



RICHLAND COUNTY COUNCIL

ADMINISTRATION AND FINANCE COMMITTEE

Greg Pearce	Torrey Rush	Joyce Dickerson (Chair)	Damon Jeter	Paul Livingston
District 6	District 7	District 2	District 3	District 4

**MAY 28, 2013
6:00 PM**

2020 Hampton Street

CALL TO ORDER

APPROVAL OF MINUTES

1. Regular Session: April 23, 2013 [PAGES 3-5]

ADOPTION OF AGENDA

ITEMS FOR ACTION

2. Close Businesses Operating Without Current Licenses [PAGES 6-11]
3. Richland County Public Library Bonds [PAGES 12-62]

4. Palmetto Health JEDA Bond Issuance [**PAGES 63-69**]
5. Detention Center Security Control Updates [**PAGES 70-73**]
6. Detention Center Fire Control Updates [**PAGES 74-77**]
7. FY13 Budget Amendment for Risk Management [**PAGES 78-80**]
8. Volunteer Fire Operations Insurance [**PAGES 81-83**]
9. Emergency Services Contract for Property Purchase [**EXECUTIVE SESSION**] [**SEPARATE COVER**]
10. Emergency Back-Up Generator Replacement at Fire Stations [**PAGES 85-89**]

ADJOURNMENT



Richland County Council Request of Action

Subject

Regular Session: April 23, 2013 [**PAGES 3-5**]

Reviews

MINUTES OF



RICHLAND COUNTY COUNCIL ADMINISTRATION AND FINANCE COMMITTEE TUESDAY, APRIL 23, 2013 6:00 P.M.

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

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MEMBERS PRESENT

Member: Paul Livingston
Member: Greg Pearce
Member: Torrey Rush

Absent Joyce Dickerson
Damon Jeter

ALSO PRESENT: Kelvin E. Washington, Sr., Bill Malinowski, Julie-Ann Dixon, Norman Jackson, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Brad Farrar, Justine Jones, John Hixon, Kendra Dove, Melinda Edwards, Chanda Cooper, Geo Price, Janell Rodolfo Callwood, Monique Walters

CALL TO ORDER

The meeting started at approximately 6:01 p.m.

APPROVAL OF MINUTES

March 26, 2013 (Regular Session) – Mr. Pearce moved, seconded by Mr. Rush, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

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

ITEMS FOR ACTION

Agencies funded by Richland County discussing budgetary decisions are subject to have County staff present – Mr. Livingston moved, seconded by Mr. Pearce, to forward to

Item# 1

Council a recommendation to allow the County Administrator to use his discretion regarding this item. The vote in favor was unanimous.

Budget Increase for the Legal Department – Mr. Pearce moved, seconded by Mr. Rush, to forward to Council with a recommendation to approve the budget amendment. The vote in favor was unanimous.

Request funds to purchase 12 ½ acres of land adjacent to Friarsgate Park in District 1 – Mr. Pearce moved, seconded by Mr. Rush, to forward to Council with a recommendation to forward this item to the Hospitality Tax portion of the budget. The vote in favor was unanimous.

Richland County Sheriff's Department Sole Source Purchase iRobot PackBot – Mr. Pearce moved, seconded Mr. Rush, to forward to Council with a recommendation to approve the request to purchase the iRobot PackBot. The vote in favor was unanimous.

Richland County Treasurer's Office: Purchase of OPEX-AS3690 Scanner, RTLFiRST Software, Maintenance and Installation for Lockbox Services (Equipment Purchase) – Mr. Rush moved, seconded Mr. Pearce, to forward to Council a recommendation to approve the request to purchase a used OPEX-AS3690 Scanner, SRTLFiRST Software, Installation and Maintenance for Lockbox Services. The vote in favor was unanimous.

Reallocation of Appearance Commission Funding for Hilton Field Improvements – Mr. Pearce moved, seconded by Mr. Rush, to forward this item to Council with a recommendation to approve the request to reallocate \$5,000 of Appearance Commission funds to a grant to Columbia Green for appearance improvements to Hilton Field on Ft. Jackson. The vote in favor was unanimous.

Transportation Penny Allocation Ordinance – Mr. Pearce moved, seconded by Mr. Rush, to forward this item to Council with a recommendation to approve the request to enact the proposed ordinance as presented. The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 6:44 p.m.

Submitted by,

Joyce Dickerson, Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

Close Businesses Operating Without Current Licenses **[PAGES 6-11]**

Reviews

Richland County Council Request of Action

Subject: Close Businesses Operating without Current Licenses

A. Purpose

County Council is requested to provide direction with regards to closing businesses operating without current licenses (business license, liquor license, etc.).

B. Background / Discussion

The following motion was made at the February 19, 2013 Council Meeting:

“I move that all businesses operating without license and proper license for their businesses be closed. The Business Center should have a list and coordinate with the Sheriff's Department to not just impose a fine but order them closed. Businesses are operating without license, liquor, beer and wine and without the proper license to avoid paying their fair share and be in compliance” [JACKSON].

Closing a business, best described as permanently shutting down the operations of a business, denies the owner(s) the right to pursue a business occupation. The processes of closing a business are purposefully long and complex and involve ensuring business owners are given due process. The intention of this process is to demonstrate that (1) every reasonable effort has been made to obtain the business' compliance with applicable requirements; and (2) that the business has consistently and deliberately refused to comply with those requirements.

The process of closing a business involves the following steps:

- (1) Endeavor to obtain compliance with documentation of these efforts. To demonstrate the County's efforts to obtain compliance, the County must be able to document its efforts. This may include phone calls, letters, inspections, and, ultimately, tickets (Uniform Ordinance Summons to court). Persistent violations may require more than one ticket.
- (2) Present the County's efforts and the business' refusal to comply to the Solicitor's Office to obtain the Solicitor's support for pursuing the closure of the business. If the Solicitor supports the County's attempts to close the business, step 3 will commence.
- (3) The Solicitor's Office will make a formal request of the Circuit Court to issue an order requiring the business to cease all business operations. The Circuit Court will consider the matter and render a decision. Only in the event that the Circuit Court issues such an order may a business be ordered to permanently close. Any continued violations of the Court's order fall under the jurisdiction of the Court.

In an effort to be business friendly, the Business Service Center makes every effort to work cooperatively with businesses to facilitate their compliance with County regulations. These compliance efforts include the following, in increasing order of severity:

1. Phone call or letter
2. Certified letter
3. Notice of Violation

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4. Courtesy inspection
5. Citation issued

When appropriate, departments coordinate efforts when working with a business to obtain compliance. This keeps the lines of communication open among the departments as well as between the County and the business.

While no businesses have been closed as a result of non-compliance, when it is determined that a business is non-compliant with its business license, or any other license or tax, departments work to the fullest extent possible with the business in order to obtain compliance.

C. Financial Impact

Revenues from the following sources could be expected to increase if the businesses that do not currently comply with the County's requirements became compliant:

- Business Licenses
- Hospitality Taxes (potentially, depending on type of business)
- Clearance Review Fees
- Business Personal Property Taxes (potentially, depending on type of business)

Revenue projections from these sources cannot be accurately determined however since revenues for non-compliant businesses are not currently known.

It should also be noted that there is a cost associated with closing a business. While the exact cost is unknown, it would involve intense manpower to "build a case" against non-compliant businesses.

D. Alternatives

1. Direct that appropriate staff and departments enforce the County's requirements as set forth in the County Code of Ordinances on businesses, regardless of type of business activity, equally and to the fullest extent possible. The staff and departments are then directed to initiate and pursue efforts to work with the Solicitor's Office to seek a court order to close any business failing to cooperate with the County's efforts to obtain their compliance.

If this alternative is chosen, the County would be treating businesses equitably, thereby minimizing potential legal liabilities. Additionally, having businesses comply with the County's requirements would "level the playing field" among business competitors. Further, having compliance would increase various tax revenues and could potentially reduce the tax burden of all. Finally, a visible and firm commitment by Council to equal and consistent enforcement may motivate non-compliant businesses, and their various support organizations, to educate themselves and pursue compliance.

2. Direct that appropriate staff and departments continue the current course of action, which does not reach the level of closing a business.

E. Recommendation

This is a policy decision of Council.

Recommended by: Norman Jackson

Department: County Council

Date: 2/19/13

Item# 2

G. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 3/12/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Recommend approval of the request to have Council provide direction to staff on appropriate actions for non-compliance.

The decision is a policy decision for Council on compliance enforcement. While, as stated in the ROA, there may be some unidentified cost associated with the level of enforcement this is typical for any program. If approved I would recommend that the County include all program cost in the development of the fees assessed for the service.

Business Service Center

Reviewed by: Pam Davis

Date: 1/12/2013

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: I believe that enforcing all County regulations equitably and consistently among all business types is a prudent course of action.

Solicitor’s Office

Reviewed by: Dan Johnson

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Under South Carolina Code of Laws §4-9-25 Counties have the authority to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and general law of this State, including the exercise of these powers in relation to health and order in counties or respecting any subject as appears to them necessary and proper for the security, general welfare, and convenience of counties or for preserving health, peace, order, and good government in them.

Councilman Norman Jackson has made a Motion that businesses operating without a license be closed. The proposed process for closing a business directs the Solicitor to agree with the closure of a business and then to petition to circuit court “for an order requiring the business to cease operation.”

Richland County already has a mechanism in place for handling business license violations. Section 16-22 also provides the following penalties for violation of the Ordinance:

a. *Criminal Penalty.* Any person violating any provision of this article shall be deemed guilty of a misdemeanor and upon conviction shall be subject to punishment under the general penalty provisions of Section 1-8 of this Code of Ordinances: that is, shall be subject to a fine of up to \$500.00 or imprisonment for not more than thirty (30) days or both. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent fees, penalties, and costs provided for herein.

b. *Civil Penalty.* For non-payment of all or any part of the business license fee, the License Official shall levy and collect a penalty of five (5%) percent of the unpaid fee for each month or portion thereof after the due date until paid. Penalties shall not be waived except in accordance with circumstances of

reasonable cause set forth in Section 16-19 of this article as determined by the Business Service Center Appeals Board.

c. *Injunctive Relief.* The County may seek injunctive relief in a court of competent jurisdiction as a means of enforcing the provisions of this article.

Under Richland County Ordinance §2-87(3) it is the duty of the County Administrator to see that all ordinances, resolutions and orders of the council and all laws of the state which are subject to enforcement by him or by officers or department heads and subject, under this article, to his direction and supervision are faithfully executed. Further, under Richland County Ordinance §16-10 The License Official shall administer the provisions of this article, collect license fees, issue licenses, make or initiate investigations and audits to ensure compliance, initiate denial or revocation procedures, report violations to the appropriate department, and assist in prosecution of violators, produce forms, make reasonable regulations relating to the administration of this article, and perform such other duties as may be assigned by the County Administrator. In addition under §2-136 the County Attorney, not the Solicitor, is the chief legal representative for the county. Under §2-138 it is the duty of the County Attorney to represent and defend the county and all of its officers.

The Solicitor is a State Constitutional Officer. The Solicitor is empowered to enforce the laws of the State of South Carolina. The Solicitor has no legal authority to enforce county or municipal ordinances. Richland County is County Council and the County Administrator have no legal authority to direct the Solicitor to perform any action, §4-9-650 states that with the exception of organizational policies established by the governing body, the county administrator shall exercise no authority over any elected officials of the county whose offices were created either by the Constitution or by the general law of the State. Further, there is no legal basis for a Circuit Court Judge to require a business to cease operation for failure to obtain a county business license.

In addition, regardless of the above, the Solicitor, in his discretion, may choose to institute proceedings against a business if he believes that the business is a nuisance. This is based on state statute. Violations of county ordinances are one factor the Solicitor may consider in making that determination.

I, as Solicitor of the Fifth Judicial Circuit would be happy to assist Council in their efforts to curb business operating without a license. However, currently we do not have adequate resources or manpower to fulfill both the mission of the Solicitor's Office and to prosecute county ordinances. Additionally, prosecution under the ordinance will require funding for additional personnel who work under the sole supervision of the Solicitor but are contracted to provide services for the County. I look forward to discussing this matter further with Council and staff.

Legal

Reviewed by: Elizabeth McLean

Date: 3/19/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: As to business license enforcement, I would recommend that the County use all steps available to it (included above), including multiple citations, before attempting to close down a business. If the decision is made to move forward, all attempted compliance action should be very well documented.

Although closing a business is allowed, it should be used as a last resort when all other efforts at forcing compliance have failed. Also, who has the authority to decide that the County has done all it can and it is time to present the case to the Solicitor's Office?

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I'll leave all other enforcement comments to the Sheriff and Solicitor.

Administration

Reviewed by: Sparty Hammett

Date: 5/23/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend Council approval to initially target businesses illegally operating as night clubs. This would be handled administratively using all enforcement steps currently available.

Richland County Council Request of Action

Subject

Richland County Public Library Bonds [**PAGES 12-62**]

Reviews

Richland County Council Request of Action

Subject: Richland Library Bond Referendum

A. Purpose

County Council is requested to order a bond referendum on the question of the issuance of not exceeding \$59,321,900 of general obligation bonds of Richland County to acquire, construct, improve, and renovate existing and proposed facilities and equipment of Richland Library.

In connection with the foregoing, County Council is requested to:

1. Adopt a reimbursement resolution allowing for Richland Library to reimburse certain expenses, including the cost of holding the special election, out of bond proceeds, if and when issued.
2. Adopt a resolution ordering a referendum on the question of the issuance of the bonds.
3. Give first and second reading (including a public hearing before second reading) to an ordinance providing for the issuance and sale of the bonds, and enact such ordinance subsequent to the favorable referendum.

B. Background / Discussion

The Richland Library Board of Trustees submitted a petition to County Council dated May 13, 2013, requesting that County Council order a referendum on the question of the issuance of general obligation bonds in furtherance of Richland Library's capital improvement program. A copy of the petition is attached hereto for your review.

Richland Library has created and partially implemented a capital improvement program for the Library system. Eastover was the first project on this plan, and that project has now been completed utilizing funds from a USDA grant and funding from a bond issued by the County, which designated \$3,000,000 to Library projects. In addition to the Eastover project, land has also been purchased for the Ballentine project from the above mentioned bond proceeds (as designated by the County for library projects). The proposed general obligation bonds would fund a large portion of the Richland Library's remaining capital improvement needs. Moreover, the proposed issuance of general obligation bonds represents the first major capital improvement initiative for the Richland Library in over 20 years (since 1990).

To date, Library personnel have worked with members of County Council (including Library liaisons) the County Attorney, and the Finance Director.

C. Legislative / Chronological History

The Richland County Library Board of Trustees adopted a resolution dated May 13, 2013, the terms of which the petition and the terms thereof.

D. Financial Impact

The cost of the Richland Library's proposed capital program is estimated to equal the sum of \$58,321,900. After allowing for other contingencies, the costs of holding an election, and costs of issuing the bonds, it is expected that the aggregate amount of the bonds requested shall not to exceed the sum of \$59,321,900. The expected millage impact is currently under development.

E. Alternatives

1. Approve the holding of the referendum (through the resolution providing for such occurrence) and take action on the associated reimbursement resolution and bond ordinance related to the proposed financing.
2. Do not approve the holding of the referendum.

F. Recommendation

Recommended by: Melanie Huggins Department: Library Date: 5/14/13

G. Reviews

Finance

Reviewed by Daniel Driggers: Date: 5/24/13
 Recommend Council approval Recommend Council denial
 Comments regarding recommendation:

Recommend approval of holding a referendum. All Library debt is considered County debt and therefore requires Council approval. Approval would require an increase in the County debt service millage in order to repay the debt.

The County’s Bond Attorney has reviewed the documents and has made a recommendation to the Legal Department for Council consideration on the timing of the three readings and public hearing. Therefore the recommendation would be for Council to obtain that advice prior to final approval.

Legal

Reviewed by: Elizabeth McLean Date:
 Recommend Council approval Recommend Council denial
 Comments regarding recommendation:

Administration

Reviewed by: Roxanne Ancheta Date: May 24, 2013
 Recommend Council approval Recommend Council denial
 Comments regarding recommendation: Recommend approval of the holding of the referendum (through the Resolution providing for such occurrence) and take action on the associated reimbursement Resolution and bond ordinance related to the proposed financing.
 All costs associated with this item are to be paid by the Richland Library.

