or any other way, decisions of the board affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Board or Commission, as the County Council, by majority vote of the council, shall elect.

### STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes \_\_\_\_\_

No  \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Applicant's Signature

6 OCT 2009  
Date

**Return to:**  
**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**  
**For information, call 576-2060.**

**One form must be submitted for each committee on which you wish to serve.**

**Applications are current for one year.**

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file





APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Veronica Green-Strang
Home Address: 1401 Longcreek Dr. Apt. 207D
Telephone: (home) 803-798-2057 (work)
Office Address: 1401 Longcreek Dr.
Email Address: Vrgreen7@gmail.com
Educational Background: Bachelor of Science
Professional Background: Business owner and Public officer
Male r Female [checked]
Age: 18-25 r 26-50 [checked] Over 50 r
Name of Committee in which interested: Riverbank Park commission
Reason for interest: public service

Your characteristics/qualifications, which would be an asset to Committee, Board or

Commission:

Business Leader
Healthcare Worker

Presently serve on any County Committee, Board or Commission? no

Any other information you wish to give? Commissioned as Notary public

Recommended by Council Member(s): no

Hours willing to commit each month: required by council

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No NO

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No NO

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

V. Strong  
Applicant's Signature

11/10/09  
Date

Return to:  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file

Item# 27

# Richland County Council Request of Action

**Subject**

Any Executive Session item involving an outside attorney or consultant outside the normal scope of a regular contract by Richland County... [Amended language] **[PAGES 196-199]**

## 1.7 Agenda

- a) Compilation-The agenda for Council meetings shall be compiled by the Clerk of Council on the Wednesday proceeding the first and third Tuesday of each month. Back-up documents for the agenda for all items should be received by the Clerk of Council by noon on the Wednesday preceding the meeting at which the item is to be considered.
- b) Placing on Agenda (Methods)- Items for Council consideration are placed on the agenda by one of five methods:
  - 1) Committee action, or
  - 2) Any item defeated, tabled, or not acted on by committee within 90 days of that item that item having been placed on the committee's agenda may be placed on the Council agenda when the Clerk's Office has received a written request signed by three members of Council, or
  - 3) Proclamation introduced by one member of Council presented to the Clerk prior to the agenda deadline, or
  - 4) Items authorized by ordinance (e.g. appointment and commissioning of Code Enforcement Officers), or
  - 5) The item consists of a notice given to the governing body concerning the location of a proposed home for 9 or fewer mentally or physically handicapped persons.
- c) Order- the agenda shall consist of the following categories of business, to be taken up by the Chair in the order listed.
  - 1) Invocation.
  - 2) Pledge of Allegiance
  - 3) First County Attorney's Report of Executive Session items: The County Attorney shall report only on those Executive Session items in which the County is represented by outside counsel or in which the County has retained the services of a consultant. Council shall move to take action or to receive as information each item to be discussed in executive session.
  - 4) Adoption of agenda: a two-thirds majority vote, of those present, is required to adopt the agenda.
  - 5) Citizen input: Each citizen who has "signed up" to speak before Council may do so for up to 2 minutes; provided, however, the entire citizen input time shall not exceed 30 minutes. Input must pertain to items on the agenda for which no public hearing is required or has been scheduled. Any material that a citizen intends to present to Council, including audio and visual presentations, must be approved by the Clerk of Council prior to the meeting. Exceptions may be made with the consent of a simple majority of those Council members present.
  - 6) Approval of minutes of previous meetings: a simple majority vote of Council is required to approve minutes. If there are corrections or amendments to the minutes, they may be approved as corrected or amended. Motions to reconsider, rescind, or expunge from the record any previous action must be made prior to adoption of the relevant minutes

and any such motion will be placed on the Agenda's Motion Period for debate. Only when an item is expunged can it be reconsidered during the Motion Period. The adopted minutes shall note the motion to reconsider, rescind, or expunge.

- 7) Report of County Administrator: The County Administrator shall make recommendations or announcements concerning county affairs; but no action shall be taken on any item without proper notice, except in case of extreme emergency.
- 8) Report of Clerk of Council: The Clerk of Council shall make announcements, if any, concerning county affairs.
- 9) Presentations: Except by leave of Council for time exigency or other good cause shown, anyone desiring to make a presentation to Council shall make a request on a form provided by the Clerk's Office for inclusion in Council's agenda at least one meeting prior to the meeting wherein the presentation is sought to be made. The party requesting to make the presentation shall set forth 1) the name of the person, group, association or entity making the presentation, 2) the name and contact information for the presenter(s) or spokesperson(s) thereof, and 3) the substance of the presentation. Absent unusual circumstances, the request should be no more than one page in length and should be timely submitted (i.e., in advance of the agenda deadline for the meeting wherein the matter is intended to appear as a presentation "request") to the Clerk's Office. No more than two presentations shall be on the agenda, unless by unanimous consent Council allows for more than two. Presentations shall be limited to five (5) minutes per presentation. Questions and answers must be included within the five (5) minute time frame. The purpose of this rule is so that Council may plan its meetings accordingly, given the variety of presentations and lengths thereof, and to assess the merits of a given presentation. Presentations shall not be used to request funding or resources support from the County.
- 10) Public Hearings: Each citizen who has "signed up" may speak to Council concerning an item for which there is a public hearing for up to 2 minutes; provided, however, the entire public hearing time for any one item shall not exceed 30 minutes. Any material that a citizen intends to present to Council, including audio and visual presentations, must be approved by the Clerk of Council prior to the meeting. Exceptions may be made with the consent of a simple majority of those Council members present.
- 11) Consent items: Items shall consist of those matters that do not require further discussion by Council that have been forwarded to Council by the unanimous vote of the Committee. Any member of Council can remove an item from the Consent Agenda prior to adoption of the agenda. The Chair has the discretion to place items on the Consent Agenda, if in the judgement of the Chair, those items are unlikely to be debated.
- 12) Third reading: final approval of Ordinances.
- 13) Second reading.

