

**RICHLAND COUNTY COUNCIL
REGULAR SESSION
COUNCIL CHAMBERS
OCTOBER 2, 2007
6:00 P.M.**

CALL TO ORDER Honorable Joseph McEachern

INVOCATION Honorable Bill Malinowski

**PLEDGE OF ALLEGIANCE
 Honorable Bill Malinowski**

PRESENTATION OF RESOLUTIONS

a. Ombudsman's Office – Customer Service Week

CITIZEN'S INPUT

APPROVAL OF MINUTES

Regular Session: September 18, 2007 [Pages 6-12]

Zoning Public Hearing: September 25, 2007 [Pages 13-19]

ADOPTION OF AGENDA

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

- a. Northeast Sanitary Landfill vs. Richland County**
- b. HBA vs. Richland County**

REPORT OF THE COUNTY ADMINISTRATOR

- a. Employee Grievance-2**
- b. Riverside Contract**
- c. Farmers' Market Update**
- d. Recognize IT for Digital Excellence Award**
- e. Mass Transit Fee Update**
- f. TIF Update**
- g. Selection of Consultant for Sewer Study**

REPORT OF THE CLERK OF COUNCIL

- a. **D/S Work Session on Moratorium on New Subdivisions with 50 or more lots**

REPORT OF THE CHAIRMAN

APPROVAL OF PUBLIC HEARING ITEMS

- 1.a.

APPROVAL OF CONSENT ITEMS

- 1.b., 2.c., 2.d., 2.f., 2.h., 3.a., 3.b., 4.a., 4.b., 4.c., 4.d., 4.e., 4.f., 4.g., 4.h., 4.i., 4.k., 4.l.

1. THIRD READING ITEMS

- a. **FY 2007-2008 Millage Ordinance [PUBLIC HEARING] [Pages 20-26]**
- b. **An Ordinance to remove the two (2) consecutive term limits requirement requirement for regional boards, commissions and committees when other jurisdictions have no term limits. [CONSENT] [Pages 27-28]**

2. SECOND READING ITEMS

- a. **Transit Fee Ordinance [Pages 29-30]**
- b. **Ordinance amending the fiscal year 2007-2008 general fund annual budget to increase the Auditor's Office budget by one hundred ten thousand nine hundred thirty (\$110,930). This includes funding two analyst and administrative assistant [referred from A/F Committee] [Pages 31-32]**
- c. **07-41MA
Johnathan Holley
Eternal Garden
RU to GC (13.29 acres)
Cemetary
19100-04-37(p)
Behind 8132 Garners Ferry Road [CONSENT]
[Pages 33-35]**
- d. **07-42MA
Red Gate Farms II
RU to PDD (71.41 acres)**

**Commercial/Residential
12700-01-21 & 15100-01-04(p)
Syrup Mill Road & Blythewood Road [CONSENT]
[Pages 36-41]**

**e. 07-45MA
South Capital Group
RU to RM-HD (6.21 acres)
Multi-Family Residential
17016-03-03
Dawson Road [Page 42]**

**f. 07-46MA
Billy Stanick
RU to GC (2.84 acres)
Warehouse for Existing Business
01511-02 & 09
2150 Dutch Fork Road [CONSENT] [Page 43]**

**g. 07-48MA
Cheryse Jordan
O1 to GC (.67 acres)
General Commercial Use
02505-03-04& 07
1770 Dutch Fork Road [Page 44]**

**h. 07-51MA
Hurricane Construction
RU to RS-MD (8.34 acres)
Single Family Residential
05200-03-18 & 05200-03-60
Hollingshed Road [CONSENT] [Pages 45-46]**

**3. REPORT OF DEVELOPMENT AND SERVICES
COMMITTEE [Page 47]**

**a. Proclamation to designate October as Community
Planning Month In Richland County [CONSENT]
[Page 48]**

**b. Revision of Area Master Plan Boundaries
Candlewood, Crane Creek & Trenholm Acres
[CONSENT]**

**c. Sanitary sewer main extension agreement for
Kingston Village off-site gravity sewer**

- d. **Approval of the installation of an electric traffic signal at the intersection of Summit Ridge and Summit Parkway (FY08 Traffic Signalization Program)**
4. **REPORT OF ADMINISTRATION AND FINANCE COMMITTEE [Pages 49-51]**
- a. **Request to negotiate a contract with Wachovia Insurance Services to assist Richland County in an RFP for Employee Health insurance and Supplemental products [CONSENT]**
 - b. **Request to advertise, publish and solicit a RFQ from qualified Law Firms, Companies or Attorneys to assist the County with outside legal counsel services [CONSENT]**
 - c. **An Ordinance establishing policies and procedures to be followed in connection with conduit financings [CONSENT] [Pages 52-54]**
 - d. **Resolution authorizing a Notice to Levy and Collect general obligation bonds not to exceed \$5,000,000 for the purchase of vehicles for use by the Sheriff's Department for fiscal year 2007-2008, construction of a public safety facility, and a portion of the design procurement, design, construction procurement and construction of the expanding of the City of Columbia Animal Shelter Facilities [CONSENT] [Pages 55-59]**
 - e. **Ordinance authorizing the issuance of not to exceed \$5,000,000 general obligation bonds to be used for the following purposes: purchase of land and constructing a public safety facility (\$1,600,000); purchase of vehicles for use by the Sheriff's Department for fiscal year 2007-2008 \$2,000,000); and for the expansion of the City's Animal Shelter \$1,400,000) [CONSENT] [Page 60]**
 - f. **Resolution authorizing a Notice to Levy and Collect for debt service not to exceed \$6,975,000 general obligation bonds, the proceeds of which will be used for the payment of the outstanding Bond Anticipation**

Notes including accrued interest and issuance cost for the Innovista project [CONSENT] [Pages 61-65]

- g. Ordinance authorizing the issuance of not to exceed \$6,975,000 general obligation bonds or bond anticipation notes for the payment of the outstanding Bond Anticipation Note issued for the Innovista Project [CONSENT] [Page 66]**
- h. Register of Deeds Request for approval of historical records regrant program (SC SHRAB) to improve the quality of pre 1959 microfilm of deeds, no personnel, in-kind match of \$2,695.00 [CONSENT]**
- i. Sheriff's Department: Request to approve an office of violence against women training and technical grant (no match, no personnel) [CONSENT]**
- j. Pioneer Bowl Request for funding \$25,000**
- k. Ordinance amending the fiscal year 2007-2008 budget ordinance to unappropriate undesignated hospitality tax funds in the budget ordinance to reflect a decrease in available funds [CONSENT] [Pages 67-68]**
- l. Animal Care Bond Ordinance [CONSENT] [Page 69]**

5. REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE

- a. KIRCO MOU [Pages 70-77]**

6. CITIZEN'S INPUT

7. MOTION PERIOD

- a. Approval of Resolution for Coroner Gary Watts for Heroic acts**
- b. An Ordinance amending The Richland County Code of Ordinances; Chapter 23; Taxation; Article VI, Local Hospitality Tax; Section 23-69, Distribution of funds; and Section 23-71, Oversight and Accountability [Pages 78-80]**

8. ADJOURNMENT

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, SEPTEMBER 18, 2007 6:00 p.m.

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

MEMBERS PRESENT:

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

OTHERS PRESENT – Michielle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Joe Cronin, Stephany Snowden, Jennifer Dowden, Larry Smith, Amelia Linder, Michael Criss, Anna Almeida, Jennie Sherry-Linder, Audrey Shifflett, Angie McInchok, Rodolfo Callwood, Teresa Smith, Paul Brawley, Chief Harrell, John Hixon, Srinivas Valavala, Monique Walters, Michelle Onley

CALL TO ORDER

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

INVOCATION

The Invocation was given by the Honorable Kit Smith

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Kit Smith

PRESENTATIONS

Mr. James Miller, Forestry Commission – Mr. Miller presented to Council a check for \$12,074.00 from the Forestry Commission.

Mr. Ken Simmons, Recreation Complex – Mr. Simmons gave an update on Task III of this project.

Ms. Mitzi Javers, CMRTA Update – Ms. Javers gave a brief update on the CMRTA.

Ms. Cynthia Hardy, Richland One Middle College/Total Carolina Care – Ms. Hardy stated that the Middle College received the Innovator Award for their Workplace to Work Initiatives from the Southern Growth Policies Board. Ms. Hardy also introduced Dr. Robert Kirton to Council.

POINT OF PERSONAL PRIVILEGE – Mr. Livingston stated that the Richland One Middle College is conducted at Midlands Technical College.

CITIZEN'S INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: September 11, 2007 – Mr. Montgomery moved, seconded by Mr. Livingston, to approve the minutes with the following correction: on page 5, Report of Rules and Appointments Committee, II. Notification of Vacancies, Item a.—the word was needs to be replaced with were so there is subject-verb agreement.

Mr. Malinowski stated that on p. 4, Second Reading, Item 07-38MA, the minutes should reflect that the vote was in favor and not unanimous.

The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Smith stated that the following items needed to be added under the Report of the County Attorney for Executive Session: N. E. Sanitary Landfill vs. Richland County; Splash, Inc. vs. Richland County; Richland County vs. Isaac Cloud; and the Lomar Request to FEMA.

Mr. Jeter moved, seconded by Ms. Hutchinson, to approve the agenda as amended. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following items were potential Executive Session items:

- a. **Riverside Property Acquisition**
- b. **N. E. Sanitary Landfill vs. Richland County**
- c. **Splash, Inc. vs. Richland County**
- d. **Richland County vs. Isaac Cloud**
- e. **Lomar Request to FEMA**

REPORT OF THE COUNTY ADMINISTRATOR

Personnel Update – Mr. Pope requested that this item be deferred until the October 2nd meeting.

Ms. Scott moved, seconded by Ms. Dickerson, to defer this item.

REPORT OF THE CLERK OF COUNCIL

Dinner with Lexington County Council Dates – Ms. Finch stated that Lexington County Council had issued an invitation to Richland County Council for dinner on either October 18th or 25th.

USC School of Medicine Invitation – Ms. Finch stated that Council had received an invitation to attend the USC School of Medicine's Scholarship Gala honoring Dr. Gerald A. Wilson on October 25th at Columbia Metropolitan Convention Center.

Midlands Technical College Oyster Roast & Shrimp Boil – Ms. Finch stated that Council had received an invitation to Midlands Technical College's Oyster Roast and Shrimp Boil on October 17th from 6:00-8:00 p.m. at the Midlands Technical College Technology Center Patio.

Attendance Sheets – Ms. Finch stated that there were attendance sheets being passed around.

REPORT OF THE CHAIRMAN

No report was given at this time.

PUBLIC HEARING ITEMS

None.

APPROVAL OF CONSENT ITEMS

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

- **07-31MA, Myung Chan Kim, RU to NC (3.8 Acres), General Commercial, 20281-01-21 & 45, 2201 & 2209 Clemson Road [Third Reading]**
- **07-34MA, Stan Mack, RU to GC (1.41 Acres), Bank, 03300-07-01, 10361 Broad River Road [Third Reading]**
- **07-39MA, John Tien, RU to GC (10.01 acres), Office/Warehouse/Distribution, 02509-03-02, 1041 Gates Road [Third Reading]**
- **Sheriff's Department: Request to approve acceptance of a DNA Grant (Personnel Required) [Second Reading]**

THIRD READING

07-38MA, Robert Fuller, Kornegay/Moseley Funeral Home, RU to OI (9.68 acres), Funeral Home, 20300-02-30, 4645 Hard Scrabble Road – Mr. Pearce moved, seconded by Ms. Scott, to approve this item. A discussion took place.

Mr. Livingston called for the question, seconded by Ms. Scott. The vote in favor was unanimous.