A RESOLUTION

REQUESTING THE ISSUANCE OF GENERAL OBLIGATION INDEBTEDNESS BY RICHLAND COUNTY, SOUTH CAROLINA FOR THE BENEFIT OF THE RICHLAND COUNTY PUBLIC LIBRARY SYSTEM, TO DEFRAY THE COSTS OF CERTAIN LIBRARY FACILITIES AND EQUIPMENT; REQUESTING A REFERENDUM BE HELD TO APPROVE SUCH ISSUANCE; REQUESTING THE ADOPTION OF A REIMBURSEMENT RESOLUTION; AUTHORIZING A PETITION TO THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.

BE IT RESOLVED by the Board of Trustees of the Richland County Public Library System (the “*Board*”), the governing body of the Richland County Public Library System (the “*Library*”), in a meeting duly assembled:

ARTICLE I - FINDINGS OF FACT

Section 1.01

Incident to the adoption of this resolution (this “*Resolution*”), the Board has made the following findings of fact:

1. Pursuant to S.C. Code Ann. §§ 4-9-35 through 4-9-39 (1976 as amended) and Ordinance No. 554-79 dated July 1, 1979 of the County Council of Richland County (the “*County Council*”), the governing body of Richland County, South Carolina (the “*County*”), the Library was created to serve the needs of citizens of the County.

2. In carrying out its functions and duties, the Board, upon the advice of its consultants and in accordance with its capital improvement plan, has identified needs at the present time to acquire, construct, improve, and renovate existing and proposed facilities and equipment of the Library (collectively, the “*Projects*”).

3. The County Council is empowered by the County Bond Act, codified at Title 4, Chapter 15 of the Code of Laws of South Carolina, 1976, as amended, to issue general obligation bonds to provide funds to be used in furtherance of any power or function of the County. By adopting this Resolution, the Board has authorized a petition to the County requesting the issuance by the County of general obligation bonds (the “*Bonds*”), either as a single issue, or as several separate issues, to provide funds for the defraying of the costs associated with the acquiring, constructing, improving, and renovating of the Projects. The Board estimates that the costs of acquiring, construction, improving and renovating of the Projects will be in an approximate amount of \$58,321,900, plus the costs of issuance associated therewith. Accordingly, the Board requests that the County issue the Bonds on behalf of the Library, which issuance shall be conditioned upon the favorable vote of the electors of the County.

4. Further, the petition shall provide a request for the County to adopt a reimbursement resolution so that the Library can reimburse itself from the proceeds of the Bonds for any costs incurred by the Library prior to the issuance of the Bonds (if duly approved).

ARTICLE II – AUTHORIZATION AND SUBMISSION OF PETITION

Section 2.01

The Board adopts this Resolution to evidence the Board’s approval of the issuance of the Bonds and to authorize a petition to the County Council with regard to the issuance of such Bonds.

The petition, as attached hereto, shall be forwarded to the Clerk to County Council and presented to the County Council in accordance with and for the purposes set forth herein.

DONE IN A MEETING DULY ASSEMBLED, this 13th day of May, 2013.

**RICHLAND COUNTY PUBLIC LIBRARY
SYSTEM**

(SEAL)

By: _____
Chairman of the Board of Trustees

Attest:

Secretary of the Board of Trustees

A PETITION

REQUESTING THE ISSUANCE OF GENERAL OBLIGATION INDEBTEDNESS BY RICHLAND COUNTY, SOUTH CAROLINA FOR THE BENEFIT OF THE RICHLAND COUNTY PUBLIC LIBRARY SYSTEM, TO DEFRAY THE COSTS OF CERTAIN LIBRARY FACILITIES AND EQUIPMENT; REQUESTING AN ELECTION TO BE HELD TO APPROVE SUCH ISSUANCE; AND REQUESTING THE ADOPTION OF A REIMBURSEMENT RESOLUTION.

1. Pursuant to S.C. Code Ann. §§ 4-9-35 through 4-9-39 (1976 as amended) and Ordinance No. 554-79 dated July 1, 1979 of the County Council of Richland County (the “*County Council*”), the governing body of Richland County, South Carolina (the “*County*”), the Richland County Public Library System (the “*Library*”) was created to serve the needs of citizens of the County.

2. In carrying out its functions and duties, the Board of Trustees of the Richland County Public Library System (the “*Board*”), the governing body of the Library, upon the advice of its consultants and in accordance with its capital improvement plan, has identified needs at the present time to acquire, construct, improve, and renovate existing and proposed facilities and equipment of the Library (collectively, the “*Projects*”).

3. The County Council is empowered by the County Bond Act, codified at Title 4, Chapter 15 of the Code of Laws of South Carolina, 1976, as amended, to issue general obligation bonds to provide funds to be used in furtherance of any power or function of the County. The Board hereby requests that the County provide for the issuance of general obligation bonds (the “*Bonds*”), either as a single issue, or as several separate issues, to provide funds for the defraying of the costs associated with the acquiring, constructing, improving, and renovating of the Projects. The issuance of such Bonds shall be conditioned upon the favorable vote of the electors of the County. The Board estimates that the costs of acquiring, construction, improving and renovating of the Projects will be in an approximate amount of \$58,321,900, plus the costs of issuance associated therewith.

4. Further, the Board also requests that the County adopt a reimbursement resolution so that the Library can reimburse itself from the proceeds of the Bonds for any costs incurred by the Library prior to the issuance of the Bonds (if duly approved).

WHEREFORE, the Board prays that the County Council order a election to be held in the County on the question of authorizing the issuance of the Bonds in an amount sufficient to accomplish the Projects and to provide for the costs of issuance of the Bonds, to include any costs associated with the election requested herein, which Bonds may be issued as a single issue or from time to time as several separate issues.

**BOARD OF TRUSTEES,
RICHLAND COUNTY PUBLIC LIBRARY SYSTEM**

May 13, 2013

Item# 3

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

**A RESOLUTION OF THE
RICHLAND COUNTY COUNCIL**

A RESOLUTION

**DECLARING THE INTENTION OF RICHLAND COUNTY, SOUTH CAROLINA
TO REIMBURSE ITSELF FOR CERTAIN EXPENDITURES WITH THE
PROCEEDS OF DEBT TO BE ISSUED BY THE ISSUER.**

WHEREAS, Richland County, South Carolina (the “Issuer”) has determined to acquire, construct, improve, and renovate existing and proposed facilities and equipment of Richland Library (the “Projects”), contingent on a successful referendum;

WHEREAS, the Issuer, pending a review of available financing alternatives, intends to incur debt (the “Obligations”) secured by the full faith, credit and taxing power of the Issuer for the purpose of providing funds to pay the costs of the Projects and costs incurred in connection with the voter approval, authorization, issuance and sale of the Obligations;

WHEREAS, the estimated costs of the Projects are expected to be an amount not exceeding \$59,321,900;

WHEREAS, the Issuer has previously expended and reasonably expects to continue to expend its moneys for capital costs incurred for the Projects prior to the issuance of the Obligations;

WHEREAS, the Issuer intends and reasonably expects to reimburse itself for all such capital expenditures paid by it with respect to the Projects prior to the issuance of the Obligations from the proceeds of the Obligations and such intention is consistent with the budgetary and financial circumstances of the Issuer; and

WHEREAS, all of the costs to be paid or reimbursed from the proceeds of the Obligations will be for costs incurred in connection with the issuance of the Obligations or will, at the time of payment thereof, be properly chargeable to the capital account of the Projects (or would be so chargeable with a proper election) under general federal income tax principles.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Richland County, South Carolina, the governing body of the Issuer (the “County Council”), in meeting duly assembled:

Section 1. It is hereby declared that the facts set forth in the preambles to this Resolution are in all respects true and correct.

Section 2. It is hereby declared that the Issuer intends and reasonably expects to reimburse itself with the proceeds of the Obligations for all expenditures related to the Projects and the issuance of the Obligations paid prior to the issuance of the Obligations.

Section 3. This Resolution shall constitute a declaration of official intent under Section 1.150-1 of the Treasury Regulations promulgated by the United States Department of the Treasury.

Section 4. The maximum principal amount of debt expected to be issued for the purpose of paying the costs of the Projects and the issuance of the Obligations is not exceeding \$20,000,000.

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DONE IN MEETING DULY ASSEMBLED this 4th day of June, 2013.

RICHLAND COUNTY, SOUTH CAROLINA

(SEAL)

Chair, County Council

ATTEST:

Clerk, County Council

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

A RESOLUTION OF THE
RICHLAND COUNTY COUNCIL

A RESOLUTION ORDERING A BOND REFERENDUM TO BE HELD IN RICHLAND COUNTY, SOUTH CAROLINA, ON THE QUESTION OF THE ISSUANCE OF NOT EXCEEDING \$59,321,900 OF GENERAL OBLIGATION BONDS OF RICHLAND COUNTY, SOUTH CAROLINA; PROVIDING FOR THE FORM OF THE BALLOT TO BE USED; PROVIDING FOR NOTICE OF THE REFERENDUM; AND PROVIDING FOR OTHER MATTERS RELATING THERETO.

BE IT RESOLVED BY THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AS FOLLOWS:

Section 1. *Findings.* The County Council of Richland County (the “*County Council*”), the governing body of Richland County, South Carolina (the “*County*”), hereby finds and determines:

(a) The County is a body politic and corporate of the State of South Carolina (the “*State*”) and as such possesses all general powers granted to counties of the State.

(b) Pursuant to S.C. Code Ann. §§ 4-9-35 through 4-9-39 (1976, as amended) and Ordinance No. 554-79 dated July 1, 1979 of the County Council, the Richland County Public Library System (the “*Library*”) was created to serve the needs of the citizens of the County.

(c) Upon a review of its capital improvement plan, the Board of Trustees of the Richland County Public Library System (the “*Board*”) has identified needs at the present time to acquire, construct, improve, and renovate existing and proposed facilities and equipment of the Library (collectively, the “*Projects*”).

(d) Acting pursuant to Section 2(a)(8) of Ordinance No. 554-79, which provides that the Library may “[r]eceive and expend grants, appropriations, gifts and donations from any private or public source for the operation, expansion or improvement of the library system,” the Board submitted a petition dated May 13, 2013 (the “*Petition*”) to the County Council requesting an order for an election to be held in the County on the question of authorizing the issuance of Bonds in a principal amount of not exceeding \$59,321,900 (the “*Bonds*”). As provided in the petition, the Board has requested that the proceeds of the Bonds be used to defray the costs of the Projects and the costs of issuance thereof.

(e) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the “*Constitution*”), provides that political subdivisions of the State (including counties) shall have the power to incur bonded indebtedness in such manner and upon such terms and conditions as the General Assembly may prescribe.

(f) Article X, Section 14(6) of the Constitution provides that if general obligation debt is authorized by a majority vote of the qualified electors of the political subdivision voting in a referendum authorized by law, there shall be no conditions or restrictions limiting the incurring of such indebtedness except: (i) those restrictions and limitations imposed in the authorization to incur such indebtedness; (ii) such general obligation debt shall be issued within five years of the date of such referendum; (iii) general obligation debt may be incurred only for a purpose which is a public purpose and which is a corporate

Item# 3

purpose of the political subdivision; and (iv) such debt shall mature within forty years from the time such indebtedness shall be incurred (as further limited by the provisions of Section 11-27-40 of the Code of Laws of South Carolina, 1976, as amended (the "Code")).

(g) In keeping with the provisions of the Constitution, the County Council is empowered by the County Bond Act, codified at Title 4, Chapter 15 of the Code of Laws of South Carolina, 1976, as amended, to issue general obligation bonds to provide funds to be used in furtherance of any power or function of the County.

(h) The County Council has determined that the Projects constitute a public and corporate purpose of the County and the construction thereof is in furtherance of the existing powers and functions of the County.

(i) As requested by the terms of the Petition and as authorized by the provisions of Section 11-27-40 of the Code, County Council is empowered to order any such referendum as is required by Article X of the Constitution, to prescribe the notice thereof and to conduct or cause to be conducted such referendum in the manner prescribed by Title 7 of the Code.

(j) In order to comply with 42 U.S.C. §1973(c), Section 5 of the Voting Rights Act, the County Council must seek preclearance of the holding the referendum from the United States Department of Justice, Voting Rights Division. The request for preclearance must be received by the Department of Justice more than 60 prior to the referendum.

(k) County Council has determined to adopt this Resolution to: (i) order the holding of a referendum on the question of the issuance of the Bonds; (ii) authorize the submission of the for a request for preclearance pursuant to the Voting Rights Act; (iii) prescribe the form of notice of election; and (iv) authorize the publication of the notice of election.

Section 2. *Order to Hold Referendum.* Pursuant to the applicable provisions of the Constitution and laws of the State of South Carolina, there is hereby ordered a referendum to be held in the County (the "**Bond Referendum**") on November 5, 2013, at which time there shall be submitted to all persons residing in the County and qualified to vote under the Constitution and laws of the State of South Carolina the question of whether the County shall be authorized and empowered to issue the Bonds to defray the costs of the Projects and costs of issuance thereon.

Section 3. *Voting, Polling Places, and Hours of Election.* The Bond Referendum shall be conducted by the Richland County Election Commission (the "**Election Commission**"). The polls shall be opened at 7:00 a.m. and closed at 7:00 p.m. on the date of the Bond Referendum and shall be held during said hours without intermission or adjournment. The voting precincts and polling places for each of such precincts shall be such precincts and polling places as established by law wholly or partially within the County.

Section 4. *Ballot Question.* The Election Commission is requested to conduct the Bond Referendum in accordance with South Carolina law. Upon approval by the Election Commission, the form of ballot to be used in the Bond Referendum and the instructions to voters appearing thereon shall be in substantially the form set forth at Appendix A below, with such other changes as may be deemed necessary by the Chairman of the County Council upon consultation with the executive director of the Election Commission:

Section 5. *Voter Qualification.* Every person offering to vote must be at least 18 years of age on the date of the Bond Referendum, must reside in the County and must be duly registered on the books of registration for the County as an elector in the precinct in which he or she resides and offers to vote on or before the date on which said books of registration are closed for the Bond Referendum, and must present either a South Carolina driver's license, another form of identification containing a photograph issued by the Department of Motor Vehicles, a passport, a military identification card containing a photograph issued by the federal government, or a South Carolina voter registration card containing a photograph of the voter pursuant to Section 7-5-675 of the Code. If a voter cannot produce any type of the aforementioned identification at his designated precinct, the voter he may cast a provisional ballot that is counted only if the voter brings a valid and current photograph identification to the Richland County Board of Elections and Voter Registration before the results of the election are certified.

Any registered elector who meets the requirements set forth in the preceding sentence and who has moved his or her place of residence within the County after the date on which said books of registration are closed for the Bond Referendum, but before the date of the Bond Referendum, shall be entitled to vote in his or her previous precinct of residence in the Bond Referendum.

Absentee ballots for the Bond Referendum shall be available at the County voter registration office. The books of registration shall be closed thirty (30) days prior to the Bond Referendum.

Section 6. *Notice of Bond Referendum.* A notice of the Bond Referendum (the “*Notice*”), substantially in the form set forth in Appendix B, shall be published in compliance with the provisions of Sections 7-13-35 and 4-15-50, of the Code of Laws of South Carolina, 1976, as amended, viz.: first, not later than sixty (60) days prior to the Bond Referendum; second, not later than two weeks after such first Notice is published; and third, not less than fifteen (15) days prior to the occasion set for the holding of the Bond Referendum. The Chairman of the County Council shall be authorized to make such modifications or changes to the Notice as he shall deem necessary and the published version thereof shall constitute conclusive evidence of the approval of the Notice by the County Council.

The Election Commission is authorized to change any of the locations of polling places for the Bond Referendum in accordance with State law as deemed necessary or advisable. In the event of such change, appropriate changes are to be made to the Notice.

Section 7. *Registration and the Election Commission.* A certified copy of this Resolution shall be filed with the Election Commission, and the Election Commission is hereby requested as follows:

- (a) to join in the action of the County in providing for the Notice and the ballot in substantially the form contained herein;
- (b) to prescribe the form of ballot to be used in the Bond Referendum;
- (c) to arrange for polling places for each precinct, or any part of a precinct within the County;
- (d) to appoint Managers of Election;
- (e) to provide a sufficient number of ballots or voting machines, as the case may be, for the Bond Referendum
- (f) to conduct the Bond Referendum, receive the returns thereof, canvass such returns, declare the results thereof, and certify such results to the County Council; and

- (g) take other steps and prepare such other means as shall be necessary or required by law in order to properly conduct the Bond Referendum.

