

RICHLAND COUNTY COUNCIL
REGULAR SESSION
COUNCIL CHAMBERS
OCTOBER 4, 2005
6:00 P.M.

CALL TO ORDER

INVOCATION – The Honorable L. Gregory Pearce, Jr.

PLEDGE OF ALLEGIANCE –
The Honorable L. Gregory Pearce, Jr.

ADOPTION OF AGENDA

CITIZEN’S INPUT

APPROVAL OF MINUTES

September 20, 2005: Regular Session
(Legal has requested reconsideration of 09/20 agenda
item 1.g., Ord. Authorizing Deed to Palmetto Service
Protection) [Pages 7-15]

September 27, 2005: Zoning Public Hearing
[Pages 16-19]

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE
SESSION MATTERS

a. Personnel Matter

REPORT OF COUNTY ADMINISTRATOR

REPORT OF CLERK OF COUNCIL

- a. Clerk of Council's Office
- b. Date for Olympia TIF Worksession
- b. November meeting schedule

OPEN/CLOSE PUBLIC HEARING ITEMS

1.b., 1.c., 1.e., 7.a.

APPROVAL OF CONSENT ITEMS

1.b., 1.c., 1.d., 2.a., 2.b., 2.c., 2.d., 2.e., 3.a., 3.b., 3.c., 3.d., 3.e., 3.f., 3.g., 3.h., 4.a., 4.b, 4.c, 4.d., 4.e., 4.f.,

1. THIRD READING ITEMS

- a. Approval of FY 2005-2006 Millage Rates
[Pages 20-29]
- b. Ordinance authorizing an Easement to SCE&G on
County-owned property at Palmetto Richland
Hospital [PUBLIC HEARING] [CONSENT]
[Pages 30-31]
- c. Ordinance to authorize a water line deed to the City
of Columbia Owens Downtown Airport [PUBLIC
HEARING] [CONSENT] [Pages 32-33]
- d. An Ordinance authorizing an amendment to the
Master Agreement Governing the I-77 Corridor
Regional Industrial Park by and between Richland
County, South Carolina and Fairfield County, South

Carolina, in order to expand the boundaries of the Park to include certain property owned by METSO Minerals Industries, Inc; and other matters related thereto. [CONSENT] [Pages 34-37]

- e. Ordinance authorizing sale of property in Richland N.E. Industrial Park to Palmetto Service Protection, Inc. [PUBLIC HEARING] (3rd reading and public hearing subject to reconsideration of minutes) [Page 38]

2. SECOND READING ITEMS

- a. 05-82MA
Tripp Bradley
RU to GC
Veterinary Office
02505-02-13
Dutch Fork Road near Rauch Metz Road
[CONSENT] [Pages 39-41]
- b. 05-83MA
Bert Pooser
RU to GC
Mini-Warehouses
02502-01-02
Dutch Fork Road near Johnson Marina Road
[CONSENT] [Pages 42-45]
- c. 05-84MA
Harold Pickerel
RU to RS-LD
Residential Subdivision
15200-02-01
Boney Road [CONSENT] [Pages 46-49]
- d. Vesting of Subdivision Development Rights
[CONSENT] [Pages 50-52]

- e. Definition of Major Subdivisions
[CONSENT] [Pages 53-54]
3. REPORT OF ADMINISTRATION & FINANCE COMMITTEE [Pages 55-56]
- a. Resolution to allocate Military Forest Funds
[CONSENT] [Page 57]
 - b. Ordinance placing a time limit on refunds of overpaid taxes [CONSENT] [Pages 58-59]
 - c. Construction Contract: Building Renovation for the Dutch Fork Magistrate and Sheriff's Region 4 Headquarters [CONSENT]
 - d. Microsoft Software Assurance [CONSENT]
 - e. Solid Waste Collector Rate Increases [CONSENT]
 - f. Animal Services [CONSENT]
 - g. Sheriff's request: Matching Funds for Personnel Grants [CONSENT]
 - h. Sheriff's Request: Matching Funds for COPS Secure Our schools Grant [CONSENT]
- 3.A. REPORT OF SPECIAL CALLED ADMINISTRATION AND FINANCE COMMITTEE MEETING OF 10/04/05
- a. Sheriff's request: SRO Budget Amendment
 - b. Sheriff's Department expenditure request
 - c. Ordinance authorizing the Collection of a Special Duty Administrative Service Fee
 - d. Victim's Assistance Budget Amendment

4. REPORT OF DEVELOPMENT AND SERVICES COMMITTEE [Pages 60-61]
 - a. Ordinance authorizing easement to Sloan Construction Company and approval of contract with Sloan Construction Company [CONSENT] [Page 62]
 - b. Appointments for State Farmer's Market Advisory Committee-2 [CONSENT]
 - c. Ordinance to authorize a Quit-Claim Deed on Eisenhower Drive [CONSENT] [Page 63]
 - d. Public Works: 2005 Sidewalks Project [CONSENT]
 - e. GIS: Multiyear Digital Orthophotography Project [CONSENT]
 - f. An Ordinance authorizing the Palmetto Health Lease Amendment [CONSENT]
5. REPORT OF ECONOMIC DEVELOPMENT COMMITTEE
 - a. Buck Enterprises [Pages 64-79] (forwarded from Council meeting held 09/20/05, after 1st reading)
6. REPORT OF RULES AND APPOINTMENTS COMMITTEE [Pages 80-81]
 - I. Presentation Novus Agenda
 - II. Notification of appointments to Boards, Commissions, and Committees
 - a. Accommodations Tax Advisory Committee-2 [Pages 82-83]

- b. Board of Assessment Control -2
[Pages 84-91]
- c. Board of Zoning Adjustments and Appeals-4
[Pages 92-97]
- d. Community Relations Council-1
[Pages 98-101]

7. PUBLIC HEARING ITEM

- a. Public Works: Ordinance amending
infrastructure warranty requirements for New
Developments [Pages 102-103]

8. APPLICATION FOR LOCATING A COMMUNITY
RESIDENTIAL CARE FACILITY IN AN
UNINCORPRATED AREA OF RICHLAND COUNTY

- a. Barbara Stephens-Simmons
9504 Puritan Road
Columbia, SC. 29209 [Pages 104-106]

9. CITIZEN'S INPUT

10. MOTION PERIOD

11. ADJOURNMENT

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, SEPTEMBER 20, 2005 6:00 p.m.

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

MEMBERS PRESENT:

Chair	Anthony G. Mizzell
Vice Chair	L. Gregory Pearce, Jr.
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Paul Livingston
Member	Joseph McEachern
Member	Mike Montgomery
Member	Bernice G. Scott
Member	Kit Smith

Members Absent	Damon Jeter
	Doris M. Corley

OTHERS PRESENT - T. Cary McSwain, Michelle Cannon-Finch, Larry Smith, Anna Almeida, Milton Pope, Tony McDonald, Ashley Jacobs, Monique Walters, Joe Cronin, Donnie Phillips, Roxanne Matthews, Marsheika Martin, Michael Criss, Chief Harrell, Kendall Johnson

CALL TO ORDER

The meeting was called to order at approximately 6:04 p.m.

POINT OF PERSONAL PRIVILEGE – Mr. Pearce commended the Chair for volunteering and assisting with the Evacuees from Hurricane Katrina.

Mr. Mizzell recognized Mayor Chris Campbell of Eastover in the audience.

ADOPTION OF AGENDA

Ms. Smith added the Olympia TIF feasibility study to the agenda as item-7 and requested to re-order the agenda.

Mr. McEachern requested for discussion on the TIF to go under the Motion Period.

Mr. Larry Smith, County Attorney, requested to add a legal briefing regarding the Solid Waste Management Plan.

Mr. Montgomery moved, seconded by Ms. Dickerson, to add a legal briefing to the agenda. The vote in favor was unanimous.

Mr. Pearce moved, seconded by Mr. Montgomery, to approve agenda as amended.

Mr. Livingston stated that Ms. Amelia Linder, Staff Attorney, recommended for Council to reconsider the issue on Page 12, Buck Enterprise, due to the fact that the proper title was not before Council at that time.

Mr. Pearce withdrew his motion to adopt the agenda.

Mr. Livingston moved, seconded by Ms. Scott, to reconsider item 2-d, Buck Enterprise. The vote in favor was unanimous.

Mr. Livingston moved, seconded by Mr. Pearce, to move Buck Enterprise from Second Reading to First Reading. The vote in favor was unanimous.

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

CITIZEN'S INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Mr. Montgomery moved, seconded by Ms. Dickerson, to approve with a notation of the item that was reconsidered. The vote in favor was unanimous.

PRESENTATION OF RESOLUTIONS

Mr. Bruce Carter – Central Midlands COG Board - On behalf of Council, the council liaison members of the COG Board recognized Mr. Carter for his years of service on the board.

Mr. Marshall Hoefler – Not present at this time. The resolution will be presented at a later date.

PRESENTATION – Forestry Commission (Mr. Larry Moody) – Mr. Joe Felder, a representative of the S.C. Forestry Commission, presented a check to the County in the amount of \$14,026.85.

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

Mr. Smith stated the following items need to be discussed in Executive Session:

- Legal Briefing: USC Research Campus Agreement
- Personnel Issue: County Administrator and Clerk of Council Evaluations

- Legal Briefing: Solid Waste Management

Ms. Smith moved, seconded by Ms. Scott, to move Executive Session to the end of the agenda by unanimous consent. There were no objections.

REPORT OF THE COUNTY ADMINISTRATOR

Mr. McSwain gave a report on the following:

Budget Document – The Budget Department was commended for a job well done in the Budget Department. The budget document was distributed to Council.

Columbia Owens Airport Ribbon Cutting – Council was reminded of the ribbon cutting ceremony which will be held on Thursday, September 22nd at 11:00 at Owens Field.

Joint City/County Meeting - Council was reminded of the Joint City/County Subcommittee Meeting on Thursday, September 22nd at 12:30 p.m. at the Capital City Club.

Public Information Announcement - The Public Information Office has obtained a contract with the television station, UPN, for a weekly show called Richland County Reveal. This program will be 30-minutes in duration, airing at 11:00 a.m. on Sundays for 52 weeks.

Ms. Doty Yarborough, General Manager of the Columbia area UPN Station, stated she looks forward to working with the Public Information staff. She stated the show will begin airing in October.

REPORT OF THE CLERK OF COUNCIL

Ms. Michielle Cannon-Finch, Clerk of Council, gave the following report:

Chamber of Commerce Annual Gala – Council was reminded of the gala which is to take place on Thursday, September 22nd at the Columbia Metropolitan Convention Center at approximately 6:00 p.m.

APPROVAL OF CONSENT ITEMS

Ms. Smith moved, seconded by Ms. Hutchinson, to approve the following consent items:

- **Ordinance Authorizing a First Amendment of the Lease Agreement between Richland County and Blue Cross and Blue Shield of South Carolina** [Third Reading]
- **05-56MA, Chinese Culture Center c/o Lea Walker, M-1 to GC, Chinese Culture Center, TMS# 16104-02-09, Branning Road/Pineview Road** [Third Reading]
- **05-78MA, Phillips Savage, RU to GC, Commercial Use, TMS# 02412-01-19, Dutch Fork Road** [Third Reading]
- **05-79MA, George H. Bunch, RU to GC, Commercial Development, TMS# 21800-01-06 (portion, Lower Richland Boulevard & Garners Ferry Road** [Third Reading]
- **Ordinance Amending Ordinance 074-04HR regarding Digital Data Submission** – [Third Reading]
- **Ordinance to Authorize an Easement to SCE&G on County-owned property at Palmetto Richland Hospital** [Second Reading]

- **Ordinance to Authorize a Water Line Deed to the City of Columbia Owens Downtown Airport [Second Reading]**
- **An Ordinance Authorizing the Execution and Delivery of an Infrastructure Financing Agreement between Richland County, South Carolina, and AEB Business Properties, LLC, an Affiliate of Buck Enterprise, LLC [Second Reading]**
- **An Ordinance Authorizing an Amendment to the Master Agreement Governing the I-77 Corridor Regional Industrial Park by and between Richland County, South Carolina and Fairfield County, South Carolina, in order to expand the boundaries of the Park to include certain property owned by METSO Minerals Industries, Inc; and other matters related thereto [Second Reading]**

The vote in favor was unanimous.

THIRD READING ITEMS

Land Development Code Text Amendment – Private Road Subdivisions – Ms. Scott moved, seconded by Ms. Dickerson, to table this item until a report is received from South Carolina State University on road study. The vote in favor was unanimous.

Ordinance Authorizing the sale of Industrial Park Property in Richland Northeast Industrial Park to William Hancock – Mr. Livingston moved, and it was seconded, to approve this item with the correct legal name of the purchaser. The vote in favor was unanimous.

The correct name is: **Ordinance Authorizing the sale of Industrial Park Property in Richland Northeast Industrial Park to Palmetto Service Protection**

SECOND READING ITEMS

Public Works: Ordinance Amending Infrastructure Warranty Requirements for New Development

Mr. Montgomery moved, seconded by Mr. McEachern, to modify the proposed ordinance and resubmit to the Development and Services Committee with a directive for them to ask staff to develop an inspection program and an inspection fee, then have the County operate this without warranty, but simply with the requirement that the county have an extensive inspection, that the plans are sealed and that the county have liability from the person sealing the plans and that the county has some responsibility from the inspector if there is a failure from a standpoint in construction.

A discussion took place.

The vote in favor was unanimous.

FIRST READING ITEMS

05-76MA, Steadfast Unmovable Ministries, Inc. c/o Nancy Johnson, RS-MD to OI (11 acres) Commercial Development (20200-01-31) Clemson Road West of Hardscrabble Road

Ms. Dickerson moved, seconded by Ms. Scott, to table this item at this time.

After discussion, Ms. Dickerson/ Ms. Scott withdrew their motion.

Ms. Dickerson moved, seconded by Ms. Scott, to accept the applicant's withdrawal. The vote in favor was unanimous.

An Ordinance Authorizing the execution and deliverance of an infrastructure Financing Agreement between Richland County, SC, and AEB Business Properties, LLC, an Affiliate of Buck Enterprise, LLC

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

A discussion took place.

Mr. Montgomery offered an amendment suggesting for the City to participate, requesting the number of jobs that will be provided and the rate that the jobs will pay and forward back to the Economic Development Committee for discussion.

Mr. Livingston accepted the amendment to move forward with First Reading and refer back to the Economic Committee in order to have questions answered.

The vote was in favor of the motion as amended.

ITEMS FROM THE UTILITIES WORK SESSION

Approval of Eastover System Takeover Project - Ms. Scott moved, seconded by Ms. Dickerson, to defer this item until staff answers questions that were discussed during the Work Session. The vote in favor was unanimous.

Approval of Franklin Park Water and Sewer Project - Ms. Scott moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

Approval of Hopkins Water and Sewer Project - Ms. Scott moved, seconded by Ms. Dickerson, to defer this item until after the community meeting on October 21st. The vote in favor was unanimous.

Approval of Wateree Creek/Spring Hill Sewer Line - Mr. Pearce moved, seconded by Ms. Scott, to adopt Option 2 of the worksheet handed out during the Work Session. The vote in favor was unanimous.

A RESOLUTION TO APPOINT AND COMMISSION HEATHER L. DANN AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY, GENERAL WELFARE, AND CONVENIENCE OF RICHLAND COUNTY

Mr. Livingston moved, seconded by Ms. Scott, to approve the Resolution. The vote in favor was unanimous.

REPORT OF RULES AND APOINTMENTS COMMITTEE

Notification of Appointments to Boards, Commissions, and Committees

Midlands Workforce Development Board-12

Mr. McEachern stated the committee recommended approval of the 12 applications. The vote in favor was unanimous.

Richland County Council

The persons appointed were as follows: Pat Canary, Venus Sabb, Garnell Cauley, Donna Gilbert, Howard Wessinger, Mike Bowman, Jeri Boysia, Patrick Hudson, Archie Maddox, Erin Moffitt, Reggie Murphy, Harry Plexico.

CITIZEN'S INPUT

Ms. LeAnn Johnson spoke of concerns regarding the new land code.

EXECUTIVE SESSION ITEMS

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

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Council went into Executive Session at approximately 6:58 p.m. and came out at approximately 7:40 p.m.

Mr. Pearce moved, seconded by Ms. Scott, to come out of executive session. The vote in favor was unanimous.

Legal Briefing: USC Research Campus Agreement – This was received as information.