- 14) Requests by Council members: items may include those that were defeated (or deferred beyond 90 days) by committee and reintroduced by three Council Members' signatures.
- 15) Second Citizen Input: Any citizen who wishes to introduce an item for consideration not currently under Council's consideration or bring a concern to Council's attention may speak for no more than two minutes; provided, however, the entire second citizen input time shall not last longer than 30 minutes. Items for which a public hearing is required or has been scheduled cannot be addressed at this time. Exceptions may be made with the consent of a simple majority of those Council members present.
- 16) Second County Attorney's Report of Executive Session items: The County Attorney shall report on the remaining Executive Session items. Council shall move to take action or to receive as information each item to be discussed in executive session.
- ~~16~~17) Motion period/Announcements: Any Council member may make an announcement or introduce an item (excluding resolutions) for referral to a Committee. However, any Council member wishing to make a motion during the "motion period" must have transmitted a written request to the Clerk's Office by the deadline for posting the agenda of a regularly scheduled meeting of Council in accordance with the South Carolina Freedom of Information Act (i.e., twenty-four hours prior to such meeting) so that the nature of the motion appears on the agenda. Motions for resolutions and ordinances may be referred to a Committee for further deliberation or, by unanimous consent, the resolution shall be deemed adopted or the ordinance may be sent forward for second reading. Further, any Council member may make a motion directing the county administrator to take action on a county-related matter; and upon approval of a majority of members present and voting, the county administrator shall act upon the directive given.

When referring an item to committee, a Council Member must specify the intent of his or her motion. The Council Member may:

- a) Refer an item to a committee for action.
- b) Refer an item to a committee for discussion.
- c) Refer an item to committee for the purpose of receiving information or an update from staff and/or legal.
- d) Refer an item to committee for a presentation.
- e) Any Council member may make a motion directing the county administrator to take action on a county-related matter; and upon approval of a majority of members present and voting, the county administrator shall act upon the directive given.

If a Council Member does not specify the intent of his or her motion, the Chair shall ask the maker of the motion for clarification. Immediately following each motion, the Chair shall determine the committee to which

the item will be referred, according to the guidelines established in Rule 4.1.

Motions for resolutions and ordinances shall generally be referred to a Committee for further deliberation; however, by unanimous consent of council, a resolution shall be deemed adopted of an ordinance placed on the agenda 24 hours prior to the meeting may be given first reading and sent forward to Council for second reading.

- ~~1718~~) Pending Items: Issues that have been raised by a Council member wherein a response is expected from staff shall be listed on the agenda along with a time frame in which a response from staff will be provided. These items shall be for information only and no discussion shall take place relative to matters listed under Pending Items other than for staff to seek guidance on responding to a Council member's stated issue and for setting a reasonable time frame in which to respond.
  - ~~1819~~) Adjourn.
- d) Additions - A request to add items to the agenda requires a two-thirds vote of those Council members present.

# Richland County Council Request of Action

## **Subject**

Council Motion (Jackson, Malinowski, & Kennedy): To remove from the D&S Committee and present to full Council the funding of Alternate Paving with \$2 million from the Road Maintenance Fee and \$1 million from the CTC bond to fund paving roads in three years max (starting in 2009) **[PAGE 201]**

## **Notes**

Council 7/07/09: Council deferred this item until the July 21st meeting.



The Alternate Paving item is scheduled to be back on the Council Agenda (if there are proposals) on December 1, 2009, per the following motion at the September 15, 2009 Council Meeting:

**Council Motion (Jackson, Malinowski, & Kennedy): To remove from the D&S Committee and present to full council the funding of Alternate Paving with \$2 million from the Road and Maintenance Fee and \$1 million from the CTC bond to fund paving roads in three years max (starting in 2009): Council members are to bring back proposals by December 1.**

Per the motion, Council members are to bring back proposals by December 1. Staff will have no further information to present at that time.

# Richland County Council Request of Action

**Subject**

Historic Homes Renovation Projects

# Richland County Council Request of Action

**Subject**

Must Pertain to Items Not on the Agenda