Section 8. *Preclearance.* An application for preclearance of the Bond Referendum shall be submitted in a timely manner to the Voting Rights Division of the United States Department of Justice in compliance with 42 U.S.C. § 1973(c), Section 5 of the Voting Rights Act.

Section 9. *Effective Date.* Adopted and approved by County Council, this 4th day of June, 2013.

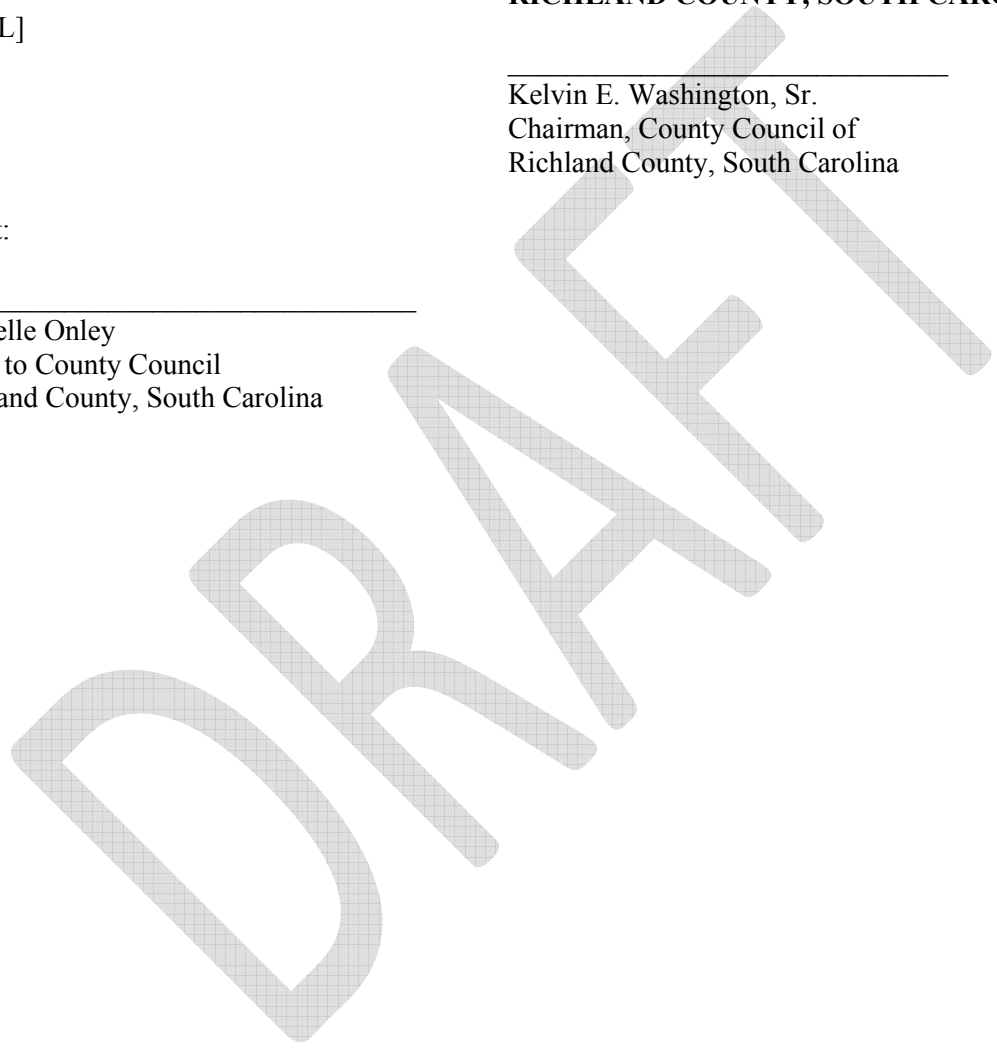
RICHLAND COUNTY, SOUTH CAROLINA

[SEAL]

Kelvin E. Washington, Sr.
Chairman, County Council of
Richland County, South Carolina

Attest:

Michelle Onley
Clerk to County Council
Richland County, South Carolina



**APPENDIX A
FORM OF BALLOT**

OFFICIAL BALLOT FOR REFERENDUM
\$59,321,900 OF GENERAL OBLIGATIONS BONDS
RICHLAND COUNTY, SOUTH CAROLINA
November 5, 2013

Precinct____
No. _____

Initials of Issuing Officer

OFFICIAL BALLOT FOR REFERENDUM
\$59,321,900 OF GENERAL OBLIGATIONS BONDS
RICHLAND COUNTY, SOUTH CAROLINA
November 5, 2013

Question

Shall the County Council of Richland County, South Carolina (the "County") be authorized to issue and sell, either as a single issue or as several separate issues, general obligation bonds of the County in an aggregate principal amount of not exceeding \$59,321,900, the proceeds of which shall be applied to defray the costs of acquiring, constructing, improving, and renovating existing and proposed facilities and equipment of the Richland County Public Library System?

Yes, in favor of the question []

No, opposed to the question []

If you are in favor of the question, place a check or cross-mark in the square after the words "Yes, in favor of the question"; if you are opposed to the question, place a check or cross-mark in the square after the words "No, opposed to the question."

APPENDIX B
FORM OF NOTICE OF REFERENDUM

NOTICE OF REFERENDUM
\$59,321,900 OF GENERAL OBLIGATION BONDS
RICHLAND COUNTY, SOUTH CAROLINA

NOTICE IS HEREBY GIVEN that a “Referendum” will be held in Richland County, South Carolina (the “County”), on November 5, 2013, for the purpose of submitting to all persons qualified to vote in the County pursuant to the Constitution and laws of the State of South Carolina, the following question:

Question

Shall the County Council of Richland County, South Carolina (“the County”) be authorized to issue and sell, either as a single issue or as several separate issues, general obligation bonds of the County in an aggregate principal amount of not exceeding \$59,321,900, the proceeds of which shall be applied to defray the costs of acquiring, constructing, improving, and renovating existing and proposed facilities and equipment of the Richland County Public Library System?

Yes, in favor of the question []

No, opposed to the question []

If you are in favor of the question, place a check or cross-mark in the square after the words “Yes, in favor of the question”; if you are opposed to the question, place a check or cross-mark in the square after the words “No, opposed to the question.”

The question is being submitted pursuant to Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended, Title 11, Chapter 27, Section 40 of the Code of Laws of South Carolina, 1976, as amended, Title 4, Chapter 15 of the Code of Laws of South Carolina, 1976 as amended, and a resolution of the County Council of Richland County, South Carolina (the “County Council”) adopted June 4, 2013. If a majority of the qualified electors of the County voting in the Referendum approve the issuance of not exceeding \$59,321,900 of general obligations bonds of the County, such bonds may be issued by the County either at one time as a single issue or from time to time as several separate issues. As acknowledged in the Question, the proceeds of the bonds will be used for the purpose of defraying the costs of acquiring, constructing, improving, and renovating existing and proposed facilities and equipment of the Richland County Public Library System.

Every person offering to vote must be at least 18 years of age on the date of the Bond Referendum, must reside in the County and must be duly registered on the books of registration for the County as an elector in the precinct in which he or she resides and offers to vote on or before the date on which said books of registration are closed for the Bond Referendum, and must present either a South Carolina driver's license, another form of identification containing a photograph issued by the Department of Motor Vehicles, a passport, a military identification card containing a photograph issued by the federal government, or a South Carolina voter registration card containing a photograph of the voter pursuant to Section 7-5-675 of the Code. If a voter cannot produce any type of the aforementioned identification at his designated precinct, the voter he may cast a provisional ballot that is counted only if the voter brings a

valid and current photograph identification to the Richland County Board of Elections and Voter Registration before the results of the election are certified.

Any person wishing to register to vote in this election, if registering by mail, must either have such registration postmarked no later than 30 days prior to the Referendum, to the Richland County Board of Elections and Voter Registration, Post Office Box 192, Columbia, SC 29202, or appear in person and register at the Richland County Board of Elections and Voter Registration, at 2020 Hampton Street, Columbia, SC 29204. Any registered elector who has moved his or her place of residence within the County after the date of the Referendum shall be entitled to vote in his or her previous precinct of residence in the Referendum; provided, however, in case any registered elector shall have moved from one precinct in the County within 30 days prior to November 5, 2013, and shall have surrendered his registration certificate and has received a new certificate, such elector may vote in the precinct provided by such new certificate. Persons who become of age during the 30 day period preceding the Referendum shall be entitled to register before the closing of the books if otherwise qualified.

Any person eligible to register to vote in the Referendum who has been discharged or separated from his service in the Armed Forces of the United States prior to November 5, 2013, and has returned home too late to register at the time when registration is required, is entitled to register for the purpose of voting in the Referendum after the discharge or separation from service, up to 5:00 p.m. on the day of the Referendum. This application for registration must be made at the office of the Richland County Board of Elections and Voter Registration, and if qualified, the person must be issued a registration notification stating the precinct in which he is entitled to vote and should be placed on the registration rolls of the precinct.

The polls shall be open from 7:00 a.m. until 7:00 p.m. at the polling places designated below and shall be open during those hours without intermission or adjournment. Appropriate vote recorders will be provided at the polling places for the casting of ballots on the aforesaid question. Managers of Election will be appointed by the Richland County Board of Elections and Voter Registration. The Managers of Election shall see that each person offering to vote takes the oath that he is qualified to vote at this election according to the Constitution of this State, and that he has not voted before in this election. The precincts (or portions thereof) within the County, locations of the polling places and the address thereof for such Referendum are as follows:

<u>Precinct</u>	<u>Location</u>	<u>Address</u>
Ward 1	Capital Senior Center	1650 Park Circle
Ward 2	Marion Street Apartments	1930 Marion St.
Ward 3	Reformation Lutheran Church	1118 Union St.
Ward 4	Logan Elementary School	815 Elmwood Ave.
<u>Precinct</u>	<u>Location</u>	<u>Address</u>
Ward 5	Pacific Memorial Park	200 Wayne St.
Ward 6	Bradley Elementary School	3032 Pine Belt Rd.
Ward 7	W.A. Perry Middle School	2600 Barhamville Rd.
Ward 8	David H. Swinton Campus Center	1616 Oak St.
Ward 9	Prince Hall Masonic Lodge	2324 Gervais St.
Ward 10	A.C. Moore Elementary School	333 Etiwan Ave.
Ward 11	Ben Arnold Recreation Center	1100 S. Holly St.
Ward 12	Hand Middle School	2600 Wheat St.
Ward 13	Rosewood Elementary School	3300 Rosewood Dr.

Ward 14	Sims Park	3500 Duncan St.
Ward 15	Melrose Park	1500 Fairview Dr.
Ward 16	Dreher High School	3319 Millwood Ave.
Ward 17	Brennan Elementary School	4438 Devereaux Rd.
Ward 18	Old Watkins Elementary School	2612 Covenant Rd.
Ward 19	Latimer Manor Community Center	100 Lorick Circle
Ward 20	Hyatt Park (temporary)	941 Jackson Ave
Ward 21	Arden Elementary School	1300 Ashley St.
Ward 22	Eau Claire High School	4800 Monticello Rd.
Ward 23	Shandon Fire Station	2847 Devine St.
Ward 24	Kilbourne Park Baptist Church	4205 Kilbourne Rd.
Ward 25	Kilbourne Park Baptist Church	4205 Kilbourne Rd.
Ward 26	Hampton Park	1117 Brandon Ave.
Ward 29	Alcorn Middle School	5125 Fairfield Rd.
Ward 30	Arsenal Hill Park	1800 Lincoln St.
Ward 31	Hyatt Park Elementary School	4200 Main St.
Ward 32	Charles R. Drew Wellness Center	2101 Walker Solomon Way
Ward 33	Martin Luther King Memorial Park	2300 Green St.
Ward 34	Pinehurst Park	2300 Pinehurst Rd.
Arcadia	Forest Lake Park Gym	6820 Wedgefield Rd.
Ardincaple	E.E. Taylor Elementary School	200 McRae St.
Ballentine	Ballentine Elementary School	1040 Bickley Rd.
Beatty Road	St. Andrews Park	920 Beatty Rd.
Bluff	Bluff Road Park	148 Carswell Dr
Blythewood # 1	Bethel Hanberry Elementary School	125 Boney Rd.
Blythewood # 2	Blythewood Park	126 Boney Rd.
Blythewood # 3	Blythewood High School	10901 Wilson Blvd.
Brandon	Annie Burnside Elementary School	7300 Patterson Rd.
Briarwood	E.L. Wright Middle School	2740 Alpine Rd.
Caughman Road	Caughman Road Park	2800 Trotter Rd.
College Place	John P. Thomas Elementary School	6001 Weston Ave
Cooper	St. Michaels & All Angels Episcopal Church	6408 Bridgewood Rd.
Dennyside	Denny Terrace Community Center	6429 Bishop Ave.
Dentsville	Dent Middle School	2721 Decker Blvd.
<u>Precinct</u>	<u>Location</u>	<u>Address</u>
Dutch Fork # 1	Dutch Fork High School	1400 Old Tamah Rd.
Dutch Fork # 2	Dutch Fork Middle School	1528 Old Tamah Rd.
Eastover	Eastover Park	1031 Main St.
Edgewood	Burton-Pack Elementary School	111 Garden Dr.
Estates	Bookman Road Elementary School	1245 Bookman Rd.
Fairlawn	Keenan High School	361 Pisgah Church Rd.
Fairwold	Pendergrass-Fairwold Elementary	5935 Token St.
East Forest Acres	Brockman School	2245 Montclair Dr.
North Forest Acres	Trenholm Park	3900 Covenant Rd.

South Forest Acres	Crayton Middle School	5000 Clemson Ave.
Friarsgate # 1	Friarsgate Park	1712 Chadford Rd.
Friarsgate # 2	H.E. Corley Elementary School	1500 Chadford Rd.
Old Friarsgate	Dutch Fork Elementary School	7900 Broad River Rd.
Gadsden	Gadsden Elementary School	1660 S. Goodwin Circle
Garners	Crossroads Community Center	2750 McCords Ferry Rd.
Greenview	Greenview Park	6700 David St.
Gregg Park	Shandon Baptist Church	5250 Forest Dr.
Hampton	South Kilbourne Elementary School	1400 S. Kilbourne Rd.
Harbison # 1	Harbison Community Center	106 Hill Pine Rd.
Harbison # 2	New Heights Baptist Church	5501 Broad River Rd.
Hopkins	Hopkins Park	150 Hopkins Park Rd.
Horrell Hill	Horrell Hill Elementary School	517 Horrell Hill Blvd.
Hunting Creek	Lower Richland High School	2615 Lower Richland Blvd.
Keels	Joseph Keels Elementary School	7500 Springercrest Dr.
Keenan	Sanders Middle School	3455 Pine Belt Rd.
Kelly Mill	Kelly Mill Middle School	1141 Kelly Mill Rd.
Killian	Killian Park	1424 Marthan Rd
Kingswood	Columbia High School	1701 Westchester Dr.
Lake Carolina	Lake Carolina Elementary School	1151 Kelly Mill Rd.
Lincolnshire	Forest Heights Elementary School	2500 Blue Ridge Terrace
Longcreek	Blythewood Middle School	2351 Longtown Road East
Lykesland	Caughman Road Elementary School	7725 Caughman Rd.
McEntire	Southeast Middle School	731 Horrell Hill Rd.
Meadowfield	Meadowfield Elementary School	525 Galway Lane
Meadowlake	Meadowlake Park	600 Beckman Rd.
Midway	Louie W. Conder Elementary School	8040 Hunt Club Rd.
Mill Creek	Mill Creek Elementary School	925 Universal Dr.
Monticello	Upper Richland Community Center	280 Campground Rd.
North Springs # 1	North Springs Park	1320 Clemson Rd.
North Springs # 2	North Springs Elementary School	1300 Clemson Rd.
Oak Pointe	Oak Pointe Elementary School	1 River Bottom Rd.
Oakwood	Gethesemane Lutheran Church	6904 Satchelford Rd.
Olympia	Olympia Learning Center	621 Bluff Road
<u>Precinct</u>	<u>Location</u>	<u>Address</u>
Parkridge	Harbison Fire Station	131 Lake Murray Blvd.
Parkway # 1	Summit Parkway Middle School	200 Summit Parkway
Parkway # 2	Summit Parkway Middle School	200 Summit Parkway
Pennington	Asbury Memorial United Methodist Church	1005 Asbury Dr.
Pine Grove	Pine Grove Elementary School	111 Huffstetler Rd.
Pine Lakes	Lower Richland Fire Station	2612 Lower Richland Blvd.
Pinewood	Lower Richland High School	2615 Lower Richland Blvd.
Polo Road	Polo Road Park	730 Polo Rd.
Pontiac	Pontiac Elementary School	500 Spears Creek Rd.