Personnel Issue - This was received as information.

MOTION PERIOD

TIF Update - Mr. McEachern requested an update on this issue.

Mr. McSwain stated the information on the existing TIF and the audit is not currently readily at this time. He stated it should be ready in about a week.

Grievance Procedure – Mr. McEachern requested an update on the grievance procedure and the ordinance that relates to it (the pay plan).

Olympia Master Plan – Ms. Smith moved, seconded by Ms. Scott, to give unanimous consent to allow discussion and questions during the Motion Period which is normally out of order. The vote in favor was unanimous.

Ms. Smith suggested developing a Joint City/County TIF and requested to approve for the bond counsel to work on the numbers and bring back to council.

Ms. Smith moved, seconded by Ms. Scott, to direct the County Administrator to work with bond counsel to look at the feasibility of establishing an Olympia TIF to begin to fund the rest of the master plan in that community.

A discussion took place.

The vote was in favor.

North Columbia Feasibility Study

Mr. McEachern moved, seconded by Mr. Livingston, to forward to committee a feasibility study in the North Columbia area goes to committee. The vote in favor was unanimous.

Reschedule of A&F and D&S Committee Meetings

Ms. Smith requested for the A&F Committee to meet at 4:00 p.m. and the D&S Committee to meet immediately following. The vote in favor was unanimous.

Citizen's Input – End of the Agenda

Mr. Mizzell moved, seconded by Mr. McEachern, to look at rules regarding citizen's input at the end of the agenda. The vote in favor was unanimous.

Report of the Chair

Mr. Mizzell requested without objections to add a Report of the Chair to Council's agendas. There were no objections.

Point of Personal Privilege – Mr. Pearce welcomed Ms. Gina Smith back from Katrina duty.

ADJOURNMENT

The meeting adjourned at approximately 8:01p.m.

Anthony G. Mizzell, Chair

L. Gregory Pearce, Jr. Vice-Chair

Doris M. Corley

Joyce Dickerson

Valerie Hutchinson

Damon Jeter

Paul Livingston

Joseph McEachern

Mike Montgomery

**Regular Session
Tuesday, September 20, 2005
Page Eight**

Bernice G. Scott

Kit Smith

The minutes were transcribed by Marsheika G. Martin

MICHIELLE CANNON-FINCH

From: AMELIA LINDER
Sent: Wednesday, September 28, 2005 11:07 AM
To: MICHIELLE CANNON-FINCH
Cc: ASHLEY JACOBS; LARRY SMITH
Subject: Ordinance authorizing deed to Palmetto Service Protection

Michielle,

As we discussed, please let Council members know that there was one third reading item on the September 20th Council agenda that should not have been there; such item being 1.g. "Ordinance authorizing the sale of Industrial Park Property in Richland Northeast Industrial Park to William Hancock (sic)" – consent. The attorney representing the grantee did not have enough time after 2nd reading (September 6th) to advertise the public hearing prior to third reading on September 20th, so he had advertised the public hearing for October 4th, which was also the date I was tracking this ordinance for 3rd reading.

However, on September 8th, when I sent you the ordinances that were scheduled to receive third reading, I inadvertently included the case-in-point. Because I was not in attendance at the September 20th meeting, I did not notice the error until the next day. The good news is that this error can be easily remedied. Therefore, please let Council know prior to the October 4th meeting that I am recommending that the third reading of this item be reconsidered prior to the approval of the September 20th minutes, and that it be added to the October 4th agenda for a public hearing and third reading. Also, please note that the deed is going to convey property to "**Palmetto Service Protection**" and NOT "William Hancock.

Please accept my apologies for this oversight.

Thank you!

Amelia R. Linder, Esq.
Assistant County Attorney
Richland County Government
2020 Hampton Street, Suite 4018
Columbia, South Carolina 29204
Phone: (803) 576-2072
FAX: (803) 576-2139

MINUTES OF



RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING TUESDAY, SEPTEMBER 27, 2005 7:00 p.m.

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

MEMBERS PRESENT:

Chair	Anthony G. Mizzell (had stepped away and came back at 7:10 p.m.)
Vice-Chair	L. Gregory Pearce, Jr.
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Damon Jeter
Member	Paul Livingston
Member	Joseph McEachern
Member	Bernice G. Scott
Member	Kit Smith
Member	Doris M. Corley
Member	Mike Montgomery

OTHERS PRESENT: Michael Criss, Amelia Linder, Anna Almeida, Will Simon, Ashley Jacobs, Marsheika Martin, Geo Price, Suzie Haynes

CALL TO ORDER

Mr. Pearce called the meeting to order at approximately 7:00 p.m.

ADDITIONS/DELETIONS – There were no additions or deletions at this time.

MAP AMENDMENTS – Public Comment and First Reading

05-82MA, Tripp Bradley, RU to GC, Veterinary Office, 02505-02-13, Dutch Fork Road near Rauch Metz Road

Mr. Pearce stated the Planning Commission recommended approval of this item. He stated several persons signed up to speak "in favor" and no one signed up to speak "against".

Ms. Corley moved, seconded by Mr. McEachern, to approve the re-zoning request for First Reading.

Mr. Pearce opened the floor to the public hearing.

No one wished to speak at this time.

The floor to the public hearing was closed.

The vote in favor of the motion was unanimous.

05-83MA, Bert Pooser, RU to GC, Mini-Warehouses, 02502-01-02, Dutch Fork Road near Johnson Marina Road

Mr. Pearce stated the Planning Commission recommended approval of this item. He stated no one signed up to speak at this time.

Ms. Corley moved, seconded by Mr. Montgomery, to approve the re-zoning request for First Reading. The vote in favor was unanimous.

05-84MA, Harold Pickerel, RU to RS-LD, Residential Subdivision, 15200-02-01, Boney Road

Mr. Pearce stated the Planning Commission recommended approval of this item. He stated the applicant signed up to speak "in favor" and no one signed up to speak "against".

Ms. Dickerson moved, seconded by Ms. Scott, to approve the re-zoning request for First Reading.

Mr. Pearce opened the floor to the public hearing.

No one wished to speak at this time.

The floor to the public hearing was closed.

The vote in favor of the motion was unanimous.

05-81MA, Tammy H. Barkoot, RU to GC, Car Sales Lot, 17400-05-23, Longtown Road

Mr. Pearce stated this item was deferred from the July 26, 2005 Zoning Public Hearing. He stated not one signed up to speak at this time.

Mr. McEachern moved, seconded by Mr. Montgomery, to defer this re-zoning request to the next Zoning Public Hearing Meeting. The vote in favor was unanimous.

TEXT AMENDMENTS

Vesting of Subdivision Development Right

Mr. Pearce opened the floor to the public hearing.

No one signed up to speak at this time.

The floor to the public hearing was closed.

Mr. Montgomery moved, seconded by Mr. McEachern, to approve this item. The vote in favor was unanimous.

Definition of Major Subdivisions

Mr. Pearce opened the floor to the public hearing.

No one signed up to speak at this time.

The floor to the public hearing was closed.

Ms. Corley moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

ADJOURNMENT

Mr. Montgomery moved, seconded by Mr. McEachern, to adjourn the meeting at approximately 7:09 p.m. The vote in favor was unanimous.

Anthony G. Mizzell, Chair

L. Gregory Pearce, Jr. Vice-Chair

Doris M. Corley

Joyce Dickerson

Valerie Hutchinson

Damon Jeter

Paul Livingston

Joseph McEachern

Mike Montgomery

Bernice G. Scott

Kit Smith

The minutes were transcribed by Marsheika G. Martin

MEMORANDUM

TO: County Council Members

FROM: Harry A. Huntley, County Auditor

DATE: September 30, 2005

SUBJECT: 2005 Millage Rates

Attached are the final millage rate projections for 2005. This is a reassessment year and the first year for implementing local option sales tax, therefore, it is difficult to make year-to-year comparisons for the changes in "average" tax bills. The good news, though, is that actual growth and that due to reassessment was more than anticipated. The required millage rates are less than projected at the third reading of the budget in June.

Total millage rates by tax districts are down from the prior year about 6 % in School District One, 3 % in School District Two and 10 % in School District Six (Rich/Lex 5). This is due to the tremendous growth experienced across the county. The total assessed value increased by about \$160 million, and now totals over \$1.2 billion. Since the last reassessment in 1999, the county has increased its assessed value by \$300 million, which is about a 33% increase. The growth would be even greater if not for the ratchet-down of the assessment ratio for motor vehicles. The reduction has meant a loss of over \$60 million in assessed value as compared to what the motor vehicle assessment would have been. This is a 5 % loss to our county tax base, which requires a tax shift to all other types of taxable property. Therefore, any comparisons to prior year millage rates have to be done with this being considered.

School District One's operating millage is reduced by 21.1 mills this year. The debt service millage rate was reduced by only 0.5 mills to 49.0 mills. The bond repayment schedule for the \$381 million referendum took into account the reassessment. The District would like to maintain a level millage rate for their debt service and will structure future bonds to accomplish this. The total assessed value of the District increased by 14 % this year.

School District Two's operating millage is reduced by 9 mills and debt service millage remains the same at 68.3 mills. Because of the District's tremendous growth in students (over 1,100 this year), they expect to maintain this same debt service millage to meet their needs. The total assessed value of the District increased by 16 % this year. School District Two continues to suffer from the frozen State Property Tax Relief. In 2004 the exemptions granted exceeded the reimbursement by \$3 million. In 2005 it will grow to a deficit of \$3.5 million. With no relief in sight, the millage must continually be increased just to fund this state mandated relief program.

The combination of this and the reduction in motor vehicles adds about 20 mills to the District's operating millage rate.

The millage rate for the Lexington 5/Richland 6 School District is approved by the local school board. The operating millage rate declined by 22.3 mills to 173.6. The debt service millage was reduced by 8 mills to 41.

During a year of reassessment it is required to adjust the millage rate used for the State Property Tax Relief. This is called the equivalent millage calculation. It is done to recognize the increased values of properties and to provide the same overall credit on those properties. The table below shows the change in the millage rate used for this exemption since the inception of the program in 1995. The dollar amount in parentheses is the credit on a \$100,000 legal residence.

	1995	1999	2005
School District One	137.8 (\$551)	123.0 (\$492)	115.0 (\$460)
School District Two	142.3 (\$569)	134.2 (\$536)	128.0 (\$512)
School District Six	154.0 (\$616)	143.5 (\$574)	135.3 (\$541)

Even though the program provides for a substantial amount of relief to homeowners, it appears as a tax increase in the year of reassessment.

Also in your packet is a Millage and Tax Schedule, which shows how much tax rates, and taxes changed by district. Since this is a reassessment year, I have also included an additional sheet, which assumes a 20 % increase in value of a home. This is only done for illustrative purposes since it is impossible to define what an average property tax bill is. First, consider the reduction in overall millage rates and the percentage changes. I would then refer to the sheet with COMPARISON OF VALUES INCREASING BY 20%. I believe that this will give you the best idea of what your constituents can expect this year. I have included solid waste charges and local option sales tax in the calculation.

Take a look at the LOST calculation on the \$100,000 house. This will give you the tax factor to use in each district. The LOST credit is applied to all taxable property based on the taxable value of the property. I would then look at the sheet with the \$120,000 house. First, notice how the 2005 Net Taxes are very similar within each school district, regardless of whether they are in a municipality. This is due to the county and municipal LOST factor being added together for municipalities. I will have more information for you on LOST, but for now it is important to realize the impact. Irmo and Blythewood have both eliminated their municipal millage rates this year since the LOST revenue will replace all their property taxes. Eastover, which has historically had a high millage rate has pledged 75% of LOST to rollback property taxes. This almost eliminates their municipal property tax on legal residences. The City of

Columbia and Forest Acres also show considerable reductions in their effective tax rates. In the end analysis, even in the year of reassessment, properties that have only average increases in their value (about 20%) do not see the large increases in their taxes. Some will even see reductions.

Also provided is the effect on autos. The taxes take into account the \$15 road maintenance fee and LOST, as well as the reduction in the assessment ratio to 6.75%. The taxes are reduced by 20% and more across the board.

Before the meeting on Tuesday, I will have additional information for you about local option sales tax. This is a lot of information to absorb, but should help you in explaining the changes to your constituents. There is no doubt that the growth the county has experienced as well as LOST has helped keep taxes in check during a year of reassessment. If you have any questions, please call me at 576-2613 or on my cell phone at 238-3050.

**RICHLAND COUNTY
2005 MILLAGE PROJECTIONS
OCTOBER 4, 2005**

**HARRY A. HUNTLEY, CPA
RICHLAND COUNTY AUDITOR**

	2004 - 2005			2005-2006			LESS, STATE	NET	MILL	2005.00	# MILLS
	APPROVED BY COUNCIL	NET TAXES REQUIRED	2004 MILLAGE	APPROVED BY COUNCIL	LESS, CARRYOVER	REIMBURSE	TAXES REQUIRED	VALUE	MILLAGE REQUIRED	INCR/ (DECR)	
OPERATIONS											
School District One	133,462,374	129,779,271	218.1	137,755,804	2,073,224	5,653,773	130,028,807	660,000	197.0	-21.1	
School District Two	64,675,993	66,712,290	199.7	71,172,546	1,386,363	(2,674,193)	72,460,376	380,000	190.7	-9.0	
Recreation	6,800,000	6,595,212	9.1	8,627,478	161,121	170,935	8,295,422	810,000	10.2	1.1	
Fire Service	11,904,421	11,416,640	16.5	12,096,657	226,918	222,522	11,647,217	785,000	14.8	-1.7	
Midlands Tec	3,486,096	3,401,368	3.3	3,577,416	104,012	92,779	3,380,625	1,170,000	2.9	-0.4	
Midlands Tec Capital	1,085,598	1,077,125	1.0	1,693,500	-	8,569	1,684,931	1,170,000	1.5	0.5	
General Fund	47,387,156	46,539,303	45.9	52,140,492	-	859,870	51,280,622	1,140,000	45.0	-0.9	
Landfill	3,598,403	3,563,173	3.5	3,635,000	-	41,086	3,593,914	1,140,000	3.2	-0.4	
Capital Replacement	2,981,534	2,949,225	2.9	3,617,243	-	34,042	3,583,201	1,140,000	3.1	0.2	
Mental Health	1,201,514	1,127,795	1.1	1,261,514	6,524	49,735	1,205,255	1,140,000	1.1	-0.1	
Library	13,468,942	13,165,855	12.8	14,427,696	38,167	304,051	14,085,478	1,140,000	12.8	0.0	
Stormwater Mgmt.	1,616,340	1,596,801	2.5	1,618,439	101,491	27,609	1,489,339	725,000	2.1	-0.5	
Riverbanks Zoo	1,404,998	1,405,265	1.4	1,545,509	28,743	35,814	1,480,952	1,140,000	1.3	-0.1	
Conservation Comm	204,600	204,600	0.2	515,000	2,198	-	512,802	1,140,000	0.5	0.3	
Neighborhood Redevel	204,600	204,600	0.2	515,000	2,198	-	512,802	1,140,000	0.5	0.3	

DEBT SERVICE

FY 2004 - 2005

FY 2005 - 2006

School District No. 1	33,196,711	23,053,605	49.5	24,958,962	7,137,128	970,118	16,851,716	660,000	49.0	-0.5
School District No. 2	18,454,128	14,809,630	68.3	25,137,099	6,616,908	133,327	18,386,864	380,000	68.3	0.0
County Bonds	11,169,217	9,555,522	12.0	12,185,262	2,627,595	372,538	9,185,129	1,140,000	10.5	-1.5
Fire Service Bonds	527,693	506,187	0.8	510,993	54,419	8,739	447,835	775,000	0.7	-0.1
East Richland PSD	427,422	74,347	3.2	1,123,335	537,328	59,580	526,427	189,000	6.0	2.8
Riverbanks Zoo	1,527,106	1,011,176	0.7	1,529,268	276,134	40,707	1,212,427	1,670,000	0.8	0.1
Recreation Comm.	1,512,057	1,484,594	2.1	1,545,657	68,316	48,532	1,428,809	810,000	1.8	-0.3
Drainage Bonds	567,500	550,333	0.9	545,000	144,731	9,938	390,331	620,000	0.7	-0.2