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

The vote was in favor.

A Budget Ordinance to establish a \$25.00 Manufactured/Mobile Home Registration Fee – Mr. Montgomery moved, seconded by Mr. Jeter, to approve this item. The vote was in favor.

SECOND READING

Central Midlands RTA and Midlands Regional Convention Center Authority Term Limits (Change to Agreement) – Mr. Montgomery moved, seconded by Ms. Dickerson, to approve the ordinance as submitted. A discussion took place.

The vote in favor was unanimous.

Victim's Assistance Program – Mr. Montgomery moved, seconded by Ms. Scott, to approve the two ordinances relating to this item and to ask that the ad hoc committee continue to serve as needed. A discussion took place.

The vote in favor was unanimous.

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

204 Joe Apree Circle, Columbia, South Carolina 29223 – Ms. Smith moved, seconded by Ms. Scott, to not object to this residential care facility. The vote in favor was unanimous.

MASS TRANSIT FEE UPDATE – Mr. Pope gave an update on the options for the mass transit fee reduction. A discussion took place.

Mr. Montgomery and Ms. Hutchinson requested additional information regarding the termination date for the mass transit fee and the fund balance of the road maintenance fee be provided to Council.

AUDITOR'S OFFICE UPDATE – Mr. Paul Brawley gave an update regarding the requested budget amendment for the Auditor's Office. A discussion took place.

Ms. Smith moved, seconded by Ms. Scott, to give First Reading by title only to the proposed budget amendment and to refer the matter back to the September 25th A&F Committee meeting for further discussion. The vote in favor was unanimous.

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

CITIZEN'S INPUT

Mr. John Grego spoke regarding the resolution for Congaree National Park.

EXECUTIVE SESSION ITEMS

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

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Council went into Executive Session at approximately 7:57 p.m. and came out at approximately 8:39 p.m.
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Mr. Pearce moved, seconded by Mr. Jackson, to come out of Executive Session. The vote in favor was unanimous.

- a. **Riverside Property Acquisition** – No action taken.
- b. **N. E. Sanitary Landfill vs. Richland County** – No action taken.
- c. **Splash, Inc. vs. Richland County** – No action taken.
- d. **Richland County vs. Isaac Cloud** – No action taken.
- e. **Lomar Request to FEMA** – No action taken.

MOTION PERIOD

Approval of Resolution: Congaree National Park – Ms. Scott moved, seconded by Mr. Jackson, to approve a resolution for the Congaree National Park. The vote in favor was unanimous.

Odom Family Reunion Resolution – Mr. Livingston moved, seconded by Mr. Pearce, to adopt a resolution for the Odom Family Reunion. The vote in favor was unanimous.

Repair Shops Review – Ms. Dickerson directed staff to investigate the excessive number of cars without tags parked outside of repair shops.

Resolution Recognizing Customer Service Week, October 1-5, 2007 – Mr. Jackson moved, seconded by Mr. Montgomery, to adopt a resolution in honor of Customer Service Week. The vote in favor was unanimous.

Amendment to Mass Transit Fee Ordinance – Mr. Montgomery moved, seconded by Ms. Scott, to give First Reading by title only to an amendment to the Mass Transit Fee Ordinance to reduce the private rate for the period effective November 1, 2007 through October 31, 2008 and that at the time of the termination of the fee there would be an adequate fund balance to continue the County's obligations through June 30, 2009. A discussion took place.

Mr. Montgomery moved, seconded by Ms. Hutchinson, to suspend Council's rules to allow discussion. The vote was not unanimous.

Ms. Smith made a substitute motion to give First Reading by title only to reduce the Mass Transit Fee, seconded by Mr. Jackson. The vote in favor was unanimous.

Benedict Funding Request – Mr. McEachern referred to the A&F Committee the funding request from Benedict College for \$25,000 for the Pioneer Bowl.

Capital Improvements Plan Update – Ms. Hutchinson moved, seconded by Mr. McEachern, to direct staff to report back to Council on the Capital Improvements Plan.

Lexington County Council Dinner Request – Council unanimously selected October 18th for dinner with Lexington County Council.

ADJOURNMENT

The meeting adjourned at approximately 8:51 p.m.

Joseph McEachern, Chair

Valerie Hutchinson, Vice-Chair

Joyce Dickerson

Norman Jackson

Damon Jeter

Paul Livingston

Bill Malinowski

Mike Montgomery

L. Gregory Pearce, Jr.

Bernice G. Scott

Kit Smith

The minutes were transcribed by Michelle M. Onley

MINUTES OF



RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING TUESDAY, SEPTEMBER 25, 2007 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	Joseph McEachern
Vice-Chair	Valerie Hutchinson
Member	Joyce Dickerson
Member	Norman Jackson
Member	Damon Jeter
Member	Paul Livingston
Member	Bill Malinowski
Member	Mike Montgomery
Member	L. Gregory Pearce, Jr.
Member	Bernice G. Scott
Member	Kit Smith

OTHERS PRESENT: Michielle Cannon-Finch, Milton Pope, Amelia Linder, Jennie Sherry-Linder, Michael Criss, Geo Price, Suzie Haynes, Larry Smith, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 7:02 p.m.

ADDITIONS/DELETIONS TO AGENDA

Ms. Sherry-Linder stated that the page numbers were omitted on the agenda. Ms. Sherry-Linder then stated the page numbers for each case.

TEXT AMENDMENTS

Digital Billboards: An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-180, Signs; Subsection (O), Nonconforming Signs; so as to allow digital display devices.

Mr. Jackson moved, seconded by Mr. Jeter, to move the text amendment to the beginning of the agenda. The vote was in favor.

Mr. Jackson moved, seconded by Mr. Jeter, to defer this item and refer it back to the Planning Commission.

POINT OF CLARIFICATION – Ms. Smith stated that it was her understanding the reason for the deferral was to take up another proposal. It would seem that there should be a motion to send that proposal to the Planning Commission.

A discussion took place.

Mr. Jackson amended his motion to include the August memorandum and other considerations, seconded by Ms. Scott. A discussion took place.

Ms. Smith proposed the following amendments: that the referral back to the Planning Commission is without prejudice from this Council, that the Planning Commission receive a legal briefing on the implications of 26-180(p)(2) as drafted by the industry; that the Planning Commission be briefed on the legal requirements of a buy out under State statute in order to remove a billboard and the associated costs; that consideration be given that the billboard not just be 300 feet from a residential district, but farther away from a residence; that group homes and commercial accommodation facilities be considered; to look at the replacement of non-conformity; that Council be presented with optional overlay districts for video billboards so they will know exactly where in the County the Planning Commission recommends that the billboards be placed; that the leases for these billboards would have to be renegotiated by the industry; that if a video billboard negates mixed-use development or residential development that the billboard industry would have to be willing to take it down; that Council consider a removal and replacement policy that three billboards or three times the square footage would have to come down before one would go up; that no billboard could be erected that is larger than the one that is being replaced; and that the lumens be considered.

Mr. Jackson did not accept her amendments.

Ms. Smith made a substitute motion, seconded by Mr. Pearce, to consider the billboard industry's concerns, as well as the neighborhood concerns.

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

The substitute motion failed.

A discussion took place.

POINT OF CLARIFICATION – Mr. Montgomery stated that the Planning Commission only takes up things that are initiated before it by some other body or that it's instructed to take up. Unless this motion is going to give it latitude to consider whatever it wishes to consider, you are sending it back a specific instruction to consider a specific proposed ordinance.

A discussion took place.

Mr. Livingston proposed the following amendment: to forward the August ordinance draft, as well as considering anything they need to consider with that to make a decision for the County.

Mr. Jackson accepted the amendment.

The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson recognized that Blythewood Mayor Pete Amoth and Blythewood Town Councilman Keith Bailey were in the audience.

Mr. Pearce requested to be excused for personal reasons at this time.

MAP AMENDMENTS

**07-40MA, Kendal Jones, Hull Storey Acquisitions, M-1 to GC (165.23 Acres),
General Commercial, 14600-03-16, Killian Rd. West of I-77**

Mr. McEachern opened the floor to the public hearing.

Ms. Kendal Jones and Mr. Robert Fuller spoke in favor of this item.

The floor to the public hearing was closed.

Ms. Hutchinson moved, seconded by Mr. Jackson, to deny the re-zoning request. A discussion took place.

The vote in favor was unanimous.

07-41MA, Johnathan Holley, Eternal Garden, GC/RU to GC (13.29 Acres), Cemetery, 19100-04-37, Behind 8132 Garners Ferry Rd.

Mr. McEachern opened the floor to the public hearing.

The citizens that signed up to speak in favor of this item declined to speak at this time.

The floor to the public hearing was closed.

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

07-42MA, Red Gate Farms II, RU to PDD (71.41 Acres), Commercial/Residential, 12700-01-21 & 15100-01-04 (p), Syrup Mill Rd. & Blythewood Rd.

Mr. McEachern opened the floor to the public hearing.

Mr. Ismail Ozbek and Mr. David Hilburn spoke in favor of this item.

The Honorable Pete Amoth and The Honorable Keith Bailey spoke against this item.

The floor to the public hearing was closed.

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

07-45MA, South Capital Group, RU to RM-HD (6.21 Acres), Multi-Family Residential, 17016-03-03, Dawson Rd.

Mr. McEachern opened the floor to the public hearing.

Mr. Ismail Ozbek and Mr. David Hilburn spoke in favor of this item.

Ms. Sean Tyler and Ms. Linda Brennon spoke against this item.

The floor to the public hearing was closed.

A discussion took place.

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

The vote was in favor.

07-46MA, Billy Stanick, RU to GC (2.84 Acres), Warehouse for Existing Business, 01511-01-02 & 09, 2150 Dutch Fork Rd.

Mr. McEachern opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

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

07-48MA, Cheryse Jordan, OI to GC (.67 Acres), General Commercial Use, 02505-03-04 & 07, 1779 Dutch Fork Rd.

Mr. McEachern opened the floor to the public hearing.

Ms. Cheryse Jordan spoke in favor of this item.

Mr. Malinowski moved, seconded by Ms. Jackson, to approve the re-zoning request for First Reading. A discussion took place.

The vote was in favor.

07-50MA, South Capital Group, RU to RS-LD (83.98 Acres), Single Family Residential, 01510-01-01 & 01509-01-04, Johnson Marina Rd., Guise Rd. & Forrest Shealy Rd.

Mr. McEachern opened the floor to the public hearing.

Ms. Ismail Ozbek, Mr. David Hilburn, Ms. Margaret Aldrich and Ms. Marie Waller spoke in favor of this item.

Ms. Vicki McGahee, Ms. Melinda Gore, Mr. Mike Sloan and Ms. Kim Murphy spoke against this item.

The floor to the public hearing was closed.

Mr. Malinowski moved, seconded by Ms. Jackson, to deny the re-zoning request. A discussion took place.

Ms. Scott made a substitute motion, seconded by Mr. Montgomery to approve the re-zoning request for First Reading and for a meeting to be held with Mr. Malinowski, the community and the developer.

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

The substitute motion failed.

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

A discussion took place regarding the vote. The vote was taken again.

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

The vote on the main motion was in favor and the rezoning request was denied.

07-51MA, Hurricane Construction, RU to RS-MD (8.34 Acres), Single Family Residential, 05200-03-18 & 05200-03-60, Hollingshed Rd.

Mr. McEachern opened the floor to the public hearing.

Mr. Ismail Ozbek and Mr. Robert Fuller spoke in favor of this item.

Mr. Michael Nunn spoke against this item.

The floor to the public hearing was closed.

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

Richland County Council
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**07-52MA, Ashley Oaks Development, Mike Shelley, M-1 to RS-LD (29.30 Acres),
17700-01-13(p), Wilson Blvd. & Farrow Rd.**

Mr. McEachern opened the floor to the public hearing.