Rice Creek	Rice Creek Elementary School	4751 Hard Scrabble Rd.
Ridge View	Ridge View High School	4801 Hard Scrabble Rd.
Ridgewood	Ridgewood Baptist Church	5326 Ridgeway St.
River Springs	River Springs Elementary School	115 Connie Wright Rd.
Riverside	Virginia Wingard United Methodist Church	1500 Broad River Rd.
Riverwalk	The Episcopal Church of St. Simon & St. Jude	1110 Kinley Rd.
Round Top	Round Top Elementary School	449 Rimer Pond Rd.
Sandlapper	Sandlapper Elementary School	1001 Longtown Rd.
Satchelford	Satchelford Elementary School	5901 Satchelford Rd.
Skyland	Skyland Drive Bible Church	901 Skyland Dr.
South Beltline	VFW Post 641	534 South Beltline Blvd.
Spring Hill	River Springs Church	1007 West Shady Grove Rd.
Spring Valley	Lonnie B. Nelson Elementary School	225 N. Brickyard Rd.
Spring Valley West	Jewish Community Center	306 Flora Dr.
Springville	Lake Murray Elementary School	1531 Three Dog Road
St. Andrews	St. Andrews Middle School	1231 Bluefield Rd.
Trenholm Road	North Trenholm Baptist Church	6515 North Trenholm Rd.
Valhalla	Spring Valley High School	120 Sparkleberry Lane
Valley State Park	Killian Elementary School	2621 Clemson Rd.
Walden	Pine Grove Elementary School	111 Huffstetler Dr.
Westminster	Westminster Presbyterian Church	1715 Broad River Rd.
Whitewell	Right Direction Christian Center	1230 St. Andrews Rd.
Wildewood	St. John Neuman Church	100 Polo Rd.
Woodfield	Richland Northeast High School	7500 Brookfield Rd.
Woodlands	Woodlands Park	6500 Old Knight Parkway

Voters who are blind, who are otherwise physically handicapped, or who are unable to read or write are entitled to assistance in casting their ballot. This assistance may be given by anyone the voter chooses except for his employer, an agent of his employer, or an officer or agent of his union. The Managers of Election must be notified if assistance is needed. Voters who are unable to enter their polling place due to physical handicap or age may vote in the vehicle in which they drove, or where driven, to the polls. When notified, the Managers of Election will help voters effectuate this curbside voting provision. Registered voters may be eligible to vote by absentee ballot. Persons wishing more information concerning absentee balloting should contact the Richland County Board of Elections and Voter Registration by telephone at (803) 576-2240.

The Richland County Election Commission shall hold a hearing on ballots challenged in the election at 9:00 a.m. on Friday, November 8, 2013, at the office of the Richland County Election Commission located at 2020 Hampton Street, Columbia, SC 29204.

BY ORDER OF THE RICHLAND COUNTY ELECTION COMMISSION

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-13HR

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS OF RICHLAND COUNTY, SOUTH CAROLINA, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING FIFTY NINE MILLION THREE HUNDRED TWENTY ONE THOUSAND NINE HUNDRED DOLLARS (\$59,321,900); DELEGATING TO THE COUNTY ADMINISTRATOR CERTAIN AUTHORITY RELATED TO THE BONDS; PROVIDING FOR THE PAYMENT OF SAID BONDS; AND OTHER MATTERS RELATING THERETO.

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EXHIBIT A – FORM OF THE BONDS

EXHIBIT B – FORM OF CONTINUING DISCLOSURE UNDERTAKING

BE IT ORDAINED BY THE COUNTY COUNCIL OF RICHLAND COUNTY, IN A MEETING DULY ASSEMBLED, AS FOLLOWS:

ARTICLE I - FINDINGS AND DETERMINATIONS

Incident to the adoption of this bond ordinance (this “**Ordinance**”) and the issuance of the debt authorized hereby, the County Council of Richland County (the “**Council**”), the governing body of Richland County, South Carolina (the “**County**”), finds that the facts set forth in this Article exist and the statements made with respect thereto are in all respects true and correct.

Section 1.01 Findings.

1. The County is a body politic and corporate of the State of South Carolina (the “**State**”) and as such possesses all general powers granted to counties of the State.
2. The Council previously received a petition (the “**Petition**”) from the Board of Trustees (the “**Board**”) of the Richland Library (the “**Library**”) requesting that a referendum be held on the question of the issuance of not exceeding fifty nine million three hundred twenty one thousand nine hundred dollars (\$59,321,900) of general obligation bonds (the “**Bonds**”) to defray the costs associated with acquiring, constructing, improving, and renovating existing and proposed facilities and equipment of the Library (the “**Projects**”). On June 4, 2013, the Council adopted a resolution ordering that a referendum be held on November 5, 2013 (the “**Referendum**”), on the question of the issuance of Bonds to defray the costs of the Projects and the costs of issuance thereof.
3. The Referendum was conducted in accordance with law on November 5, 2013, and resulted in a favorable vote with respect to the issuance of the Bonds.
4. Accordingly, the Council has determined to issue the Bonds to defray the costs of the Projects and the costs of issuance thereof. In so authorizing the issuance of the Bonds, the Council has determined that the benefits arising from the Projects will accrue to all persons and property within the County.

Section 1.02 Recital of Applicable Constitutional Provisions.

Pursuant to Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the “**Constitution**”), each county possesses the power to incur bonded indebtedness in such manner and upon such terms as the General Assembly shall prescribe by general law. Such debt must be incurred for a public and corporate purpose in an amount not exceeding eight percent (8%) of the assessed value of all taxable property in such county. In the event such indebtedness is approved by referendum, however, section 14(6) of Article X of the Constitution provides that a county may incur general obligation bonded indebtedness without regard to its constitutional debt limitation.

Section 1.03 Recital of Applicable Statutory Provisions.

Pursuant to Title 4, Chapter 15 of the South Carolina Code (the “**County Bond Act**”), the governing body of any of the counties of the State may issue general obligation bonds to defray the cost of any authorized purpose.

Section 1.04 Holding of Public Hearing and Notice Thereof.

Pursuant to the provisions of Section 4-9-130 of the Code of Laws of South Carolina, 1976, as amended, a public hearing, after giving reasonable notice, is required to be conducted prior to the third and final reading of this Ordinance by Council. In accordance with this provision, a public hearing shall be conducted and due notice shall be provided not less than 15 days prior to such public hearing by publication of a notice in *The State*, a newspaper of general circulation in the County.

Section 1.05 Notice of Adoption of Ordinance.

Section 4-9-1220 of the South Carolina Code provides that within 60 days following the adoption by a county council of an ordinance authorizing the issuance of general obligation debt, a petition signed by not less than fifteen percent of the qualified electors of the County may be filed with the Clerk to Council requesting that such ordinance be repealed. However, Section 4-9-1220 does not apply to ordinances providing for bond issues approved by referendum. Accordingly, notice of adoption of this ordinance may be given in the discretion of the County Administrator, but is not required.

[End of Article I]

ARTICLE II - DEFINITIONS AND AUTHORITY

Section 2.01 Definitions. As used in this Ordinance, unless the context shall otherwise require, the following terms shall have the following respective meanings:

“Authorized Investments” means any investments that are at the time legal for investment of the County’s funds under the laws of the State of South Carolina and of the United States.

“Authorized Officer” means the Chairman and Vice Chairman of County Council and the County Administrator and any other officer or employee of County Council designated from time to time as an Authorized Officer by resolution of the Council, and when used with reference to any act or document also means any other person authorized by resolution of the Council to perform such act or sign such document.

“Bond” or “Bonds” means the general obligation debt of the County authorized by this Ordinance.

“Bondholder” or “Holder” or “Holder of the Bonds” or “Owner” or similar term means, when used with respect to the Bonds, any person who shall be registered as the owner of any Bonds Outstanding.

“Bond Payment” means the periodic payments of principal of and interest on the Bonds.

“Bond Payment Date” means each date on which a Bond Payment shall be payable.

“Code” means the Internal Revenue Code of 1986, as amended, and the Treasury Regulations applicable thereto.

“Corporate Trust Office” when used with respect to any Paying Agent or Registrar, means the office at which its principal corporate trust business shall be administered.

“County” means Richland County, South Carolina.

“County Administrator” means the Administrator of the County

“County Attorney” means the County Attorney for Richland County, South Carolina.

“County Council” means the County Council of Richland County, the governing body of the County or any successor governing body of the County.

“Enabling Act” means Article X, Section 14 of the Constitution, Title 4, Chapter 15 of the South Carolina Code as amended and supplemented by Section 11-27-40 of the South Carolina Code.

“Escrow Agent” means a financial institution selected by the County to hold funds for the purpose of defeasing the Bonds in accordance with Article VII of this Ordinance.

“Government Obligations” means and includes direct general obligations of the United States of America or agencies thereof or obligations, the payment of principal or interest on which is fully and unconditionally guaranteed by the United States of America.

“Ordinance” means this ordinance as the same may be amended or supplemented from time to time in accordance with the terms hereof.

“Original Issue Date” mean the date of delivery of the Bonds to the initial purchaser thereof.

“Outstanding”, when used in this Ordinance with respect to the Bonds, means as of any date, the Bonds theretofore authenticated and delivered pursuant to this Ordinance except:

- (a) any Bond cancelled or delivered to the Registrar for cancellation on or before such date;
- (b) any Bond (or any portion thereof) deemed to have been paid in accordance with the provisions of Section 7.01 hereof; and
- (c) any Bond in lieu of or in exchange for which another Bond shall have been authenticated and delivered pursuant to Section 3.10 of this Ordinance.

“Paying Agent” means any bank, trust company or national banking association which is authorized to pay the principal of or interest on any Bonds and has the duties, responsibilities and rights provided for in this Ordinance, and its successor or successors and any other corporation or association which at any time may be substituted in its place pursuant to this Resolution. The entity named as Paying Agent may also act as Registrar. Notwithstanding the above definition of Paying Agent, Paying Agent may be the Treasurer of the County.

“Person” means an individual, a partnership, a corporation, a trust, a trustee, an unincorporated organization, or a government or an agency or political subdivision thereof.

“Principal Installment” means, as of any date of calculation, the principal amount of all Bonds due on a specified date.

“Projects” mean those certain public improvements as defined in Section 1.01 hereof.

“Record Date” means the 15th day immediately preceding each Bond Payment Date.

“Registrar” means any bank, trust company, or national banking association which is authorized to maintain an accurate list of those who from time to time shall be the Holders of the Bonds and shall effect the exchange and transfer of Bonds in accordance with the provisions of this Resolution and having the duties, responsibilities, and rights provided for in this Ordinance and its successor or successors and any other corporation or association which at any time may be substituted in its place pursuant to this Ordinance. The institution named as Registrar may also act as Paying Agent. Notwithstanding the above definition of Registrar, the Registrar may be the Treasurer of the County.

“Securities Depository” shall mean The Depository Trust Company, New York, New York, or another recognized securities depository selected by the County, which securities depository maintains a book-entry system in respect of the Bonds, and shall include any substitute for or successor to the securities depository initially acting as Securities Depository.

“Securities Depository Nominee” shall mean, as to any Securities Depository, such Securities Depository or the nominee of such Securities Depository in whose name there shall be registered on the registration books maintained by the Registrar the Bond certificates to be delivered to and immobilized at such Securities Depository during the continuation with such Securities Depository of participation in its book-entry system. Cede & Co. shall serve as the initial Securities Depository Nominee hereunder.

“Series” or “Series of Bonds” shall mean Bonds issued hereunder as a single issue, i.e., sold and closed on the same dates under a common designation.

“South Carolina Code” means the Code of Laws of South Carolina, 1976, as amended.

Section 2.02 Construction.

In this Ordinance, unless the context otherwise requires:

(a) Articles and Sections referred to by number shall mean the corresponding Articles and Sections of this Ordinance.

(b) The terms “hereby”, “hereof”, “hereto”, “herein”, “hereunder” and any similar terms refer to this Ordinance, and the term “hereafter” shall mean after, and the term “heretofore” shall mean before, the date of adoption of this Ordinance.

(c) Words of the masculine gender shall mean and include correlative words of the female and neuter genders, and words importing the singular number shall mean and include the plural number and vice versa.

[End of Article II]

ARTICLE III - ISSUANCE OF BONDS

Section 3.01 Ordering the Issuance of Bonds.

Pursuant to the provisions of the Enabling Act, and for the purpose of obtaining funds to defray the costs of the Projects and the costs of issuance of the Bonds, there shall be issued general obligation bonds of the County in an aggregate principal amount of not exceeding fifty nine million three hundred twenty one thousand nine hundred dollars (\$59,321,900), as one Series, or from time to time as several Series. Such Bonds shall be designated "Richland County, South Carolina General Obligation Bonds (Richland Library Projects), Series 2013" or such other designation as determined appropriate by the County Administrator.

Section 3.02 Maturity Schedule of Bonds.

The Bonds shall be dated as of and bear interest from the date of their delivery. The principal amount, term, rate of interest and payment details of the Bonds shall be determined by the County Administrator with advice from Bond Counsel, provided, however, that in no event shall the aggregate amount of the Bonds exceed the aggregate principal amount of \$59,321,900. Bond Payments shall be scheduled to occur no less frequently than annually. The Bonds shall be dated and authenticated as of the Original Issue Date, unless the Administrator and the purchaser of the Bonds agree otherwise.

Section 3.03 Provision for Payment of Interest on Bonds.

The Bonds shall be authenticated on the Original Issue Date. The Bonds shall bear interest from the Original Issue Date if no interest has yet been paid; otherwise from the last date to which interest has been paid and which date is on or prior to the date of such Bonds' authentication. Interest payments on the Bonds shall be made in accordance with Section 3.04(c) hereof to the Person in whose name the Bonds are registered in accordance with Section 3.07 hereof at the close of business on the Record Date with respect to such payment.

Section 3.04 Medium of Payment; Form and Denomination of Bonds; Place of Payment of Principal.

(a) The Bonds shall be payable as to principal and interest at the rate per annum determined in the manner prescribed by Section 5.01 hereof (on the basis of a 360-day year of twelve 30-day months) in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

(b) The Bonds may be issued in the form of a single, fully registered, typewritten bond or as multiple, fully registered, typewritten bonds as requested by the purchaser thereof upon advice of bond counsel, and shall be identified by certificate numbers.

(c) The principal of and interest on the Bonds shall be payable to the Persons appearing on the Record Date on the registration books of the County, which books shall be held by the Registrar as provided in Section 3.07 hereof, as the Holders thereof, by check or draft mailed to the Holders at the Holders' address as it appears on such registration books in sufficient time to reach the Holders on the Bond Payment Date.

Section 3.05 Agreement to Maintain Registrar and Paying Agent.

As long as the Bonds remain Outstanding, there shall be a Registrar and a Paying Agent, each of which shall be a financial institution maintaining Corporate Trust Offices where (1) the Bonds may be presented for registration of transfers and exchanges, (2) notices and demands to or upon the County in respect of the Bonds may be served, and (3) the Bonds may be presented for payment, exchange and transfer. Initially, the financial institution designated by one or more of the Authorized Officers shall act as both Registrar and Paying Agent. The single institution so chosen shall exercise both the functions of the Registrar and the Paying Agent.

Section 3.06 Execution and Authentication.

(a) The Bonds shall be executed in the name and on behalf of the County by the manual signature of the Chair of County Council, with its corporate seal impressed, imprinted or otherwise reproduced thereon, and attested by the manual signature of the Clerk to County Council. The Bonds bearing the manual signature of any Person who at the time the Bonds were so executed shall bind the County notwithstanding the fact that he may have ceased to be such Chair of or Clerk to County Council prior to the authentication and delivery of the Bonds or was not such Chair of or Clerk to County Council at the date of authentication and delivery of the Bonds.