9/30/2005
2:10 PM

**RICHLAND COUNTY
2005 MILLAGE SCHEDULE**

**HARRY A. HUNTLEY, CPA
RICHLAND COUNTY AUDITOR**

	1CS,1HF 1LF,1LR														
	1AL	1CC	1ER	1FA	1TE	1UR	2AL	2CC	2DP	2ER	2FA	2TB	6CC	6TI	6BS 6UD
School Operating	197.0	197.0	197.0	197.0	197.0	197.0	190.7	190.7	190.7	190.7	190.7	190.7	173.6	173.6	173.6
School Bonds	49.0	49.0	49.0	49.0	49.0	49.0	68.3	68.3	68.3	68.3	68.3	68.3	41.0	41.0	41.0
Recreation Commission	10.2	-	10.2	10.2	10.2	10.2	10.2	-	10.2	10.2	10.2	10.2	-	10.2	10.2
Recreation Bonds	1.8	-	1.8	1.8	1.8	1.8	1.8	-	1.8	1.8	1.8	1.8	-	1.8	1.8
Midlands Technical College	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4
Riverbanks Zoo Bonds	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8
Drainage Bonds	-	-	0.7	-	-	0.7	-	-	0.7	0.7	-	-	-	-	0.7
East Richland PSD Bonds	6.0	-	6.0	6.0	-	-	6.0	-	-	6.0	6.0	-	-	-	-
Stormwater Management	-	-	2.1	-	-	2.1	-	-	2.1	2.1	-	-	-	-	2.1
Fire Service Operating	14.8	14.8	14.8	14.8	14.8	14.8	14.8	14.8	14.8	14.8	14.8	14.8	14.8	14.8	14.8
Fire Service Bonds	-	-	0.7	0.7	0.7	0.7	-	-	0.7	0.7	0.7	0.7	-	-	0.7
INDUSTRIAL LEVY	284.0	266.0	287.5	284.7	278.7	281.5	297.0	279.0	294.5	300.5	297.7	291.7	234.6	246.6	250.1
County Operating	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0
County Bonds	10.5	10.5	10.5	10.5	10.5	10.5	10.5	10.5	10.5	10.5	10.5	10.5	10.5	10.5	10.5
Library	12.8	12.8	12.8	12.8	12.8	12.8	12.8	12.8	12.8	12.8	12.8	12.8	12.8	12.8	12.8
Mental Health	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1
Riverbanks Zoo Operating	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3
Landfill	3.2	3.2	3.2	3.2	3.2	3.2	3.2	3.2	3.2	3.2	3.2	3.2	3.2	3.2	3.2
Conservation Commission	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Neighborhood Redevelop.	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Capital Replacement	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1
COUNTY LEVY	78.0	78.0	78.0	78.0	78.0	78.0	78.0	78.0	78.0	78.0	78.0	78.0	78.0	78.0	78.0
SUBTOTAL	362.0	344.0	365.5	362.7	356.7	359.5	375.0	357.0	372.5	378.5	375.7	369.7	312.6	324.6	328.1
MUNICIPAL LEVY	-	83.6	-	51.4	120.0	-	-	83.6	-	-	51.4	-	83.6	-	-
TOTAL LEVY	362.0	427.6	365.5	414.1	476.7	359.5	375.0	440.6	372.5	378.5	427.1	369.7	396.2	324.6	328.1

MUNICIPALITY	DIST.	LEVY	SCHOOL DISTRICT ONE			SCHOOL DISTRICT TWO		
			1AL	1CC	1UR	2AL	2CC	2DP
City of Columbia	1CC	83.6	Arcadia Lakes	City of Columbia	City of Columbia	Arcadia Lakes	City of Columbia	City of Columbia
	2CC	83.6	Chartwell Sewer District	City of Columbia	Dentsville/Pontiac Area (not ERPSD)	City of Columbia	City of Columbia	City of Columbia
	6CC	83.6	East Richland Public SD	City of Columbia	East Richland Public Serv. Dis.	City of Columbia	City of Columbia	City of Columbia
Forest Acres	1FA	51.4	City of Forest Acres	City of Forest Acres	City of Forest Acres	City of Forest Acres	City of Forest Acres	City of Forest Acres
	2FA	51.4	Horrell Hill Fire District	City of Forest Acres	Town of Blythewood	City of Forest Acres	City of Forest Acres	City of Forest Acres
Eastover	1TE	120.0	Lower Richland Fire District	Lower Richland Fire District	SCHOOL DISTRICT SIX (LEX. #5)			
Blythewood	2TB	-	Lower Richland	Lower Richland	6CC	City of Columbia	City of Columbia	City of Columbia
Town of Irmo	6TI	-	Town of Eastover	Town of Eastover	6TI	Town of Irmo	Town of Irmo	Town of Irmo
			Urban & Rural Areas	Urban & Rural Areas	6UD	Upper Dutch Fork	Upper Dutch Fork	Upper Dutch Fork

**RICHLAND COUNTY
2005 MILLAGE AND TAX SCHEDULE**

<u>DISTRICT</u>	<u>1AL</u>	<u>1CC</u>	<u>1ER</u>	<u>1FA</u>	<u>1HF, 1LF 1LR, 1UR</u>	<u>1TE</u>
2005 Total Levy	362.0	427.6	365.5	414.1	359.5	476.7
2004 Total Levy	383.5	461.1	387.7	439.3	384.5	502.3
Net Change	(21.5)	(33.5)	(22.2)	(25.2)	(25.0)	(25.6)
Percentage Change	-5.6%	-7.3%	-5.7%	-5.7%	-6.5%	-5.1%
2005 Tax \$100,000 House	\$ 1,156.00	\$ 1,250.56	\$ 1,170.14	\$ 1,196.40	\$ 1,146.14	\$ 1,614.80
Less, Local Option Sales Tax	\$ (172.20)	\$ (409.30)	\$ (172.20)	\$ (269.20)	\$ (172.20)	\$ (638.00)
2005 Net Taxes	\$ 983.80	\$ 841.26	\$ 997.94	\$ 927.20	\$ 973.94	\$ 976.80
2004 Tax \$100,000 House	\$ 1,242.00	\$ 1,384.40	\$ 1,258.80	\$ 1,297.20	\$ 1,246.00	\$ 1,717.20
Tax Increase (Decrease)	\$ (258.20)	\$ (543.14)	\$ (260.86)	\$ (370.00)	\$ (272.06)	\$ (740.40)
Percentage Change	-20.8%	-39.2%	-20.7%	-28.5%	-21.8%	-43.1%
2006 Tax on \$10,000 Auto	\$ 242.13	\$ 262.73	\$ 244.52	\$ 267.60	\$ 240.47	\$ 272.97
2005 Tax on \$10,000 Auto	\$ 302.63	\$ 360.83	\$ 305.78	\$ 344.48	\$ 303.38	\$ 391.73
Tax Increase (Decrease)	\$ (60.49)	\$ (98.10)	\$ (61.26)	\$ (76.88)	\$ (62.91)	\$ (118.75)

RICHLAND COUNTY

2005 MILLAGE AND TAX SCHEDULE

COMPARISON OF VALUES INCREASING BY 20%

	<u>DISTRICT</u>	<u>1AL</u>	<u>1CC</u>	<u>1ER</u>	<u>1FA</u>	<u>1HF, 1LF 1LR, 1UR</u>	<u>1TE</u>
2005 Total Levy		362.0	427.6	365.5	414.1	359.5	476.7
2004 Total Levy		383.5	461.1	387.7	439.3	384.5	502.3
Net Change		(21.5)	(33.5)	(22.2)	(25.2)	(25.0)	(25.6)
Percentage Change		-5.6%	-7.3%	-5.7%	-5.7%	-6.5%	-5.1%
2005 Tax \$120,000 House		\$ 1,445.60	\$ 1,760.67	\$ 1,462.57	\$ 1,695.68	\$ 1,433.77	\$ 1,996.16
Less, Local Option Sales Tax		\$ (206.64)	\$ (491.16)	\$ (206.64)	\$ (323.04)	\$ (206.64)	\$ (765.60)
2005 Net Taxes		\$ 1,238.96	\$ 1,269.51	\$ 1,255.93	\$ 1,372.64	\$ 1,227.13	\$ 1,230.56
2004 Tax \$100,000 House		\$ 1,242.00	\$ 1,384.40	\$ 1,258.80	\$ 1,297.20	\$ 1,246.00	\$ 1,717.20
Tax Increase (Decrease)		\$ (3.04)	\$ (114.89)	\$ (2.87)	\$ 75.44	\$ (18.87)	\$ (486.64)
Percentage Change		-0.2%	-8.3%	-0.2%	5.8%	-1.5%	-28.3%
2006 Tax on \$10,000 Auto		\$ 242.13	\$ 262.73	\$ 244.52	\$ 267.60	\$ 240.47	\$ 272.97
2005 Tax on \$10,000 Auto		\$ 302.63	\$ 360.83	\$ 305.78	\$ 344.48	\$ 303.38	\$ 391.73
Tax Increase (Decrease)		\$ (60.49)	\$ (98.10)	\$ (61.26)	\$ (76.88)	\$ (62.91)	\$ (118.75)

**RICHLAND COUNTY
2005 MILLAGE AND TAX SCHEDULE**

**HARRY A. HUNTLEY, CPA
RICHLAND COUNTY AUDITOR**

<u>DISTRICT</u>	<u>2AL</u>	<u>2CC</u>	<u>2DP</u>	<u>2ER</u>	<u>2FA</u>	<u>2TB</u>	<u>6CC</u>	<u>6TI</u>	<u>6UD</u>
2005 Total Levy	375.0	440.6	372.5	378.5	427.1	369.7	396.2	324.6	328.1
2004 Total Levy	383.9	461.5	384.9	388.1	439.7	389.5	438.4	375.6	361.8
Net Change	(8.9)	(20.9)	(12.4)	(9.6)	(12.6)	(19.8)	(42.2)	(51.0)	(33.7)
Percentage Change	-2.3%	-4.5%	-3.2%	-2.5%	-2.9%	-5.1%	-9.6%	-13.6%	-9.3%
2005 Tax \$100,000 House	\$ 1,156.00	\$ 1,250.45	\$ 1,146.03	\$ 1,170.03	\$ 1,196.40	\$ 1,134.80	\$ 1,043.71	\$ 889.20	\$ 939.29
Less, Local Option Sales Tax	\$ (172.20)	\$ (409.30)	\$ (172.20)	\$ (172.20)	\$ (269.20)	\$ (172.20)	\$ (409.30)	\$ (172.20)	\$ (172.20)
2005 Net Taxes	\$ 983.80	\$ 841.15	\$ 973.83	\$ 997.83	\$ 927.20	\$ 962.60	\$ 634.41	\$ 717.00	\$ 767.09
2004 Tax \$100,000 House	\$ 1,191.60	\$ 1,334.00	\$ 1,195.60	\$ 1,208.40	\$ 1,246.80	\$ 1,214.00	\$ 1,212.40	\$ 1,093.20	\$ 1,074.00
Tax Increase (Decrease)	\$ (207.80)	\$ (492.85)	\$ (221.77)	\$ (210.57)	\$ (319.60)	\$ (251.40)	\$ (577.99)	\$ (376.20)	\$ (306.91)
Percentage Change	-17.4%	-36.9%	-18.5%	-17.4%	-25.6%	-20.7%	-47.7%	-34.4%	-28.6%
2006 Tax on \$10,000 Auto	\$ 250.91	\$ 271.48	\$ 249.22	\$ 253.27	\$ 276.37	\$ 247.33	\$ 241.52	\$ 216.89	\$ 219.26
2005 Tax on \$10,000 Auto	\$ 302.93	\$ 361.13	\$ 303.68	\$ 306.08	\$ 344.78	\$ 307.13	\$ 343.80	\$ 296.70	\$ 286.35
Tax Increase (Decrease)	\$ (52.02)	\$ (89.64)	\$ (54.45)	\$ (52.80)	\$ (68.40)	\$ (59.80)	\$ (102.28)	\$ (79.82)	\$ (67.09)

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-05HR**

AN ORDINANCE AUTHORIZING THE LEVYING OF AD VALOREM PROPERTY TAXES, WHICH, TOGETHER WITH THE PRIOR YEAR'S CARRYOVER AND OTHER STATE LEVIES AND ANY ADDITIONAL AMOUNT APPROPRIATED BY THE RICHLAND COUNTY COUNCIL PRIOR TO JULY 1, 2005, WILL PROVIDE SUFFICIENT REVENUES FOR THE OPERATIONS OF RICHLAND COUNTY GOVERNMENT DURING THE PERIOD FROM JULY 1, 2005 THROUGH JUNE 30, 2006.

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 1. That a tax for the General Fund to cover the period from July 1, 2005 to June 30, 2006, both inclusive, is hereby levied upon all taxable property in Richland County, in a sufficient number of mills not to exceed forty-eight and eight tenths (48.8) to be determined from the assessment of the property herein.

SECTION 2. That the additional taxes, besides that noted above in Section 1, to cover the period of July 1, 2005 to June 30, 2006, both inclusive, are hereby levied upon all taxable property in Richland County for the funds:

<u>NAME</u>	<u>MILLS</u>
General Fund debt Service	10.5
Solid Waste – Landfill	3.2
Capital Replacement	3.1
Library	12.8
Mental Health	1.1
Riverbanks Zoo	1.3
Conservation Commission	.5
Neighborhood Redevelopment	.5

SECTION 3. That the additional taxes, besides that noted in Sections 1 and 2, to cover the period from July 1, 2005 to June 30, 2006, both inclusive, are hereby levied upon all taxable property located within each of the following respective Special Tax Districts in Richland County for the following Funds:

<u>NAME</u>	<u>MILLS</u>
Fire Service – Operations	14.8
Fire Service – Debt Service	.7
School District One – Operations	197.0
School District One – Debt Service	49.0
School District Two – Operations	190.7

School District Two – Debt Service	68.3
Recreation Commission – Operations	10.2
Recreation Commission – Debt Service	1.8
Midlands Technical College – Operations	2.9
Midlands Technical College – Capital	1.5
Riverbanks Zoo – Debt Service	.8
Stormwater Management	2.1
East Richland Public Service District – Debt Service	6.0
Sewer and Drainage System – Debt Service	.7

SECTION 4. Conflicting Ordinances Repealed. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. 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 6. Effective Date. This Ordinance shall become effective from and after October 4, 2005.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

ATTEST THIS THE _____ DAY
OF _____, 2005.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY’S OFFICE

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

First Reading: May 3, 2005
Public Hearing: May 19, 2005
Second Reading: May 31, 2005
Public Hearing: October 4, 2005 (tentative)
(growth greater than CPI)
Third Reading: October 4, 2005 (tentative)

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-05HR

AN ORDINANCE AUTHORIZING A UTILITY EASEMENT TO SOUTH CAROLINA ELECTRIC & GAS COMPANY ON PROPERTY IDENTIFIED AS TMS NUMBER 11503-01-04A (ALSO KNOWN AS 5 MEDICAL PARK DRIVE, COLUMBIA, SOUTH CAROLINA) FOR THE PALMETTO HEART MEDICAL OFFICE BUILDING.

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

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant a utility easement right-of-way to South Carolina Electric & Gas Company, upon land identified as TMS Number 11503-01-04A (also known as 5 Medical Park Drive, Columbia, South Carolina) for the Palmetto Heart Medical Office Building, and as described in the Easement Indenture, a copy of which is attached hereto and incorporated herein.

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

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

SECTION IV. Effective Date. This ordinance shall be effective from and after _____, 2005.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2005.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: September 6, 2005
Second Reading: September 20, 2005
Public Hearing: October 4, 2005 (tentative)
Third reading: October 4, 2005 (tentative)

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-05HR

AN ORDINANCE AUTHORIZING DEED TO THE CITY OF COLUMBIA
FOR CERTAIN WATER LINES FOR GENERAL AVIATION TERMINAL
AND HANGER DEVELOPMENT FOR COLUMBIA OWNES DOWNTOWN
AIRPORT AT OWENS FIELD; RICHLAND COUNTY TMS #13702-01-01.