Mr. James Sisco spoke against this item.

The floor to the public hearing was closed.

Ms. Dickerson moved, seconded by Ms. Scott, to defer this item until the October Zoning Public Hearing meeting. The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 8:37 p.m.

Submitted respectfully by,

Joseph McEachern
Chair

The minutes were transcribed by Michelle M. Onley



PAUL BRAWLEY

RICHLAND COUNTY AUDITOR

2020 HAMPTON STREET • P.O. BOX 192 • COLUMBIA, SOUTH CAROLINA • 29202
PHONE (803) 576-2613 • FAX (803) 576-2606 • AUDITOR@RICHLANDONLINE.COM

September 27, 2007

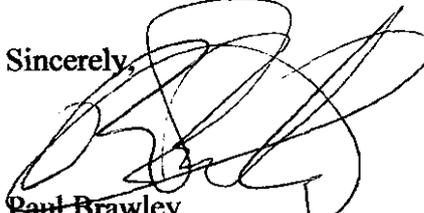
The Honorable Joseph McEachern
Chairman
Richland County Council
2020 Hampton Street
Columbia, SC 29204

Dear Mr. McEachern:

I am transmitting to you and Council the calculated Millage rates for 2007. I have included in my calculation a portion of the Fund Balance and Carryover amounts for County Operations. The Fund Balance has an estimated balance of \$34,580,861. The net effect of using the Fund Balance to reduce the tax levy results in a savings to the taxpayers of 4.5 mills from last year's millage rate of 45.

I look forward to answering any questions or concerns you and the Council may have of me on October 2, 2007.

Sincerely,



Paul Brawley
Richland County Auditor

cc: County Council

enclosures

**Richland County
2007 Millage Schedule**

**Paul Brawley
Richland County Auditor**

Agency	FY 08 Budget	** Less Deductions	Net Taxes Taxpayers	07 Millage	Mill Value	06 Millage	Millage Difference	Net Tax Effect 100K House
SD #1	158,924,862	8,463,676	150,461,186	218.6	688,000	211.8	6.8	\$ 27.20
SD #2	94,801,475	1,882,947	92,918,528	220.6	421,000	205.2	15.4	\$ 61.60
SD #1 Bonds	47,547,438	7,429,523	40,117,915	58.3	688,000	49.0	9.3	\$ 37.20
SD #2 Bonds	33,648,029	4,871,424	28,776,605	68.3	421,000	68.3	-	\$ -
Recreation	9,763,332	623,790	9,139,542	10.6	860,000	10.5	0.1	\$ 0.40
Rec Bonds	1,756,969	173,542	1,583,427	1.8	860,000	1.8	-	\$ -
Midlands Tech	5,656,130	285,412	5,370,718	4.4	1,230,000	4.4	-	\$ -
Zoo Bonds	2,064,012	1,043,361	1,020,651	0.8	1,230,000	0.8	-	\$ -
ERPSD Bonds	2,245,737	533,136	1,712,601	8.0	214,000	8.0	-	\$ -
Storm	2,574,961	36,000	2,538,961	3.3	762,000	3.3	-	\$ -
Fire Operating	14,422,118	724,736	13,697,382	17.0	805,000	16.7	0.3	\$ 1.20
Fire Bonds	780,389	108,988	671,401	0.8	805,000	0.7	0.1	\$ 0.40
General Fund	57,998,726	8,446,503	49,552,223	40.5	1,230,000	45.0	(4.5)	\$ (18.00)
County Bonds	13,155,609	2,661,900	10,493,709	8.5	1,230,000	8.5	-	\$ -
Library	17,335,359	965,482	16,369,877	13.3	1,230,000	13.1	0.2	\$ 0.80
MH	1,556,580	100,000	1,456,580	1.2	1,230,000	1.2	-	\$ -
Zoo	1,646,618	37,205	1,609,413	1.3	1,230,000	1.3	-	\$ -
Landfill	3,912,396	43,608	3,868,788	3.1	1,230,000	3.2	(0.1)	\$ (0.40)
Conservation	605,000	36,000	569,000	0.5	1,230,000	0.5	-	\$ -
Neighborhood	605,000	36,000	569,000	0.5	1,230,000	0.5	-	\$ -
Capital	3,733,562		3,733,562	3.1	1,230,000	3.1	-	\$ -

** Carryover Funds, Reimbursements and Fund Balance

September 26, 2007

**RICHLAND COUNTY
2007 MILLAGE AND TAX SCHEDULE**

**PAUL BRAWLEY
RICHLAND COUNTY AUDITOR**

	<u>DISTRICT</u>	<u>1AL</u>	<u>1CC</u>	<u>1ER</u>	<u>1FA</u>	<u>1TE</u>	<u>1HF, 1LF 1LR, 1UR</u>
2007 Total Levy		391.5	470.1	395.6	443.7	504.3	387.6
2006 Total Levy		379.4	458.1	384.0	431.5	492.1	376.0
Net Change		12.1	12.0	11.6	12.2	12.2	11.6
Percentage Change		3.2%	2.6%	3.0%	2.8%	2.5%	3.1%

2007 Tax \$100,000 House	\$	1,566.00	\$	1,880.40	\$	1,582.40	\$	1,774.80	\$	2,017.20	\$	1,550.40
Less, Local Option Sales Tax	\$	(152.00)	\$	(372.70)	\$	(152.00)	\$	(304.00)	\$	(599.20)	\$	(152.00)
Less, School Operating Credit	\$	(874.40)	\$	(874.40)	\$	(874.40)	\$	(874.40)	\$	(874.40)	\$	(874.40)
2007 Net Taxes	\$	539.60	\$	633.30	\$	556.00	\$	596.40	\$	543.60	\$	524.00
2006 Tax \$100,000 House	\$	905.60	\$	999.70	\$	924.00	\$	977.80	\$	909.20	\$	892.00
Tax Increase (Decrease)	\$	(366.00)	\$	(366.40)	\$	(368.00)	\$	(381.40)	\$	(365.60)	\$	(368.00)
Percentage Change		-40.4%		-36.7%		-39.8%		-39.0%		-40.2%		-41.3%

2007 Tax on \$10,000 Auto	\$	219.70	\$	244.79	\$	222.16	\$	235.82	\$	242.66	\$	217.36
2006 Tax on \$10,000 Auto	\$	212.44	\$	237.59	\$	215.20	\$	230.08	\$	235.34	\$	210.40
Tax Increase (Decrease)	\$	7.26	\$	(7.20)	\$	6.96	\$	5.74	\$	7.32	\$	6.96
Percentage Change		3.4%		3.0%		3.2%		2.5%		3.1%		3.3%

**RICHLAND COUNTY
2007 MILLAGE AND TAX SCHEDULE**

**PAUL BRAWLEY
RICHLAND COUNTY AUDITOR**

	<u>DISTRICT</u>	<u>2AL</u>	<u>2CC</u>	<u>2DP</u>	<u>2ER</u>	<u>2FA</u>	<u>2TB</u>
2007 Total Levy		403.5	482.1	399.6	407.6	455.7	396.3
2006 Total Levy		392.1	470.8	388.7	396.7	444.2	384.8
Net Change		11.4	11.3	10.9	10.9	11.5	11.5
Percentage Change		2.9%	2.4%	2.8%	2.7%	2.6%	3.0%

2007 Tax \$100,000 House	\$	1,614.00	\$	1,928.40	\$	1,598.40	\$	1,630.40	\$	1,822.80	\$	1,585.20
Less, Local Option Sales Tax	\$	(152.00)	\$	(372.70)	\$	(152.00)	\$	(152.00)	\$	(304.00)	\$	(152.00)
Less, School Operating Credit	\$	(882.40)	\$	(882.40)	\$	(882.40)	\$	(882.40)	\$	(882.40)	\$	(882.40)
2007 Net Taxes	\$	579.60	\$	673.30	\$	564.00	\$	596.00	\$	636.40	\$	550.80
2006 Tax \$100,000 House	\$	904.40	\$	998.50	\$	890.80	\$	922.80	\$	976.60	\$	875.20
Tax Increase (Decrease)	\$	(324.80)	\$	(325.20)	\$	(326.80)	\$	(326.80)	\$	(340.20)	\$	(324.40)
Percentage Change		-35.9%		-32.6%		-36.7%		-35.4%		-34.8%		-37.1%

2007 Tax on \$10,000 Auto	\$	226.90	\$	251.99	\$	224.56	\$	229.36	\$	243.02	\$	222.58
2006 Tax on \$10,000 Auto	\$	220.06	\$	245.21	\$	218.02	\$	222.82	\$	237.70	\$	215.68
Tax Increase (Decrease)	\$	6.84	\$	6.78	\$	6.54	\$	6.54	\$	5.32	\$	6.90
Percentage Change		3.1%		2.8%		3.0%		2.9%		2.2%		3.2%

**RICHLAND COUNTY
2007 MILLAGE AND TAX SCHEDULE**

**PAUL BRAWLEY
RICHLAND COUNTY AUDITOR**

	<u>DISTRICT</u>	<u>6CC</u>	<u>6TI</u>	<u>6UD</u>
2007 Total Levy		445.7	359.1	363.2
2006 Total Levy		428.4	341.7	346.3
Net Change		17.3	17.4	16.9
Percentage Change		4.0%	5.1%	4.9%

2007 Tax \$100,000 House	\$	1,782.80	\$	1,436.40	\$	1,452.80
Less, Local Option Sales Tax	\$	(372.70)	\$	(152.00)	\$	(152.00)
Less, School Operating Credit	\$	(814.00)	\$	(814.00)	\$	(814.00)
2007 Net Taxes	\$	596.10	\$	470.40	\$	486.80
2006 Tax \$100,000 House	\$	799.70	\$	673.60	\$	692.00
Tax Increase (Decrease)	\$	(203.60)	\$	(203.20)	\$	(205.20)
Percentage Change		-25.5%		-30.2%		-29.7%

2007 Tax on \$10,000 Auto	\$	230.15	\$	200.26	\$	202.72
2006 Tax on \$10,000 Auto	\$	219.77	\$	189.82	\$	192.58
Tax Increase (Decrease)	\$	10.38	\$	10.44	\$	10.14
Percentage Change		4.7%		5.5%		5.3%

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. __-07HR**

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, 2007, WILL PROVIDE SUFFICIENT REVENUES FOR THE OPERATIONS OF RICHLAND COUNTY GOVERNMENT DURING THE PERIOD FROM JULY 1, 2007, THROUGH JUNE 30, 2008.

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, 2007 to June 30, 2008, both inclusive, is hereby levied upon all taxable property in Richland County, in a sufficient number of mills not to exceed forty and a half (40.5) 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, 2007 to June 30, 2008, 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	8.5
Solid Waste – Landfill	3.1
Capital Replacement	3.1
Library	13.3
Mental Health	1.2
Riverbanks Zoo	1.3
Conservation Commission	0.5
Neighborhood Redevelopment	0.5

SECTION 3. That the additional taxes, besides that noted in Section 1 and 2, to cover the period from July 1, 2007 to June 30, 2008, 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	17.0
Fire Service – Debt Service	0.8
School District One – Operations	218.6
School District One – Debt Service	58.3
School District Two – Operations	220.6
School District Two – Debt Service	68.3

Recreation Commission – Operations	10.6
Recreation Commission – Debt Service	1.8
Midlands Technical College – Operations	2.9
Midlands Technical College – Capital	1.0
Midlands Technical College – Debt Service	.5
Riverbanks Zoo – Debt Service	.8
Stormwater Management	3.3
East Richland Public Service District – Debt Service	8.0

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

SECTION 5. Separability. 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 __ ____, 2007.