(b) No Bond shall be valid or obligatory for any purpose or shall be entitled to any right or benefit hereunder unless there shall be endorsed on such Bond a certificate of authentication in the form set forth in this Ordinance, duly executed by the manual signature of the Registrar; and such certificate of authentication upon any Bond executed on behalf of the County shall be conclusive evidence that the Bond so authenticated has been duly issued hereunder and that the Holder thereof is entitled to the benefit of the terms and provisions of this Ordinance.

Section 3.07 Exchange of Bonds.

Each Bond, upon surrender thereof at the office of the Registrar along with a written instrument of transfer satisfactory to the Registrar duly executed by the registered Holder or his duly authorized attorney, may, at the option of the registered Holder thereof, be exchanged for a new Bond of the same interest rate and maturity. So long as such Bond remains Outstanding, the County shall make all necessary provisions to permit the exchange of the Bond. Such new Bond shall reflect the principal amount thereof as then yet unpaid.

Section 3.08 Transfer of Bonds.

The Bonds shall be transferable only upon the books of the County, which shall be maintained for such purpose by the Registrar, upon presentation and surrender thereof by the Holder of such Bond in person or by his attorney duly authorized in writing, together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered Holder or his duly authorized attorney. Upon surrender for transfer of the Bonds, the County shall execute and the Registrar shall authenticate and deliver, in the name of the Person who is the transferee, one new Bond of the same principal amount and maturity and rate of interest as the surrendered Bond.

Section 3.09 Transferability and Registry.

Each Bond shall at all times, when the same is Outstanding, be payable to a Person, and shall be transferable only in accordance with the provisions for registration and transfer contained in this Ordinance and in such Bond. So long as such Bond remains Outstanding, the Registrar shall maintain and keep, at its offices, books for the registration and transfer of the Bond, and, upon presentation thereof for such purpose at such office, the County shall register or cause to be registered therein, and permit to be transferred thereon, under such reasonable regulations as it may prescribe, such Bond. So long as the Bonds remain Outstanding, the County shall make all necessary provisions to permit the transfer of such Bonds at the office of the Registrar.

Section 3.10 Regulations with Respect to Transfers.

The Bonds, if surrendered in any transfer, shall forthwith be cancelled by the Registrar. For each such transfer of the Bonds, the Registrar may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such transfer, which sum or sums shall be paid by the Holder requesting such transfer as a condition precedent to the exercise of the privilege of making such transfer. The County shall not be obligated to issue or transfer the Bonds (i) during the period between a Record Date and the next following Bond Payment Date, or (ii) following a call for redemption of Bonds.

Section 3.11 Mutilated, Destroyed, Lost and Stolen Bond.

(a) If a Bond is mutilated and thereafter surrendered to the County or if the County receives evidence to its satisfaction of the destruction, loss or theft of a Bond and there is delivered to the County such security or indemnity as may be required by it to save it harmless, then, in the absence of notice that the Bond has been acquired by a *bona fide* purchaser, the County shall execute, and the Registrar shall authenticate and deliver, in exchange for the mutilated Bond or in lieu of any such destroyed, lost, or stolen Bond, a new Bond of like tenor and principal amount, bearing a number unlike that of the mutilated, lost, or stolen Bond, and shall thereupon cancel any such mutilated Bond so surrendered. In case any such mutilated, destroyed, lost, or stolen Bond. The Registrar shall thereupon cancel the mutilated Bond so surrendered. In case the mutilated, destroyed, lost or stolen Bond has become or is to become due and payable within one month, the County in its discretion may, instead of issuing a new Bond, pay the Bond.

(b) Upon the issuance of any new Bond under this Section 3.11, the County may require the payment of a sum sufficient to cover any tax, fee, or other governmental charge that may be imposed in relation thereto and any other expenses, including counsel fees or other fees, of the County connected therewith.

(c) Each new Bond issued pursuant to this Section 3.11 in lieu of any destroyed, lost, or stolen Bond shall constitute an additional contractual obligation of the County, whether or not the destroyed, lost, or stolen Bond shall at any time be enforceable by anyone, and shall be entitled to all the benefits hereof. Each Bond shall be held and owned upon the express condition that the foregoing provisions are exclusive with respect to the replacement or payment of a mutilated, destroyed, lost, or stolen Bond and shall preclude (to the extent lawful) all other rights or remedies with respect to the replacement or payment of the mutilated, destroyed, lost, or stolen Bond or securities.

Section 3.12 Holder As Owner of Bonds.

The County, the Registrar and the Paying Agent may treat the Holder of the Bonds as the absolute owner thereof, whether the Bonds shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bonds and for all other purposes, and payment of the principal and interest shall be made only to, or upon the order of, such Holder. All payments to such Holder shall be valid and effectual to satisfy and discharge the liability upon the Bonds to the extent of the sum or sums so paid, and the County shall not be affected by any notice to the contrary.

Section 3.13 Cancellation of the Bonds.

The Registrar shall destroy the Bonds upon surrender of the same to it for cancellation and shall deliver a certificate to that effect to the County. The Bonds shall not be deemed Outstanding under this Ordinance and no Bonds shall be issued in lieu thereof.

Section 3.14 Payments Due Saturdays, Sundays and Holidays.

In any case where the Bond Payment Date shall be a Saturday or Sunday or shall be, at the place designated for payment, a legal holiday or a day on which banking institutions are authorized by law to close, then payment of interest on or principal of the Bonds need not be made on such date but may be made on the next succeeding business day not a Saturday, Sunday or a legal holiday or a day upon which banking institutions are authorized by law to close, with the same force and effect as if made on the Bond Payment Date and no interest shall accrue for the period after such date.

Section 3.15 Tax Exemption in South Carolina.

Both the principal of and interest on the Bonds shall be exempt from all State, county, municipal, school district, and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, transfer or certain franchise taxes.

Section 3.16 Security; Order to Levy Tax.

For the payment of the principal of and interest on the Bonds as the same become due and for the creation of such sinking fund as may be necessary therefor, the full faith, credit, and taxing power of the County are hereby irrevocably pledged. There shall be levied an *ad valorem* tax upon all taxable property located within the County sufficient to pay the principal of and interest on the Bonds as the same become due and to create such sinking fund as may be necessary therefor.

Section 3.17 Notice to Auditor and Treasurer to Levy Tax.

The Auditor of the County and the Treasurer of the County shall be notified of the adoption of this Ordinance and the issuance of the Bonds and shall be directed to levy and collect annually upon all taxable property in the County *ad valorem* property taxes sufficient to meet the payment of the principal and interest on the Bonds, as the same become due, and to create such sinking funds as may be necessary therefor.

Section 3.18 Book-Entry Only System

(a) Notwithstanding anything to the contrary herein, so long as the Bonds are being held under a book-entry system, transfers of beneficial ownership of the Bonds will be effected pursuant to rules and procedures established by the Securities Depository, and shall be registered in the name of the Securities Depository Nominee.

(b) As long as a book-entry system is in effect for the Bonds, the Securities Depository Nominee will be recognized as the Holder of the Bonds for the purposes of: (i) paying the Principal Installments, interest, and premium, if any, on such Bonds, (ii) selecting the portions of such Bonds to be redeemed, if Bonds are to be redeemed in part, (iii) giving any notice permitted or required to be given to Bondholders under this Ordinance, (iv) registering the transfer of Bonds, and (v) requesting any consent or other action to be taken by the Holders of such Bonds, and for all other purposes whatsoever, and the County shall not be affected by any notice to the contrary.

(c) The County shall not have any responsibility or obligation to any participant, any beneficial owner or any other person claiming a beneficial ownership in any Bonds which are registered to a Securities Depository Nominee under or through the Securities Depository with respect to any action taken by the Securities Depository as Holder of such Bonds.

(d) The County shall pay all Principal Installments, interest and redemption premium, if any, on Bonds issued under a book-entry system, only to the Securities Depository or the Securities Depository Nominee, as the case may be, for such Bonds, and all such payments shall be valid and effectual to fully satisfy and discharge the obligations with respect to the principal of and premium, if any, and interest on such Bonds.

(e) In the event that the County determines that it is in the best interest of the County to discontinue the book-entry system of transfer for the Bonds, or that the interests of the beneficial owners of the Bonds may be adversely affected if the book-entry system is continued, then the County shall notify the Securities Depository of such determination. In such event, the Registrar shall authenticate, register and deliver physical certificates for the Bonds in exchange for the Bonds registered in the name of the Securities Depository Nominee.

(f) In the event that the Securities Depository for the Bonds discontinues providing its services, the County shall either engage the services of another Securities Depository or arrange with a Registrar for the delivery of physical certificates in the manner described in subparagraph (e) above.

(g) In connection with any notice or other communication to be provided to the Holders of Bonds by the County or by the Registrar with respect to any consent or other action to be taken by the Holders of Bonds, the County or the Registrar, as the case may be, shall establish a Record Date for such consent or other action and give the Securities Depository Nominee notice of such record date not less than 15 days in advance of such record date to the extent possible.

(h) At the closing of any Series of Bonds and the delivery of the same to the Purchaser thereof through the facilities of DTC, the Registrar may maintain custody of Bond certificates on behalf of DTC in accordance with DTC's "FAST" closing procedures.

Section 3.19 Form of Bonds.

The form of the Bonds, and registration provisions to be endorsed thereon shall be substantially as set forth in Exhibit A attached hereto and made a part of this Ordinance.

[End of Article III]

ARTICLE IV – REDEMPTION OF BONDS

Section 4.01 Redemption of Bonds.

The Bonds shall be subject to redemption prior to maturity upon such terms as may be designated by the County Administrator.

Section 4.02 County's Election to Redeem.

In the event that the County shall, in accordance with the provisions of Section 4.01 hereinabove, elect to redeem Bonds, it shall give notice to the Registrar and the Paying Agent of each optional redemption. Such notice shall specify the date fixed for redemption and the Bonds which are to be redeemed. Such notice shall be given at least 45 days prior to the date fixed for redemption or such lesser number of days as shall be acceptable to the Registrar.

Section 4.03 Partial Redemption of Bonds.

In the event part, but not all of a Bond Outstanding shall be selected for redemption, upon presentation and surrender of such Bond by the Holder thereof or his or her attorney duly authorized in writing (with, if the County or the Registrar so requires, due endorsement by, or a written instrument of transfer in form satisfactory to the County and the Registrar duly executed by, the Holder thereof or his or her attorney duly authorized in writing) to the Registrar, the County shall execute and the Registrar shall authenticate and deliver to or upon the order of such Holder, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of any authorized denomination of like tenor. Bonds so presented and surrendered shall be cancelled in accordance with this Ordinance.

Section 4.04 Purchases of Bonds Outstanding.

Purchases of Bonds Outstanding may also be made by the County at any time with money available to it from any source. Upon any such purchase, the County shall deliver such Bonds to the Registrar for cancellation.

[End of Article IV]

ARTICLE V - SALE OF THE BONDS

Section 5.01 Determination of Time to Receive Bids – Form of Notice of Sale.

The Bonds shall be sold at public sale, at a price of not less than par. Bids shall be received at such time and on such date as is selected by the County Administrator. The form of the official Notice of Sale, and the conditions of sale, shall be determined by the County Administrator. The Bonds shall be advertised for sale in a newspaper having general circulation in the State, which advertisement shall appear at least once, not less than 7 days before the date set for said sale. The date of sale may be adjusted in accordance with Section 11-27-40 of the South Carolina Code.

In lieu of publishing the official Notice of Sale in its entirety, the County Administrator may elect to publish an abbreviated form of notice and provide the full text of the official Notice of Sale only to those persons who request the same or who are identified as prospective bidders for the Bonds. A summary of the official Notice of Sale shall be published not less than 7 days prior to the date fixed for sale, in a newspaper having general circulation in the State and, if deemed appropriate by the County Administrator, in a financial publication published in the City of New York, State of New York.

Section 5.02 Award of the Bonds – Public Sale.

Upon the receipt of bids for the purchase of the Bonds, unless all bids are rejected, the County Administrator shall award the Bonds to the bidder offering to purchase the Bonds upon the terms and conditions that the County Administrator determines are in the best interests of the County.

Section 5.03 Official Statement and Official Notice of Sale

The County Council hereby authorizes and directs the County Administrator to prepare, or cause to be prepared, a Preliminary Official Statement and Official Notice of Sale to be distributed to prospective Purchasers of the Bonds. The County Council authorizes the County Administrator to designate the Preliminary Official Statement as “final” for purposes of Rule 15c2-12 of the United States Securities Exchange Commission. The County Administrator is further authorized to see to the completion of the final form of the Official Statement upon the sale of the Bonds so that it may be provided to the Purchasers of the Bonds.

[End of Article V]

ARTICLE VI - DISPOSITION OF PROCEEDS OF SALE OF BONDS

Section 6.01 Disposition of Bond Proceeds Including Temporary Investments.

The proceeds derived from the sale of the Bonds issued pursuant to this Ordinance shall be paid to the Treasurer of the County, to be deposited in a special fund to the credit of the County, and shall be expended and made use of by the County as follows:

- (a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such Bonds;
- (b) Any premium shall be applied to the payment of the first Principal Installment of such Bonds; and
- (c) The remaining proceeds shall be expended and made use of by the County to defray the costs of Projects and the costs of issuance of the Bonds.

Pending the use of the proceeds of the Bonds, the same shall be invested and reinvested in Authorized Investments; provided, that neither the Purchaser nor any Holder of the Bonds shall be liable for the proper application of the proceeds thereof.

[End of Article VI]

ARTICLE VII - DEFEASANCE OF BONDS

Section 7.01 Discharge of Ordinance - When and How the Bonds are Deemed to Have Been Paid and Defeased.

(A) If all of the Bonds issued pursuant to this Ordinance and all interest thereon shall have been paid and discharged, then the obligations of the County under this Ordinance and all other rights granted hereby shall cease and determine. The Bonds shall be deemed to have been paid and discharged within the meaning of this Article under each of the following circumstances, viz:

(1) The Paying Agent shall hold, at the stated maturity of each of the Bonds, in trust and irrevocably appropriated thereto, sufficient moneys for the payment of the Principal Installments and interest thereof; or

(2) If default in the payment of the principal of the Bonds or the interest thereon shall have occurred on any Bond Payment Date, and thereafter tender of such payment shall have been made, and at such time as the Paying Agent shall hold in trust and irrevocably appropriated thereto, sufficient moneys for the payment thereof to the date of the tender of such payment; or

(3) If the County shall elect to provide for the payment of the Bonds prior to their stated maturities and shall have deposited with the Paying Agent in an irrevocable trust moneys which shall be sufficient, or Government Obligations, the principal of and interest on which when due will provide moneys, which together with moneys, if any, deposited with the Paying Agent or Escrow Agent at the same time, shall be sufficient to pay when due the Principal Installments or redemption price and interest due and to become due on the Bonds on and prior to their maturity dates or redemption dates, as the case may be. In the event that the County shall elect to redeem Bonds prior to their stated maturities, the County shall proceed in the manner prescribed by Article IV hereof.

Neither the Government Obligations nor moneys deposited with the Paying Agent or Escrow Agent pursuant to this Section nor the principal or interest payments thereon shall be withdrawn or used for any purpose other than, and shall be held in trust for, the payment of the Principal Installment or redemption price, and interest on said Bonds; provided that any cash received from such principal or interest payments on Government Obligations deposited with the Paying Agent, if not then needed for such purpose, shall, to the extent practicable, be invested and reinvested in Government Obligations maturing at times and in amounts sufficient to pay when due the Principal Installment or redemption price, and interest to become due on said Bonds on and prior to the maturity date or redemption date thereof, as the case may be, and interest earned from such reinvestments not required for the payment of the Principal Installment or redemption price, and interest may be paid over to the County, as received by the Paying Agent, free and clear of any trust, lien or pledge.

(B) In addition to the above requirements of paragraphs (1), (2), and (3) in order for this Ordinance to be discharged, all other fees, expenses and charges of the Paying Agent, or Escrow Agent, shall have been paid in full at that time.

(C) Notwithstanding the satisfaction and discharge of this Ordinance, the Paying Agent or Escrow Agent shall continue to be obligated to hold in trust any moneys or investments then held by the Paying Agent or Escrow Agent for the payment of the Principal Installments, and interest on, the Bonds, to pay to the owners of Bonds the funds so held as and when payment becomes due.

(D) Any release under this Section shall be without prejudice to the rights of the Paying Agent or Escrow Agent to be paid reasonable compensation for all services rendered under this Ordinance and all reasonable

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expenses, charges, and other disbursements and those of their respective attorneys, agents, and employees, incurred on and about the performance of the powers and duties under this Ordinance.