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

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant a deed to certain water lines to the City of Columbia, as specifically described in the attached Deed to Water Lines for General Aviation Terminal and Hangar Development for Columbia Ownes Downtown Airport at Owens Filed; Richland County TMS #13702-01-01, which is attached hereto and incorporated herein.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2005.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2005.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: September 6, 2005
Second Reading: September 20, 2005
Public Hearing: October 4, 2005 (tentative)
Third Reading: October 4, 2005 (tentative)

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-05HR

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE MASTER AGREEMENT GOVERNING THE I-77 CORRIDOR REGIONAL INDUSTRIAL PARK BY AND BETWEEN RICHLAND COUNTY, SOUTH CAROLINA AND FAIRFIELD COUNTY, SOUTH CAROLINA, IN ORDER TO EXPAND THE BOUNDARIES OF THE PARK TO INCLUDE CERTAIN PROPERTY OWNED BY METSO MINERALS INDUSTRIES, INC.; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Richland County, South Carolina ("Richland") and Fairfield County, South Carolina ("Fairfield") (collectively, "Counties"), as authorized under Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended ("Act"), have jointly developed the I-77 Corridor Regional Industrial Park ("Park"); and,

WHEREAS, in response to requests from companies seeking to invest in either Richland or Fairfield, the Counties have heretofore expanded the boundaries of the Park to include additional property, which inclusion has afforded the requesting companies additional tax benefits under South Carolina law; and

WHEREAS, the Counties have entered into separate agreements to reflect each new phase of expansion of the Park ("Phase Agreements"); and

WHEREAS, on April 15, 2003, the Counties entered into an agreement entitled "Master Agreement Governing the I-77 Corridor Regional Industrial Park" ("Master Agreement"), the provisions of which replaced all existing Phase Agreements and now govern the operation of the Park; and

WHEREAS, Metso Minerals Industries, Inc., its corporate affiliates and assigns (collectively, "Metso"), has requested the Counties expand the boundaries of the Park to include its property located in Richland and described in the attached **Exhibit A** (hereafter, "Metso Property"); and

WHEREAS, the Counties now desire to expand the boundaries to include the Metso Property.

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

Section 1. Expansion of Park Boundaries. There is hereby authorized an expansion of the Park boundaries to include the Metso Property. The County Council Chair, or the Vice Chair in the event the Chair is absent, the County Administrator and the Clerk to the County Council are hereby authorized to execute such documents and take such further actions as may be necessary to complete the expansion of the Park boundaries. Pursuant to the terms of the Master Agreement, the expansion shall be complete upon the adoption of this Ordinance by the Richland County Council and a companion Ordinance by the Fairfield County Council.

Section 2. Removal of Property from Park. Metso may request that a portion of the Metso Property be removed from the Park. In such case, the Counties hereby authorize removal of such portion of the Metso Property upon receipt of a written request from Metso requesting same. No further action by either the Richland County Council or the Fairfield County Council shall be required. The County Council Chair, or the Vice Chair in the event the Chair is absent, the County Administrator and the Clerk

to the County Council are hereby authorized to execute such documents and take such further actions as may be necessary to complete removal of such property from the Park. The public hearing requirement set forth in Section 1.03 of the Master Agreement regarding removal of property from the Park shall be waived.

Section 3. Savings Clause. If any portion of this Ordinance shall be deemed unlawful, unconstitutional or otherwise invalid, the validity and binding effect of the remaining portions shall not be affected thereby.

Section 4. General Repealer. Any prior Ordinance, the terms of which are in conflict herewith, is, only to the extent of such conflict, hereby repealed.

Section 5. Effectiveness. This Ordinance shall be effective after third and final reading.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

(SEAL)

ATTEST THIS THE ____ DAY
OF _____, 2005

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: September 6, 2005
Second Reading: September 20, 2005
Third Reading: October 4, 2005 (tentative)

EXHIBIT A

LEGAL DESCRIPTION OF METSO PROPERTY

TMS No. 22910-01-02

TRACT 1: ALL that certain piece, parcel or tract of land, with the improvements thereon, situate, lying and being near the City of Columbia, in the County of Richland, State of South Carolina and being more particularly shown and delineated as Tract 1 on plat prepared for Hewitt-Robins Corp. by Keels Engineering Co., Arthur H. Keels, S.C.: Registered Civil Engineer and Land Surveyor #1726, dated April 11, 1991 and recorded in Plat Book 53 at Page 4427, and according to said plat having the following boundaries and measurements, to-wit: Beginning at an iron along the northern boundary of the right-of-way of Seaboard Coastline Railroad at such right-of-way's intersection with the Northern right-of-way of Risdon Road (50 foot right-of-way) and running along said right-of-way S53°53'W for a distance of 126.0' to an iron; then turning and running along said right-of-way S56°23'W for a distance of 394.8' to a concrete marker; then turning and running along property now or formerly of Peacher-Schwank Plastics, Inc. N42°42'W for a distance of 872.7' to an iron; then continuing and running along property now or formerly of Church of Jesus Christ N42°42'W for a distance of 319.1' to an iron; then continuing and running along property now or formerly of Pine Springs, Inc. N42°42'W for a distance of 221.7' to an iron; then turning and running along the right-of-way of Seaboard Coastline Railroad N48°10'E for a distance of 91.1' to an iron; then turning and running along Tract 2 S42°43'E for a distance of 549.0' to an iron; then turning and running along Tract 2 N47°07'E for a distance of 894.3' to an iron; then turning and running along Tract 2 S42°50'E for a distance of 896.0' to an iron; then turning and running along Tract 2 S47°52'W for a distance of 495.6' to an iron; then turning and running along Tract 2 S66°24'E for a distance of 56.8' to an iron at the point of beginning; be all measurements a little more or less.

LESS AND EXCEPTING FROM TRACT 1 THE FOLLOWING PROPERTY, TO-WIT:

Risdon Road (S.C. Highway S-40-2271) 50' RW consisting of 1.962 acres, which area is more particularly shown and delineated on the above referenced plat prepared for Hewitt-Robins Corp. By Keels Engineering Co., Arthur H. Keels, Registered Civil Engineer and Surveyor #1726, dated April 11, 1991, recorded in Plat Book 53 at Page 4427.

ALSO:

TRACT 2: ALL that certain piece, parcel or tract of land, with the improvements thereon, situate, lying and being near the City of Columbia, in the County of Richland, State of South Carolina and being more particularly shown and delineated as Tract 2 on plat prepared for Hewitt-Robins Corp. by Keels Engineering Co., Arthur H. Keels, Registered Civil Engineer and Surveyor #1726, dated April 11, 1991, recorded in Plat Book 53 at Page 4427, and according to said plat having the following boundaries and measurements, to-wit: Beginning at an iron along the northern boundary of the right-of-way of Seaboard Coastline Railroad at such right-of-way's intersection with the northern right-of-way of Risdon Road (50 foot right-of-way) and running along Tract 1 and the right-of-way of Risdon Road N66°24'W for a distance of 56.8' to an iron; then turning and running along Tract 1 N47°52'E for a distance of 495.6' to an iron; then turning and running along Tract 1 N42°50'W for a distance of 896.0' to an iron; then turning and running along Tract 1 S47°07'W for a distance of 894.3' to an iron; then turning and running along Tract 1 N42°43'W for a distance of 549.0' to an iron; then turning and running along property now or formerly of Richland County Support Service Center N48°10'E for a distance of 1,192.7' to an iron; then turning and running along property now or formerly of Clemson Agricultural College of SC S42°50'E for a distance of 588.3' to a concrete marker; then continuing and running along property now or formerly of Richland County and Robins and Myers S42°50'E for a distance of 912.0' to a concrete marker; then turning and running along the right-of-way of Seaboard Coastline Railroad S47°33'W for a distance of 300.0' to an iron; then turning and running along the right-of-way of Seaboard Coastline Railroad S49°58'W for a distance of 300.0' to an iron; then turning and running along the right-of-way of Seaboard Coastline Railroad S52°13'W for a distance of 174.0' to an iron at the point of beginning, be all measurements a little more or less.

TOGETHER WITH an easement for access, ingress and egress over a fifty (50') foot roadway connecting the above described property with U.S. Highway #1 across the railroad track on the Southeastern side of the above property as shown on the above plat, and as created by The Deed recorded in Deed Book D 47 at Page 495.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-05HR

AN ORDINANCE AUTHORIZING DEED TO ~~WILLIAM E. HANCOCK, III~~ PALMETTO SERVICE PROTECTION, INC. FOR CERTAIN PARCELS OF LAND KNOWN AS LOTS 8, 9, 10 AND A PORTION OF LOT 11 (APPROXIMATELY 11 ACRES TOTAL) IN THE RICHLAND NORTHEAST INDUSTRIAL PARK, A PORTION OF RICHLAND COUNTY TMS # 25800-04-01.

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

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant a deed to ~~WILLIAM E. HANCOCK, III~~ PALMETTO SERVICE PROTECTION, INC. for certain real property, as specifically described in the attached Deed, Lots 8, 9, 10 and a portion of Lot 11 (approximately 11 acres total) in the Richland Northeast Industrial Park, a portion of Richland County TMS # 25800-04-01, which is attached hereto and incorporated herein.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2005.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2005.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ___-05HR**

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 02505-02-13) FROM RU (RURAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation, and similar activities and services; and

WHEREAS, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

WHEREAS, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

WHEREAS, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements Title 6, Chapter 29, of the Code of Laws of South Carolina; and

WHEREAS, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

WHEREAS, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the property (TMS # 02505-02-13) described in Exhibit A, which is attached hereto, from RU Rural District zoning to GC General Commercial District zoning.

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

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

Section IV. This ordinance shall be enforced after the date of an affirmative Third Reading.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2005.

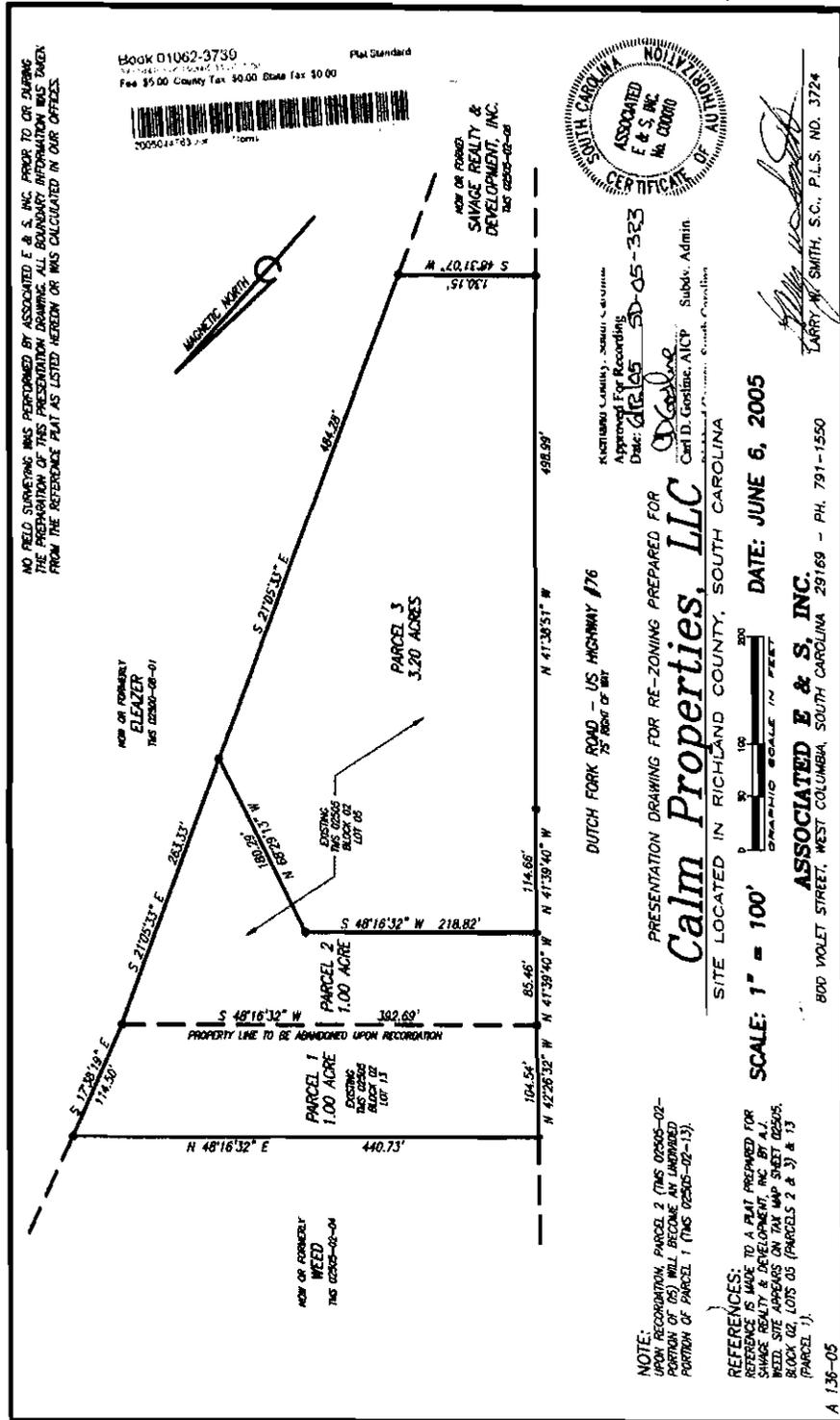
Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: September 27, 2005
First Reading: September 27, 2005
Second Reading: October 4, 2005 (tentative)
Third Reading:

Exhibit A Property Description



**STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ___-05HR**

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 02502-01-02) FROM RU (RURAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation, and similar activities and services; and

WHEREAS, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

WHEREAS, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

WHEREAS, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements Title 6, Chapter 29, of the Code of Laws of South Carolina; and

WHEREAS, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

WHEREAS, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the property (TMS # 02502-01-02) described in Exhibit A, which is attached hereto, from RU Rural District zoning to GC General Commercial District zoning.

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

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

Section IV. This ordinance shall be enforced after the date of an affirmative Third Reading.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2005.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

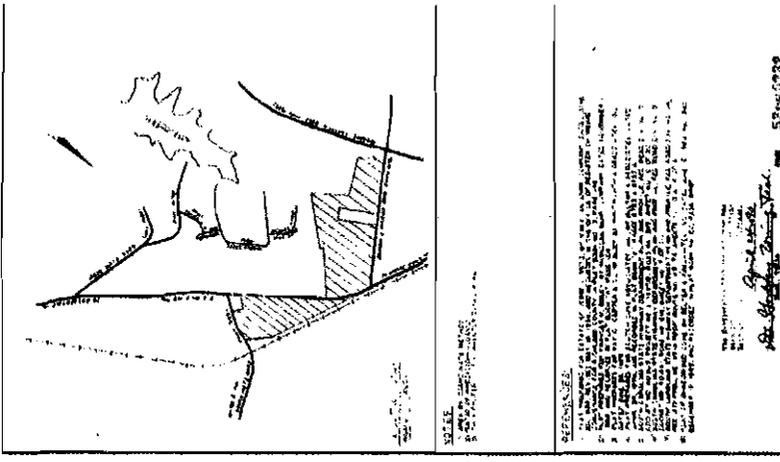
Public Hearing: September 27, 2005
First Reading: September 27, 2005
Second Reading: October 4, 2005 (tentative)
Third Reading:

Exhibit A
Property Description

All that certain piece, parcel or tract of land, with any improvements thereon, containing 5.24 acres, situate, lying and being on the Northeast side of U.S. Highway 76, near the Town of White Rock, County of Richland, State of South Carolina, and being more particularly shown and designated as "Tract B" on a plat prepared for the Estate of Georgia A. Metz by Cox and Dinkins, Inc., dated March 15, 1990, and recorded in the Office of the RMC for Richland County in Plat Book 53 at page 232. Reference is craved to the aforesaid plat for specific metes and bounds of the said tract. The said plat is made a part of this description and is incorporated herein by reference.