RICHLAND COUNTY COUNCIL

BY: _____
Joseph McEachern, Chair

ATTEST THIS THE _____ DAY
OF _____, 2007

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: May 1, 2007
Second Reading: May 24, 2007
Public Hearing: October 2, 2007 (tentative)
Third Reading: October 2, 2007 (tentative)

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; ARTICLE VII, BOARDS, COMMISSIONS AND COMMITTEES; SECTION 2-326; SO AS TO REMOVE THE TWO (2) CONSECUTIVE TERM LIMITS REQUIREMENT FOR REGIONAL BOARDS, COMMISSIONS AND COMMITTEES WHEN OTHER JURISDICTIONS HAVE NO TERM LIMITS.

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

SECTION I. The Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; Section 2-326; the first paragraph thereof, is hereby amended to read as follows:

Sec. 2-326. Boards and commissions created and recognized.

All provisions of this article shall apply to the boards, commissions, and committees enumerated in this article, as well as to all other boards, committees and commissions appointed and/or created by Richland County Council. Except as otherwise provided by law or by the council, such boards and commissions shall elect a chairman and a vice-chairman and shall prescribe their own rules of procedure. The members of such boards and commissions shall not serve more than two (2) consecutive terms; provided, however, that upon service of two (2) consecutive terms a member may be eligible for reappointment after one year of non-service. Provided, however, that an individual serving in a executive position on a county board, commission, or committee shall be allowed to complete the term for that position when the individual's term on the board, commission expires prior to the expiration of the executive appointment. Further provided, regional boards, commissions and committees are exempt from the two (2) consecutive term limits requirement whenever the other jurisdiction(s) appointing said members do not limit the number of terms held by their appointee(s). The members of such boards and commissions may be removed for cause by majority vote of the council. Such boards and commissions may establish such bylaws, rules and regulations, not inconsistent with ordinances of the council or applicable state law, as they deem appropriate and necessary for the conduct of their affairs. Copies thereof shall be filed with the clerk:

SECTION II. All remaining provisions of Section 2-326 of the Richland County Code of Ordinances shall remain in full force and effect.

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

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

SECTION V. Effective Date. This ordinance shall be enforced from and after _____, 2007.

RICHLAND COUNTY COUNCIL

BY: _____
Joseph McEachern, Chair

ATTEST THIS THE ____ DAY

OF _____, 2007

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: September 11, 2007
Second Reading: September 18, 2007
Third Reading: October 2, 2007 (tentative)

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. __-08HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2007-2008 MASS TRANSIT
FUND.

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.

REVENUE

Revenue appropriated July 1, 2007 as amended:	\$ 4,284,000
Change in Revenue:	<u>-0-</u>
Total Mass Transit Revenue as Amended:	\$ 4,284,000

EXPENDITURES

Expenditures appropriated July 1, 2007 as amended:	\$ 4,284,000
Change in Mass Transit Budget:	<u>-0-</u>
Total Mass Transit Expenditures as Amended:	\$ 4,284,000

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

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

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

RICHLAND COUNTY COUNCIL

BY: _____
Joseph McEachern, Chair

ATTEST THIS THE ____ DAY

OF _____, 2007

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: September 18, 2007
Second Reading: October 2, 2007 (tentative)
Public Hearing:
Third Reading:

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2007-2008 GENERAL FUND ANNUAL BUDGET TO INCREASE THE AUDITOR'S OFFICE BUDGET BY ONE HUNDRED TEN THOUSAND NINE HUNDRED THIRTY DOLLARS (\$110,930). THIS INCLUDES FUNDING TWO ADDITIONAL FULL TIME STAFF POSITIONS FOR A SENIOR REVENUE ANALYST AND ADMINISTRATIVE ASSISTANT.

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

SECTION I. That the amount of one hundred ten thousand nine hundred thirty dollars (\$110,930) be appropriated to the FY 2007-2008 Auditor Office Budget. Therefore, the Fiscal Year 2007-2008 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2007 as amended:	\$126,636,519
Appropriation of unrestricted General Fund Balance:	<u>110,930</u>
Total General Fund Revenue as Amended:	\$126,747,449

EXPENDITURES

Expenditures appropriated July 1, 2007 as amended:	\$126,636,519
Increase in Auditor's Office Budget:	<u>110,930</u>
Total General Fund Expenditures as Amended:	\$126,747,449

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

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

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

RICHLAND COUNTY COUNCIL

BY: _____
Joseph McEachern, Chair

ATTEST THIS THE ____ DAY

OF _____, 2007

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: September 18, 2007
Second Reading: October 2, 2007 (tentative)
Public Hearing:
Third Reading:

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

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS A PORTION OF TMS # 19100-04-37 FROM RU (RURAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as a portion of TMS # 19100-04-37 (described in Exhibit A, which is attached hereto), from RU (Rural District) zoning to GC (General Commercial District) zoning.

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

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

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

RICHLAND COUNTY COUNCIL

By: _____
Joseph McEachern, Chair

Attest this _____ day of
_____, 2007.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: September 25, 2007
First Reading: September 25, 2007
Second Reading: October 2, 2007 (tentative)
Third Reading:

Exhibit A
Legal Description

Portion of Richland County TMS 19100-04-37, 13.29 acres on the north side of Garners Ferry Road west of Caughmans Pond

Beginning at a 1¼” pinch top iron located at the southwest corner of the subject property, the northwest corner of the former TMS 19100-04-14 now or formerly J. P. Holley Funeral Home which was combined with this parcel to form TMS 19100-04-37, and the northeast corner of TMS 19100-04-23 now or formerly Monte A. Lemmon approximately 510 feet north of the northern right of way of Garners Ferry Road; thence running along lands now or formerly of Robert H. Burnside (TMS 19100-04-20) N28°50’20”E for a distance of 883.99’ to a ½” rebar; thence turning and running along lands now or formerly of Robert H. Burnside (TMS 19100-04-19) S73°08’31”E for a distance of 701.78’ to a 2” pipe; thence turning and running along lands now or formerly of Marie B. Timmons et al. (TMS 19100-04-12) S44°24’52”W for a distance of 100.45’ to a ½” rebar; thence continuing S58°31’06”W for a distance of 89.73’ to a ½” rebar; thence continuing S44°28’21”W for a distance of 124.37’ to a ½” rebar; thence continuing S33°40’26”W for a distance of 102.19’ to a ½” rebar; thence continuing S37°31’00”W for a distance of 129.41’ to a ½” rebar; thence continuing S14°38’49”W for a distance of 129.78’ to a 5/8” rebar; thence continuing along lands now or formerly of Marie B. Timmons et al. (TMS 19100-01-02) S19°39’45”W for a distance of 125.54’ to a 5/8” rebar; thence continuing S25°03’54”E for a distance of 98.76’ to a 5/8” rebar; thence continuing S00°24’26” W for a distance of 39.86’ to a 5/8” rebar; thence continuing S72°47’50”W for a distance of 76.72’ to a 5/8” rebar; thence continuing S84°24’38”W for a distance of 101.58’ to a 5/8” rebar; thence continuing S81°16’58”W for a distance of 116.67’ to a 1-¼” pinch top iron; thence turning and running along property now or formerly of J. P. Holley Funeral Home Inc. (formerly TMS 19100-04-14 which was combined with this parcel to form TMS 19100-04-37) N58°35’08”W for a distance of 475.00 to a 1-¼” pinch top iron, the point of beginning.

The same being shown on a plat prepared for J. P. Holley Funeral Home by Cox and Dinkins dated March 3, 2005 recorded at Plat Book 01034 Page 2422.

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

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # 12700-01-21 AND A PORTION OF TMS # 15100-01-04 FROM RU (RURAL DISTRICT) TO A PDD (PLANNED DEVELOPMENT DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the properties described as TMS # 12700-01-21 and a portion of TMS # 15100-01-04 (described in Exhibit A, which is attached hereto), from RU (Rural District) zoning to a PDD (Planned Development District) zoning, as described herein.

Section II. PDD Site Development Requirements. The following site development requirements shall apply to the subject parcels:

- a) The applicant shall comply with the Master Plan (dated April 20, 2007 and revised June 14, 2007) prepared for David Hilburn, South Capital Group, Inc. by B.P. Barber & Associates, Inc., which was submitted to, and is on file in, the Richland County Planning & Development Services Department (hereinafter referred to as "PDSD"), and is incorporated herein by reference, except as otherwise amended herein; and
- b) The site development shall be limited to:
 1. Thirty-three (33) single-family units, with a minimum lot size of 8,500 square feet; and
 2. Sixty-one (61) single-family units, with a minimum lot size of 7,500 square feet; and
 3. A maximum of three hundred (300) multi-family units; and
 4. A maximum twelve thousand (12,000) square foot building per General Commercial acreage as depicted in Exhibit A, which is attached hereto and incorporated herein; and
- c) Eighteen and one-half (18½) acres of open space/common area shall be provided around the perimeter of the lake, wetlands, and creeks, inclusive of natural walking trails, as depicted on Exhibit B, which is attached hereto and incorporated herein; and
- d) Unless otherwise provided herein, all development shall conform to all current relevant land development regulations; and
- e) Proposed changes to the Master Plan shall be subject to the requirements of Section 26-59(j)(1) of the Richland County Land Development Code; and
- f) The applicant shall provide sidewalks along the site frontage of Syrup Mill Road and Blythewood road; and

- g) Access to the subject site shall be limited to four (4) curb cuts on Syrup Mill Road, one (1) curb cut on Blythewood Road, and two (2) curbs internal to the site (as depicted on Exhibit C); and
- h) The applicant, with the approval of the South Carolina Department of Transportation (SCDOT), shall:
 - 1) Construct a northbound left- turn storage lane on Syrup Mill Road at the intersection of the proposed commercial driveway; and
 - 2) Install a traffic signal at the intersection of Blythewood Road and Syrup Mill Road, when warranted by SCDOT; and
 - 3) Not allow left-turn movements when exiting the site at the proposed entrance of Blythewood Road, if an eastbound left-turn storage lane on Blythewood Road cannot be constructed; and
- i) The applicant shall meet all minimum standards of Chapter 26 of the Richland County Code of Ordinances for parking, sidewalks and pedestrian amenities, signs, recreation/open space design, and operational standards to promote connectivity; and there shall be pedestrian access from all areas to recreation and commercial sections, which shall include sidewalks along external roadways; and
- j) provide a minimum twenty-five (25) foot vegetative buffer around the property; and
- k) If applicable, prior to approval of the preliminary subdivision plans, the applicant shall submit to the PDSO written evidence of:
 - a. The U.S. Army Corps of Engineers' approval of the wetlands delineation and/or encroachment permit, and
 - b. FEMA's approval of the 100 year flood elevation statement; and
- l) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest; and
- m) All site development requirements described above shall apply to the applicant, the developer, and/or their successors in interest; and

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

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

Section V. This ordinance shall be effective from and after _____, 2007.