(E) Any moneys which at any time shall be deposited with the Paying Agent by or on behalf of the County for the purpose of paying and discharging any Bonds shall be and are hereby assigned, transferred, and set over to the Paying Agent or Escrow Agent in trust for the respective Holders of the Bonds, and the moneys shall be and are hereby irrevocably appropriated to the payment and discharge thereof. If, through lapse of time or otherwise, the holders of such Bonds shall no longer be entitled to enforce payment of their obligations, then, in that event, it shall be the duty of the Paying Agent or Escrow Agent to transfer the funds to the County.

[End of Article VII]

ARTICLE VIII - CERTAIN TAX AND DISCLOSURE COVENANTS

Section 8.01 Covenants to Comply with Requirements of the Code.

The County acknowledges that it has on-going responsibilities with respect to the Code and the preservation of the tax-exempt status of the Bonds. The County hereby represents and covenants that it will comply with all requirements of the Code, and that it will not take any action which will, or fail to take any action (including, without limitation, filing the required information reports with the Internal Revenue Service) which failure will, cause interest on the Bonds to become includable in the gross income of the Holder thereof for federal income tax purposes pursuant to the provisions of the Code and regulations promulgated thereunder in effect on the date of original issuance of the Bonds. Without limiting the generality of the foregoing, the County represents and covenants that:

(a) All property provided by the net proceeds of the Bonds will be owned in accordance with the rules governing the ownership of property for federal income tax purposes.

(b) The County shall not permit the proceeds of the Bonds or any facility financed with the proceeds of the Bonds to be used in any manner that would result in: (a) ten percent (10%) or more of such proceeds being considered as having been used directly or indirectly in any trade or business carried on by any natural person or in any activity carried on by a person other than a natural person other than a governmental unit as provided in Section 141(b) of the Code, or (b) five percent (5%) or more of such proceeds being considered as having been used directly or indirectly to make or finance loans to any other party other than a governmental unit as provided in Section 141(c) of the Code.

Upon any sale or other transfer of a portion of the Projects, or any part thereof, in a private trade or businesses of non-governmental persons (within the meaning of Section 141 of the Code), the County hereby agrees that it will redeem the non-qualifying portion of the Bonds (within the meaning of Treasury Regulation 1.141-12), regardless of the amount of disposition proceeds actually received, within 90 days after the date of such action. The County hereby covenants that, to the extent necessary to preserve the exclusion from income for federal income tax purposes of interest paid on the Bonds, the mandatory redemption of all or an allocable portion of the Bonds will meet all of the conditions for remedial action under Sec. 1.141-12(a) of the Treasury Regulations.

(c) The County is not a party to nor will it enter into any contracts with any person for the use or management of any facility provided with the proceeds of the Bonds that do not conform to the guidelines set forth in Revenue Procedure 97-13.

(d) The Bonds will not be federally guaranteed within the meaning of Section 149(b) of the Code. The County is not a party to any leases or sales or service contracts with any federal government agency and will not enter into any such leases or contracts unless it obtains the opinion of nationally recognized bond counsel that such action will not affect the tax exemption of the Bonds.

Section 8.02 Ability to Meet Arbitrage Requirements.

Careful consideration has be given to the time in which the expenditures of the proceeds of the Bonds authorized hereby will be made, and it has been ascertained that all of the money received from the proceeds of the Bonds will be expended within the limitations imposed by Section 148(c) of the Code, so that the Council will be able to certify upon reasonable grounds that the Bonds are not “arbitrage bonds” within the meaning of Section 148(c) of the Code.

Section 8.03 Continuing Disclosure.

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The County hereby covenants and agrees that it will comply with and carry out all of the provisions of a continuing disclosure certificate, substantially in the form attached hereto as Exhibit B, executed by the County Administrator and dated the date of delivery of the Bonds, which will meet the requirements of: (i) Rule 15c2-12 promulgated by the Securities and Exchange Commission and (ii) Section 11-1-85 of the South Carolina Code, as amended, which requires, among other things, that the County file with the Municipal Securities Rulemaking Board's Electronic Municipal Market Access (EMMA) system, a copy of its annual independent audit within 30 days of its receipt and acceptance and event-specific information, within 30 days of an event adversely affecting more than 5% of its revenues or 5% of its tax base.

The only remedy for failure by the County to comply with the covenant in this Section 8.03 shall be an action for specific performance of this covenant. The County specifically reserves the right to amend this covenant to reflect any change in said Section 11-1-85, without the consent of any Bondholder.

[End of Article VIII]

ARTICLE IX – MISCELLANEOUS

Section 9.01 Savings Clause.

If any one or more of the covenants or agreements provided in this Ordinance should be contrary to law, then such covenant or covenants or agreement or agreements shall be deemed severable from the remaining covenants and agreements, and shall in no way affect the validity of the other provisions of this Ordinance.

Section 9.02 Successors.

Whenever in this Ordinance the County is named or referred to, it shall be deemed to include any entity, which may succeed to the principal functions and powers of the County, and all the covenants and agreements contained in this Ordinance or by or on behalf of the County shall bind and inure to the benefit of said successor whether so expressed or not.

Section 9.03 Ordinance to Constitute Contract.

In consideration of the purchase and acceptance of the Bonds by those who shall purchase and hold the same from time to time, the provisions of this Ordinance shall be deemed to be and shall constitute a contract between the County and the Holders from time to time of the Bonds. Such provisions are covenants and agreements with such Holders which the County hereby determines to be necessary and desirable for the security and payment thereof.

Section 9.04 Filing of Copies of Ordinance.

Copies of this Ordinance shall be filed in the office of the Clerk to Council and in the office of the Clerk of Court for the County (as a part of the Transcript of Proceedings).

Section 9.05 Further Action by Officers of County.

The Authorized Officers of the County are fully authorized and empowered to take the actions required to implement the provisions of this Ordinance and to furnish such certificates and other proofs as may be required of them, which include but are not limited to providing the notice and conducting the public hearing described in Section 1.03 hereof.

Section 9.06 General Repealer.

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

Section 9.07 Effective Date of Ordinance.

This Ordinance shall take effect upon its third reading and shall be forthwith codified in the Code of County Ordinances.

[End of Article IX]

DONE AT COLUMBIA, SOUTH CAROLINA, this ____ day of _____, 2013.

RICHLAND COUNTY COUNCIL

Kelvin Washington, Chair

(SEAL)

Attest:

Michelle M. Onley, Clerk to Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

FORM OF THE BONDS

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
GENERAL OBLIGATION BONDS
(RICHLAND LIBRARY PROJECTS),
SERIES 2013

No. R-___

INTEREST RATE MATURITY ORIGINAL ISSUE DATE CUSIP

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: \$ _____

KNOW ALL MEN BY THESE PRESENTS, that Richland County, South Carolina (the "County"), is justly indebted and, for value received, hereby promises to pay to the registered owner named above, or its registered assigns, the principal amount shown above on the maturity date shown above, upon presentation and surrender of this Bond at the Corporate Trust Office of _____ (the "Registrar and Paying Agent"), and to pay interest on such principal sum from the date hereof at the interest rate per annum shown above until the County's obligation with respect to the payment of such principal sum shall be discharged. Interest on this Bond is payable semiannually on _____ and _____ of each year commencing _____, until this Bond matures, and shall be payable by check or draft mailed to the person in whose name this Bond is registered on the registration books of the County maintained by the Registrar and Paying Agent, at the close of business on the 15th day of the calendar month next preceding each semiannual interest payment date. The principal and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts, provided, however, that interest on this fully registered Bond shall be paid by check or draft as set forth above.

This Bond is one of a series of Bonds (the "Bonds") of like date of original issue, tenor and effect, except as to number, date of maturity, denomination and rate of interest, issued in an original aggregate principal amount of \$ _____, issued pursuant to and in accordance with the Constitution and laws of the State of South Carolina, including Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended; Title 4, Chapter 15 and Section 11-27-40 of the Code of Laws of South Carolina, 1976, as amended; and an ordinance duly enacted by the County Council of Richland County, on _____, 2013 (the "Ordinance"). Capitalized terms used herein and not otherwise defined have the meaning ascribed to such term in the Ordinance.

This Bond shall not be valid or obligatory for any purpose, until the Certificate of Authentication hereon shall have been duly executed by the Registrar.

For the payment of the principal and interest on this Bond as it respectively matures and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the County are hereby irrevocably pledged, and there shall be levied annually by the County Auditor and

collected by the County Treasurer in the same manner as other county taxes are levied and collected, a tax, without limit, on all taxable property in the County sufficient to pay the principal and interest of this Bond as they respectively mature and to create such sinking fund as may be necessary therefor.

The Bonds are being issued by means of a book-entry system with no physical distribution of Bond certificates to be made except as provided in the Ordinance. One Bond certificate with respect to each date on which the Bonds are stated to mature, registered in the name of the Securities Depository Nominee, is being issued and required to be deposited with the Securities Depository and immobilized in its custody. The book-entry system will evidence positions held in the Bonds by the Securities Depository's Participants, beneficial ownership of the Bonds in the principal amount of \$5,000 or any multiple thereof being evidenced in the records of such Participants. Transfers of ownership shall be effected on the records of the Securities Depository on the records of the Securities Depository and its Participants pursuant to rules and procedures established by the Securities Depository and its Participants. The County, and the Paying Agent will recognize the Securities Depository Nominee, while the registered owner of this Bond, as the owner of this Bond for all purposes, including payments of principal of and redemption premium, if any, and interest on this Bond, notices and voting. Transfer of principal and interest payments to Participants of the Securities Depository will be the responsibility of the Securities Depository, and transfer of principal, redemption premium, if any, and interest payments to beneficial owners of the Bonds by Participants of the Securities Depository will be the responsibility of such Participants and other nominees of such beneficial owners. The County will not be responsible or liable for such transfers of payments or for maintaining, supervision or reviewing the records maintained by the Securities Depository, the Securities Depository Nominee, its Participants or persons acting through such Participants. While the Securities Depository Nominee is the owner of this Bond, notwithstanding, the provision hereinabove contained, payments of principal of, redemption premium, if any, and interest on this Bond shall be made in accordance with existing arrangements between the Paying Agent or its successors under the Ordinance and the Securities Depository.

[INSERT REDEMPTION PROVISIONS, IF ANY]

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

Under the laws of the State of South Carolina, this Bond and the interest hereon are exempt from all State, county, municipal, school district and other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate and transfer taxes, but the interest hereon may be included for certain franchise fees or taxes.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of the State of South Carolina to exist, to happen and to be performed precedent to or in the issuance of this Bond exist, have happened and have been performed in regular and due time, form and manner as required by law; that the amount of this Bond, together with all other general obligation and bonded indebtedness of the County, does not exceed the applicable limitation of indebtedness under the laws of the State of South Carolina; and that provision has been made for the levy and collection of a tax,

without limit, on all taxable property in the County sufficient to pay the principal and interest of this Bond as they respectively become due and to create such sinking fund as may be necessary therefor.

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

RICHLAND COUNTY, SOUTH CAROLINA

(SEAL)

Chair, County Council

Attest:

Clerk, County Council

[FORM OF AUTHENTICATION]

This is one of the Bonds described in the within mentioned Ordinance of Richland County, South Carolina dated _____, 2013.

[NAME OF REGISTRAR],
as Registrar

By: _____

Date of Authentication: _____

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

TEN COM - as tenants in common

UNIF GIFT MIN ACT -

TEN ENT - as tenants by the
entireties

_____Custodian_____
(Cust) (Minor)

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

under Uniform Gifts to Minors Act

(state)

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

[FORM OF ASSIGNMENT]

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

(Name and Address of Transferee)

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

Dated: _____

Signature Guaranteed

(Authorized Officer)

(Signature must be guaranteed by participant in the Securities Transfer Agent Medallions Program (STAMP)

particular,
enlargement or any
whatever.

Notice: The signature to the assignment a must correspond with the name of the registered owner as it appears upon the face of the within bond in every without alteration or change

FORM OF CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (this “*Disclosure Certificate*”) is executed and delivered by Richland County, South Carolina (the “*Issuer*”), in connection with the issuance of its \$ _____ General Obligation Bonds (Richland Library Projects), Series 2013 (the “*Bonds*”). The Bonds are being issued pursuant to an ordinance enacted by the County Council of Richland County, the governing body of the Issuer, on _____ (the “*Ordinance*”). The Issuer hereby covenants and agrees as follows:

SECTION 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the Issuer for the benefit of the Beneficial Owners (as defined herein) of the Bonds and in order to assist the Underwriter (as defined herein) in complying with the Rule (as defined herein).

SECTION 2. Definitions. In addition to the definitions set forth in the Ordinance, which apply to any capitalized terms used in this Disclosure Certificate unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

“Annual Report” shall mean any Annual Report provided by the Issuer pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

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

“Bondholder” or “Holder” shall mean the registered owner of a Bond and any Beneficial Owner thereof.

“Dissemination Agent” shall mean any Dissemination Agent designated in writing by the Issuer and which has filed with the Issuer a written acceptance of such designation.

“EMMA” shall mean MSRB’s Electronic Municipal Market Access system.

“Fiscal Year” shall mean any period of twelve consecutive months adopted by the Issuer as its fiscal year for financial reporting purposes and shall initially mean the period beginning on July 1 of each calendar year and ending on June 30 of the next calendar year.

“Listed Events” shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

“MSRB” shall mean the Municipal Securities Rulemaking Board, or any successor thereto.

“Rule” shall mean Rule 15c2-12(b)(5) adopted by the U.S. Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

“State” shall mean the State of South Carolina.

“Underwriter” shall mean any of the original underwriters of the Bonds required to comply with the Rule in connection with the primary offering of the Bonds.

SECTION 3. Provision of Annual Reports.

(a) Not later than 210 days after the end of the Fiscal Year, commencing with Fiscal Year ending June 30, 2015, the Issuer shall, or shall cause the Dissemination Agent, if any, to submit to the MSRB in an electronic format as prescribed by the MSRB (which as of the date hereof is EMMA), an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. Not later than fifteen (15) business days prior to said date, the Issuer shall provide the Annual Report to the Dissemination Agent, if other than the Issuer. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the Issuer may be submitted separately from the balance of the Annual Report.

(b) The Issuer, or the Dissemination Agent, if any, shall also:

(i) determine each year prior to the date for providing the Annual Report the appropriate electronic format prescribed by the MSRB (which as of the date hereof is EMMA) for filing with the MSRB and the proper form of such filing; and

(ii) if the Annual Report (or the audited financial statements which were to be separately submitted) is not filed in accordance with subsection (a), send in a timely manner a notice to the MSRB in an electronic format as prescribed by the MSRB (which as of the date hereof is EMMA) in substantially the form attached as Exhibit A hereto.

SECTION 4. Content of Annual Reports.

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

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

SECTION 5. Reporting of Significant Events.

(a) In a timely manner not in excess of ten (10) business days of the occurrence of any of the following Listed Events, the Issuer shall file a notice of such occurrence in an electronic format with the MSRB (which as of the date hereof is EMMA):

1. Principal and interest payment delinquencies;
2. Non-payment related defaults, if material;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;

4. Unscheduled draws on credit enhancements reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, or a Notice of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other events affecting the tax-exempt status of the Bonds;
7. Modification to rights of Bondholders, if material;
8. Bond calls, if material, and tender offers;
9. Defeasances;
10. Release, substitution or sale of property securing repayment of the Bonds, if material;
11. Rating changes;
12. Bankruptcy, insolvency, receivership, or a similar proceeding by an obligated person;
13. Consummation of a merger, consolidation, acquisition involving an obligated person, or sale of all or substantially all of the assets of an obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
14. Appointment of a successor or additional trustee or the change in name of a trustee, if material.

(b) The content of any notice of the occurrence of a Listed Event, shall be determined by the Issuer.

SECTION 6. Termination of Reporting Obligation. The Issuer's obligations under this Disclosure Certificate shall terminate upon the defeasance (within the meaning of the Rule), redemption or payment in full of all of the Bonds. The Issuer shall notify the MSRB in an electronic format prescribed by the MSRB (which as of the date hereof is EMMA) that the Issuer's obligations under this Disclosure Certificate have terminated.

SECTION 7. Dissemination Agent. The Issuer may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent. The initial Dissemination Agent shall be the Issuer.