Property Description, continued

FOR 53nd 0222

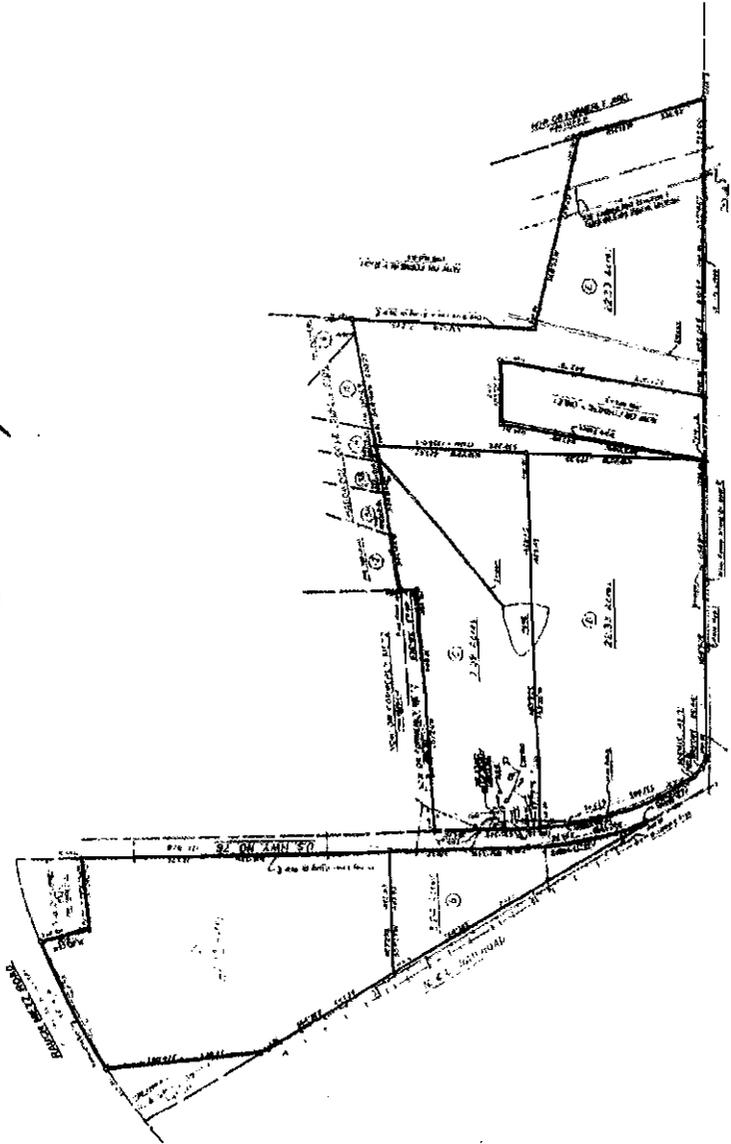


NOTES
 1. THIS MAP IS A REPRODUCTION OF THE ORIGINAL MAP FILED IN THE PUBLIC RECORDS OF THE STATE OF GEORGIA, COUNTY OF ...
 2. THE ORIGINAL MAP WAS FILED ON ...
 3. THE ORIGINAL MAP WAS DRAWN BY ...

RESPONSE
 I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original map as the same appears in the Public Records of the State of Georgia, County of ...

FILED
 PUBLIC RECORDS
 COUNTY OF ...
 53nd 0222

ESTATE OF GEORGIA M. METZ	
Sole Beneficiary	
DATE OF DEED	53nd 0222
DATE OF SALE	
COX and DINKINS, INC.	
Sole Beneficiary	
424 W. 3rd Street, Columbus, Georgia 31906	
Tel: 678-333-1111	



DUMAS MARINE ROAD
 S. 1/4 Sec. 12, T. 12 N., R. 10 W.,
 31st Dist., Ga.

COX and DINKINS, INC.
 Sole Beneficiary

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ___-05HR**

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 15200-02-01) FROM RU (RURAL DISTRICT) TO RS-LD (RESIDENTIAL, SINGLE-FAMILY, LOW DENSITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation, and similar activities and services; and

WHEREAS, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

WHEREAS, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

WHEREAS, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements Title 6, Chapter 29, of the Code of Laws of South Carolina; and

WHEREAS, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

WHEREAS, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the property (TMS # 15200-02-01) described in Exhibit A, which is attached hereto, from RU Rural District zoning to RS-LD Residential, Single-Family, Low 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 enforced after the date of an affirmative Third Reading.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2005.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY’S OFFICE

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

Public Hearing: September 27, 2005
First Reading: September 27, 2005
Second Reading: October 4, 2005 (tentative)
Third Reading:

Exhibit A
Property Description

All that certain piece, parcel or tract of land, with any and all improvements thereon, situate, lying and being at the western right-of-way of Boney Road, near the Town of Blythewood, in the County of Richland, State of South Carolina, being shown as Parcel 1 (containing 10.00 acres) and Parcel 2 (containing 76.28 acres) (cumulative total of 86.28 acres), on Boundary Survey prepared for Orion Investments, Inc. by J. H. Walker & Associates, dated August 7, 2000, and according to said survey, having the following metes and bounds, to-wit:

Beginning on the western right-of-way of Boney Road (S-404-1367) at #3 rebar (o) located approximately 1.3 miles from the Intersection of Blythewood Road and Boney Road, and running in a clockwise direction S61°38'01"W for a distance of 271.48 feet to a 1" open (o); then turning and running along property now or formerly of Nettie Benson S04°00'31"W for a distance of 115.76 feet to a 1" open (o); then turning and running along property now or formerly of Henry E. Crump S04°01'12"W for a distance of 150.50 feet to a ½" open (o); then turning and running along property now or formerly of Ernest E. Dowdy S08°17'31"W for a distance of 209.72 feet to a 1" pinch open; then turning and running along property now or formerly of Raymond Palmer S09°31'10"W for a distance of 130.01 feet to a ¼" rod (o); then turning and running along property now or formerly of Hannah Crump S09°28'20"W for a distance of 141.89 feet to a ¼" rod (o); then turning and running along property now or formerly of Ella Mae Belton S09°28'43"W for a distance of 137.96 feet to a ¼" rod (o); then turning and running along property now or formerly of John L. Hager S09°30'40"W for a distance of 86.96 feet to a ¼" rod (o); then turning and running along property now or formerly of Wesley Griffin S09°31'44"W for a distance of 57.96 feet to a ¼" rod (o); then turning and running along property now or formerly of Dorothy P. Wilson S09°20'36"W for a distance of 219.72 feet to an axle (o); then continuing along said property S13°43'01"W for a distance of 240.86 feet to a ½" open (o); then turning and running along property now or formerly of Harry Griffin S23°03'58"W for a distance of 258.77 feet to an angle iron (o); then turning and running along property now or formerly of Cathy Robinson N34°37'55"W for a distance of 2009.27 feet to a #5 rebar (s); then turning and running N10°32'09"W for a distance of 86.46 feet to a #5 rebar (s); then turning and running N21°50'45"W for a distance of 41.72 feet to a #5 rebar (s); then turning and running N23°09'15"E for a distance of 113.16 feet to a #5 rebar (s); then turning and running N66°50'45"W for a distance of 40.00 feet to a #5 rebar (s); then turning and running S23°09'15"W for a distance of 73.16 feet to a #5 rebar (s); then turning and running N33°09'21"W for a distance of 101.98 feet to a #5 rebar (s); then turning and running N21°50'45"W for a distance of 385.34 feet to a 1" open (o); then turning and running N06°36'09"E for a distance of 37.41 feet to a #5 rebar (s), then turning and running N09°36'38"E for a distance of 28.78 feet to a T-Fence Post Rock Pile (o); then turning and running along property now or formerly of Cathy Robinson N09°42'00"E for a distance of

598.74 feet to a flat iron (o); then turning and running along property now or formerly of John H. Canzater N86°32'07"E for a total distance of 1,820.16 feet to a #5 rebar (s); then continuing along said property N86°32'07"E for a distance of 8.91 feet to a 1" open (o); then turning and running along the western right-of-way of Boney Road S09°40'21"W for a distance of 89.38 feet to a #5 rebar (s); then turning and running along said right-of-way along an arc of a circle (Delta 09°27'53", Radius 3096.22 feet, Length 511.46 feet) the chord of which runs S04°56'25"E for a distance of 510.88 feet to a #5 rebar (s); then turning and running along said right-of-way along an arc of a circle (Delta 02°04'29", Radius 3096.22 feet, Length 112.11 feet) the chord of which runs S00°49'46"W for a distance of 112.10 feet to a #5 rebar (s); then turning and running along said right-of-way S01°52'00"W for a distance of 252.00 feet to a #5 rebar (s); then turning and running along said right-of-way along an arc of a circle (Delta 01°48'24", Radius 7556.76 feet, Length 238.29 feet) the chord of which runs S00°57'48"W for a distance of 238.28 feet to a #5 rebar (s); then turning and running along the edge of property now or formerly of Nettie Benson S61°38'01"W for a distance of 5.03 feet to a #3 rebar (o), this marking the point of beginning; be all measurements a little more or less.

LESS AND EXCEPTING:

All that certain piece, parcel or tract of land, with any and all improvements thereon, situate, lying and being at the western right-of-way of Boney Road, near the Town of Blythewood, in the County of Richland, State of South Carolina, being shown as Lot 1 (0.760 acres); Lot 2 (0.760 acres); Lot 3 (0.773 acres); Lot 6 (0.760 acres); Lot 7 (0.760 acres); Lot 8 (0.763 acres); and Lot 9 (1.089 acres), on Preliminary Plat prepared for Orion Investments, Inc. by J. H. Walker & Associates, dated July 15, 2000, be all measurements a little more or less.

DRAFT

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___05HR

AN ORDINANCE AMENDING ORDINANCE NO. 074-04HR (THE RICHLAND COUNTY LAND DEVELOPMENT CODE); ARTICLE IV, AMENDMENTS AND PROCEDURES; SECTION 26-54, SUBDIVISION REVIEW AND APPROVAL; SUBSECTION (B)(3); PARAGRAPHS D.7. and E.7., APPROVAL VALIDITY; SO AS TO CLARIFY THE VESTED RIGHTS THAT LANDOWNERS HAVE IN THEIR PROPERTY.

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. Article IV (Amendments and Procedures), Section 26-54 (Subdivision review and approval), Subsection (b) (3) d. 7. (Approval validity), of Ordinance No. 074-04HR, which was adopted by the Richland County Council on November 9, 2004, is hereby amended to read as follows:

7. *Approval validity.* ~~Sketch plan approval shall automatically expire three hundred and sixty five (365) days from the date of final planning commission action, unless an application for a preliminary subdivision plan, or a project development schedule/phasing plan, has been approved by the planning department. The planning commission may, upon a finding of good cause, grant one (1) extension of the sketch plan approval period; provided that such extension shall be for a period of time no longer than three hundred and sixty five (365) days. In accordance with Section 6-29-1510, et seq. of the South Carolina Code of Laws 1976, as amended, upon written notice of sketch plan approval for a subdivision phase, the applicant shall have a two (2) year vested right to proceed with the development of the approved subdivision phase under the requirements of Article V (Zoning Districts and District Standards) of this Chapter, which are in effect on the date of sketch plan approval. Failure to submit an application for preliminary plan approval within this two (2) year period shall render the sketch plan approval void. However, the applicant may apply to the planning department for a one (1) year extension of this time period no later than 30 days and no earlier than 120 days prior to the expiration of the sketch plan approval. The request for an extension must be approved unless otherwise prohibited by an intervening amendment to this chapter, such amendment having become effective prior to the expiration of the approval. Likewise, and in the same manner, the applicant may apply for four (4) more one (1) year extensions. Any change from the approved sketch plan that has not first been reviewed and approved by the planning department shall render the sketch plan approval invalid~~

SECTION II. Article IV (Amendments and Procedures), Section 26-54 (Subdivision review and approval), Subsection (b) (3) e. 7. (Approval validity), of Ordinance No. 074-04HR, which was adopted by the Richland County Council on November 9, 2004, is hereby amended to read as follows:

DRAFT

7. *Approval validity.* ~~Preliminary subdivision plan approval shall automatically expire seven hundred and thirty (730) days from the date of written notice of approval, unless a complete application for final plat approval has been received by the planning department. Upon a request by an applicant, the planning commission may grant an extension of the preliminary subdivision plan approval time if it finds that extraordinary circumstances exist in a specific case. Unless the time period for validity has expired, approval of preliminary subdivision plans for a major subdivision shall confer vested rights and the subject subdivision (or subdivision phase) shall not have to comply with future changes in the subdivision regulations and/or the subdivision application fees. If, however, the preliminary subdivision plan approval expires, the preliminary plans must be resubmitted in conformance with the regulations in effect at the time of the application. In accordance with Section 6-29-1510, et seq. of the South Carolina Code of Laws 1976, as amended, upon written notice of preliminary plan approval for a subdivision phase, the applicant shall have a two (2) year vested right to proceed with the development of the approved subdivision phase under the requirements of Article VII (General Development, Site, and Performance Standards) and Article VIII (Resource Protection Standards) of this Chapter, which are in effect on the date of preliminary plan approval. Failure to submit an application for either bonded plat or final plat approval within this two (2) year period shall render the preliminary subdivision plan approval void. However, the applicant may apply to the planning department for a one (1) year extension of this time period no later than 30 days and no earlier than 120 days prior to the expiration of the preliminary subdivision plan approval. The request for an extension must be approved unless otherwise prohibited by an intervening amendment to this chapter, such amendment having become effective prior to the expiration of the approval. Likewise, and in the same manner, the applicant may apply for four (4) more one (1) year extensions. Any change from the approved preliminary plan that has not first been reviewed and approved by the planning department shall render the preliminary subdivision plan approval invalid. Preliminary subdivision plan approval allows the issuance of building permits or manufactured home setup permits in the name of the subdivision developer only, for one model dwelling unit per subdivision phase, as well as for a temporary construction office or storage structure or a temporary security office/quarters. However, approval must be obtained from DHEC for water supply and sewage disposal prior to building occupancy.~~

SECTION III. All remaining provisions of Ordinance No. 074-04HR shall remain in full force and effect.

SECTION IV. 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.

DRAFT

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

SECTION VI. This ordinance shall be effective from and after _____, 2005.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

Attest this the ____ day of
_____, 2005

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: September 27, 2005
First Reading: September 27, 2005
Second Reading: October 4, 2005 (tentative)
Third Reading:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-05HR

AN ORDINANCE AMENDING ORDINANCE NO. 074-04HR (THE RICHLAND COUNTY LAND DEVELOPMENT CODE); ARTICLE II, RULES OF CONSTRUCTION/DEFINITIONS; SECTION 26-22, DEFINITIONS; AND ARTICLE IV, AMENDMENTS AND PROCEDURES; SECTION 26-54, SUBDIVISION REVIEW AND APPROVAL; SO AS TO CLARIFY THE DEFINITIONS OF MAJOR AND MINOR SUBDIVISIONS.

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. Article II (Rules of Construction; Definitions), Section 26-22 (Definitions), "Subdivision, major" and "Subdivision, minor", of Ordinance No. 074-05HR, which was adopted by the Richland County Council on November 9, 2004, is hereby amended to read as follows:

Subdivision, major. Any subdivision that does not meet the criteria for a subdivision exception (see subdivision definition) or a minor subdivision. ~~Any subdivision that involves the dedication of land to the county for open space or other public purposes shall be a major subdivision.~~

Subdivision, minor. Those divisions of land that do not qualify for administrative subdivision review, but which consist of less than fifty (50) lots. Additionally, a minor subdivision shall not involve the dedication of land to the county for open space or other public purposes; provided, however, such public purposes shall not include the dedication of new roads and/or stormwater management facilities.

SECTION II. Article IV, Amendments and Procedures; Section 26-54, Subdivision review and approval; Subsection (b) (2) a., Applicability; of Ordinance No. 074-05HR, which was adopted by the Richland County Council on November 9, 2004, is hereby amended to read as follows:

- a. *Applicability.* The minor subdivision review process is required for those divisions of land that do not qualify for administrative subdivision review (see above) but which consist of less than fifty (50) lots. To be considered a minor subdivision, the dedication of land to the county for open space or other public purposes (provided, however, such public purposes shall not include the dedication of new roads and/or stormwater management facilities) shall not be part of the development. If a phased project, with fewer than fifty (50) lots in one or more phases, involves a total of fifty (50) or more lots within five (5) years of the recording of any prior phase, then the project shall be treated as a major subdivision, regardless of the size of the individual phases.

SECTION III. Article IV, Amendments and Procedures; Section 26-54, Subdivision review and approval; Subsection (b) (3) a., Applicability; of Ordinance No. 074-05HR, which was adopted by the Richland County Council on November 9, 2004, is hereby amended to read as follows:

- a. *Applicability.* The major subdivision review process is required for all those subdivisions of land in Richland County that do not meet the requirements for exemption from the subdivision review process (See definition of “subdivision” in Section 26-22 above) and that do not qualify for administrative or minor subdivision review (Section 26-54(b)(1) and Section 26-54(b)(2)). Any subdivision that involves the dedication of land to the county for open space or other public purposes (provided, however, such public purposes shall not include the dedication of new roads and/or stormwater management facilities) shall be considered a major subdivision.

SECTION IV. All remaining provisions of Ordinance No. 074-04HR shall remain in full force and effect.