RICHLAND COUNTY COUNCIL

By: _____
Joseph McEachern, Chair

Attest this _____ day of
_____, 2007.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: September 25, 2007
First Reading: September 25, 2007
Second Reading: October 2, 2007 (tentative)
Third Reading:

Exhibit A

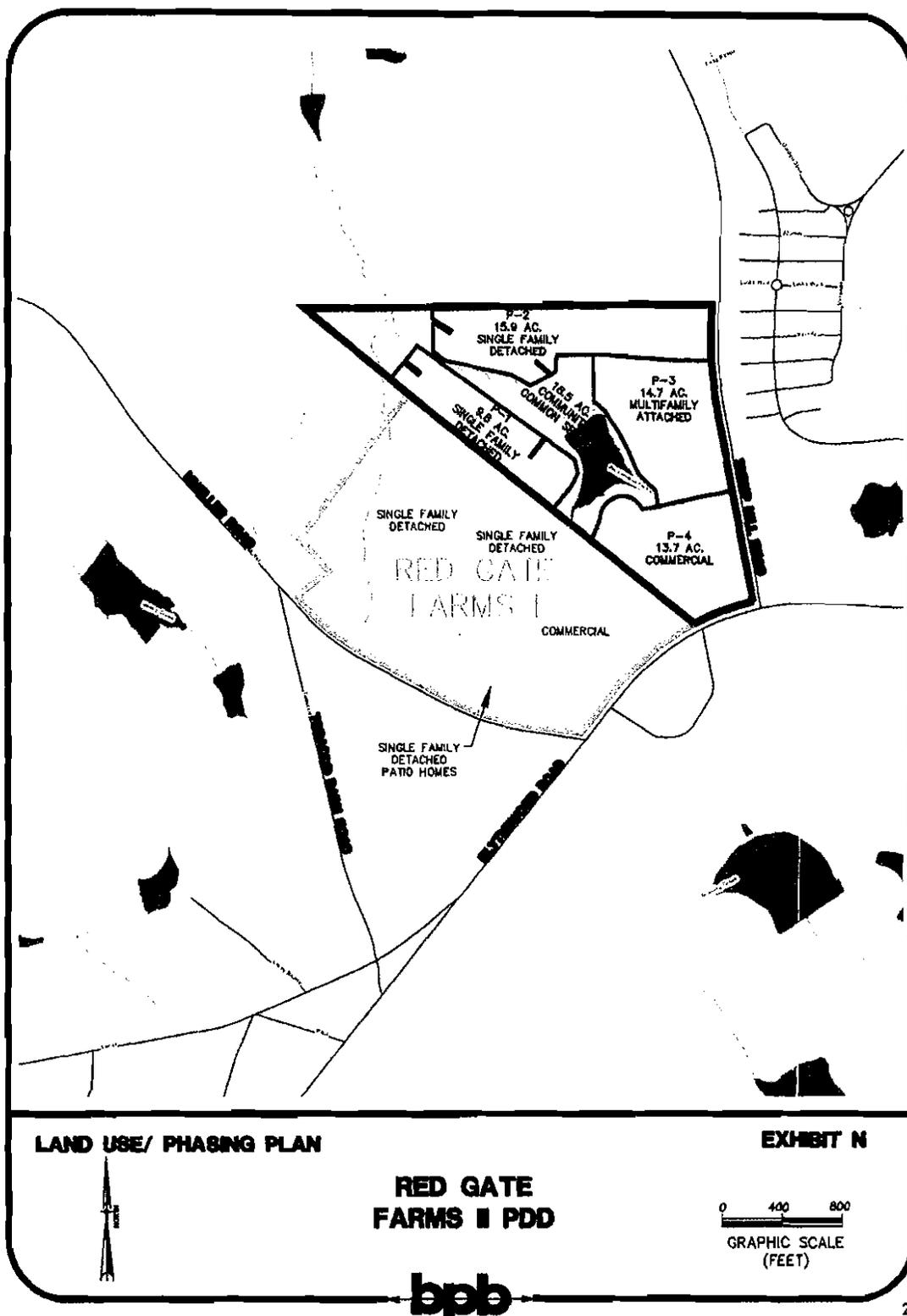


Exhibit B

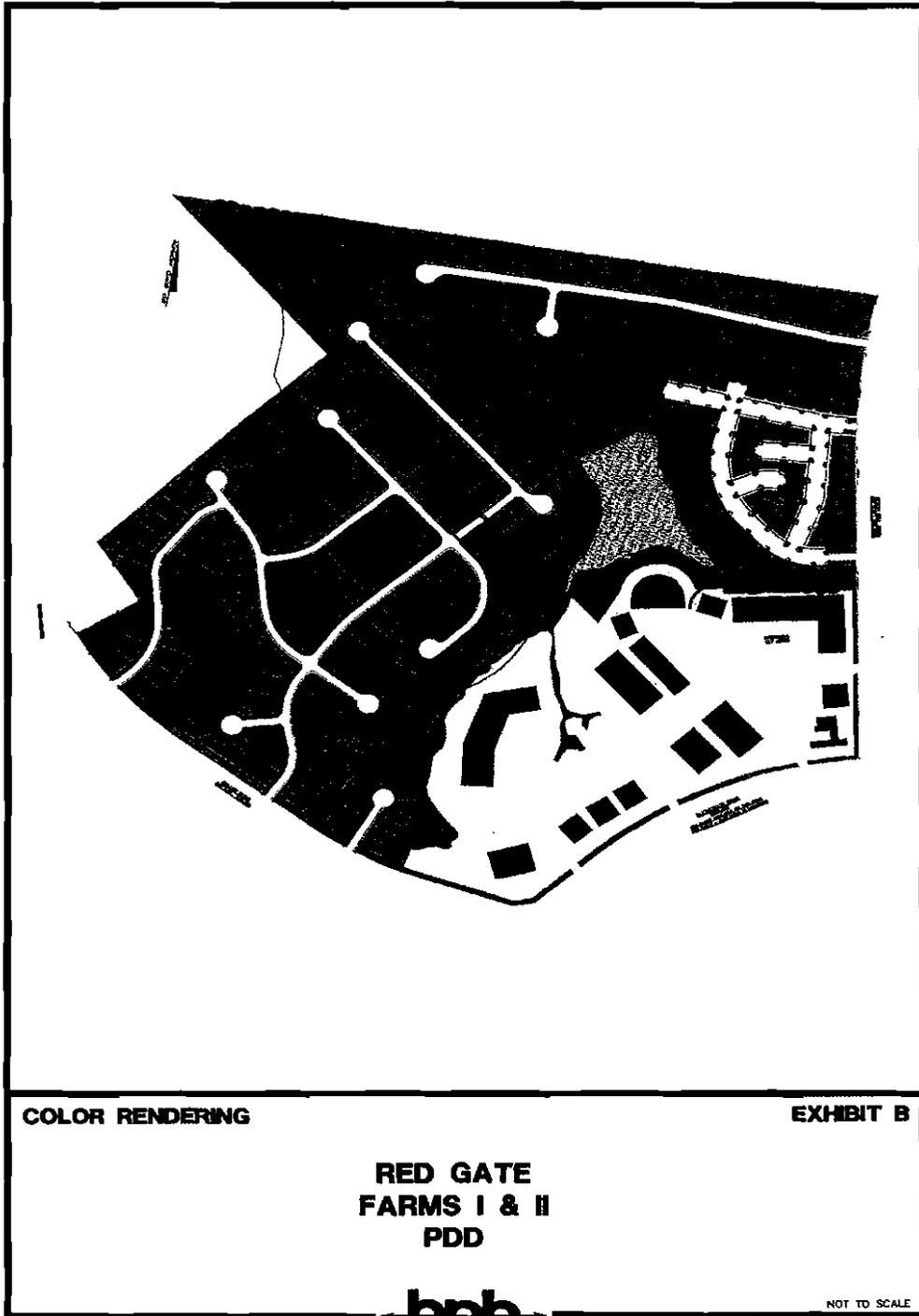
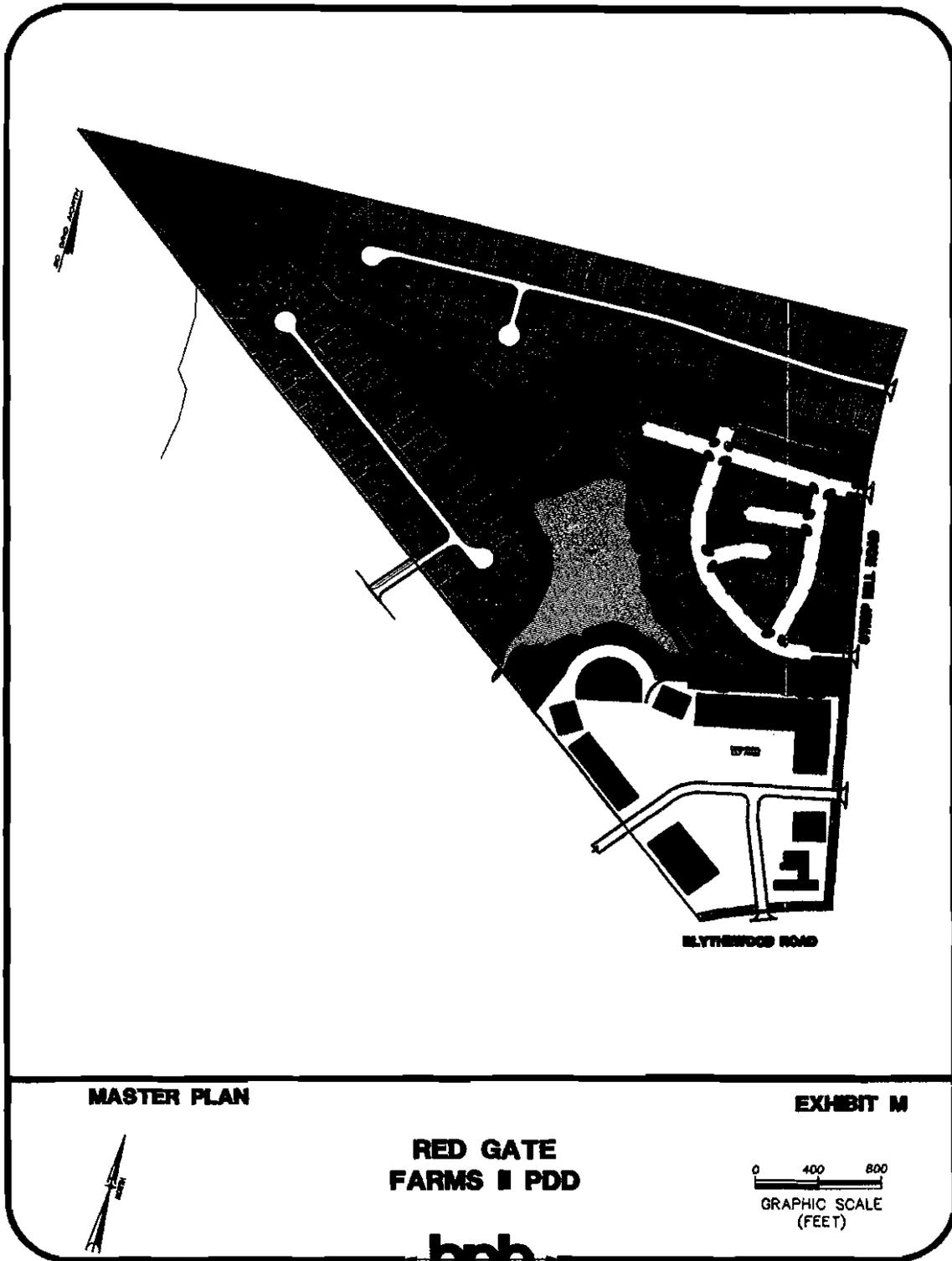


Exhibit C



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

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 17016-03-03) FROM RU (RURAL DISTRICT) TO RM-HD (RESIDENTIAL, MULTI-FAMILY, HIGH DENSITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 17016-03-03 from RU (Rural District) zoning to RM-HD (Residential, Multi-Family, High Density District) zoning.

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

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

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

RICHLAND COUNTY COUNCIL

By: _____
Joseph McEachern, Chair

Attest this _____ day of
_____, 2007.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: September 25, 2007
First Reading: September 25, 2007
Second Reading: October 2, 2007 (tentative)
Third Reading:

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

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # 01511-01-02 AND TMS # 01511-01-09 FROM RU (RURAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 01511-01-02 and TMS # 01511-01-09 from RU (Rural District) zoning to GC (General Commercial District) zoning.