SECTION 8. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the Issuer may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

(a) If the amendment or waiver relates to the provisions of Sections 3(a), 4, or 5(a) herein, it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of an obligated person with respect to the Bonds, or the type of business conducted;

(b) The undertaking, as amended or taking into account such waiver, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at

the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and

(c) The amendment or waiver does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the Holders of the Bonds.

In the event of any amendment or waiver of a provision of this Disclosure Certificate, the Issuer shall describe such amendment in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the Issuer. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (i) notice of such change shall be given in the same manner as for a Listed Event under Section 5(a) hereof, and (ii) the Annual Report for the year in which the change is made should present a comparison (in narrative form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

SECTION 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the Issuer from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the Issuer chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the Issuer shall have no obligation under this Disclosure Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Default. In the event of a failure of the Issuer to comply with any provision of this Disclosure Certificate, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Issuer to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an event of default under the Resolution, and the sole remedy under this Disclosure Certificate in the event of any failure of the Issuer to comply with this Disclosure Certificate shall be an action to compel performance.

SECTION 11. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate. The obligations of the Issuer under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

SECTION 12. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the Issuer, the Dissemination Agent, the Underwriter, and the Holders from time to time of the Bonds, and shall create no rights in any other person or entity.

SECTION 13. Counterparts. This Disclosure Certificate may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

SECTION 14. Governing Law. This Disclosure Certificate shall be governed by and construed in accordance with the laws of the State.

SECTION 15. Severability. In case any one or more of the provisions of this Disclosure Certificate shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Disclosure Certificate, but this Disclosure Certificate shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
County Administrator

Dated:

EXHIBIT A

NOTICE OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer: Richland County, South Carolina

Name of Issue:

Date of Issuance:

CUSIP Numbers:

NOTICE IS HEREBY GIVEN that Richland County, South Carolina (the “*Issuer*”) has not provided an Annual Report due with respect to the above-named Bonds as required by its Continuing Disclosure Certificate dated _____. The Issuer anticipates that the Annual Report will be filed by _____.

RICHLAND COUNTY, SOUTH CAROLINA

Richland County Council Request of Action

Subject

Palmetto Health JEDA Bond Issuance [**PAGES 63-69**]

Reviews

Richland County Council Request of Action

Subject: Palmetto Health JEDA Bond Issuance

A. Purpose

County Council is requested to hold a joint public hearing with the South Carolina Jobs-Economic Development Authority (“JEDA”) in connection with JEDA’s issuance of not exceeding \$375,000,000 Hospital Refunding and Improvement Revenue Bonds, in one or more series (the “Bonds”), to benefit Palmetto Health.

County Council is also requested to adopt a resolution supporting the bond issuance as required by Title 41, Chapter 43 of the Code of Laws of South Carolina 1976, as amended (the “Enabling Act”).

B. Background / Discussion

The Enabling Act authorizes JEDA to utilize any of its program funds to establish loan programs to reduce the cost of capital to business enterprises meeting the eligibility requirements of Section 41-43-150 and for other purposes described in Section 41-43-160 thereof, and thus provide maximum opportunities for the creation and retention of jobs and improvement of the standard of living of the citizens of the state of South Carolina. The Enabling Act further provides that JEDA may issue bonds upon receipt of a certified resolution by the county in which the project will be located supporting the project and evidence of a public hearing held not less than fifteen days after publication of notice in a newspaper of general circulation in the county in which the project is or will be located.

Palmetto Health is a nonprofit corporation (the “Corporation”) which leases and operates Palmetto Health Richland Memorial Hospital and Palmetto Health Baptist Medical Center - Columbia, both located in Richland County as unincorporated divisions of the Corporation. Richland County is referred to as the “County.” The Corporation also employs practicing physicians and owns or operates numerous other facilities offering preventive, ambulatory, specialty, home care, secondary, tertiary, and hospice services. The Corporation serves approximately 825,000 residents in and around the County.

The Corporation has requested that JEDA issue its economic development revenue bonds in the aggregate principal amount of not exceeding \$375,000,000 and to lend the proceeds of the sale of such bonds to the Corporation to:

1. Refund all or a portion of the following Bonds previously issued by JEDA to finance or refinance assets of the Corporation located in the County (the “Prior Bonds”):
 - (A) \$84,950,000 Series 2003A
 - (B) \$120,000,000 Series 2007
 - (C) \$67,500,000 Series 2010A
 - (D) \$47,500,000 Series 2010B
 - (E) \$10,000,000 Series 2010C
 - (F) \$90,000,000 Series 2010D

2. Finance the acquisition, by construction or purchase, of an approximately 186,163-square foot building in the County to be used as an approximately 76-bed hospital and certain other improvements to the Corporation's existing hospital facilities and to acquire certain equipment (the "Project");
3. Fund debt service reserve funds if necessary or advisable;
4. Pay a portion of the interest on the Bonds, if necessary or advisable;
5. Provide working capital, if necessary or advisable;
6. Pay fees and expenses of issuing the Bonds and refunding the Prior Bonds.

The Corporation anticipates that the assistance of JEDA through the issuance of the Bonds and the loan of the proceeds thereof to the Corporation for such purposes will result in the direct or indirect maintenance of permanent employment in the County and adjacent areas for approximately 7,562 people. The assistance will result in the creation of 251 additional full-time positions within 12 months and a total of 270 additional full-time positions within 24 months when the Project is placed in full operation. It will also stimulate the economy of the County and surrounding areas by increased payrolls, capital investment and tax revenues.

A draft Resolution in support of the issuance of the Bonds is submitted with this request for action as Appendix I.

C. Legislative / Chronological History

This is a request initiated by the Corporation; therefore, there is no legislative history.

D. Financial Impact

No funds from the County are requested. There will be no pledge of the credit of the County, JEDA or any other governmental entity with respect to the Bonds.

E. Alternatives

1. Approve the request to support the County's issuance of the Bonds by JEDA for the benefit of Palmetto Health as required by the Enabling Act and hold a joint public hearing with JEDA in connection with the Bonds.
2. Do not approve the request to support the County's issuance of the Bonds by JEDA for the benefit of Palmetto Health as required by the Enabling Act and do not hold a joint public hearing with JEDA in connection with the Bonds.

F. Recommendation

It is recommended that County Council support the issuance of the Bonds by JEDA for the benefit of Palmetto Health as required by the Enabling Act and hold a joint public hearing with JEDA in connection with the Bonds.

Recommended by: Lynn L. Coe, Jones Day Title: Bond Counsel Date: 5/6/13

G. Reviews

Finance

Reviewed by: Daniel Driggers Date: 5/15/13

Recommend Council approval
Comments regarding recommendation:

Recommend Council denial

Legal

Reviewed by: Elizabeth McLean

Date: 5/15/13

Recommend Council approval

Recommend Council denial

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

Administration

Reviewed by: Tony McDonald

Date: 5/20/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval as requested. Approval of this request in no way obligates Richland County financially for the bonds to be issued.

RESOLUTION

A RESOLUTION IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS NOT TO EXCEED \$375,000,000 HOSPITAL REFUNDING AND IMPROVEMENT REVENUE BONDS, TO BE ISSUED IN ONE OR MORE SERIES, PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the “Authority”) is authorized and empowered under and pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended (the “Act”), to utilize any of its program funds to establish loan programs for the purpose of reducing the cost of capital to business enterprises which meet the eligibility requirements of Section 41-43-150 of the Act and for other purposes described in Section 41-43-160 of the Act and thus provide maximum opportunities for the creation and retention of jobs and improvement of the standard of living of the citizens of the State of South Carolina; and

WHEREAS, the Authority is further authorized by Section 41-43-110 of the Act to issue revenue bonds payable by the Authority solely from a revenue producing source and secured by a pledge of said revenues in order to provide funds for any purpose authorized by the Act; and

WHEREAS, the Authority and Palmetto Health, a South Carolina nonprofit corporation (the “Corporation”), entered into an Inducement Agreement (the “Inducement Agreement”), pursuant to which and in order to implement the public purposes enumerated in the Act, and in furtherance thereof to comply with the undertakings of the Authority pursuant to the Inducement Agreement, the Authority proposes, subject to such approval of the State Budget and Control Board of South Carolina and Richland County, South Carolina (“Richland County”) as may be required by law, to issue not to exceed \$375,000,000 aggregate principal amount of its Hospital Refunding and Improvement Revenue Bonds (Palmetto Health), in one or more series (the “Bonds”), under and pursuant to Section 41-43-110 of the Act (i) to refund all or a portion of the (A) \$84,950,000 South Carolina Jobs-Economic Development Authority Hospital Refunding Revenue Bonds (Palmetto Health Alliance), Series 2003A (the “Series 2003A Bonds”), (B) \$120,000,000 South Carolina Jobs-Economic Development Authority Hospital Improvement Revenue Bonds (Palmetto Health), Series 2007 (the “Series 2007 Bonds”), (C) \$67,500,000 maximum principal amount South Carolina Jobs-Economic Development Authority Hospital Improvement Revenue Bonds (Palmetto Health), Series 2010A (the “Series 2010A Bonds”), (D) \$47,500,000 maximum principal amount South Carolina Jobs-Economic Development Authority Hospital Improvement Revenue Bonds (Palmetto Health), Series 2010B (the “Series 2010B Bonds”), (E) \$10,000,000 maximum principal amount South Carolina Jobs-Economic Development Authority Hospital Improvement Revenue Bonds (Palmetto Health), Series 2010C (the “Series 2010C Bonds”), and (F) \$90,000,000 maximum principal amount South Carolina Jobs-Economic Development Authority Hospital Improvement Revenue Bonds (Palmetto Health), Series 2010D (the “Series 2010D Bonds” and, together with the Series 2003A Bonds, the Series 2007 Bonds, the Series 2010A Bonds, the Series 2010B Bonds and

Item# 4

the Series 2010C Bonds, the “Prior Bonds”), all previously issued to finance or refinance the costs of the acquisition of land, buildings or other improvements thereon, machinery, equipment, office furnishings and other depreciable assets, constituting hospital facilities located in Richland County (collectively, the “Refunding”), (ii) to finance the acquisition, by construction or purchase, of an approximately 186,163-square foot building and other improvements on one or more parcels of land, and certain machinery, apparatus, equipment, office facilities and furnishings to be installed therein located in Richland County, to be used as an approximately 76-bed hospital, and to finance certain additions, expansions and enlargements to its existing hospital facilities and certain acquisitions of machinery, equipment, office furnishings and other depreciable assets all constituting hospital facilities located in Richland County (the “Project”), (iii) to fund one or more debt service reserve funds, if deemed necessary or advisable by the Authority or the Corporation, (iv) to pay a portion of the interest on the Bonds, if deemed necessary or advisable by the Authority or the Corporation, (v) to provide working capital, if deemed necessary or advisable by the Authority or the Corporation, and (vi) to pay fees and expenses incurred in connection with the acquisition, construction and financing thereof and the refunding of the Prior Bonds; and

WHEREAS, the Corporation is projecting that the assistance of the Authority by the issuance of the Bonds will result in the direct or indirect maintenance of permanent employment in Richland County and adjacent areas for approximately 7,562 people, create 251 new jobs in Richland County and adjacent areas within 12 months after completion of the Project when operating at full capacity and create a total of 270 new jobs in Richland County and adjacent areas within 24 months after completion of the Project when operating at full capacity, and will stimulate the economy of Richland County and surrounding areas by increased payrolls, capital investment and tax revenues; and

WHEREAS, the County Council of Richland County (the “County Council”) and the Authority have on this date jointly held a public hearing, duly noticed by publication in a newspaper having general circulation in Richland County, not less than 15 days prior to the date hereof, at which all interested persons have been given a reasonable opportunity to express their views;

NOW THEREFORE, BE IT RESOLVED by the County Council of Richland County, South Carolina, as follows:

SECTION 1. As required by the Act, it is hereby found, determined and declared that (a) the Refunding and the Project will subserve the purposes of the Act; (b) the Refunding and the Project are anticipated to benefit the general public welfare of Richland County by providing services, employment, recreation or other public benefits not otherwise provided locally; (c) the Refunding and the Project will give rise to no pecuniary liability of Richland County or a charge against its general credit or taxing power; (d) the amount of bonds required to finance the Refunding and the Project is not to exceed \$375,000,000 (based on such information as provided by the Corporation); and (e) the documents to be delivered by the Corporation and the Authority with respect to the Bonds will provide, among other things, (i) for the amount necessary in each year to pay the principal of and interest on the Bonds, (ii) whether reserve funds of any nature will be established with respect to the retirement of the Bonds and the maintenance of the Project (and, if any such reserve funds are to be so established, the amount necessary to be paid each year into such funds), and (iii) that the Corporation shall maintain the facilities financed or refinanced with the proceeds of the Bonds and carry all proper insurance with respect thereto.

SECTION 2. The County Council supports the Authority in its determination to issue the Bonds to finance the Refunding and the Project.

SECTION 3. All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force from and after its adoption.

DRAFT

Richland County Council Request of Action

Subject

Detention Center Security Control Updates [**PAGES 70-73**]

Reviews

Richland County Council Request of Action

Subject: Detention Center-Security Control Upgrades

A. Purpose

County Council is requested to approve a purchase in the amount of \$195,447 to provide upgraded Security Controls for the Detention Center’s twenty-five (25) work stations. The touch screen work stations control the cell door locks, utilities, intercoms and the security watch locations in our housing units.

B. Background / Discussion

The existing security control system is outdated and obsolete. The existing equipment was manufactured in 2004. This equipment was installed at the Detention Center in 2008. The failure of existing equipment could result in extended downtime due to replacement components not being available. The loss of a touch screen work station would result in the housing officer not having hands on control of the cell doors requiring the Central Control Officer to assume control of the housing unit. The components that are listed in the attached quote need replacement due to the following:

Normal wear

Replacement parts are no longer provided

System has exceeded life expectancy

Existing software license is outdated.

This upgrade will provide us with the Secure Gateway, allowing the vendor service department to connect via internet, versus the analog phone line. This Gateway will interface with our existing network with an internet connection. This upgrade will provide the Detention Center with a five (5) year license for the interconnection software. Our county IT Department would be required to configure this hardware network connection. During this upgrade the Informer/Gatekeeper and the intercom audio recording will also need to be updated, and this is listed in the quote as well.

Station Locations for Detention Center

Alpha	Bravo	Charlie	Delta	Echo
Foxtrot	Golf	Hotel	India	Juliet
Kilo	Lima	Mike	Papa	SHU

Uniform	X-Ray	Yankee	Juvenile	Admin (1)
Admin (2)	Lobby	Booking	Central (1)	Central (2)

Our sole source request is based on installing the new upgraded equipment in to the current Stanley Convergent Security Solutions equipment, allowing us to use hardwire locations that exist.

C. Legislative / Chronological History

This is a staff-initiated request with no legislative history.

D. Financial Impact

The funding for this project will come from the Detention Center current allocated budget.

Security Controls, (25) Work Stations	\$181,245.00
Tax	\$9,462.00
Shipping and Handling	\$4,740.00
Total	\$195,447.00

E. Alternatives

1. Approve the request to purchase in the amount of \$195,447 the upgraded Security Controls for the Detention Center’s twenty-five (25) work stations. This alternative will provide dependable security controls for the Detention Center housing units.
2. Do not approve the request to purchase in the amount of \$195,447 the upgraded Security Controls for Detention Center’s twenty-five (25) work stations. This alternative could result in extended outages of existing systems that fail.

F. Recommendation

It is recommended that the County Council approve the request to purchase in the amount of \$195,447.00 the upgraded Security Controls for Detention Center’s twenty-five (25) work stations.

Recommended by: Ronaldo D. Myers Department: Detention Center Date: 5/1/13

G. Reviews

Finance

Reviewed by Daniel Driggers: Date: 5/6/13
 Recommend Council approval Recommend Council denial

Comments regarding recommendation:

Recommend approval and funds are identified within the department budget.

Information Technology

Reviewed by: Janet Claggett

Recommend Council approval

Comments regarding recommendation:

Date:

Recommend Council denial

Procurement

Reviewed by: Rodolfo Callwood

Recommend Council approval

Comments regarding recommendation:

Date: 5/16/13

Recommend Council denial

Legal

Reviewed by Larry Smith

Recommend Council approval

Comments regarding recommendation:

Date: 5/20/13

Recommend Council denial

Administration

Reviewed by: Sparty Hammett

Recommend Council approval

Comments regarding recommendation:

Date: 5/21/13

Recommend Council denial

Richland County Council Request of Action

Subject

Detention Center Fire Control Updates [**PAGES 74-77**]

Reviews

Richland County Council Request of Action

Subject: Detention Center Fire Control Upgrades, Phases 1- 3

A. Purpose

County Council is requested to approve a purchase in the amount of \$ 255,000.00 to provide upgraded Fire Controls for the Detention Center’s Phase 1, 2 and 3 housing, kitchen and administrative areas. This includes all equipment to provide fire monitoring and control at the Alvin S. Glenn Detention Center.