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

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

SECTION VII. This ordinance shall be effective from and after _____, 2005.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

Attest this the ____ day of _____, 2005

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY’S OFFICE

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

Public Hearing: September 27, 2005
First Reading: September 27, 2005
Second Reading: October 4, 2005 (tentative)
Third Reading:

RICHLAND COUNTY COUNCIL ADMINISTRATION AND FINANCE COMMITTEE

Kit Smith, Chair Mike Montgomery Paul Livingston Joseph McEachern Valerie Hutchinson
District 5 District 8 District 4 District 7 District 9

*Tuesday, September 27, 2005
4:00 pm*

Recommendations

ITEMS FOR ACTION

- Consent A. Resolution to Allocate Military Forest Funds** – The committee unanimously recommended that Council approve a resolution allocating \$51,386.63 in Military Forest Funds to public roads and public schools based on a 50-50 allocation ratio. The committee recommended that 50% of the funds be transferred to the general fund for the improvement of public roads, and the remaining 50% be divided among Richland One, Richland Two, and Lexington-Richland Five School Districts according to the respective student population of each district.
- Consent B. Ordinance Placing a Time Limit on Refunds of Overpaid Taxes** – The committee unanimously recommended that Council give first reading approval of an ordinance establishing a time limit as to how long a taxpayer has to request a refund for overpaid property taxes. The ordinance codifies that “a claim for a refund must be filed with the County Assessor within three years from the time the return was filed, or two years from the date the tax was paid, whichever is later. In no event shall a refund be granted beyond this period of time.”
- Consent C. Construction Contract: Building Renovations for the Dutch Fork Magistrate and Sheriff’s Region 4 Headquarters** – The committee unanimously recommended that Council approve the request to award the contract to Monterey Construction in the amount of \$387,000.00 for the renovation of the Dutch Fork Magistrate/Sheriff Substation utilizing an existing County building (Beatty Road).
- Consent D. Microsoft Software Assurance** – The committee unanimously recommended that Council approve the request to purchase Microsoft Software Assurance from vendor ASAP SOFTWARE on South Carolina State Contract in an amount not to exceed \$116,290.
- Consent E. Solid Waste Collector Rate Increases** – The committee unanimously recommended approval of Option 2, which keeps the current subsidy in place up to \$1.75/gallon, and modifies the compensation rate for fuel increases above \$1.75/gallon. The

modified compensation would be a 0.2% increase to base contract for every ten cents increase in fuel prices from \$1.75/gallon to \$3.00/gallon. The option provides for a 10.0% cap with only a modification for fuel increases above \$1.75/gallon which would not change the current contract conditions.

- Consent** **F. Animal Services** – The committee unanimously recommended approval of Option 1, which would permit Richland County to construct and operate its own animal holding shelter. In addition, the committee recommended that a Memorandum of Understanding be signed with Project Pet codifying an agreement with the County to provide pet adoption services.
- Consent** **G. Sheriff’s Request: Matching Funds for Personnel Grants** – The Committee unanimously recommended that Council approve the grant match in the amount of \$23,206.
- Consent** **H. Sheriff’s Request: Matching Funds for COPS Secure Our Schools Grant** – The Committee unanimously recommended that Council approve the grant match in the amount of \$8,675.

Staffed by Joe Cronin

DRAFT

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-05HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 23, TAXATION; ARTICLE I, IN GENERAL; SECTION 23-5, REFUND OF OVERPAYMENTS; SO AS TO LIMIT THE PERIOD OF TIME FOR FILING CLAIMS FOR PROPERTY TAX REFUNDS TO THE STATUTORY LIMIT OF THREE YEARS FROM THE TIME THE RETURN WAS FILED OR TWO YEARS FROM THE DATE THE TAX WAS PAID, WHICHEVER WAS LATER.

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 23, Taxation; Article I, In General; Section 23-5, Refund of Overpayments; is hereby amended by the addition of a new subsection to read as follows:

(c) Notwithstanding the provisions of Section 12-43-220 (c)(3) of the S.C. Code of Laws, as amended (and consistent with the provisions of Section 12-54-85(F) of the S.C. Code of Laws, as amended), if a taxpayer believes that he or she has overpaid his or her property taxes because the property was eligible for the legal residence assessment pursuant to Sections 12-43-220(c)(1) and (2) of the S.C. Code of Laws, as amended, a claim for a refund must be filed with the County Assessor within three years from the time the return was filed, or two years from the date the tax was paid, whichever is later. In no event shall a refund be granted beyond this period of time.

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 _____, 2005.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

ATTEST THIS THE ____ DAY

OF _____, 2005

Michielle R. Cannon-Finch
Clerk of Council

DRAFT

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: October 4, 2005 (tentative)
Second Reading:
Public Hearing:
Third Reading:

RICHLAND COUNTY COUNCIL DEVELOPMENT AND SERVICES COMMITTEE

Doris Corley Joyce Dickerson Damon Jeter, Chair Greg Pearce Bernice G. Scott
District 1 District 2 District 3 District 6 District 10

*Tuesday, September 27, 2005
Immediately Following A&F Committee*

Recommendations

ITEMS FOR ACTION

- Consent** **A. Sloan Access Road** – The committee unanimously recommended that Council approve a contract (written to the satisfaction of the County Attorney) and to give first reading approval to an ordinance granting an easement to Sloan Construction Company for the purpose of building of an access road on property currently occupied by the Congaree River Boat Ramp.
- Consent** **B. Appointments for State Farmers’ Market Advisory Committee** – The committee unanimously recommended that Council appoint two members to the State Farmers’ Market Advisory Committee.
- Consent** **C. Quit-Claim Deed on Eisenhower Drive** – The committee unanimously recommended that Council grant the quit-claim to Mr. Percy McNeill, and to require compensation up to the fair market value.
- Consent** **D. Public Works: 2005 Sidewalks Project** – The committee unanimously recommended approval of a construction contract to AOS Specialty Contractors, Inc. in the amount of \$459,082.00 for the installation of sidewalks on Old Tamah Road, Koon Road, and Sparkleberry Lane.
- Consent** **E. GIS: Multiyear Digital Orthophotography Project** – The committee unanimously recommended approval of a contract with Earthdata International in the amount of \$235,620 for the purpose of two county-wide aerial digital orthophotography missions.
- Consent** **F. Palmetto Health Lease Amendment** – The committee unanimously recommended that Council approve the request to amend the lease agreement with the Palmetto Health Alliance for the purpose of permitting leaseholder mortgages.

Staffed by Joe Cronin

ASAP SOFTWARE on South Carolina State Contract in an amount not to exceed \$116,290.

E. Garbage Service Issues

1. **Solid Waste Collector Rate Increases** – The committee unanimously recommended approval of Option 2, which keeps the current subsidy in place up to \$1.75/gallon, and modifies the compensation rate for fuel increases above \$1.75/gallon. The modified compensation would be a 0.2% increase to base contract for every ten cents increase in fuel prices from \$1.75/gallon to \$3.00/gallon. The option provides for a 10.0% cap with only a modification for fuel increases above \$1.75/gallon which would not change the current contract conditions.
2. **Amended Contract Terms for Johnson's Garbage Service** – The committee voted to defer this item to the October meeting, and to consider it at that time along with the contracts of other service providers.

F. Animal Services – The committee unanimously recommended approval of Option 1, which would permit Richland County to construct and operate its own animal holding shelter. In addition, the committee recommended that a Memorandum of Understanding be signed with Project Pet codifying an agreement with the County to provide pet adoption services.

G. Sheriff's Requests

1. **Matching Funds for Personnel Grants** – The Committee unanimously recommended that Council approve the grant match in the amount of \$23,206.
2. **Sheriff's Request: Matching Funds for COPS Secure Our Schools Grant** – The Committee unanimously recommended that Council approve the grant match in the amount of \$8,675.

H. Olympia TIF – The Committee voted unanimously to forward this item to a work session before going to the full Council.

II. ITEMS FOR DISCUSSION / INFORMATION

A. TIF Progress Report – The Committee voted unanimously to place this item on the October 4, 2005 Council agenda if the report is complete at that time.

III. ITEMS PENDING ANALYSIS

A. Request for New Department and Budget: Business Service Center – No action was taken. This item will remain in Committee in October.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-05HR

AN ORDINANCE AUTHORIZING AN EASEMENT TO SLOAN CONSTRUCTION COMPANY, INC. ON PROPERTY LOCATED NEAR ROSEWOOD DRIVE, AND IDENTIFIED AS A PORTION OF TMS # 08716-01-04, IN RICHLAND COUNTY.

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

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant an easement right-of-way to Sloan Construction Company, Inc., upon a portion of land identified as TMS Number 08716-01-04, and as described in the *Easement Indenture*, a copy of which is attached hereto and incorporated herein.

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

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

SECTION IV. Effective Date. This ordinance shall be effective from and after _____, 2005.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2005.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: October 4, 2005 (tentative)
Second Reading:
Public Hearing:
Third reading:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-05HR

AN ORDINANCE AUTHORIZING DEED TO PERCY H. MCNEILL FOR A CERTAIN PORTION OF AN ABANDONED RIGHT-OF-WAY KNOWN AS OLD EISENHOWER DRIVE, RICHLAND COUNTY.

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

SECTION I. The County of Richland, through its County Administrator, is hereby authorized to grant a quit claim deed for a certain portion of an abandoned right-of-way known as Old Eisenhower Drive, Richland County, to Percy H. McNeill, as specifically described in the attached deed, which is incorporated herein.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2005.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2005.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: October 4, 2005 (tentative)
Second Reading:
Public Hearing:
Third reading:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-05HR

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE FINANCING AGREEMENT BETWEEN RICHLAND COUNTY, SOUTH CAROLINA, AND AEB BUSINESS PROPERTIES, LLC, AN AFFILIATE OF BUCK ENTERPRISES, LLC.

WHEREAS, Richland County (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 financing, secured by and payable solely from revenues of the County derived from 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 and for improved and unimproved real estate used in the operation of a manufacturing facility or commercial enterprise in order to enhance the economic development of the County; and

WHEREAS, AEB Business Properties, LLC, a South Carolina limited liability company (the "Company") will construct a manufacturing facility (the "Facility") to be located in the North Point Industrial Park in Richland County, South Carolina, and more particularly described on Exhibit A, attached hereto (the "Property"), and

WHEREAS, the Company is an affiliate of Buck Enterprises, LLC ("Buck"), which will lease the Facility and employ approximately 7 employees immediately upon completion of the Facility and anticipates adding 3-4 employees within 2 years of completion of the Facility and possibly an additional 10 employees within 3-5 years of completion of the Facility; and

WHEREAS, in order to operate the Facility, a sewer line extension needs to be constructed (the "Sewer Line") for which Buck has requested financial assistance from the County, and which will allow the further development of other industrial and business parcels in the area, thereby enhancing the tax base of the County and creating additional jobs in the County; and

WHEREAS, the County and Fairfield County have established a joint county industrial business park (the "Park") by entering into an Agreement for Development of Joint County Industrial Park, dated December 11, 1995, pursuant to the provisions of Article VIII, Section 13 of the South Carolina Constitution; and

WHEREAS, the County and Fairfield County have [recently] amended the previously mentioned Agreement for Development for Joint County Industrial Park by including the Property upon which the Facility (including the Project) is located in the Park (as so amended, the "Park Agreement"); and

WHEREAS, pursuant to the provisions of the Park Agreement, the Company and Buck are obligated to make or cause to be made payments in lieu of taxes which will be distributed to Fairfield County (the "Fairfield Fee Payments") and to the County (the "County Fee Payments") in the total amount equivalent to the ad valorem property taxes that would have been due and payable but for the location of the Property and Facility (including the Project) within the Park; and

WHEREAS, the County has agreed to provide special source revenue financing by allowing a credit to be taken by the Company against the Company's fee in lieu of tax payments, to offset the costs of the construction of the Sewer Line by the Company, such credit to be taken after the distribution of the Fairfield Fee Payments by the County; and

WHEREAS, the credit arrangement is set forth in the Infrastructure Improvements Financing Agreement attached hereto as Exhibit B (the "Financing Agreement"); and

WHEREAS, the assistance to the Company will benefit the general public welfare of the County by creating and retaining employment in the County, and provide other public benefits, all of which are proper governmental and public purposes.

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

Section 1. There is hereby authorized the financing of the Sewer Line through incorporation of the Property and the Facility in a multi-county industrial park and a credit against the County Fee Payments in order to reimburse the Company for all or a part of the cost of the Sewer Lines as described in the attached Financing Agreement by the County.

Section 2. The Chairman is hereby authorized and directed, in the name and on behalf of the County, to execute the Financing Agreement in substantially the form attached hereto as Exhibit B, together with any changes or amendments thereto as may be deemed reasonable and necessary in the discretion of the Chairman of County Council and the Clerk of County Council is hereby authorized to attest the same; the Chairman of County Council is further authorized and directed to deliver the executed Financing Agreement and any authorized amendments thereto to the Company.

Section 3. Consummation of all transactions contemplated by the Financing Agreement is hereby approved.

Section 4. This Ordinance shall be construed and interpreted in accordance with laws of the State of South Carolina.

Section 5. This Ordinance shall become effective immediately upon third reading and approval by the County Council.

Section 6. The provisions of this Ordinance are hereby declared to be severable and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, that declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereunder.

Section 7. All orders, resolutions, ordinances and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

ATTEST THIS THE _____ DAY
OF _____, 2005

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: September 20, 2005
Second Reading: October 4, 2005 (tentative)
Public Hearing: _____, _____
Third Reading: _____, _____

EXHIBIT A (to the Ordinance)

PROPERTY DESCRIPTION – 4 ACRES ON NORTHPOINT BLVD.)

All that piece, parcel, lot or tract of land, situate, lying and being in Richland County, South Carolina, and being shown and designated on a plat by B. P. Barber & Associates, Inc., dated November 25, 2002 entitled in part “Boundary & Topographic Survey” recorded at Plat Book 772, Page 2580 in the ROD Office of Richland County, South Carolina, and having such size, shape, buttings, boundings, dimensions and location as will appear by reference to said plat which is incorporated herein by reference, be all the dimensions and measurements shown thereon a little more or less.

Bounded on the north by land now or formerly of Hueck Foils, LLC, on the east and south by other lands of the Citadel Foundation and on the west by Northpoint Boulevard.

Being the same property conveyed to Buck Enterprises, LLC from The Citadel Foundation, dated March 20, 2003 in Record Book 772, Page 2581 in the ROD Office of Richland County, South Carolina.

Tax Map Parcel Number: 14900-01-34

EXHIBIT B (to the Ordinance)

INFRASTRUCTURE IMPROVEMENTS
FINANCING AGREEMENT

THIS INFRASTRUCTURE IMPROVEMENTS FINANCING AGREEMENT, dated as of _____, 2005 (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 AEB BUSINESS PROPERTIES, LLC a South Carolina limited liability company and an affiliate of BUCK ENTERPRISES, LLC, a South Carolina Limited Liability Company ("Buck").

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 provide special source revenue financing, secured by and payable solely from revenues of the County derived from 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 and for improved and unimproved real estate used in the operation of a manufacturing facility or commercial enterprise in order to enhance the economic development of the County; and

WHEREAS, AEB Business Properties, LLC, a South Carolina limited liability company (the "Company") will construct a manufacturing facility (the "Facility") to be located in the North Point Industrial Park in Richland County, South Carolina, and more particularly described on Exhibit A, attached hereto (the "Property"), and

WHEREAS, the Company is an affiliate of Buck Enterprises, LLC ("Buck"), which will lease the Facility and employ approximately 7 employees immediately upon completion of the Facility and anticipates adding 3-4 employees within 2 years of completion of the Facility and possibly an additional 10 employees within 3-5 years of completion of the Facility; and

WHEREAS, in order to operate the Facility, a sewer line extension needs to be constructed (the "Sewer Line") for which Buck has requested financial assistance from the County, and which will allow the further development of other industrial and business parcels in the area, thereby enhancing the tax base of the County and creating additional jobs in the County; and

WHEREAS, the County and Fairfield County have established a joint county industrial business park (the "Park") by entering into an Agreement for Development of Joint County Industrial Park, dated December 11, 1995, pursuant to the provisions of Article VIII, Section 13 of the South Carolina Constitution; and

WHEREAS, the County and Fairfield County have [recently] amended the previously mentioned Agreement for Development for Joint County Industrial Park by including the Property

upon which the Facility (including the Sewer Line) is located in the Park (as so amended, the "Park Agreement"); and

WHEREAS, pursuant to the provisions of the Park Agreement, the Company and Buck are obligated to make or cause to be made payments in lieu of taxes which will be distributed to Fairfield County (the "Fairfield Fee Payments") and to the County (the "County Fee Payments") in the total amount equivalent to the ad valorem property taxes that would have been due and payable but for the location of the Property and Facility (including the Sewer Line) within the Park; and

WHEREAS, the County has agreed to provide special source revenue financing by allowing a credit to be taken by the Company against the Company's fee in lieu of tax payments, to offset the costs of the construction of the Sewer Line by the Company, such credit to be taken after the distribution of the Fairfield Fee Payments by the County; and

WHEREAS, the assistance to the Company will benefit the general public welfare of the County by creating and retaining employment in the County, and provide other public benefits, all of which are proper governmental and public purposes; and

WHEREAS, the County Council has duly authorized execution and delivery of this Agreement by ordinance duly enacted by the County Council on _____, 2005, following conducting a public hearing held on _____, 2005, in compliance with the terms of the Act.