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

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

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

RICHLAND COUNTY COUNCIL

By: _____
Joseph McEachern, Chair

Attest this _____ day of
_____, 2007.

Michielle R. Cannon-Finch
Clerk of Council

Public Hearing: September 25, 2007
First Reading: September 25, 2007
Second Reading: October 2, 2007 (tentative)
Third Reading:

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

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # 02505-03-04 AND TMS # 02505-03-07 FROM OI (OFFICE AND INSTITUTIONAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 02505-03-04 and TMS # 02505-03-07 from OI (Office and Institutional District) zoning to GC (General Commercial District) zoning.

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

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

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

RICHLAND COUNTY COUNCIL

By: _____
Joseph McEachern, Chair

Attest this _____ day of
_____, 2007.

Michielle R. Cannon-Finch
Clerk of Council

Public Hearing: September 25, 2007
First Reading: September 25, 2007
Second Reading: October 2, 2007 (tentative)
Third Reading:

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

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # 05200-03-18 AND TMS # 05200-03-60 FROM RU (RURAL DISTRICT) TO RS-MD (RESIDENTIAL, SINGLE-FAMILY – MEDIUM DENSITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 05200-03-18 and TMS # 05200-03-60 from RU (Rural District) zoning to RS-MD (Residential, Single-Family – Medium Density District) zoning.

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

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

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

RICHLAND COUNTY COUNCIL

By: _____
Joseph McEachern, Chair

Attest this _____ day of
_____, 2007.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: September 25, 2007
First Reading: September 25, 2007
Second Reading: October 2, 2007 (tentative)
Third Reading:



RICHLAND COUNTY COUNCIL

DEVELOPMENT AND SERVICES COMMITTEE

Bernice G. Scott
District 10

Joyce Dickerson
District 2

Norman Jackson, Chair
District 11

Bill Malinowski
District 1

Val Hutchinson
District 9

Tuesday, September 25, 2007
5:00 PM

Recommendations

I. Items for Action

- Consent A. Proclamation to designate October as Community Planning Month in Richland County** – The committee forwarded this item to council with a recommendation to approve the proclamation. The vote in favor was unanimous.
- Consent B. Revision of Area Master Plan Boundaries** – The committee forwarded this item to council with a recommendation to approve changes to the boundaries of the Candlewood, Crane Creek, and Trenholm Acres Master Plans. The vote in favor was unanimous.
- C. Sanitary sewer main extension agreement for Kingston Village off-site gravity sewer (B & C Development Co., LLC)** – The committee forwarded this item to council with a recommendation to approve the sewer extension agreement. The vote was in favor.
- D. Approval of the installation of an electric traffic signal at the intersection of Summit Ridge and Summit Parkway (FY08 Electric Traffic Signalization Program)** – The committee forwarded this item to council with a recommendation to approve the installation of a traffic signal at the intersection of Summit Ridge and Summit Parkway. The vote was in favor.

Staffed by Joe Cronin

COMMUNITY PLANNING MONTH
PROCLAMATION

WHEREAS, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America and its territories, and

WHEREAS, The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our settlements and environment; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time and expertise to the improvement of the *(State, City, or County)* of _____ *(insert name of state, city, or county)*; and

WHEREAS, We recognize the many valuable contributions made by professional community and regional planners of the _____ *(State or City or County)* of _____ *(insert name of state, city, or county)* and extend our heartfelt thanks for the continued commitment to public service by these professionals;

NOW, THEREFORE, BE IT RESOLVED THAT, the month of October 2007 is hereby designated as **Community Planning Month** in the _____ *(State or City or County)* of _____ *(insert name of state, city, or county)* in conjunction with the celebration of National Community Planning Month.

Adopted this _____ Day of _____, 2007.

Chief Elected Official (SEAL)

Clerk



RICHLAND COUNTY COUNCIL

ADMINISTRATION AND FINANCE COMMITTEE

Paul Livingston
District 4

Greg Pearce
District 6

Kit Smith, Chair
District 5

Mike Montgomery
District 8

Damon Jeter
District 3

Tuesday, September 25, 2007
6:00 PM

Recommendations

I. Items for Action

- Consent A. Request to negotiate a contract with Wachovia insurance services to assist Richland County in an RFP for employee health insurance and supplemental products** – The committee voted to forward this item to Council with a recommendation to approve. The vote in favor was unanimous.
- Consent B. Request to advertise, publish and solicit a Request for Qualifications (RFQ) from qualified law firms, companies or attorneys to assist the County with outside legal counsel services** – The committee voted to forward this item to Council with a recommendation to approve. The vote in favor was unanimous. The committee also directed the county administrator and county attorney to develop a standard legal services policy and bring it back to the A&F Committee in October for consideration. The vote in favor was unanimous.
- Consent C. An ordinance establishing policies and procedures to be followed in connection with conduit financings** – The committee voted to forward this item to Council with a recommendation to give first reading approval to the ordinance. The vote in favor was unanimous.
- Consent D. Resolution authorizing a Notice to Levy and Collect general obligation bonds not to exceed \$5,000,000 for the purchase of vehicles for use by the Sheriff's Department for fiscal year 2007-2008, construction of a public safety facility, and a portion of the design procurement, design, construction procurement and construction of the expanding of the City of Columbia Animal Shelter Facilities** – The committee voted to forward this item to Council with a recommendation to approve. The vote in favor was unanimous.

- Consent** 1. **Ordinance authorizing the issuance of not to exceed \$5,000,000 general obligation bonds to be used for the following purposes: purchase of land and constructing a public safety facility (\$1,600,000); purchase of vehicles for use by the Sheriff's Department for fiscal year 2007-2008 (\$2,000,000); and for the expansion of the City's Animal Shelter (\$1,400,000) – The committee recommended that council give first reading approval to the ordinance. The vote in favor was unanimous.**
- Consent** E. **Resolution authorizing a Notice to Levy and Collect for debt service on not to exceed \$6,975,000 general obligation bonds, the proceeds of which will be used for the payment of the outstanding Bond Anticipation Notes including accrued interest and issuance cost for the Innovista Project – The committee voted to forward this item to Council with a recommendation to approve. The vote in favor was unanimous.**
- Consent** 1. **Ordinance authorizing the issuance of not to exceed \$6,975,000 general obligation bonds or bond anticipation notes for the payment of the outstanding Bond Anticipation Note issued for the Innovista Project – The committee recommended that council give first reading approval to the ordinance. The vote in favor was unanimous.**
- Consent** F. **Register of Deeds: Request for approval of Historical Records Regrant Program (SC SHRAB) to improve the quality of pre-1959 microfilm of Deeds (No personnel, in-kind match of \$2,695) – The committee voted to forward this item to Council without a recommendation to accept the grant. The vote in favor was unanimous.**
- Consent** G. **Sheriff Department: Request to approve an Office of Violence Against Women Training & Technical Assistance grant (No match, no personnel) – The committee voted to forward this item to Council without a recommendation to accept the grant. The vote in favor was unanimous.**
- H. **Request for Funding: Benedict College / 2007 Pioneer Bowl (\$25,000) – The committee voted to forward this item to Council with a recommendation to fund the request from unallocated hospitality tax (county promotions) funds. The vote was in favor.**
- Consent** I. **Ordinance amending the fiscal year 2007-08 budget ordinance to unappropriate undesignated hospitality tax funds in the budget ordinance to reflect a decrease in available funds – The committee voted to forward this item to Council with a recommendation to give first reading approval to the ordinance. The vote in favor was unanimous.**
- J. **Ordinance amending the fiscal year 2007-08 general fund annual budget to increase the Auditor's Office budget by one hundred ten thousand nine hundred thirty (\$110,930). This includes funding two additional full-time staff positions for a senior revenue analyst and administrative assistant – The committee voted to forward this item to Council without a recommendation. (This item will appear**

on the council agenda as a second reading item.)

Consent K. Animal Care Bond Ordinance – The committee voted by unanimous consent to move this item from the discussion agenda to the action agenda. The committee voted to send a bond ordinance (title only) for the building of a no-kill animal shelter with Lexington County to the full council with a recommendation to give first reading approval. The vote in favor was unanimous.

Staffed by Joe Cronin

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

AN ORDINANCE ESTABLISHING POLICIES AND PROCEDURES TO BE
FOLLOWED IN CONNECTION WITH CONDUIT FINANCINGS

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

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

- (a) The County is authorized under State and Federal law to serve as a conduit issuer of tax exempt and taxable obligations ("Conduit Financing");
- (b) In a Conduit Financing, the County issues limited obligations payable only from specific sources of revenue identified in the financing documents as "Pledged Revenues";
- (c) In a Conduit Financing, the County does not pledge its full faith, credit and taxing power and has no responsibility to make any payments from sources other than Pledged Revenues;
- (d) While there is no financial responsibility on the part of the County or its taxpayers in connection with Conduit Financings, there are substantial costs to the County in processing the requests for and documents relating to Conduit Financings; and
- (e) It is in the best interest of the County to establish policies and procedures under which the County will consider serving as the issuer in a Conduit Financing.

SECTION 2. Establishment of Procedure.

- (a) Application process.
 - (1) Each request for a Conduit Financing must be commenced by the filing of a written application with the County Administrator's office. The application shall provide applicant and project information and be in such form as the County Administrator shall determine.
 - (b) The application shall be accompanied by a non-refundable application fee in the amount of \$1,000. In the event that the application is accepted and the obligation issued, the application fee shall be counted as a credit toward the administrative fee required pursuant to Section 4 hereof.
 - (b) Committee Review. Each request for a Conduit Financing shall be submitted for review and recommendation to the County's Joint Bond Review Committee or such other

committee as County Council deems appropriate. The Joint Bond Review Committee or other committee shall review the proposed transaction for compliance with the County's Conduit Financing policies and procedures.

SECTION 3. Establishment of Policy.

(a) It shall be the policy of the County to serve as issuer in a Conduit Financing only if the following criteria are met:

- (1) The purpose of the proposed financing must meet a public purpose;
- (2) The structure of the financing must include either credit enhancement or the financing must be a private placement;
- (3) The limit on the County's liability to make payments only from Pledged Revenues must be clearly reflected in the structure and documents relating to the transaction.
- (4) The general creditworthiness of the transaction must be apparent.
- (5) The documents relating to the transaction must be reviewed by one of the County's bond counsel firms; and
- (6) Provisions for payment of all of the County's costs, including ongoing administrative costs, must be made in the documents.

(b) In determining whether to serve as the issuer in a Conduit Financing, the County may take into account the following considerations:

- (1) Size of proposed transaction
- (2) Length of maturity schedule;
- (3) Provision for a reserve fund;
- (4) Experience of members of financing team; and
- (5) Any other factor deemed relevant.

SECTION 4. Administrative Fees. An Administrative Fee of one-twentieth (1/20) of one percent, or .0005, shall be charged for the first fifteen million dollars (\$15,000,000.00) of the par amount of the Conduit Financing authorized to be issued by the County Council, and subsequently issued, with revenues accruing to the general fund of the County. This fee shall be considered as reimbursement to the County for all direct and indirect expenses incurred in the issuance of such Conduit Financing, including the time of all elected and appointed officials, fees

and expenses of the County attorney's office, travel costs to closings, clerical costs, copying costs, and all other necessary and proper costs in connection with the County.

SECTION 5. Selection of Bond Counsel and/or Financial Advisor; Payment of Expenses. The expense of any bond counsel or any financial or investment advisors employed by the applicant in connection with a Conduit Financing shall be in addition to the fees as outlined in Section 4, and shall be additional expenses of the applicant. The County shall reserve the right to approve any firms selected by the applicant as bond counsel or as financial/investment advisor. The expense of the County's bond counsel as required by the County, for processing of such Conduit Financing and/or in response to an audit of such Conduit Financing, shall be additional expense of the applicant.