B. Background / Discussion

The existing fire control system is outdated and obsolete. This equipment was installed at the Detention Center in 1994 (Phase 1 and 2), and 1997 (Phase 3). The failure of existing equipment could result in extended downtime due to replacement components not being available.

The loss of fire control panel components in a housing unit could result in posting a 24 hour continuous Security Fire watch coverage to remain in compliance with the fire code regulations for (I3) Institutional occupancy. (The I3 occupancy classification includes buildings and structures that are inhabited by more than (5) persons who are under restraint or security.)

In 2012 a failure of one of our Juvenile fire panels (circuit board damage from storm), required a security fire watch to be posted during the system outage, as it took our contractor four (4) days to locate a replacement part.

The Fire Control system needs to be upgraded due to the following issues:

- Normal wear.
- Replacement parts are no longer available.
- Remain in compliance with current fire and building codes.

Fire Control Locations

Ph1,2 Housing	Alpha	Bravo	Charlie	Delta	Echo	Foxtrot	Yankee	X-Ray	SHU
Ph 3 Housing	Golf	Hotel	India	Juliet					
Other	Juvenile	Kitchen	Intake	Docks	32 Hallway	Admin	Court Area	Training	Weight Rm
	Medical	Discharge	Lobby	Locker Rms	Mainten ance	Central Ctl	Elec. rms	Mech. rms	Corridors

This request is to be a sole sourced to Honeywell. Honeywell has been the provider for the Detention Center since 1994. They have serviced and repaired all equipment as agreed upon in the annual service agreement. For continuity we request the same vendor. This is based on installing the new upgraded equipment in to the current fire control equipment, allowing us to use hardwire locations, and piping connections that exist. The life expectancy of the new upgraded equipment hardware will be 15 years from the installation date. There will be

Item# 6

no additional maintenance costs associated with the request. The existing annual Fire Control contract will cover the new installation and remaining equipment.

C. Legislative / Chronological History

This is a staff-initiated request with no legislative history.

D. Financial Impact

The funding for this project will come from the Detention Center’s current allocated budget. The estimated expenditure is \$255,000 requested in Account # 1100210000531200, Machines and Other Equipment.

E. Alternatives

1. Approve the request to purchase in the amount of \$ 255,000.00 the upgraded Fire Controls for Detention Center’s housing, kitchen and administrative locations. This alternative will provide dependable Fire Controls for the Detention Center phase 1 through 3 areas.
2. Do not approve the request to purchase in the amount of \$ 255,000.00 for the upgraded Fire Controls for Detention Center’s housing, kitchen and administrative locations. This alternative could result in extended outages of fire protection equipment.

F. Recommendation

It is recommended that the County Council approve the request to purchase in the amount of \$ 255,000.00 the upgraded Fire Controls for Detention Center’s housing, kitchen and administrative locations.

Recommended by: Ronaldo D. Myers Department: Detention Center Date: 5/2/13

G. Reviews

Finance

Reviewed by Daniel Driggers: Date:
 Recommend Council approval Recommend Council denial

Comments regarding recommendation: Funds are available as stated.

Information Technology

Reviewed by: Janet Claggett Date: 5/8/13
 Recommend Council approval Recommend Council denial

Comments regarding recommendation:

Support Services

Reviewed by: John Hixon Date: 5/17/13
 Recommend Council approval Recommend Council denial

Comments regarding recommendation: We reviewed this project and agree that this is a life, safety issue that needs to be addressed as soon as possible. Utilizing their current service supplier should reduce any potential negative impacts to the Detention

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Centers operations to a minimum, based on their firsthand knowledge and demonstrated expertise of the systems.

Procurement

Reviewed by: Rodolfo Callwood

Date: 5/15/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 5/15/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: As long as Procurement has confirmed that this contract is a proper sole-source contract, Legal has no issues. Policy decision left to Council's decision.

Administration

Reviewed by: Sparty Hammett

Date: 5/15/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Richland County Council Request of Action

Subject

FY13 Budget Amendment for Risk Management [**PAGES 78-80**]

Reviews

Richland County Council Request of Action

Subject: FY-13 Budget Amendment for Risk Management

A. Purpose

County Council is requested to approve a budget amendment to Risk Management in the amount of \$300,000 to pay liability claims for FY-13.

B. Background / Discussion

The budget to pay liability claims for the fiscal year 2012-2013 is \$1,478,048. It is projected that claims the County is legally obligated to pay will exceed the budgeted amount.

C. Legislative / Chronological History

The legislative history was establishing the above budget. Since it was passed more severe claims than anticipated have occurred.

D. Financial Impact

The general fund will be reduced by \$300,000. Any amount not paid for claims will be returned to the general fund.

E. Alternatives

1. Approve the request to cover liability claims through June 30, 2013.
2. Do not approve the budget amendment request.

F. Recommendation

Approving the budget request is recommended.

Recommended by: David Chambers Department: Risk Management Date: May 2, 2013

G. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 5//6/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: This is a funding decision for Council but based on the information provided and since it is related to liability claims I would recommend approval. As stated any unspent appropriations would be stay in the general fund balance. It may be advantageous for the County to evaluate the claims history (paid type, functions responsible and frequency) to determine if a policy or practice changes could save the County money.

Year-to-date for fiscal year 2013 the County has paid \$860k compared to \$970k in FY12. Total paid in FY12 was \$1.4m. Approval as request would require a budget amendment and use fund balance.

Legal

Reviewed by: Elizabeth McLean

Date: 5/6/13

Recommend Council approval

Recommend Council denial

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Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald

Date: 5/20/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval, with funds to come from the General Fund fund balance.

Richland County Council Request of Action

Subject

Volunteer Fire Operations Insurance [**PAGES 81-83**]

Reviews

Richland County Council Request of Action

Subject: Volunteer Fire Operations Insurance

A. Purpose

County Council is requested to approve the purchase of volunteer fire operations insurance.

B. Background / Discussion

It has been five years since the County requested proposals for volunteer fire operations insurance. The coverage is for vehicle liability (mandated by South Carolina law), damage to the vehicles, general liability, and damage to County property. The policies cover fiscal years.

C. Legislative / Chronological History

In 1997 the County took control of purchasing the insurance for volunteer fire operations from the City of Columbia as a cost savings measure. In the first five fiscal years St. Paul Insurance Company was the insurer. Selective Insurance Company has been the insurer since July 1, 2002. Surry Insurance of Dobson, NC submitted Selective for this Request for Proposals. The other proposal was for Argonaut Great Central Insurance Company from Arthur J. Gallagher Risk Management Services of Greenville, South Carolina.

Selective Insurance Company offers much better limits and deductibles in nine key categories. The comparison is attached. Losses would more severely impact the County if Argonaut is chosen.

D. Financial Impact

Selection of the recommended insurer, Selective Insurance Company, will result in about a one percent (1%) increase in the premium from the present policy. The proposed premium is \$107,105. The premium for the other insurer, Argonaut Great Central Insurance Company, is \$157,381.

The money for the premium is in the proposed 2013-14 Emergency Services budget.

E. Alternatives

1. Approve Selective Insurance Company as the volunteer fire operations insurer.
2. Approve Argonaut Great Central Insurance Company as the volunteer fire operations insurer.
3. Do not approve the request to insure the volunteer fire operations.

F. Recommendation

It is recommended that Council approve Selective Insurance Company as the volunteer fire operations insurer.

Recommended by: David Chambers Department: Risk Management Date: April 23, 2013

G. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 5/6/13

✓ Recommend Council approval

Recommend Council denial

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Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood

Date: 5/6/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 5/6/13

Recommend Council approval

Recommend Council denial

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

Administration

Reviewed by: Tony McDonald

Date: 5/20/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Funding for this contract has been included in the proposed FY 14 budget. Approval is recommended.

Richland County Council Request of Action

Subject

Emergency Services Contract for Property Purchase [EXECUTIVE SESSION] [SEPARATE COVER]

Reviews

Richland County Council Request of Action

Subject

Emergency Back-Up Generator Replacement at Fire Stations **[PAGES 85-89]**

Reviews

Richland County Council Request of Action

Subject: Emergency Back-up Generator Replacement at 4 Fire Stations

A. Purpose

Council is requested to authorize the expenditure of approved budgeted funds for the Department of Support Services to replace emergency back-up generators at two Richland County facilities and a first time installation at a third location.

B. Background / Discussion

This project is part of a multi-year county wide emergency power upgrade program. The facilities receiving replacement generators are the Upper Richland Fire station and the Richland County Communications tower located at Fort Jackson. The Pineview EMS station, which presently has no backup power, will receive the third generator.

As part of an ongoing capital improvement program addressing end of life equipment, Support Services has continued evaluating the emergency back-up generators at Richland County facilities that are considered operationally essential. These facilities serve as public safety facilities creating the need for a reliable primary and secondary power source. Thus far, through this program, the backup generators at the Gadsden Fire Station, Ballentine Fire Station, Lower Richland Fire Station, Sandhill Fire Station, Eastover Fire Station, and the Judicial Center have been replaced. Also, all newer constructed Fire and EMS facilities in the past 10 years have had emergency generators installed meeting the same base criteria we are using today for the replacement program. The funding for the replacement of back-up generators started in FY 05 and has been funded each year since then through the yearly budget process. To maximize the purchasing power, Support Services has utilized the multi-year funding method to implement the program in phases.

The Pineview EMS station presently does not have an emergency backup power system. This facility is an operationally essential building that serves the public during emergencies and is the only remaining EMS station without an emergency back-up power supply.

The Richland County Communications tower at Fort Jackson provides backup 800 MHz Emergency Service communication to the Lower Richland area and also extends the County's wireless WAN (Wide Area Network) to remote areas of the County. This facility has a 10 year license renewal in place that expires in November 2019, at which time a new license can be renewed via a letter from the County Administrator to the Reality Specialists' office located at Fort Jackson. The current backup generator that is being utilized at this facility is now undersized due to increased uses of this tower and the unit has also become unreliable. The current unit also doesn't have the ability to communicate its status so all maintenance and inspections must be completed in person adding cost to the operations.

The current emergency back-up generator at the Upper Richland Fire Station was installed as part of the original construction in the early 1990's. The typical life-span for current and old back-up generators is approximately 20 years, at which point replacement parts become scarce and at times becomes cost prohibitive. This unit has reached its end of life cycle. This facility lies within the outer regions of the county and it is important to have this facility upgraded to

ensure public safety coverage in an area that tends to have more frequent and longer power outages. Additionally, the unit was originally designed to carry only a small emergency load such as one door and a few lights, not to run the entire facilities' power needs. Furthermore, the present unit doesn't have the ability to communicate its fuel and operational status remotely.

The solicitation required interested parties to evaluate and audit each facility, provide a best value proposal that recommended an emergency back-up generator and a Transient Voltage Surge Suppressor (TVSS) system to meet each individual facility's needs in order to allow it to remain fully operational. The Department of Support Services is striving to standardize the emergency power systems to help reduce the complexity of providing routine maintenance and to allow for the stocking of standard replacement parts to expedite any future repair needs.

The proposed systems will have a remote access system that allows for offsite monitoring and provide trouble messages and test cycle results via e-mail, allowing improved efficiency by reducing the need for travel to inspect statuses and conduct normal tests. This will allow authorized parties to have access to the systems in order to facilitate unit reliability and to expedite any required maintenance work during emergencies, including refueling.

If approved, the Pineview EMS station will receive a 30 kW generator with a 72 hr. sub base fuel tank and a 200 amp transfer switch. The Communications tower at Fort Jackson will also receive a 30 kW generator with a 72 hr. sub base fuel tank and a 200 amp transfer switch. The Upper Richland Fire Station will receive a 150 kW generator with a 72 hr. sub base fuel tank and a 600 amp transfer switch.

The Department of Support Services will oversee the project to ensure the County's interests are protected by monitoring contractor quality and will coordinate project scheduling with the Fire and EMS command staff and our IT department for the tower. This will allow emergency services to continue daily operations without interruption.

There were a total of four proposals received by procurement. They were from DNB Electric, Inc., Generator Services, Inc., Basic Electric Co. Inc.; and Burriss Electric. The best value bids provided are as follows:

Contractor	Pineview EMS Station		Communications Tower		Upper Richland FS		Total Cost
	Cost	Generator size	Cost	Generator size	Cost	Generator size	
DNB Electric, Inc.	\$33,156.43	30 kW	\$29,717.43	30 kW	\$79,757.68	150 kW	\$142,631.54
Generator Services, Inc.	\$32,707.28	30 kW	\$29,058.03	30 kW	\$77,636.92	150 kW	\$139,402.23
Basic Electric Co. Inc.	\$72,105.00	Not given	\$57,400.00	Not given	\$109,800.00	Not given	\$239,305.00
Burriss Electric	\$56,000.00	Not given	\$54,000.00	Not given	\$68,000.00	Not given	\$178,000.00

The proposals were evaluated through the normal best value bid review process administered by the Procurement Department. After reviewing the proposals, Generator Services was the selected firm that was determined to be the most responsive, responsible responder that met materially with the specifications and requirements as publicized and that is most advantageous to Richland County. Generator Services is also the company that installed the previous backup generator upgrades at the other six facilities following their selection from the County's

competitive procurement process. Furthermore, the generators that the contractor is supplying are manufactured by Blue Star Powers Systems, which is based out of Lake Crystal, MN. The generators utilize John Deere engines that meet or exceed EPA standards and regulations for emergency power supply equipment.

If approved by Council, discussions are to be initiated with Generator Services, to schedule and to complete the specified work. Should discussions break down; the next most responsive, responsible responder will be contacted to complete the project requirements and schedules.

C. Legislative / Chronological History

This item is a staff-initiated request. Therefore, there is no legislative history for this project phase. The project funding for the replacement and enhancement of back-up generator systems was initiated in FY 05 and has been funded each year since then through the yearly budget process.

D. Financial Impact

The total cost for these projects is \$139,402.23 plus 10% contingency totaling \$153,342.45. Council has already approved the project concept by approving funding in multiple Support Services 2013 fiscal year budgets that cover maintenance and operating funding for the recommended facilities. This process will also continue with other Facilities as funds become available through future budgets. There are no additional funds requested for this project. The project’s funding has been detailed through the 10 year capital plan and established to date using an annual budget program. Current funding is identified in the following department budget accounts ensuring available funds for each facility:

Location	Account #	Project cost including contingency
Pineview EMS Station	GL-1100317015.530400	\$35,978.01
R.C. Communications tower at Fort Jackson	GL-1100317000.530400	\$31,963.83
Upper Richland Fire Station	JL-3180.530400	\$85,400.61
Total:		\$153,342.45

E. Alternatives

1. Authorize the Procurement Department Director to enter into and award a contract with Generator Services, Inc., who has been determined to be the most responsive responder complying materially with the specifications as advertised.
2. Do not approve the expenditure of the funds and leave the facilities in their current conditions with the existing emergency back-up generators staying in place at the Upper Richland Fire Station and the Communications tower at Fort Jackson. However this option will foster increased maintenance costs due to equipment failures that could affect the ability of these facilities to effectively respond to emergencies when primary power is lost. The Pineview EMS station would remain without any back up power. This will affect the facilities ability to effectively respond to emergencies when primary power is lost.

F. Recommendation

It is recommended that Council authorize the Procurement Department Director to enter into and award a contract with Generator Services, Inc.

Recommended by: John Hixon Department: Support Services Date: 4/30/13

G. Reviews

Finance

Reviewed by: Daniel Driggers Date: 5/6/13
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Recommend approval since projects have been included and approved in the budget process and funds are available as stated.

Procurement

Reviewed by: Rodolfo Callwood Date: 5/6/13
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean Date: 5/6/13
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Policy decision left to Council’s discretion.

Administration

Reviewed by: Tony McDonald Date: 5/20/13
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: The proposed purchase is part of a planned capital replacement program; funds have been approved in the FY 13 budget. Approval of the generator purchase, therefore, is recommended.