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.

"Buck" shall mean Buck Enterprises, LLC, a South Carolina limited liability company, its successors and assigns.

"County Fee Payments" shall mean payments in lieu of taxes made to the County with respect to the Sewer Line as required by the Park Agreement.

"Company" shall mean AEB Business Properties, LLC, a South Carolina limited liability company, its successors and assigns.

"*Cost of the Sewer Line*" shall mean the cost of acquiring, by construction and purchase, the Sewer Line and shall be deemed to include, 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 Sewer Line; (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 Sewer Line, 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 Sewer Line; (d) all other costs which shall be required under the terms of any contract for the acquisition, construction, and installation of the Sewer Line; and (e) the costs listed on Exhibit B attached hereto.

"*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.

"*Fairfield Fee Payments*" shall mean payments in lieu of taxes made to Fairfield County with respect to the Sewer Line as required by the Park Agreement.

"*Ordinance*" shall mean the ordinance enacted by the County Council on _____, 2005, authorizing the execution and delivery of this Agreement.

"*Park Agreement*" shall mean the Agreement for Development of Joint County Industrial Park, dated _____, between the County and Fairfield County, South Carolina, as amended or supplemented.

"*Park*" shall mean the Joint County Industrial or Business Park established pursuant to the terms of the 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.

"*Sewer Line*" shall mean the sewer line, the general location and costs of which are indicated on Exhibit B attached hereto.

"*Special Source Revenue Credits*" shall mean the credit to the Company's fee in lieu of tax payments to reimburse the Company for Cost of the Sewer Line in the amounts set forth in Section 3.02 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) The County proposes to reimburse the Company for a portion of the Cost of the Sewer Line for the purpose of creation and retention of jobs, increase in the tax base of the County, and 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.

(d) The authorization, execution and delivery of this Agreement, the enactment of the Ordinance, and performance of the transactions contemplated hereby and thereby do not and will not conflict with, or result in the violation or breach of, or constitute a default or require any consent under, or create any lien, charge or encumbrance under the provisions of (i) the Constitution of the State or any law, rule, or regulation of any governmental authority, (ii) any agreement to which the County is a party, or (iii) any judgment, order, or decree to which the County is a party or by which it is bound. There is no action, suit, proceeding, inquiry, or investigation, at law or in equity, or before or by any court, public body, or public board which is pending or threatened challenging the creation, organization or existence of the County or its governing body or the power of the County to enter into the transactions contemplated hereby or wherein an unfavorable decision, ruling or finding would adversely affect the transactions contemplated hereby or would affect the validity, or adversely affect the enforceability, of this Agreement, or any other agreement or instrument to which the County is a party and which is to be used in connection with or is contemplated by this Agreement, nor, to the best of the knowledge of the County, is there any basis therefor.

SECTION 2.02. Representations by the Company. The Company and Buck (collectively, the “Companies”) jointly make the following representations and warranties as the basis for the undertakings on their part herein contained:

(a) The Companies are South Carolina limited liability companies duly organized, validly existing, and in good standing under the laws of the State of South Carolina, are authorized to conduct business in the State of South Carolina, have power to enter into this Agreement, and by proper company action have been duly authorized to execute and deliver this Agreement.

(b) This Agreement has been duly executed and delivered by the Company and Buck and constitutes the legal, valid, and binding obligation of each the Company and Buck, 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 or

Buck 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 or Buck, other than as may be created or permitted by this Agreement.

(d) Buck currently employs _____.full time employees at its location in the County on Fairfield Road.

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 will incorporate the Property and the Facility in the Park Agreement and will maintain such status for the duration of this Agreement.

(c) The County covenants that it will from time to time and at the expense of the Company 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 (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 or pledge the credit or taxing power of the State, or any other political subdivision of the State.

ARTICLE III

SPECIAL SOURCE REVENUE CREDITS

SECTION 3.01. Payment of Costs of Sewer Line. The Company has paid, or agrees to pay, or cause to be paid, all Costs of the Sewer Line as and when due.

SECTION 3.02. Special Source Revenue Credits.

(a) Commencing with the first payment of fee in lieu of taxes pertaining to the Facility, the County hereby promises to provide a credit equal to \$34,860 of the County Fee Payments in order to partially reimburse the Company for the Cost of the Sewer Line as permitted by the Act. Upon the creation of an additional ten (10) new, full time jobs by Buck within three (3) years of completion of the Facility, provided such new jobs shall pay wages at a level commensurate with similar skill level jobs in this area, and the certification of such creation and wage level by Buck to the County, the County shall grant an additional credit of \$33,890 against the fee in lieu of tax payments by the Company in order to reimburse the Company for the remainder of the cost of construction of the Sewer Line, provided, however, that such credits shall not exceed, in the aggregate, the total amount of costs of the Sewer Line. THIS AGREEMENT AND THE SPECIAL SOURCE REVENUE CREDITS BECOMING DUE HEREON ARE LIMITED OBLIGATIONS

OF THE COUNTY PROVIDED BY THE COUNTY SOLELY FROM THE RICHLAND FEE PAYMENTS DERIVED BY THE COUNTY PURSUANT TO THE PARK AGREEMENT, AND DO NOT AND SHALL NEVER CONSTITUTE AN INDEBTEDNESS OF THE COUNTY WITHIN THE MEANING OF ANY CONSTITUTIONAL PROVISION (OTHER THAN THE PROVISIONS OF ARTICLE X, SECTION 14(10) OF THE SOUTH CAROLINA CONSTITUTION) OR STATUTORY LIMITATION AND DO NOT AND SHALL NEVER CONSTITUTE OR GIVE RISE TO A PECUNIARY LIABILITY OF THE COUNTY OR A CHARGE AGAINST ITS GENERAL CREDIT OR TAXING POWER. THE FULL FAITH, CREDIT, AND TAXING POWER OF THE COUNTY ARE NOT PLEDGED FOR THE SPECIAL SOURCE REVENUE CREDITS.

(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. 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.

ARTICLE IV

CONDITIONS TO DELIVERY OF AGREEMENT; TITLE TO SEWER LINE

SECTION 4.01. Documents to be Provided by County. (a) Prior to or simultaneously with the execution and delivery of this Agreement, the County shall provide to the Company:

(a) A copy of the Ordinance authorizing this Agreement, duly certified by the Clerk of the County Council under its corporate seal to have been duly enacted by the County and to be in full force and effect on the date of such certification; and

(b) A copy of the Park Amendment Ordinances or Resolutions, as the case may be, duly certified by the Clerk of the County Council under its corporate seal to have been duly enacted by the County and Fairfield County, respectively, and to be in full force and effect on the date of such certification; and

(c) Such additional certificates (including appropriate no-litigation certificates and certified copies of ordinances, resolutions, or other proceedings adopted by the County), instruments or other documents as the Company may reasonably request.

SECTION 4.02. Transfers of Sewer Line. The County hereby acknowledges that the Company may from time to time and in accordance with applicable law, sell, transfer, lease, convey, or grant the right to occupy and use the Sewer Line, in whole or in part, to others. No sale, lease, conveyance, or grant shall relieve the County from the County's obligations to provide Special Source Revenue Credits to the Company, or its assignee of such payments, under this Agreement.

SECTION 4.03. Assignment by County. The County shall not attempt to assign, transfer, or convey its obligations to provide Special Source Revenue Credits hereunder to any other Person.

ARTICLE V

DEFAULTS AND REMEDIES

SECTION 5.01. Events of Default. If the County or the Company, as the case may be, shall fail duly and punctually to perform any covenant, condition, agreement or provision contained in this Agreement on the part of the County or the Company, as the case may be, to be performed, which failure shall continue for a period of 30 days after written notice by the Company or the County, as the case may be, specifying the failure and requesting that it be remedied is given to the County or the Company, as the case may be, by first-class mail, the County or the Company, as the case may be, shall be in default under this Agreement (an "Event of Default").

SECTION 5.02. Legal Proceedings by Company. Upon the happening and continuance of any Event of Default, then and in every such case the Company 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 County 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) pay only as much as is not in dispute under this Agreement;
- (d) by action or suit in equity require the County to account as if it were the trustee of an express trust for the Company;
- (e) exercise any or all rights and remedies provided by the laws 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
- (f) by action or suit in equity enjoin any acts or things which may be unlawful or in violation of its rights.

SECTION 5.03. Legal Proceedings by the County. Upon the happening and continuance of any Event of Default, then and in every such case the County in its discretion may:

- (a) by mandamus, or other suit, action, or proceeding at law or in equity, enforce all of the rights of the County and require the Company 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) to audit the books of the Company with regard to Sewer Line expenses, or to otherwise require the Company to submit proof to the County, to verify that the Company is entitled to the credits provided under this Agreement;

(d) to exercise any and all statutory remedies to collect the fee-in-lieu payments to the extent that such remain unpaid;

(e) to require the Company to promptly pay any amounts that are not the subject of a bona fide dispute; or

(f) by action or suit in equity to enjoin any acts or things which may be unlawful or in violation of the rights of the County.

SECTION 5.04. Remedies Not Exclusive. No remedy in this Agreement conferred upon or reserved to the Company 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 5.05. 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 V to the Company may be exercised from time to time and as often as may be deemed expedient.

ARTICLE VI

MISCELLANEOUS

SECTION 6.01. 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 6.02. 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 6.03. Severability. In case any one 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 and the Credits shall be construed and enforced as if the illegal or invalid provisions had not been contained herein or therein.

SECTION 6.04. 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 the

Credits or the Agreement or be subject to any personal liability of accountability by reason of the issuance thereof.

SECTION 6.05. 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) delivered or (ii) sent by facsimile and confirmed by United States certified mail, return-receipt requested, restricted delivery, postage prepaid, addressed as follows or by mailing such notice to its Registered Agent for Service of Process at its Registered Office in South Carolina:

(a) if to the County: T. Cary McSwain
Richland County
2020 Hampton Street, Suite 4058
Columbia, South Carolina 29204

(b) if to the Company: AEB Business Properties, LLC
Attn: Managing Partner

with a copy to: Haynsworth Sinkler Boyd, P.A.
Attn: Edward G. Kluiters
1201 Main Street, Suite 2200
P.O. Box 11889
Columbia, South Carolina 29211-1889

A duplicate copy of each notice, certificate, request or other communication given under this Agreement to the County or to the Company shall also be given to the others. The County and the Company may, by notice given under this Section 6.05, designate any further or different addresses to which subsequent notices, certificates, requests or other communications shall be sent.

SECTION 6.06. Applicable Law. The laws of the State of South Carolina shall govern the construction of this Agreement.

SECTION 6.07. 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 6.08. Amendments. This Agreement may be amended only by written agreement of the parties hereto.

SECTION 6.09. 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.

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 AEB Business Properties, LLC has caused this Agreement to be executed by its authorized officer, all as of the day and year first above written.

RICHLAND COUNTY,
SOUTH CAROLINA

(SEAL)

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

ATTEST:

Clerk to County Council of
Richland County, South Carolina

AEB BUSINESS PROPERTIES, LLC

By: _____
Name: _____
Title: _____

Acknowledged and Agreed to:
BUCK ENTERPRISES, LLC

By: _____
Name: _____
Title: _____

EXHIBIT A (to the Financing Agreement)

PROPERTY DESCRIPTION – 4 ACRES ON NORTHPOINT BLVD.)

All that piece, parcel, lot or tract of land, situate, lying and being in Richland County, South Carolina, and being shown and designated on a plat by B. P. Barber & Associates, Inc., dated November 25, 2002 entitled in part “Boundary & Topographic Survey” recorded at Plat Book 772, Page 2580 in the ROD Office of Richland County, South Carolina, and having such size, shape, buttings, boundings, dimensions and location as will appear by reference to said plat which is incorporated herein by reference, be all the dimensions and measurements shown thereon a little more or less.

Bounded on the north by land now or formerly of Hueck Foils, LLC, on the east and south by other lands of the Citadel Foundation and on the west by Northpoint Boulevard.

Being the same property conveyed to Buck Enterprises, LLC from The Citadel Foundation, dated March 20, 2003 in Record Book 772, Page 2581 in the ROD Office of Richland County, South Carolina.

Tax Map Parcel Number: 14900-01-34

EXHIBIT B (to the Financing Agreement)

GENERAL LOCATION AND COSTS OF SEWER LINE

Richland County Council

Rules and Appointments Committee



**RICHLAND COUNTY COUNCIL
REGULAR SESSION MEETING
OCTOBER 4, 2005**

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

I. PRESENTATION NOVUS AGENDA

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

A. Accommodations Tax Advisory Committee-2

There are two appointments to be made to this committee for Cultural and Lodging positions. One application was received from the following person:

Lee Hubbard Lumpkin, Retail, Ivory Tower*

B. Board of Assessment Control-2

There are two appointments to be made to this board. Applications were received from the following:

James B. Allen, Jr., 35 Years Military, Community Service
Chalon Shepard Headley, II, Real Estate Appraiser*
Hugh A. Palmer, 30 Years Real Estate Experience

C. Board of Zoning Adjustments and Appeals-4

There are four appointments to be made to this board. Three applications were received from the following:

Heather M. Cairns, Landscape Architect and Attorney
Margaret Perkins, Special Service Coordinator*
Elaine T. Perrine, Retired

D. Community Relations Council-1

There is one appointment to be made to this council. One application was received from the following individual:

Michael L. Jacobs, Sr., Certified Surgical Technologist, 1st Asst.

Joseph McEachern
Chairman
District Seven

Paul Livingston
District Four

Mike Montgomery
District Eight

Staffed by:

Monique Walters
Assistant to the Clerk of
Council

*** Eligible for re-appointment**

Report prepared and submitted by:
Monique Walters
Assistant to the Clerk of Council



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Lee Hubbard Lumpkin
Home Address: 21 Heathwood Circle ColA 29205
Telephone: (home) 803 254 9072 (work) 803 252-0026
Office Address: 2614 Devine St: 29205 Cell 467 4403*
Educational Background: BA from Stephens College M.Ed. from GA. State Univ.
Professional Background: Retailer (Ivory tower) 28 years
Male [] Female [x] Age: 18-25 [] 26-50 [] Over 50 [x]
Name of Committee in which interested: Accomadations Tax
Reason for interest: love for the ARTS & appreciating the importance of a business background to accompany it
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission: Business Background Affiliation with Ballet for 9 yrs
Presently serve on any County Board/Commission/Committee? Holding off A-Tax
Any other information you wish to give?
Recommended by Council Member(s): formerly Olan Bradley
Hours willing to commit each month: As many 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: am Chairman of Coln
Classical Ballet Board

[Signature] 9/28/05
Applicant's Signature Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-5060.

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: JAMES B. ALLEN JR
Home Address: 14 SOUTH FORK PL, COLUMBIA S.C 29223
Telephone: (home) 699-1768 (work) 699-1768
Office Address: SAME AS ABOVE
Educational Background: COLLEGE GRAD - AB ENGLISH
Professional Background: 35 years military
 Male Female Age: 18-25 26-50 Over 50
Name of Committee in which interested: Board of Assessment Control
Reason for interest: EXPERIENCE, COMMUNITY SERVICE - GIVING BACK
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:
RET. Major General. Experience in OVERSIGHT AND Management
Presently serve on any County Board/Commission/Committee? NONE
Any other information you wish to give? n/a
Recommended by Council Member(s): —
Hours willing to commit 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 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.

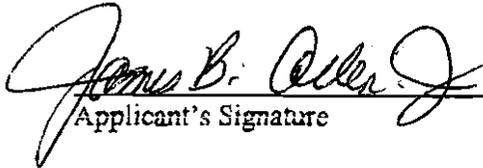
Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Board or Commission, as the County Council,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

Sept 28th, 2005
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-5060.

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	

Appt. 10/15/02



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

APPLICANT MUST RESIDE IN RICHLAND COUNTY

Name: Chalton Shepard Headley, II

Home Address: 6429 Cloverdale Drive

Office Address: 6429 Cloverdale Drive

Job Title and Employer: Real Estate Appraiser, Headley Residential

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

Educational Background: Mgmt Degree (Fork) USC

Professional Background: Real Estate Appraisal (5yrs), Finance (2yrs), Retail

Male [] Female [] Age: 18-25 [] 26-50 [x] Over 50 [] Mgmt (13yrs)

Name of Committee in which interested: Assessment Appeals Control

Reason for interest: To volunteer my time to my community

Characteristics/Qualifications which would be an asset to Committee/Board/ Commission:

I am an independent real estate appraiser and own a small residential appraisal company. This knowledge of real estate and Richland County should help the board.

Presently serve on any County Board/Commission/Committee? No

Any other information you wish to give? I am the president of the

Yorkshire Neighborhood Association and have coached YMCA Soccer for 5 seasons. I have been very active in the community.

Recommended by Council Member(s): Tommy Mizell

Received by/Date

Applicant's Signature/Date

Return to: Clerk of Council, Post Office Box 192, Columbia, S. C. 29202. For information, call 748-4600.

One form must be submitted for each committee on which you wish to serve.

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 X

If so, list below: But, as an appraiser, there may arise a time that my opinion will be influenced by my work on a particular piece or similar piece of property as the one under appeal.

Signature: C. S. Headley

Date: 9/27/02

Applications are current for one year.

Chalon Shepard Headley, II

6429 Cloverdale Drive
Columbia, South Carolina 29209
(803) 776-96415

EDUCATION

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

EMPLOYMENT

12/99 - Present Positions Held:	Headley Residential Appraisal, Inc. Owner, Real Estate Appraiser
8/97 - 2/00 Positions Held:	JKS Appraisal Services, Inc. Real Estate Appraiser (Full-time 2/98 - 2/00)
5/96 - 2/98 Positions Held:	Tico Credit Assistant Manager, Collections Manager
10/95 - 5/96 Positions Held:	Regional Finance Assistant Manager
6/95 6/96 Positions Held:	Excel Telecommunications, Inc. Independent Representative
8/94 - 6/95 Positions Held:	BiLo Assistant Manager, Management Trainee
5/91 - 8/94 Positions Held:	Food Lion Store Manager, Assistant Manager, Management Trainee, Perishable Manager
7/82 - 5/91 Positions Held:	Kroger Sav-on Management Trainee, Produce Manager, Produce Clerk, Grocery Stocker, Courtesy Clerk

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

CIVIC INFORMATION

1997 - Present Yorkshire Neighborhood Association
Positions Held: President (currently), Vice-President(2000-2001),
Membership/Fellowship Committee (1997-current), Legal/ Political
Committee (1998)

2000 Precinct Manager - South Carolina Primary

2000-2002 YMCA Soccer Coach, 4 - 5 years, 6-7 years (Spring and Fall)

PERSONAL INFORMATION

Date of Birth: January 8, 1965
Place of Birth: Columbia, South Carolina
Marital Status: Married, June B. Headley, October 22, 1988
Children: Chalon, 6, Emily 3
Hobbies: Family, University of South Carolina Sports, Golf



APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: HUGH A. PALMER
Home Address: 7833 LOCH LANE CIRCLE, COLUMBIA, SC 29223
Telephone: (home) (803) 865-8825 (work) (803) 788-8300 EXT. 2
Office Address: 7368 TWO NOTCH ROAD, COLUMBIA, SC 29223
Educational Background: ASSOCIATE DEGREE IN SCIENCE IN COMMERCIAL EDUCATION
BACHELOR DEGREE IN SCIENCE IN BUSINESS ADMINISTRATION
Professional Background: THIRTY (30) YEARS REAL ESTATE EXPERIENCE
 Male Female Age: 18-25 26-50 Over 50
Name of Committee in which interested: BOARD OF ASSESSMENT CONTROL *Control*
Reason for interest: REPRESENT COUNCILS INTEREST IN SERVING
THE RICHLAND COUNTY COMMUNITY
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:
OVER THIRTY (30) YEARS REAL ESTATE EXPERIENCE WHICH GIVES ME
A GOOD UNDERSTANDING OF REAL ESTATE AND GROWTH ISSUES
Presently serve on any County Board/Commission/Committee? NO
Any other information you wish to give? NO
Recommended by Council Member(s): _____
Hours willing to commit each month: AS MAY BE APPROPRIATE

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 X

If so, describe: _____


Applicant's Signature

3-29-05
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-5060.

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: Heather M. Cairns

Home Address: 840 Old Woodlands Road, Columbia, 29209

Telephone: (home) 803.446.2873 (work) 803.771.6979

Office Address: 823 Calhoun Street, Columbia, 29201

Educational Background: BS, Master of Landscape Architecture, JD

Professional Background: Landscape Architect and Attorney

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

Name of Committee in which interested: Board of Zoning Appeals and Adjustments

Reason for interest: I have a strong understanding of zoning and an interest in public service. I have attended meetings of the BOZA and would like to serve.

Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:
I have a background in land development as a landscape architect and I am keenly aware of the competing interests often at stake in a zoning appeal.

Presently serve on any County Board/Commission/Committee? no

Any other information you wish to give? None of my land planning exp. was in Richland County so I do not anticipate any problems with conflicts.

Recommended by Council Member(s): _____

Hours willing to commit each month: 10-20

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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 X _____

If so, describe: _____


Applicant's Signature

Sept 19, 2005
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-5060.

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 checked="" type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied <input checked="" type="checkbox"/> On file

2ND Appt. 9/10/02



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

APPLICANT MUST RESIDE IN RICHLAND COUNTY

Name: Margaret Perkins

Home Address: POB 1715

Office Address: POB 1715

Job Title and Employer: Coordinator

Telephone: (home) 803-754-3731 (work) 803-737-5682

Educational Background: Master of Art

Professional Background: Special Services Coordinator for Workers' Compensation Commission

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

Name of Committee in which interested: Zoning Board

Reason for interest: I'm presently on Board. I replaced someone who vacated position before term expired. I've gained quite a bit of knowledge w/ County codes/regulations.

Characteristics/Qualifications which would be an asset to Committee/Board/ Commission:

Previously served on Transportation; presently on Zoning Board of Advisors - acquired a reasonable knowledge base of zoning laws.

Presently serve on any County Board/Commission/Committee? Zoning Board/Advisory

Any other information you wish to give? none

Recommended by Council Member(s): Joseph McEachern

Received by/Date _____ Applicant's Signature/Date _____

Return to: Clerk of Council, Post Office Box 192, Columbia, S. C. 29202.
For information, call 748-4600.

One form must be submitted for each committee on which you wish to serve.

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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, list below:

Signature: *Margaret Perkins*
Date: *9/11/02*

Applications are current for one year.



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

Applicant must reside in Richland County.

Name: Elaine T. Perrine

Home Address: 27 Richland Farms Rd., Hopkins, SC 29061

Telephone: (home) 776-9392 (work) N/A

Office Address: N/A

Educational Background: BA in Business Administration

Professional Background: varied business/public related employment (30+ yrs.)

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

Name of Committee in which interested: Board of Zoning Adjustments & Appeals

Reason for interest: would like to represent the citizens
of Richland Cty

Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:
served on Board from 1994 to 2000

Presently serve on any County Board/Commission/Committee? NO

Any other information you wish to give? resided in Richland Cty since 1980

Recommended by Council Member(s): Tony Mizzell

Hours willing to commit each month: necessary hrs. needed

CONFLICT OF INTEREST POLICY

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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: _____

Elaine J. Perrine
Applicant's Signature

Sept. 17, 2005
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-5060.

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: Michael L. Jacobs, Sr

Home Address: 1625 Heyward Brockington Rd.

Telephone: (home) 803-786-8649 (work) 803-256-5449

Office Address: _____

Educational Background: Diploma Graduate Midlands Tee

Professional Background: Certified Surgical Technologist First Asst.

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

Name of Committee in which interested: Community Relations Council

Reason for interest: _____

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

Presently serve on any County Board/Commission/Committee? NO

Any other information you wish to give? _____

Recommended by Council Member(s): Honorable Joe McEachern, Joyce Dickerson

Hours willing to commit each month: ?

CONFLICT OF INTEREST POLICY

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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: _____

Michael J. Jacobs, Sr. 9/20/05
Applicant's Signature Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-5060.

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

Micheal L. Jacobs, Sr.
1625 Heyward Brockington Road, Columbia, S.C.
803-786-8649
Jacobsmicheal@hotmail.com

Objective: To help cultivate and further enhance our growing community; my mission is to also help create a new pride and confidence in our community.

**Summary of
Community
Service**

Community Organizations

- Current – President of Bookert Height Community Organization
- Current- Eau Clair High School, School Improvement Council Chairperson
- Current- Member of Blue Ribbon Committee Richland District 1
- Current- Vice President of Eau Claire High School Foundation
- Current- Chaplin of Eau Claire High School Band
- Current- Member Richland District 1 Calendar Committee
- Current- Governmental Relations Cluster Captain for Richland District 1
- Past- Eau Clair High School Band Booster President
- Past- Heyward Gibbes Middle School, School Improvement Council Chairperson
- Past- Member Denny Terrace “Elementary School, School Improvement Council
- Past- Fine Arts Advisory Council Richland District 1
- Past- Member of Elementary Facility Committee Richland District 1
- Past- Member of Future Business Advisory Council of Eau Clair High School
- Past- Richland District 1 High School Volunteer of Year 1996
- Past- Richland District 1 High School Volunteer of Year 1997
- Past- PTO President Denny Terrace Elementary School
- Past- Member of Richland District Bond Referendum Committee
- Past- Candidate Richland County Council District 7
- Past- Cardiovascular Safety Committee Chairperson Providence Hospital
- Past- Member Providence Hospital United Way Committee

Work History

1980-2005 Providence Hospital, Columbia, SC.

Position, Certified Surgical Technologist First Assistant

1999- 2005 Calvary Holiness Church Of God, Cayce, SC.

Position, Assistant Pastor

Education

1978-1980 Midland Technical College, Columbia, SC.

Allied Health And Science Diploma

Micheal L. Jacobs Sr.
1625 Heyward Brockington Road
Columbia, South Carolina 29203-1031
803-786-8649

September 20, 2005

Richland County Council
Clerk of Council's Office
P.O. Box 192
Columbia, S.C. 29202

Subject: Application Questionnaire

Dear Prospective Employer,

I am submitting the enclosed, resume in application for position of Community Relations Council.
I am an energetic and flexible individual with an excellent community service record.

I have fifteen plus years of experience in community service with various organizations and other related skills. My years of community service experience will be beneficial to the council and community.

I have established a strong working relationship with communities through out Columbia and I am committed to bring communities together to create better and stronger atmosphere in the Columbia area.

I would like to discuss my employment possibilities with you, and I am available for an interview at any time.

Thank you for taking the time to review my qualifications, and I look forward to meeting with you in the near future.

Sincerely,



Micheal L. Jacobs, Sr.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-05HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 21, ROADS, HIGHWAYS AND BRIDGES; SECTION 21-6, STANDARDS FOR STREETS AND DRAINAGE; SUBSECTION (F), WARRANTY; SO AS TO AMEND THE BOND REQUIREMENTS FOR ACCEPTANCE OF NEW STREETS AND DRAINAGE SYSTEMS BY RICHLAND COUNTY.

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

SECTION I. The Richland County Code of Ordinances, Chapter 21, Roads, Highways and Bridges; Section 21-6, Standards for streets and drainage; Subsection (f), Warranty; is hereby amended by the deletion of the language contained therein and the substitution of the following language:

(f) *Warranty.* As a prerequisite to the county's acceptance of new streets and drainage systems, the grantor (or an assigned agent thereof) shall provide the county with a bond in an amount equal to 40% of the construction cost, with surety and conditions satisfactory to the county, as a warranty for a period of ~~three (3)~~ two (2) years. The warranty shall pertain to the design and construction of the streets and drainage system in accordance with these standards and their satisfactory performance during the warranty period. The warranty period shall commence with the formal acceptance of the roads by the county. The grantor (or an assigned agent thereof) is not responsible for repairing damage done to the roads subsequent to acceptance that was not a result of design or construction failure. Additionally, the roads and drainage networks shall be inspected by the County Engineer on an annual basis during this two year period. Deficiencies that are identified by the County Engineer, and are the responsibility of the developer as determined by the County Engineer, shall be repaired by the developer in a timely manner. The county may accept a bond in any one of the following forms:

- (1) A surety bond issued by a bonding company licensed to do business in the state; or
- (2) Escrow funds in an account in the name of the county; or
- (3) An irrevocable letter of credit issued by a responsible financial institution; or
- (4) A cash bond.

The bond and/or letter of credit would cover only claims made by the County in writing to the developer and the party issuing the bond within the two year period.

DRAFT

Claims must be made in writing with specificity as to what is to be repaired. The County would be entitled to draw only the required percentage of the cost of repairs as certified by the County Engineer.

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 _____, 2005.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

ATTEST THIS THE ____ DAY
OF _____, 2005

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: September 6, 2005
Second Reading: September 20, 2005
Public Hearing: October 4, 2005 (tentative)
Third Reading:

C

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

To the Chairperson of Richland County Council:

The undersigned hereby respectfully requests that the Richland County Council approve the location of a community care home in Richland County, South Carolina, pursuant to Chapter 7 of Title 44 of the 1976 State Code of Laws, as described below. (Be advised that final approval of all community care homes rests with licensing by the State Department of Health and Human Services.)

Applicant must be the director of the proposed facility.

1. Applicant Name: Barbara Stephens-Simmons

2. Applicant Address: 9504 Puritan Rd
Cola, S.C. 29209

3. Applicant Telephone: Home 803-783-6088 Office 803-528-0416

4. Location of proposed community care home:

Street address: 9504 Puritan Rd City, zip: Cola, 29209

Tax Map Number: B19114-05-11

5. Do you own the building that will house the proposed community care home?

YES

NO

If "No," do you have an option to buy the property or, if renting, do you have a lease agreement with the owner? Please state which arrangement you currently have and the name, address and phone number of the current owner and/or lessor.

N/A

6. If you are leasing the property, has the lessor granted authority to establish a community care home on the property? YES NO

7. Will the proposed community care home be established in your current permanent residence? YES NO

8. How many bedrooms and bathrooms does the proposed community care home

have? Bedrooms 3 Bathrooms 2

9. How many resident clients will be housed in this proposed community care home?

Nine or less Ten or more

10. Describe the type of resident client to be housed in this proposed facility (senior citizens or children, physically or mentally disabled, etc.).

Senior Citizen / mentally disabled

11. How many full-time and part-time staff will care for the resident clients of the proposed community care home? Full-Time 3 Part-Time 2

12. How many total persons will occupy the proposed community care home during the night? (include resident clients, staff, staff family, applicant, applicant's family, etc., as applicable) Total Persons 6

13. Do you currently operate any other community care facilities in Richland County?

YES NO

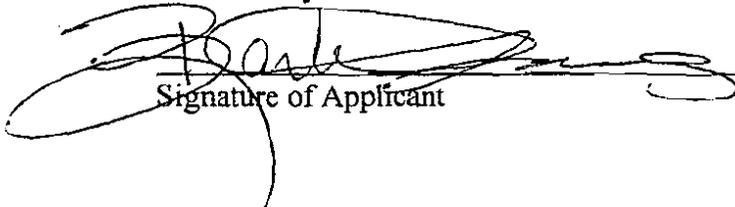
If you do, list the location, year licensed, and number of resident clients for each facility:

Street address	Year Licensed	# of Residents
Street address	Year Licensed	# of Residents

14. Have you ever had a license revoked for any type of residential health care facility located in South Carolina? YES NO

I hereby certify that if granted approval from the Richland County Council to locate a community care home as described above, I will fully comply with all regulations of the appropriate state licensing and regulatory agency or agencies, the State Fire Marshal's Office, and Health Department Officials which apply to community care facilities in establishing and obtaining licensing for my community care home.

I also certify that all of the above information is correct to the best of my knowledge.


Signature of Applicant

9/16/05
Date