SECTION 6. Miscellaneous. All rules, regulations, resolutions and parts thereof, procedural or otherwise, in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its adoption.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Joseph McEachern, Chairman
Richland County Council

(SEAL)

ATTEST THIS _____ DAY OF
_____, 2007

Michielle R. Cannon-Finch
Clerk of County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: October 2, 2007 (tentative)
Second Reading:
Third Reading:

RESOLUTION

WHEREAS, Richland County, South Carolina (the "County") intends to issue general obligation bonds in the amount of not to exceed \$5,000,000 for the purchase of vehicles for use by the Sheriff's Department for fiscal year 2007-2008, construction of a public safety facility, and a portion of the design procurement, design, construction procurement and construction of the expanding of the City of Columbia Animal Shelter Facilities; and

WHEREAS, the financing plan to be implemented requires that debt service millage be imposed for tax year 2007 at the same level as tax year 2006; and

WHEREAS, in order to insure the levy and collection of sufficient debt service millage in tax year 2007, the County Council has been advised that it is necessary to deliver a "Notice to Levy and Collect" to the County Auditor and Treasurer.

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 RESOLVED BY RICHLAND COUNTY COUNCIL:

Section 1. The Chairman of County Council and the Clerk to County Council are hereby authorized to execute the Notice to Levy and Collect in the form attached hereto and further authorizes the County Administrator to cause the Notice to Levy and Collect to be delivered to the County Auditor and Treasurer.

Section 2. This Resolution shall be in full force and effect from and after its adoption as provided by law.

Adopted in a meeting duly assembled this ____ day of October, 2007.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Joseph McEachern, Chairman
Richland County Council

(SEAL)

ATTEST THIS _____ DAY OF

_____, 2007:

Michielle R. Cannon-Finch
Clerk of County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

ATTEST:

Clerk, County Council
Richland County, South Carolina

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

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS OF RICHLAND COUNTY, SOUTH CAROLINA, TO BE ISSUED IN ONE OR MORE SERIES, WITH APPROPRIATE SERIES DESIGNATIONS IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$5,000,000; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

RESOLUTION

WHEREAS, Richland County, South Carolina (the "County") intends to issue general obligation bonds in the amount of not to exceed \$6,975,000, the proceeds of which will be used for the payment of the County's outstanding Bond Anticipation Notes issued for the Innovista Project; and

WHEREAS, the financing plan to be implemented requires that debt service millage be imposed for tax year 2007 at the same level as tax year 2006; and

WHEREAS, in order to insure the levy and collection of sufficient debt service millage in tax year 2007, the County Council has been advised that it is necessary to deliver a "Notice to Levy and Collect" to the County Auditor and Treasurer.

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 RESOLVED BY RICHLAND COUNTY COUNCIL:

Section 1. The Chairman of County Council and the Clerk to County Council are hereby authorized to execute the Notice to Levy and Collect in the form attached hereto and further authorizes the County Administrator to cause the Notice to Levy and Collect to be delivered to the County Auditor and Treasurer.

Section 2. This Resolution shall be in full force and effect from and after its adoption as provided by law.

Adopted in a meeting duly assembled this ____ day of October, 2007.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Joseph McEachern, Chairman
Richland County Council

(SEAL)

ATTEST THIS ____ DAY OF
_____, 2007:

Michielle R. Cannon-Finch
Clerk of County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

In witness whereof, we have hereunto set our respective hands and the official seal of the County, this _____ day of September, 2007.

Chairman, County Council, Richland County,
South Carolina

(SEAL)

ATTEST:

Clerk, County Council
Richland County, South Carolina

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

We, the undersigned, Auditor and Treasurer of Richland County, South Carolina, respectively, hereby acknowledge service of the foregoing Notice, this ____ day of October, 2007, and will so place the same in our respective offices so that our successors in office may have due notice hereof.

Auditor, Richland County, South Carolina

Treasurer, Richland County, South Carolina

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

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$6,975,000 GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, WITH ONE SERIES BEING TAXALBE, WITH APPROPRIATE SERIES DESIGNATIONS, OF RICHLAND COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2007-2008 BUDGET ORDINANCE TO UNAPPROPRIATE UNDESIGNATED HOSPITALITY TAX FUNDS IN THE BUDGET ORDINANCE. THIS WILL AMEND THE FISCAL YEAR 2007-2008 HOSPITALITY TAX BUDGET TO REFLECT A DECREASE IN AVAILABLE FUNDS.

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

SECTION I. The Fiscal Year 2007-2008 Special Revenue Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2007 as amended:	\$ 5,700,000
Reduce Available Revenue:	<u>(966,482)</u>
Total Hospitality Tax Revenue as Amended:	\$ 4,733,518

EXPENDITURES

Expenditures appropriated July 1, 2007 as amended:	\$ 5,700,000
Reduction in Available Funds:	<u>(966,482)</u>
Total Hospitality Tax Expenditures as Amended:	\$ 4,733,518

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

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

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

RICHLAND COUNTY COUNCIL

BY: _____
Joseph McEachern, Chair

ATTEST THIS THE _____ DAY

OF _____, 2007

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: October 2, 2007 (tentative)
Second Reading:
Public Hearing:
Third Reading:

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

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, WITH AN APPROPRIATE SERIES DESIGNATION, OF RICHLAND COUNTY, SOUTH CAROLINA, FOR THE PURPOSE OF DEFRAYING A PORTION OF THE COSTS OF THE CONSTRUCTION OF A NO-KILL ANIMAL SHELTER IN PARTNERSHIP WITH LEXINGTON COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the "Memorandum" or "MOU") has been entered into by and between Kirco Carolina Pines, LLC, a South Carolina limited liability company (the "Company"), and Richland County, South Carolina (the "County"), to be effective as of October ____, 2007. This MOU is intended to reflect the understanding and intent of the parties as to the inducements and arrangements which are the basis for the Company's decision to acquire and build certain commercial facilities (the "Project") within the County, in the absence of which commitments and incentive package the Company would not consider proceeding with the Project. The County acknowledges the Company's reliance upon such commitments and incentives in proceeding with the Project. The Company acknowledges the reliance of the County on the Company's commitments in offering its incentive package.

I. COUNTY COMMITMENTS

A. PROJECT LOCATION

1. Site. The Company is making arrangements to purchase certain tracts of land for the Project (collectively, the "Site") in Carolina Pines Industrial Park located in the Northeast area of the County, as delineated on that certain site drawing attached hereto as Exhibit A. The Site will consist of 125.16 acres, more or less, fronting in part on Farrow Road in the County and fronting in part on Carolina Pines Drive in the County. The Project will consist of approximately twelve buildings comprising in the aggregate approximately 2.1 million square feet.

2. Easements and Variances. Upon the request of the Company, the County will work in good faith to assist the Company in the process of obtaining access and utility easements, or waivers or variances with respect to the restrictive covenants, zoning laws, or regulations affecting the Site which the Company, upon the advice of its counsel, other advisors, or contractor, may deem necessary for the optimal placement of improvements on the Site.

3. Zoning/Land Use. The Site is currently zoned M-1 Light Industrial District (see Exhibit B for letter from the County's Office of Planning regarding zoning). Pursuant to County Ordinance No. 004-05HR, commencing July 1, 2010, the County Planning Commission shall make a recommendation as to whether or not the current M-1 Light Industrial Districts should be amended to LI Light Industrial Districts under the County's Land Development Code adopted November 9, 2004 (Ordinance No. 074-04HR) (the "Land Development Code"), and the Planning Commission shall forward such recommendations to County Council for consideration. The parties hereby acknowledge and agree that the uses contemplated by the Company in connection with the Project are currently permitted uses under the M-1 Light Industrial District designation and are or will be permitted uses under the proposed LI Light Industrial District designation under the Land Development Code. Therefore, the County represents and warrants, to the extent permitted by law, that except for the potential change from M-1 Light Industrial District to LI Light Industrial District, the zoning classification will not be changed for as long as the Company undertakes a use of the Site that is in compliance

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with the M-1 Light Industrial District designation and are or will be permitted (or legal non-conforming uses) under the LI Light Industrial District zoning classifications, as applicable.

4. Transportation/Access. The Company will not be responsible for the cost of maintenance of the County-owned off-site roads or the intersections of County maintained roads (specifically Carolina Pines and Jenkins Brother's Drive). In accordance with the requirements of the County's ordinance, off-site road or road-related improvements requested by the Richland County Planning & Development Services Department Design Review Team ("DRT") and by the Traffic Management Plan ("TMP") prepared by SRS Engineering on June 7, 2007, as amended by an addendum dated August 1, 2007, include the following for Phase 1 of the Project:

A. US 21 at Jenkins Brothers Drive – Widen westbound approach of Jenkins Brothers Drive to provide a separate left-turn lane and a shared left-turn lane and a shared through/right-turn lane. This separate left-turn lane shall align opposite the SCDMV access and provide a 200-foot lane, and a 180-foot taper; (2) rephase/re-time existing traffic signal with the approval of SCDOT.

B. Jenkins Brothers Drive and Carolina Pines Drive – Place the intersection under a STOP sign control.

C. The Carolina Pines Drive – Phase 1 – At such time as the first building has become operational, the site access drive with Carolina Pines Drive shall be monitored, at the Company's expense, for a period of not less than six months, by a professional traffic engineer, and all findings submitted to the DRT. If the DRT finds it necessary or proper, the Company shall construct, at its expense, a left-turn lane, including a 180-foot taper and 200-foot storage lane, along with any other improvements, as appropriate, prior to the Company's further development or construction on the Site.

D. A TMP shall be required with each submission to the DRT, as required by the County's standards, prior to any further development or construction on the Site.

E. Sidewalks shall be required along all abutting roads, or with the consent of the County, a fee in lieu of this construction could be accepted by the County, the present, estimated cost is \$25.00 per linear foot, but the actual cost shall be determined by Public Works.

F. Nothing in this MOU limits or otherwise relieved the Company of its responsibilities with respect to transportation/access matters for future phases of development or construction on the Site. The requirements stated in this MOU are for Phase 1.

G. The Carolina Pines Drive Access for buildings C and D will be initially constructed without widening the southbound approach of Carolina Pines Drive to provide a separate left-turn lane including a 180' taper and 200' storage lane. Instead, the traffic flow will be monitored after a tenant is located in the initial structure. The monitoring is described below.

Monitoring

The TMP utilized trip generations based on the ITE Trip Generation manual for a generic land use code #150 (Warehousing). Because of the speculative nature of the development, the number of generations could be far less depending on the number of employees actually located at each building. Recognizing this, no turn lanes will be constructed at the site initially. Once the

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tenant is identified and located at the first facility, the access point will be constructed and the traffic flow monitored monthly for the first six months. At this time, the need for a left turn lane will be considered using Figure 15.5(F) from the SCDOT Highway Design Manual (ed. 2003) as a guideline based on actual field counts (not projections). Note that the Manual will be used as a guide in conjunction with field observed conditions.

If the need for left turn lanes is deemed necessary by the County at this time, dedicated left turn lanes constructed at the access point will be constructed by the Company symmetrically around the centerline. This process will be repeated for the second and remaining building in Phase 1.

5. Railroad Spur. A Norfolk Southern railroad spur currently exists on property adjacent to the Site. The Company intends to add a spur to the Site and the County hereby agrees to cooperate with the Company if the Company seeks to obtain the necessary easements, approvals, and permits for constructing such spur, which will be the property of and maintained by the Company.

B. COUNTY TAX-RELATED INCENTIVES

1. Multi-County Industrial Park. The County hereby acknowledges that the Site is part of an existing multi-county industrial or business park (the "Park") pursuant to Article VIII, Section 13 of the South Carolina Constitution and S.C. Code Section 4-1-170, and hereby agrees to take all reasonable acts to insure that the Project will remain within the boundaries of such Park.

2. Fees-in-lieu of Taxes. The County will consider entering into an incentive agreement with the Company with respect to the Project, pursuant to which the Company will (i) pay fees-in-lieu of taxes which fees shall be equal to the ad valorem tax payments that would have otherwise been payable on the Site and the improvements thereon with respect to the Project ("FILOT Payments"), and (ii) be entitled to Special Source Revenue Credits or the County's issuance of a Special Source Revenue Bond as described below.

3. Special Source Revenue Credits/Bond. The Company estimates that the infrastructure costs associated with the Project will approximate \$3.5 million with approximately \$2.4 million of such infrastructure costs being deemed "public use" (the "Public Infrastructure"). Preliminary cost estimates of the Public Infrastructure are set forth in Exhibit C attached hereto, as such may be amended from time to time by mutual agreement of the parties. To reimburse the Company for costs it has incurred for the Public Infrastructure, the County hereby agrees that the Company shall be entitled to either (i) claim Special Source Revenue Credits ("SSRC's") against the annual FILOT Payments to the County derived from the Site and the improvements thereon (the "Site Payments"), or (ii) purchase the County's Special Source Revenue Bond (or Note) (hereafter "SSRB"); in either case in an amount sufficient to cover the Public Infrastructure costs.

If the County allows the Company to claim SSRC's, the Company will be entitled to claim a maximum credit of 20% per year against the annual Site Payments received by the County, whether paid by the Company, one of its affiliates, or a third-party tenant or purchaser of all or part of the Project, for as many years as necessary (but in any event not to exceed twenty

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(20) years) until such credit equals the costs expended by the Company on the Public Infrastructure, which amount, in any case, shall not exceed \$2.4 million. If the County issues a SSRB, the County hereby agrees that it will pledge, on an annual basis, a maximum of 20% of the Site Payments (whether paid by the Company, one of its affiliates, or a third-party tenant or purchaser of all or part of the Project) to repay the SSRB until such time (not to exceed 20 years) that the total costs expended by the Company on the Public Infrastructure have been reimbursed to the Company.

If the County, the State, or any municipality requires the completion of public infrastructure directly benefiting the Site in excess of the Public Infrastructure amount determined at the time the SSRC's are granted or the SSRB is issued, as applicable, the County, State, or municipality requiring same shall be solely responsible for funding and completing such additional infrastructure. Notwithstanding the foregoing, the Company shall be given the option, in its sole discretion, to fund such infrastructure and thereafter be entitled to reimbursement for such amounts under substantially similar terms as negotiated for the initial Public Infrastructure amount.

The Public Infrastructure shall be designed/constructed/installed to County standards, upon a satisfactory report from Public Works, as applicable, and upon completion of each item of Public Infrastructure, the County agrees to accept the dedication or other conveyance of such Public Infrastructure in accordance with its customary procedures. After such dedication or conveyance, as applicable, the County shall maintain such Public Infrastructure at its sole cost and expense and in accordance with standard maintenance procedures for similarly situated County-owned improvements.

The parties hereby agree that the Company shall have no obligation to fund or complete the Public Infrastructure on a pre-determined schedule set by any other party, including the County and the State unless required by law, but shall instead complete such infrastructure on a schedule that is commercially reasonable in light of the needs and requirements of the Project.

C. PERMITTING.

The County will work with the Company in obtaining all necessary County approvals, including building and zoning permits.

D. UTILITIES.

The County will cooperate with the Company in the Company's efforts to bring all necessary utilities to the Project.

E. FEES.

The County presently charges no impact fees that are or would be applicable to the Company's operations or the Project. Because it is anticipated that many of the Project buildings will be speculative in nature and will not be finished for occupancy, the County agrees for all speculative buildings in the Project that it will defer 50% of the commercial plan review fee for Sketch Plan approval (as required by the DRT and the Development Services Department) with

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the balance of the commercial plan review fee due upon up-fit of the space for a defined tenant. Regardless if the Company proceeds with the Project plans or not, the Company agrees to pay the County's legal fees and other administrative costs in connection with the transactions contemplated by this Memorandum which are incurred in connection with negotiating and preparing the applicable Project documents and rendering a legal opinion with respect to the SSRC or SSRB structure, such fees and costs not to exceed \$12,500.

II. COMPANY CONTINGENCIES

The Company reserves its final decision whether or not to locate all or a portion of the Project at the Site until it receives satisfactory commitments or assurances regarding the following items:

A. Negotiation of credit facilities and/or other internal or external financing arrangements satisfactory to the Company;

B. Receipt of building cost estimates, utility commitments and construction schedules satisfactory to the Company to allow it to complete the Project within budget;

C. Resolution of title, rights-of-ways, permitting, design, usage, and environmental issues relating to the Site in a manner satisfactory to the Company;

D. Prompt processing, approval and permitting from the County and the State of South Carolina, as applicable, of drawings, plans, applications and other items for and pertaining to all phases of the Project;

E. Approval of the Project budget, time line and location for the Project by the managing boards of both the Company and any real estate affiliate of the Company; and

F. Fulfillment of all the commitments referenced herein by the County and the other entities as set forth herein.

III. COMPANY COMMITMENTS

If commitments and assurances satisfactory to the Company (as described and summarized hereinabove) are promptly forthcoming from appropriate entities and authorities in the County, then the Company is prepared to commit to purchasing the Site and will, in addition, endeavor in good faith to:

1. Construct an industrial spec building on the Site consisting of approximately 180,000 square feet within 24 months of the Company's acquisition of the Site;

2. Construct approximately 11 more buildings on the Site on a spec or build-to-suit basis, as the market allows, consisting in the aggregate of approximately 2.1 million square feet, with its aggregate capital investment approximating \$100 million (such total includes the infrastructure costs in Section I.B.3 above).

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The County acknowledges that the Company may utilize affiliates, developers, and/or financing entities ("Other Parties") to effect the establishment and/or operation of the Project and agrees that any investment or employment by such Other Parties, to the extent directly related to the Project and undertaken at the direction of the Company, shall satisfy the commitments of the Company hereunder (and under the agreements contemplated by the attachments hereto). The Company's estimates of investment levels are being made in good faith based upon present and anticipated business conditions. Actual investment will be determined by future business conditions.

IV. CONFIDENTIALITY

All parties to this agreement, by review and approval of this Memorandum, acknowledge and understand that the Company would be substantially harmed by releasing information to its competitors concerning the timing and level of its investment in the Project and various other details relating to the Project. Accordingly, this MOU and all materials provided to the County in connection with the Project shall be treated as exempt from public disclosure (except upon the prior written consent of the Company or as otherwise required by law) under Title 30, Chapter 4 of the Code.

V. UNDERSTANDING

The Company and the County agree that this Memorandum serves only to summarize their current understanding and good faith intentions with respect to location of the Project in the County. The Company acknowledges that the County cannot, by execution of this Memorandum, create binding commitments on behalf of the various State and local agencies and other entities referred to herein and that, therefore, in the event of any inconsistencies between the provisions of this Memorandum and the terms of any of the letters of commitment provided by such agency, the terms of such letter of commitment shall prevail. In addition, the Company acknowledges that any agreement or commitment of the County set forth herein shall not be binding on the County until the County Council of Richland County, South Carolina (the "County Council") has duly authorized and approved such agreements or commitments by an ordinance of the County Council.

[END OF MOU, SIGNATURE PAGE(S) ATTACHED]

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IN WITNESS WHEREOF, the parties hereto have executed this MOU as of the day above written.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____

Name: _____

Title: Chairman, Richland County Council

Attest: _____

Clerk to Richland County Council

KIRCO CAROLINA PINES, LLC

By: _____

Name: _____

Title: _____

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EXHIBITS

- Exhibit A - Site Plan Drawing
- Exhibit B - Letter from County's Office of Planning re: Zoning
- Exhibit C - Infrastructure Cost Estimate

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 23, TAXATION; ARTICLE VI, LOCAL HOSPITALITY TAX; SECTION 23-69, DISTRIBUTION OF FUNDS; AND SECTION 23-71, OVERSIGHT AND ACCOUNTABILITY.

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 VI, Local Hospitality Tax; Section 23-69, Distribution of Funds; is hereby amended to read as follows:

Sec. 23-69. Distribution of Funds.

- (a) (1) The County shall distribute the Local Hospitality Tax collected and placed in the "Richland County Local Hospitality Tax Revenue Fund" to each of the following agencies and purposes ("Agency") in the following amounts during fiscal year 2003-2004:

Columbia Museum of Art	\$650,000
Historic Columbia	250,000
EdVenture Museum	100,000
County Promotions	200,000

- (2) The amounts specified above shall be paid ~~quarterly~~ annually beginning ~~October 1, 2003~~ July 1, 2008.
- (3) As a condition of receiving its allocation, each Agency must annually present to the County an affirmative marketing plan for the inclusion of all citizens of Richland County and must also annually offer some "free" or discounted services to Richland County citizens. If an Agency fails to comply with these requirements, its portion of the Local Hospitality Tax shall be retained in the Richland County Local Hospitality Tax Revenue Fund and distributed as provided in subsection (d) below.
- (4) In the event Local Hospitality Tax revenues are not adequate to fund the Agencies listed above in the prescribed amounts, each Agency will receive a proportionate share of the actual revenues received, with each Agency's share to be determined by the percentage of the total revenue it would have received had the revenues allowed for full funding as provided in subsection (a)(1) above.

(b) In each of fiscal years 2004-2005 and 2005-2006, the Local Hospitality Tax shall be distributed to each Agency named above in the same amounts and on the same terms and conditions, together with a three percent (3%) increase in each of fiscal year 2004-2005 and 2005-2006.

(c) In fiscal year 2006-2007, the amount of Local Hospitality Tax to be distributed annually to each Agency named above shall be established in the County's FY 2006-2007 Budget Ordinance.

(d) Beginning in fiscal year 2007-2008 and continuing thereafter, the amount of Local Hospitality Tax to be distributed annually to each Agency named above shall be increased based on the revenue growth rate as determined by trend analysis of the past three years, but in any event not more than 3%.

(e) All Local Hospitality Tax revenue not distributed pursuant to subsections (a) through (c) above shall be retained in the Richland County Local Hospitality Tax Revenue Fund and distributed as directed by County Council for projects related to tourism development, including, but not limited to, the planning, development, construction, promotion, marketing, operations, and financing (including debt service) of the State Farmer's Market (in lower Richland County), Township Auditorium, a new recreation complex (in northern Richland County), recreation capital improvements, Riverbanks Zoo, and other expenditures as provided in Article 7, Chapter 1, Title 6, Code of Laws of South Carolina 1976 as amended.

SECTION II. The Richland County Code of Ordinances: Chapter 23, Taxation; Article VI, Local Hospitality Tax; Section 23-71, Oversight and Accountability; is hereby amended to read as follows:

Sec. 23-71. Oversight and Accountability.

Any organization or agency receiving Hospitality Tax funds in the amount of \$10,000 or greater must submit a report of expenditures and the impact on tourism for the preceding calendar year and a plan for the upcoming year to the Richland County Administrator on or before March 1 for July disbursements, and September 1 for January disbursements of each year. Such report shall be on a form provided by the County.

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

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

SECTION V. Effective Date. This ordinance shall be enforced from and after _____, 2007.

RICHLAND COUNTY COUNCIL

By: _____
Joseph McEachern, Chair

Attest this _____ day of
_____, 2007.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: October 2, 2007 (tentative)
Public Hearing:
Second Reading:
Third reading: