



RICHLAND COUNTY COUNCIL

ADMINISTRATION AND FINANCE COMMITTEE

Paul Livingston
District 4

Greg Pearce
District 6

Kit Smith, Chair
District 5

Mike Montgomery
District 8

Damon Jeter
District 3

September 25, 2007
6:00 PM

Richland County Council Chambers
County Administration Building
2020 Hampton Street

Call to Order

Approval of Minutes

- A. July 24, 2007: Regular Meeting [Pages 4 – 7]

Adoption of Agenda

I. Items for Action

- A. Request to negotiate a contract with Wachovia insurance services to assist Richland County in an RFP for employee health insurance and supplemental products [Pages 8 – 9]
- B. Request to advertise, publish and solicit a Request for Qualifications (RFQ) from qualified law firms, companies or attorneys to assist the County with outside legal counsel services [Pages 10 – 11]
- C. An ordinance establishing policies and procedures to be followed in connection with conduit financings [Pages 12 – 16]
- D. Resolution authorizing a Notice to Levy and Collect general obligation bonds not to exceed \$5,000,000 for the purchase of vehicles for use by the Sheriff's Department for fiscal year 2007-2008, construction of a public safety facility, and a portion of the design procurement, design, construction procurement and construction of the expanding of the City of Columbia Animal [Pages 17 – 22]

Shelter Facilities:

1. Ordinance authorizing the issuance of not to exceed \$1,600,000 general obligation bonds for the purchase of land and constructing a public safety facility [Pages 23 – 25]
 2. Ordinance authorizing the issuance of not to exceed \$2,000,000 general obligation bonds for the purchase of vehicles for use by the Sheriff's Department for fiscal year 2007-2008 [Pages 26 – 27]
 3. Ordinance authorizing the issuance of not to exceed \$1,400,000 general obligation bonds for the expansion of the City's Animal Shelter [Pages 28 – 39]
- E. Resolution authorizing a Notice to Levy and Collect for debt service on not to exceed \$6,975,000 general obligation bonds, the proceeds of which will be used for the payment of the outstanding Bond Anticipation Notes including accrued interest and issuance cost for the Innovista Project: [Pages 40 – 46]
1. Ordinance authorizing the issuance of not to exceed \$6,975,000 general obligation bonds or bond anticipation notes for the payment of the outstanding Bond Anticipation Note issued for the Innovista Project [Pages 47 – 48]
- F. Register of Deeds: Request for approval of Historical Records Regrant Program (SC SHRAB) to improve the quality of pre-1959 microfilm of Deeds (No personnel, in-kind match of \$2,695) [Pages 49 – 50]
- G. Sheriff Department: Request to approve an Office of Violence Against Women Training & Technical Assistance grant (No match, no personnel) [Pages 51 – 53]
- H. Sheriff Department: Request to approve a Financial Crimes Victims Assistance Program grant (Personnel required, no match) [Pages 54 – 57]
- I. Request for Funding: Palmetto Center for Advocacy (\$50,000) [Pages 58 – 61]
- J. Request for Funding: Benedict College / 2007 Pioneer Bowl (\$25,000) [Pages 62 – 63]
- K. Ordinance amending the fiscal year 2007-08 budget ordinance to unappropriate undesignated hospitality tax funds in the budget ordinance to reflect a decrease in available funds [Pages 64 – 67]

- L. Ordinance amending the fiscal year 2007-08 general fund annual budget to increase the Auditor’s Office budget by one hundred ten thousand nine hundred thirty (\$110,930). This includes funding two additional full-time staff positions for a senior revenue analyst and administrative assistant [Pages 68 – 72]

- M. Resolution authorizing a policy on municipal incorporations [Pages 73 – 74]

II. Items for Discussion / Information

- A. Animal Care Update

Adjournment

Staffed by: Joe Cronin

MINUTES OF



RICHLAND COUNTY COUNCIL ADMINISTRATION AND FINANCE COMMITTEE TUESDAY, JULY 24, 2007 IMMEDIATELY FOLLOWING D&S COMMITTEE

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

MEMBERS PRESENT

Chair: Kit Smith
Member: Damon Jeter
Member: Paul Livingston
Member: Mike Montgomery
Member: L. Gregory Pearce, Jr.

ALSO PRESENT: Joseph McEachern, Valerie Hutchinson, Bernice G. Scott, Joyce Dickerson, Norman Jackson, Bill Malinowski, Michielle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Amelia Linder, Stephany Snowden, Jennifer Dowden, Tamara King, Chief Harrell, Anna Almeida, Jennie Sherry-Linder, Tiaa Rutherford, Audrey Shifflett, Pam Davis, Dwight Hanna, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting started at approximately 4:50 p.m.

APPROVAL OF MINUTES

June 26, 2007 (Regular Session) – Mr. Livingston moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

ADOPTION OF AGENDA

Ms. Smith recommended that Items F & G be taken up together.

Mr. Pearce moved, seconded by Mr. Montgomery, to approve the agenda as submitted with Items F & G being taken up together. The vote in favor was unanimous.

ITEMS FOR ACTION

Coroner's Office: Request to renew the contract with Professional Pathology Services and to encumber initial funds of \$270,000.00 for autopsy and exam services – Mr. Livingston moved, seconded by Mr. Pearce, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

Sponsorship Requests:

1. **Central Midlands Council of Governments: 2007 Regional Leadership Award Banquet** – Mr. Montgomery moved to forward this item to Council with a recommendation for denial. The motion died for a lack of a second.

Mr. Livingston moved, seconded by Mr. Jeter, to forward this item to Council without a recommendation. A discussion took place.

Mr. Livingston withdrew his motion.

Mr. Livingston moved, seconded by Mr. Pearce, to forward a recommendation of sponsorship at the Bronze level (\$1,000) to Council for approval. The vote in favor was in favor.

2. **City of Columbia: Green is Good for Business Conference** – Mr. Montgomery moved, seconded by Mr. Jeter, to forward this item to Council with a recommendation for denial. A discussion took place.

The vote in favor was unanimous.

An ordinance amending the Fiscal Year 2007-08 General Fund Annual Budget so as to establish a manufactured mobile home registration fee of \$25 per registration to defray the cost of location, identification, and inspection of derelict manufactured and mobile homes and to appropriate five-thousand dollars (\$5,000) to the general fund annual budget - Mr. Jeter moved, seconded by Mr. Pearce, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

Request to renew a contract with Carolina Care Plan for employee health insurance – Mr. Pearce moved, seconded by Mr. Montgomery, to forward this item to Council with a recommendation for approval. A discussion took place.

The vote in favor was unanimous.

Request to renew a contract with MetLife for employee life and dental insurance – Mr. Montgomery moved, seconded by Mr. Livingston, to forward Alternative 1 to Council with a recommendation for approval. A discussion took place.

The vote in favor was unanimous.

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Sheriff's Department: Request to approve acceptance of a Gang Enforcement Investigations Program Grant (Personnel required/No financial match) – Mr. Montgomery moved, seconded by Mr. Pearce, to forward this item to Council without a recommendation pending an investigation report by administration as the way to ensure that Council is protected in the outlying years from mandatory funding or continuing to funds those positions. A discussion took place.

The vote in favor was unanimous.

Sheriff's Department: Request to approve acceptance of an DNA Grant (Personnel required/No financial match) – Mr. Montgomery moved, seconded by Mr. Pearce, to forward this item to Council without a recommendation pending an investigation report by administration as the way to ensure that Council is protected in the outlying years from mandatory funding or continuing to funds those positions. A discussion took place.

The vote in favor was unanimous.

Sheriff's Department: Request to approve acceptance of equipment grants (No personnel/\$29,388 match) – Mr. Livingston moved, seconded Mr. Pearce, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

Sheriff's Department: Request to approve requisitions for fuel, communications, and vehicle services – Mr. Montgomery moved, seconded by Mr. Livingston, to forward this item to Council with a recommendation for approval.

The vote in favor was unanimous.

Request to consider a policy that would give each council member a minimum of \$25,000 and a maximum of \$50,000 in undesignated hospitality tax funds for at least one project located within each council district – Mr. Montgomery moved, seconded by Mr. Jeter, to forward this item to Council with a recommendation to bifurcate the process (July and January), for Hospitality Tax Committee to make a recommendation on unincorporated/incorporated policy for award and to put all of the funds through the committee process. A discussion took place.

The vote in favor was unanimous.

ITEMS FOR DISCUSSION/INFORMATION

Reporting and procurement requirements for outside agencies funded by Richland County
– This item was held in committee.

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Policy on Municipal Incorporations – Ms. Smith presented the committee with a draft policy for discussion. This item will be moved to an item for action on next month’s committee agenda.

ADJOURNMENT

The meeting adjourned at approximately 5:52 p.m.

Submitted by,

Kit Smith, Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject: Consultant Services for Employee Insurance RFP

A. Purpose

County Council is requested to allow Procurement and Human Resources to negotiate with Wachovia insurance services to assist Richland County in an RFP analyzing responses and making recommendations for health insurance and supplemental products and vendors insurance programs. The negotiated cost of the contract will be brought to the soonest possible A and F Committee Meeting.

B. Background / Discussion

Health care costs have been rapidly escalating for the past decade at a double digit rate. Richland County is in the middle of a crossroads regarding health care insurance. We have been with the same provider for 15 years (Carolina Care Plan – CCP) and CCP has reported a \$14.6 million loss for 2006 and a financial rating of C+. There are numerous supplements products and vendors. Many supplements vendors been requesting for years the opportunity to compete. The county has used the same health insurance company for 13 years and the same supplemental for about 10 years.

The County also is in need of an outside agency to assist with a review of our current plan, review other plans available in the market, develop and RFP, evaluate RFP responses and help us to recommend the best options are for Richland County to try to help curb the issue of rising health care costs and continue providing value and quality insurance services for employees and retirees, and make sure we are offering value added supplemental products at a competitive cost to employees via payroll deductions.

Following the County's procurement process, in January 2006, a Request for Information was published and the County received many responses. Our review team has reviewed the responses from the different consulting agencies and has unanimously agreed that Wachovia Insurance series has the ability to provide us the service level we need.

It is worth noting that the company that conducted our last RFP that helped Richland County obtain only 2 %health plan renewal has now been purchased by Wachovia Bank and most of the same team will be servicing our new request.

C. Financial Impact

Human Resources recommends using the funds saved from the 10% decrease in the health insurance rates that were budgeted for in 2007-2008. Health insurance was budgeted at the 12% increase originally provided by Carolina Care Plan. After CCPs acquisition, they provided Richland county with a 1.71% renewal quote with only one change to the County's current plan. This savings is estimated at \$900,000.

D. Alternatives

- 1. Approve the negotiations to move forward with Wachovia.
- 2. Approve the negotiations to move forward with another vendor.
- 3. Decide not to pursue negotiations with any vendor.

Option 3 would cause Richland County to negotiate renewals with all our current insurance providers.

E. Recommendation

It is recommended that Council approve the negotiations to move forward with Wachovia.

Recommended by: T. Dwight Hanna **Department:** Human Resources **Date:** May 8, 2007

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: The renewal information was received after the budget was adopted therefore funds are available as stated and would not require a budget amendment. We recommend that part of the negotiation include coordination of the receipt of a renewal amount with the budget process (early May) in order to reduce our risk of over or under budgeting in future years.

Procurement

Reviewed by: Rodolfo Callwood

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Amelia Linder

Date: 9/17/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: All of the alternatives appear to be legally sufficient; therefore, this request is at the discretion of Council.

Administration

Reviewed by: Tony McDonald

Date: 9/17/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Richland County Council Request of Action

Subject: Outside Legal Counsel RFQ

A. Purpose

County Council is requested to allow the Procurement Director to advertise, publish and solicit Request for Qualifications (RFQ) from qualified law firms, companies or attorneys to assist the County with outside legal counsel services.

It is anticipated that the services will include, but may not be limited to, representing the County in uninsured claims, providing legal counsel and opinions to the Richland County Council, the County Administrator, the County Staff Attorney, Department Directors, Elected Officials and their staff and coordinating and consulting with the County's other special counsel. Attendance at a variety of meetings, including staff meetings and County Council meetings, may be required upon request.

The services will not include prosecuting services or representation in matters where a legal defense is provided under separate contract of insurance with the South Carolina Insurance Reserve Fund or the County's self-insurance plan for workers' compensation administered by the South Carolina Association of Counties.

B. Background / Discussion

The County has many needs that may require an outside legal counsel services to assist with legal requirement as determined by the County Council, County Administrator and the County Attorney.

C. Financial Impact

The financial impact will not be determined until we have received proposals from the selected qualifiers.

D. Alternatives

1. Approve the advertisement and publishing of the Request for Qualification for an Outside Legal Counsel Consultant.
2. Do not approve advertising or publishing.

E. Recommendation

It is recommended that Council approve the advertising, publishing and soliciting of a Request for Qualifications (RFQ) from qualified law firms, companies or attorneys to assist the County with outside legal counsel services.

Recommended by: Rodolfo A. Callwood

Department: Procurement **Date:** 9/11/07

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood

Date: 9/11/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: It is recommended that Council approve the advertising, publishing and soliciting of a Request for Qualifications (RFQ) from qualified law firms, companies or attorneys to assist the County with outside legal counsel services.

Legal

Reviewed by: Amelia Linder

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Richland County Council Request of Action

Subject: Conduit Financing Ordinance

A. Purpose

The purpose of this request is to ask County Council to enact an Ordinance establishing policies and procedures to be followed by the County in connection with conduit financings.

B. Background / Discussion

From time to time, Richland County is asked to serve as a conduit issuer of tax-exempt debt on behalf of non-profits, educational institutions and industrial and manufacturing entities. In a conduit financing, the County serves as the issuer of the debt on behalf of another entity. In 2006, County Council and the Administration had some concerns regarding a bond issue for which the County had served as the conduit issuer. While the County had no financial liability for the repayment of that debt, County Council had some concerns regarding the potentially negative reflection on the County in the event of a default or nonpayment of that debt. As a result of those concerns, the attached ordinance has been prepared containing recommended policies and procedures. On September 7, 2007, the Bond Review Committee reviewed the proposed ordinance and asked that it be directed to the Administration and Finance Committee for further recommendation to Council.

The key features of the proposed policy and procedures include:

1. The financing must meet the public purpose test;
2. The structure would include credit enhancement or a private placement;
3. In certain transactions a reserve fund would be required in the event of default;
4. The limitations on the County's liability would be clearly reflected in the documents;
5. General creditworthiness of the transaction should be apparent;
6. Documents would be subject to review by one of the County's bond counsel; and
7. County's costs must be paid by borrower.

C. Financial Impact

There will be a positive financial impact on the County if this ordinance is enacted. Pursuant to the terms of the proposed ordinance, the County would receive payment of an administrative fee for bond issues for which it serves as conduit issuer.

D. Alternatives

1. Approve the request to enact the ordinance
2. Make such changes in the ordinance as is deemed appropriate.
3. Do not approve the request.

E. Recommendation

It is recommended the Council approve alternative one

Daniel Driggers, Finance Director

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 9/11/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Amelia Linder

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: All of the alternatives appear to be legally sufficient; therefore, this request is at the discretion of County Council.

Administration

Reviewed by:

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

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

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

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

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

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

SECTION 2. Establishment of Procedure.

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

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

SECTION 3. Establishment of Policy.

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

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

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

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

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

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

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

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

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Joseph McEachern, Chairman
Richland County Council

(SEAL)

ATTEST THIS ____ DAY OF
_____, 2007:

Michielle R. Cannon-Finch
Clerk of County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading:
Second Reading:
Third Reading:

Richland County Council Request of Action

**SUBJECT: NOTICE TO LEVY AND COLLECT FOR GENERAL OBLIGATION BONDS
(SHERIFF'S VEHICLES, PUBLIC SAFETY FACILITY, AND ANIMAL SHELTER)**

A. Purpose

The purpose of this request is to ask County Council to adopt a resolution authorizing the execution by the Chairman and Clerk to County Council and delivering a Notice to Levy and Collect for the issuance of not to exceed \$5,000,000 general obligation bonds for the purchase of vehicles for use by the Sheriff's Department for fiscal year 2007-2008, construction of a public safety facility, and a portion of the design procurement, design, construction procurement and construction of the expanding of the City of Columbia Animal Shelter Facilities. By delivering the Notice to Levy and Collect, the County can insure that sufficient debt service millage will be levied in 2007 to make required debt service payments.

B. Background / Discussion

Beginning in 2003, the County has followed a plan of issuing general obligation bonds on an annual basis to fund the acquisition of 80 replacement vehicles for use by the Sheriff's Department. At this time, it is appropriate to implement the plan for issuing bonds to purchase the vehicles for the 2007-2008 fiscal years for an amount not to exceed \$2,000,000.

There is a need to purchase land and construct and equip a public safety facility in the County at a cost of approximately \$1,600,000. The exact location and use of the facility has not yet been determined. This will be an ongoing capital plan to purchase land and construct a new public safety facility every three years.

The County has entered into with the City of Columbia (the "City") both an Intergovernmental Agreement and an Agreement for Design regarding expansion of the City's Animal Shelter. Under the terms of these Agreements, the County has agreed to pay up to \$1,400,000 (\$1.2m plus 15% contingency) for the design procurement, design, construction procurement and construction of the expansion of the Animal Shelter.

On Friday, September 7, 2007, the Bond Review Committee voted to recommend the issuance of these general obligation bonds to the Committee. The implementation of the financing plan associated with these general obligation bonds requires that debt service millage be imposed for tax year 2007 at the same level as tax year 2006. In order to insure the levy and collection of sufficient debt service in tax year 2007, the County's bond counsel has advised that it would be appropriate to deliver a Notice to Levy and Collect to the County Auditor and Treasurer.

C. Financial Impact

Based on debt service estimates, the debt service payments can be absorbed without a change in the debt service millage and should have no additional impact on the taxpayer. The

delivery of the Notice to Levy and Collect will ensure that sufficient debt service millage, at a rate no higher than the 2006 millage rate, will be imposed.

D. Alternatives

1. Approve the request to adopt the resolution so that the debt service millage for the general obligation bonds can be put on the 2007 tax bills to keep the County's debt service millage as level as possible and bonds can be issued so that the continuing plan for the purchase of sheriff's vehicles can be implemented, an ongoing capital plan to purchase land and construct public safety facilities every three years can be implemented, and so that the County can fulfill its obligations under the Intergovernmental Agreement and Agreement for Design with the City.
2. Do not approve the request.

E. Recommendation

It is recommended that Council approve alternative one.

Recommended by: Daniel Driggers **Department:** Finance **Date:** 9/11/2007

F. Reviews

Finance

Reviewed by: Daniel Driggers Date: 9/11/2007
✓ Recommend Council approval Recommend Council denial
Comments regarding recommendation: It is recommended that Council approve alternative one.

Legal

Reviewed by: Amelia Linder Date: 9/14/07
✓ Recommend Council approval Recommend Council denial
Comments regarding recommendation:

Administration

Reviewed by: J. Milton Pope Date: 9-17-07
✓ Recommend Council approval Recommend Council denial
Comments regarding recommendation: Recommend approval

RESOLUTION

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

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

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

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

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

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

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

RICHLAND COUNTY, SOUTH CAROLINA

By: _____

Joseph McEachern, Chairman
Richland County Council

(SEAL)

ATTEST THIS _____ DAY OF

_____, 2007:

Michielle R. Cannon-Finch
Clerk of County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND) NOTICE TO LEVY AND COLLECT

TO: Paul Brawley, Auditor, Richland County, South Carolina

 David A. Adams, Treasurer, Richland County, South Carolina

YOU ARE HEREBY NOTIFIED THAT RICHLAND COUNTY, SOUTH CAROLINA (the "County"), will, 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, Code of Laws of South Carolina 1976, as amended; Title 11, Chapter 27, Code of Laws of South Carolina 1976, as amended; and an ordinance (the "Ordinance") duly enacted by the County Council (the "Council"), deliver general obligation bonds in fully-registered form in the aggregate principal amount of Five Million Dollars (\$5,000,000) Series 2007C (the "Bonds"), in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing each year, bearing interest from their date semiannually on March 1 and September 1 of each year, commencing March 1, 2008, with principal and interest due in the years and in the amounts set forth below:

<u>Calendar Year</u>	<u>Amount</u>
2008	\$ 816,375.00
2009	1,855,750.00
2010	1,776,625.00
2011	1,014,750.00

The Bonds will be payable, both principal and interest, at the principal office of Wells Fargo Bank, N.A. in Atlanta, Georgia.

AND YOU ARE FURTHER NOTIFIED to levy and collect upon all taxable property in the County an ad valorem tax, without limitation as to rate or amount, sufficient to pay the principal and interest of the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

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

Chairman, County Council, Richland County,
South Carolina

(SEAL)

ATTEST:

Clerk, County Council
Richland County, South Carolina

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

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

_____)
Auditor, Richland County, South Carolina

_____)
Treasurer, Richland County, South Carolina

Richland County Council Request of Action

Subject: PUBLIC SAFETY FACILITY BOND

A. Purpose

The purpose of this request is to ask the Bond Review Committee to make a recommendation to the Administration and Finance Committee asking County Council to enact an ordinance authorizing the issuance of not to exceed \$1,600,000 general obligation bonds for the purchase of land and constructing a public safety facility.

B. Background / Discussion

There is a need to purchase land and construct and equip a public safety facility in the County at a cost of approximately \$1,600,000. The exact location and use of the facility has not yet been determined. This will be an ongoing capital plan to purchase land and construct a new public safety facility every three years.

C. Financial Impact

Based on debt service estimates, the debt service payments can be absorbed without a change in the mill rate and no additional impact the taxpayer. We would recommend that prior to the issuance of bonds that a project scope and manager be established. Additionally we would recommend that approval include the use of all residual cash from previous issues for the same purpose to reduce the amount of debt included in the next issue.

D. Alternatives

1. Approve the request to issue the bonds after a project scope and manager have been approved.
2. Approve the bond issue with no conditions
3. Do not approve the request
4. Approve an alternative method of funding which could include general fund monies

E. Recommendation

This item was reviewed by the Bond Review Committee in September and is recommended for approval. Therefore it is recommended the Council approve alternative one

Recommended by: Daniel Driggers **Department:** Finance **Date:** 9/11/2007

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 9/11/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Request is consistent with the County's facility plan.

Legal

Reviewed by: Amelia Linder

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Administration

Reviewed by: J. Milton Pope

Date: 9-17-07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval

Richland County Council Request of Action

Subject: SHERIFF'S VEHICLES BOND

A. Purpose

The purpose of this request is to ask the Bond Review Committee to make a recommendation to the Administrative and Finance Committee to ask County Council to enact an ordinance authorizing the issuance of not to exceed \$2,000,000 general obligation bonds for the purchase of vehicles for use by the Sheriff's Department for fiscal year 2007-2008.

B. Background / Discussion

Beginning in 2003, the County has followed a plan of issuing general obligation bonds on an annual basis to fund the acquisition of 80 replacement vehicles for use by the Sheriff's Department. At this time, it is appropriate to implement the plan for issuing bonds to purchase the vehicles for the 2007-2008 fiscal year.

C. Financial Impact

The amount needed for annual debt service will need to be appropriated in the applicable fiscal year's debt service budget. Based on debt service estimates, the debt service payments can be absorbed without a change in the mill rate and no additional impact the taxpayer. We would recommend that approval include the use of all residual cash from previous bond issues for the same purpose to reduce to amount of debt issued.

D. Alternatives

1. Approve the request to issue the bonds using all residual cash from previous bond issues and continue the plan for the purchase of sheriff's vehicles through a debt vehicle.
2. Do not approve the request, in which case an alternative method of funding the vehicle acquisition must be identified which could include:
 - (a) Changing the frequency of replacing the vehicles;
 - (b) Purchasing the vehicles with general fund monies; or
 - (c) Entering into a lease purchase arrangement

E. Recommendation

This item was reviewed by the Bond Review Committee in September and is recommended for approval. Therefore it is recommended the Council approve alternative one.

Recommended by: Daniel Driggers **Department:** Finance **Date:** 9/11/2007

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 9/11/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Bond issue is consistent with County's funding plan for sheriff department replacement vehicles.

Legal

Reviewed by: Amelia Linder

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Administration

Reviewed by: J. Milton Pope

Date: 9-17-07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval

Richland County Council Request of Action

Subject: ANIMAL SHELTER FACILITY BOND

A. Purpose

The purpose of this request is to ask County Council to enact an ordinance authorizing the issuance of not to exceed \$1,400,000 general obligation bonds for the expansion of the City's Animal Shelter.

B. Background / Discussion

Attached is a copy of the Intergovernmental Agreement with the City of Columbia dated July 31, 2007. The bond issue is to be used to support the Capital Construction discussed in section 1.

C. Financial Impact

Based on debt service estimates, the debt service payments can be absorbed without a change in the mill rate and no additional impact the taxpayer.

D. Alternatives

1. Approve the request to issue the bonds.
2. Do not approve the request
3. Approve an alternative method of funding which could include general fund monies

E. Recommendation

This item was reviewed by the Bond Review Committee in September and is recommended for approval. Therefore it is recommended the Council approve alternative one

Recommended by: Daniel Driggers **Department:** Finance **Date:** 9/11/2007

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 9/11/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:
Intergovernmental agreement.

Bond issue is consistent with

Legal

Reviewed by: Amelia Linder

Date: 9/14/07

Recommend Council approval
Comments regarding recommendation:

Recommend Council denial

Administration

Reviewed by: J. Milton Pope

Date: 9-17-07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval

STATE OF SOUTH CAROLINA)
)
RICHLAND COUNTY)

**INTERGOVERNMENTAL AGREEMENT
(Animal Care Facilities)**

THIS AGREEMENT entered into this 31st day of July, 2007, is by and between Richland County (hereinafter the "County") and the City of Columbia (hereinafter the "City").

RECITALS

WHEREAS, the City owns the Columbia Animal Shelter ("Animal Shelter") at 127 Humane Lane; and

WHEREAS, the County and the City desire to co-locate Animal Care Services in one facility for the efficiency of operations and to provide streamlined customer services that will expedite the redemption of lost pets and increase community-wide adoptions; and

WHEREAS, the County and the City by resolution have mutually agreed to combine holding facilities;

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows:

1. Capital Construction. The County agrees to pay for the capital expansion of the Animal Shelter up to the amount of One Million Two Hundred Thousand and no/100 (\$1,200,000) Dollars, less any amounts paid by the County to the City for the design procurement and design of the capital expansion under a prior agreement between the County and City. The County will escrow funds for construction procurement and construction of the expansion with an escrow agent. The City and County will mutually select an escrow agent. The escrow agent will release funds to the City upon the City's request, with the County Administrator's approval. The City may submit requests for the release of escrowed funds every thirty (30) days. Approval by the County Administrator shall not be unreasonably withheld. Any portion of a request for release of escrowed funds not in dispute will be released by the

escrow agent to the City. In the event of a dispute, the County Administrator and the City Manager shall attempt to amicably resolve the dispute. In the event they are unable to do so, the City and County agree to promptly arbitrate, by binding arbitration, any such dispute. Time is of the essence in resolving any such dispute. The City and County will utilize an arbitrator certified by the South Carolina Supreme Court and will proceed under the arbitration procedures adopted by the South Carolina Supreme Court. The City and County will equally divide the cost of the escrow agent and the arbitrator, if any. If the total cost of construction procurement and construction of the expansion exceeds the above amount, the City shall invoice the County for any additional costs up to %15 of the above amount, with the reasons for such costs specifically stated. The County shall timely remit the additional funds to the escrow agent for payment to the City.

2. Per Diem Cost. Beginning on the date a Certificate of Occupancy is issued for the completed capital expansion, the City will commence to accept canis familiaris (dogs) and felis domesticus or felis catus (cats), hereinafter collectively referred to as “animals”, delivered by County personnel and County citizens. On that date, the County will pay the City Fourteen and no/100 (\$14.00) Dollars per day per animal for impoundment and euthanasia. The City may accept other small mammals, reptiles, birds, or rodents, at no cost. As space permits and in the City’s sole and exclusive discretion. City shall invoice the County monthly for payment. If the City does not receive payment on full within sixty (60) days, the City, in its sole and exclusive discretion, may refuse to accept animals from County personnel or citizens until all delinquent amounts are paid in full.

Future increases will be managed through the budgeting process for both jurisdictions. A budget request will be forwarded to the County on or before February 1st of every fiscal year to

address potential increases. The City may request that the County pay an increased amount for per day per animal for animal impoundment and euthanasia based upon increased operating costs of the Animal Shelter by the City¹. In the event the County denies the City's request for a fee increase, the County Administrator and the City Manager shall attempt to amicably resolve the dispute. In the event they are unable to do so, the City and County agree to promptly arbitrate, by binding arbitration, any such dispute. Time is of the essence in resolving any such dispute. The City and County will utilize an arbitrator certified by the South Carolina Supreme Court and will proceed under the arbitration procedures adopted by the South Carolina Supreme Court. The City and the County will equally divide the cost of the arbitrator, if any.

3. Shelter Policies. The City's policies and ordinances, as may from time to time be amended, will apply to any and all operations of the Animal Shelter, including but not limited to the disposition of animals received at the Animal Shelter, adoption, redemption and spay/neuter, which are listed by way of illustration and not limitation. Prior to any change of Animal Shelter policies relating to animal care management, the City Manager and the County Administrator will confer as to the proposed change and mutually agree to the change before such policy is adopted and implemented by the City.

4. Advisory Committee. An Animal Advisory Committee will be established by both jurisdictions to serve as an oversight committee to make recommendations regarding improving animal care services provided to the citizens of the community. The Committee will be comprised of the County Administrator or his designee, City Manager or his designee and two members each of City and County Councils, or two citizens appointed by City Council and two

¹Operating Costs are those costs for Animal Shelter operations contained in the City's proposed budget for that fiscal year.

citizens appointed by County Council to represent the respective Councils. The Committee will meet at least once a year in March.

5. Capacity Issues. During the construction of the capital expansion, the City Manager and County Administrator will be responsible for developing an emergency action to address emergency situations that would impact the operations of the facility including, but not limited to, events which would require a total or partial closure of the Animal Shelter, repair or replacement of the Animal Shelter in the event of partial or total destruction, or situations whereby a large number of animals are delivered to the Animal Shelter for holding at one time. This plan would include a maintenance provision to ensure the on-going quality and up-keep of the facility. The City Manager and County Administrator are also responsible for developing a plan to address future needs of the City and County for future expansion of animal control facilities.

6. Adoption Fees. The County and City shall split any revenue from the adoption of animals from the Animal Shelter, with the percentages of such split being negotiated and agreed upon by the County Administrator and the City Manager within six (6) months of the execution of this agreement.

7. County Animals-Not Impounded. The County agrees to pay per diem costs on all animals not impounded by Richland County Animal Care but released by citizens from the unincorporated area of the County. The County shall have the right to periodically inspect and audit all records collected by the City verifying the residency of such citizens.

8. Term. The initial term of this Agreement shall be for five (5) years and renewable for an additional five (5) year term.

9. Termination. The County or the City may terminate this agreement by

action of either Council with a one (1) year notice. If terminated, the City agrees to refund the capital construction cost of the County based upon an agreed depreciated capital schedule. The depreciated schedule with a cost value shall be documented every year in the Certified Annual Audit.

10. Breach. In the event either party shall fail to comply with its obligations set forth in the Agreement, and such default shall continue for a period of thirty (30) days after written notice of default has been provided by the other party, then the complaining party shall be entitled to pursue any and all remedies provided under South Carolina law and/or terminate this Agreement.

11. Waiver. The failure of either party to insist upon the strict performance of any provision of this Agreement shall not be deemed to be a waiver of the right to insist upon strict performance of such provisions or of any other provision of this Agreement at any time. Waiver of any breach of this Agreement by either party shall not constitute waiver of subsequent breach.

12. Notice. Written notice to the City shall be made by placing such notice in the United States Mail, Certified, Return Receipt Requested, postage prepaid and addressed to:

City of Columbia
City Manager
Post Office Box 147
Columbia, SC 29217

With a copy to:

Superintendent of Animal Services
127 Humane Lane
Columbia, SC 29209

Written notice to the County shall be made by placing such notice in the United States Mail, Certified, Return Receipt Requested, postage prepaid and addressed to:

Richland County

County Administrator
Post Office Box 192
Columbia, SC 29202

13. Entire Agreement. This Agreement represents the entire understanding and Agreement between the parties hereto and supersedes any and all prior negotiations, discussions, and agreements, whether written or oral, between the parties regarding the same. To the extent that any additional or different provisions conflict with the provisions of this Agreement, the provisions of this Agreement shall govern. No amendment or modification to this Agreement or any waiver of any provisions hereof shall be effective unless in writing, signed by both parties.

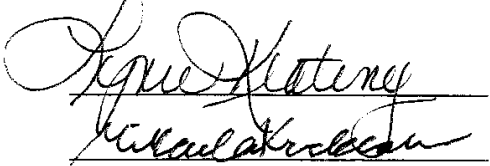
14. Agreement Interpretation. This Agreement shall be interpreted pursuant to the laws of the State of South Carolina.

15. Severability. If any provision of this Agreement is determined to be void or unenforceable, all other provisions shall remain in full force and effect.

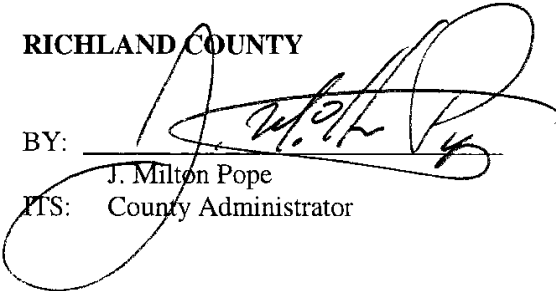
16. Captions and Headings. The captions and headings throughout this Agreement are for convenience and reference only, and the words contained therein shall in no way be held or deemed to define, limit, describe, modify, or add to the interpretation, construction, or meaning of any provision of or scope or intent of this Agreement.


IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

WITNESSES:



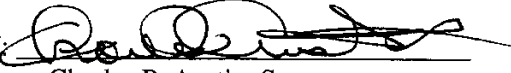
RICHLAND COUNTY

BY: 
J. Milton Pope
ITS: County Administrator



Valerie R. Smith

CITY OF COLUMBIA

BY: 

Charles P. Austin, Sr.
ITS: City Manager

**AGREEMENT FOR DESIGN OF THE
CITY OF COLUMBIA/RICHLAND COUNTY ANIMAL SHELTER
BETWEEN
THE CITY OF COLUMBIA, SOUTH CAROLINA
AND
RICHLAND COUNTY, SOUTH CAROLINA**

WHEREAS, the City of Columbia, South Carolina (hereinafter "City") and Richland County, South Carolina (hereinafter "Richland") have by duly enacted resolutions agreed to co-locate their animal control services in one facility to be operated by the City; and,

WHEREAS, Richland has agreed to pay up to One Million Two Hundred Thousand (\$1,200,00.00) Dollars for the design procurement, design, construction procurement and construction of the expansion of the City's Animal Shelter facilities; and

WHEREAS, the parties are in the process of negotiating a contract for co-location of Animal Control Shelter, expansion of the City's Animal Control Shelter facilities and operation thereof by the City; and

WHEREAS, the parties agree to commence with the design procurement and design of the Animal Shelter expansion in order to ascertain the projected costs associated with the construction of the Animal Shelter expansion and expedite the construction of the Animal Shelter expansion once a contract for construction and operation is finalized; NOW, THEREFORE

RICHLAND AND THE CITY AGREE AS FOLLOWS:

City will authorize and commence with the design procurement and design of the Animal Shelter expansion by a design professional to be selected by the City.

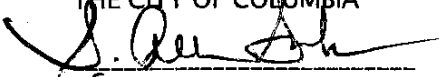
Richland will fully reimburse City for the costs of design procurement and design of the Animal Shelter expansion. City will submit to Richland requests to reimburse City for the

costs of the design procurement and design of the Animal Shelter expansion. Richland will pay City within thirty (30) days of receipt of each pay request.

Representatives of Richland and City will be available to discuss and provide input to design professionals regarding the design of the Animal Shelter expansion.


County's overall contributions to the City for the cost of the Animal Shelter expansion, currently anticipated to be One Million Two Hundred Thousand and No/100 (\$1,200,000.00) Dollars, shall be reduced by the amounts paid by the County to the City under this Agreement, and such shall be reflected as a credit in the contract for the construction procurement, construction of the Animal Shelter facilities and operation of the Animal Control Services by the City.


WITNESSES AS TO
THE CITY OF COLUMBIA




Valerie R. Smith

WITNESSES AS TO
RICHLAND COUNTY





CITY OF COLUMBIA, SOUTH CAROLINA

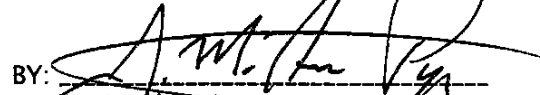
BY: 

Charles P. Austin, Sr.
ITS: City Manager

DATED: 

August 8, 2007

RICHLAND COUNTY, SOUTH CAROLINA

BY: 

J. Milton Pope
ITS: County Administrator

DATED: 

7-31-07

Richland County Council Request of Action

SUBJECT: NOTICE TO LEVY AND COLLECT FOR GENERAL OBLIGATION BONDS (INNOVISTA PROJECT)

A. Purpose

The purpose of this request is to ask County Council to adopt a resolution authorizing the execution by the Chairman and Clerk to County Council and delivering a Notice to Levy and Collect for debt service on not to exceed \$6,975,000 general obligation bonds, the proceeds of which will be used for the payment of the outstanding Bond Anticipation Notes including accrued interest and issuance cost for the Innovista Project. By delivering the Notice to Levy and Collect, the County can insure that sufficient debt service millage will be levied in 2007 to make required debt service payments.

B. Background / Discussion

On December 12, 2006, the County issued its Bond Anticipation Notes, Series 2006A, \$3,760,000 and Taxable Series 2006B, \$2,840,000 (the "Notes"), the proceeds of which shall be applied to defray a portion of the costs of constructing and equipping an approximately 1,000-car parking garage and plaza to facilitate, primarily, parking for the Horizon Center (the "Project"), as required by a Memorandum of Understanding and Intergovernmental Agreement executed in 2005. The Notes mature on December 12, 2007. The County has the option to issue general obligation bonds or bond anticipation notes to pay the Notes at maturity.

On Friday, September 7, 2007, the Bond Review Committee voted to recommend the issuance of these general obligation bonds to the Committee. The implementation of the financing plan associated with these general obligation bonds requires that debt service millage be imposed for tax year 2007 at the same level as tax year 2006. In order to insure the levy and collection of sufficient debt service in tax year 2007, the County's bond counsel has advised that it would be appropriate to deliver a Notice to Levy and Collect to the County Auditor and Treasurer.

C. Financial Impact

Based on debt service estimates, the debt service payments can be absorbed without a change in the debt service millage and should have no additional impact on the taxpayer. The delivery of the Notice to Levy and Collect will insure that sufficient debt service millage, at a rate no higher than the 2006 millage rate, will be imposed.

D. Alternatives

1. Approve the request to adopt the resolution so that the debt service millage for the general obligation bonds can be put on the 2007 tax bills to keep the County's debt service millage as level as possible and debt can be issued for payment of the Bond Anticipation Notes.

2. Do not approve the request

E. Recommendation

It is recommended the Council approve alternative one

Recommended by: Daniel Driggers **Department:** Finance **Date:** 9/11/2007

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 9/11/2007

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: It is recommended that Council approve alternative one.

Legal

Reviewed by: Amelia Linder

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

RESOLUTION

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

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

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

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

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

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

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

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Joseph McEachern, Chairman
Richland County Council

(SEAL)

ATTEST THIS _____ DAY OF
_____, 2007:

Michielle R. Cannon-Finch
Clerk of County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

STATE OF SOUTH CAROLINA)
) NOTICE TO LEVY AND COLLECT
COUNTY OF RICHLAND)

TO: Paul Brawley, Auditor, Richland County, South Carolina

David A. Adams, Treasurer, Richland County, South Carolina

YOU ARE HEREBY NOTIFIED THAT RICHLAND COUNTY, SOUTH CAROLINA (the "County"), will, 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, Code of Laws of South Carolina 1976, as amended; Title 11, Chapter 27, Code of Laws of South Carolina 1976, as amended; and an ordinance (the "Ordinance") duly enacted by the County Council (the "Council"), deliver general obligation bonds in fully-registered form in the aggregate principal amount of Three Million Nine Hundred Fifty Thousand Dollars (\$3,950,000) Series 2007D and Three Million Twenty-five Thousand Dollars (\$3,025,000) Taxable Series 2007E (collectively the "Bonds"), in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing each year, bearing interest from their date semiannually on March 1 and September 1 of each year, commencing March 1, 2008, with principal and interest due in the years and in the amounts set forth below:

<u>Calendar Year</u>	<u>Amount</u>
2008	\$2,000,863.54
2009	878,600.00
2010	847,975.00
2011	894,625.00
2012	893,000.00
2013	894,500.00
2014	889,125.00
2015	891,750.00

The Bonds will be payable, both principal and interest, at the principal office of Wells Fargo Bank, N.A. in Atlanta, Georgia.

AND YOU ARE FURTHER NOTIFIED to levy and collect upon all taxable property in the County an ad valorem tax, without limitation as to rate or amount, sufficient to pay the principal and interest of the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

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

Chairman, County Council, Richland County,
South Carolina

(SEAL)

ATTEST:

Clerk, County Council
Richland County, South Carolina

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

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

Auditor, Richland County, South Carolina

Treasurer, Richland County, South Carolina

Richland County Council Request of Action

Subject: Ordinance Authorizing Innovista Bond

A. Purpose

The purpose of this request is to ask County Council to enact an ordinance authorizing the issuance of not to exceed \$6,975,000 general obligation bonds or bond anticipation notes for the payment of the outstanding Bond Anticipation Note issued for the Innovista Project.

B. Background / Discussion

The County, the City of Columbia and the University of South Carolina entered into a Memorandum of Understanding and Intergovernmental Agreement executed on May 31, 2005, June 4, 2005 and June 4, 2005, respectively. Under the terms of the Agreement the County agreed to provide financing in an amount not to exceed \$7,750,000 to pay a portion of the cost of constructing certain parking facilities to serve occupants in certain buildings to be constructed in conjunction with the University's research campus. One of the parking facilities will provide parking for a University-owned approximately 125,000-square-foot wet/dry lab building and a privately owned approximately 110,000-square-foot office/dry lab building located in the Horizon Center block of the research campus. In order to assist the University in implementing its new research campus, the County will agreed to issue its Bond Anticipation Notes, Series 2006A, \$3,760,000 and Taxable Series 2006B, \$2,840,000 (the "Notes"), the proceeds of which shall be applied to defray a portion of the costs of constructing and equipping an approximately 1,000-car parking garage and plaza to facilitate, primarily, parking for the Horizon Center (the "Project"). In December 2006, County Council issued its Notes to fund its portion of the Project.

C. Financial Impact

There will be no additional financial impact on the County if bond anticipation notes are issued.

If the recommendation is to issue bonds, just as with the outstanding bond anticipation notes, there will be a taxable and a tax-exempt bond issue. Our recommendation is that the timing is right to issue the bonds instead of reissuing the bond anticipation notes. Based on debt service estimates, the debt service payments can be absorbed without a change in the mill rate and no additional impact on the taxpayer. Additionally, the bonds will be structured such that the taxable portion will be paid in the first three years, thereby saving interest costs in addition to the interest cost savings from issuing bonds.

D. Alternatives

1. Approve the request to issue bonds

2. Approve the request to issue the bond anticipation notes. This will require that Bonds be issued at a later date.

E. Recommendation

This item was reviewed by the Bond Review Committee in September and is recommended for approval. Therefore it is recommended the Council approve alternative one.

Recommended by: Daniel Driggers **Department:** Finance **Date:** 9/11/2007

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 9/11/2007

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: This item was reviewed by the Bond Review Committee in September and is recommended for approval. Therefore it is recommended the Council approve alternative one.

Legal

Reviewed by: Amelia Linder

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: This request is consistent with the Memorandum of Understanding previously approved by the Council.

Richland County Council Request of Action

Subject: Historical Records Grant Approval (in-kind match)

A. Purpose

County Council is requested to approve a grant proposal that was not included in the Grant Budget Request for FY2007-2008.

B. Background / Discussion

The Register of Deeds Office is applying for a grant from the SC State Historical Records Advisory Board through their Historical Records Regrant Program (SC SHRAB) to improve the quality of pre-1959 microfilm of Deeds. This funding opportunity became available after the FY2007-2008 budget process.

This project proposes an economical solution to improve poor quality microfilm images in the County's pre-1959 Deed Books. Approximately 66 rolls of security microfilm will be selected from years 1947 through 1959 and converted to digital format, without the time and expense of refilming the original deed volumes. If funded, the project will commence in February 2008 and be completed by April 2008.

C. Financial Impact

Staff time on the project is being used to provide an in-kind match of \$2,695 for the grant request of \$4,875. There is no cash match for this project.

Grant Program	Grant request (from funder)	Cash Match	In-kind match
SC SHRAB – historical records	\$4,875	\$0	\$2,695
TOTAL	\$4,875	\$0	\$2,965

D. Alternatives

1. Approve this grant request to improve the quality of pre-1959 microfilm of Deeds.
2. Do not approve this request and forfeit any funding awarded.

E. Recommendation

It is recommended that Council approve the request to approve the grant proposal to improve the quality of pre-1959 microfilm of Deeds.

Recommended by: Rick Rodden **Department:** Register of Deeds **Date:** 9/10/07

F. Reviews

Grants

Reviewed by: Audrey Shifflett

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: This grant opportunity became available after the FY 2007-2008 budget process. It requires no cash match. In-kind match is provided through staff time on the proposed project. This project will help the Register of Deeds office provide better quality records to the public.

Finance

Reviewed by: Daniel Driggers

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Amelia Linder

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Richland County Council Request of Action

Subject: Sheriff's Department: Approval with No Personnel/No Match

A. Purpose

County Council is requested to approve 1 grant in the amount of 1,800. There is no match request for this program. The grant is the Office of Violence Against Women Training & Technical Assistance (\$1,800)

B. Background / Discussion

This application became available after the grant budget request was submitted and there was no longer an avenue to request additional funds. This grant does not involve personnel or match funds. A general synopsis of this program is attached. Detailed information may be obtained from the Grant Development Manager, Ms. Audrey Shifflett.

The Sheriff's Department (RCSD) will serve as a pass-through agency to the South Carolina Law Enforcement Victim Advocate Association (SCLEVA). The group is conducting its annual conference in late October 2007 in Charleston, SC and is requesting funds to provide two workshops, "Vulnerable Adults and Elder Abuse" and "Post Traumatic Stress Disorder: The Victim and the Advocate." Nationally recognized speakers will be retained to provide the workshops.

C. Financial Impact

	Amount
Match funding request	\$0
Total	\$0

D. Alternatives

1. Accept the grant award.
2. Do not approve and refuse to accept the grant.

E. Recommendation

The Sheriff's Department recommends that Council approve the grant amounting to \$1,800.

Recommended by:
Hubert F. Harrell

Department:
Sheriff's Department

Date:
8/15/07

F. Reviews

Grants

Reviewed by: Audrey Shifflett

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: This is a “pass-thru” grant opportunity that became available after the FY2007-2008 budget process. There is no matching fund requirement and no personnel. Richland County is partnering with the SC Law Enforcement Victim Advocate Association (SCLEVA) through the Sheriff’s Department to submit this grant application on their behalf.

Finance

Reviewed by: Daniel Driggers

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: based on no additional county cost

Legal

Reviewed by: Amelia Linder

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Administration

Reviewed by: J. Milton Pope

Date: 9-20-07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: This request has no financial impact on the General Fund or the VA Fund.

Training and Technical Assistance
South Carolina Law Enforcement Victim Advocate

The Richland County Sheriff's Department (RCSD) requests \$1,800 to serve as a pass-through agency to the South Carolina Law Enforcement Victim Advocate Association (SCLEVA). The group is conducting its annual conference in late October 2007 in Charleston, SC and is requesting funds to provide two workshops at this conference. The first workshop is entitled "Vulnerable Adults and Elder Abuse". A nationally recognized speaker on the subject would be retained to provide the workshop. The training would educate the victim advocate on the topic of vulnerable adults, to include physical abuse, neglect and financial exploitation. It has been noted that officers and advocates often encounter difficulty in dealing with special populations. This training would provide victim advocates with a standardized training in order to better assist victims and their families. The second workshop is entitled "Post Traumatic Stress Disorder: The Victim and the Advocate". Again, a nationally recognized speaker would be retained to provide the workshop. The workshop would focus on Post Traumatic Stress Disorder as it relates to victims of crime. The problem of officer stress will also be addressed.

Implementation will require Consultant Fees to be paid to each speaker. The SCLEVA will provide travel costs and meals. It is anticipated that the speakers will be from South Carolina. Members of the RCSD Victim Services Unit serve as leaders of the SCLEVA and will be the primary leaders of this project. Documentation of the workshops will be maintained, including date, time, location and number of attendees. A final report will be submitted as required by the Office of Victims of Crime.

Richland County Council Request of Action

Subject: Financial Crimes Victim Assistance Grant Proposal

A. Purpose

County Council is being requested to provide funding for grant proposals that were not included in the Grant Budget Request for 2007-2008.

B. Background / Discussion

The Richland County Sheriff's Department has applied for a Office of Victims of Crime grant program titled "**Financial Crimes Victims Assistance Program**" to improve direct assistance to victims of financial crime and identity theft in Richland County. The program will provide funding for 1 full-time Victim Advocate and 2 part-time Assistants/Interns salaries and fringe benefits, automobile, radio, car accessories, computers, training, uniforms and equipment and professional counseling services totaling \$220,880. This amount is for a 24-month grant period. There is no match associated with this program.

C. Financial Impact

When appropriate, use a table. For example:

Grant Program	Costs	Match
Financial Crimes Victim Assistance	\$220,880	
Total Grant Budget Request	\$220,880	\$0

D. Alternatives

List the alternatives to the situation. There will always be at least two alternatives:

1. Approve the request to fund this program to increase financial crimes victim assistance in Richland County.
2. Do not approve, forfeit funds, and decrease likelihood for future funding.

E. Recommendation

State which alternative you recommend. Be sure to include your name, department, and date. For example:

It is recommended that Council approve the request to approve grant financial crimes victim assistance requests.

Recommended by:
Hubert F. Harrell

Department:
Sheriff's Department

Date:
9/7/07

F. Reviews

Grants

Reviewed by: Audrey Shifflett

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: This funding opportunity became available after the FY2007-2008 budget process. If funded, this grant will provide for 1 new FTE victim's advocate and 2 new PT assistants/interns for the term of the grant project, which is 2 years. There is no cash match required. The proposed project would provide services to victims of financial crimes with a particular focus on identity theft.

Finance

Reviewed by: Daniel Driggers

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Given the current financial position of the VA program and Council discussion concerning level and method for funding for the program we would recommend that the grant be considered with the program discussion. The grant does not require a match but does include positions which would expand the program and would require a method for funding in 24 months. Approval of this request will require a **budget amendment**.

Legal

Reviewed by: Amelia Linder

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Both alternatives appear to be legally sufficient; therefore this request is at the discretion of County Council.

Administration

Reviewed by: J. Milton Pope

Date: 9-20-07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval of this request however the employees hired under the grant will not be retained by an additional appropriation of the General Fund nor the VA Fund when the grant ends in 24 months.

Richland County
Grant Application Request
Fiscal Year 2008 (July 2007 – June 2008)

Complete a separate form for each grant application you intend to submit.

Section A: Basic Information

1.) Department: RCSD		2.) Dept. Contact: Traci Dove	
3.) Grant Title of Project: Financial Crimes Victim Assistance			
4.) Grant Program: National Program to Directly Assist Victims of Identity Theft and Financial Fraud			
5.) Grantor: Office of Victims of Crime		6.) Fund Source: <input checked="" type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Other (check one)	
7.) Grant Period: From 10/1/07 To 09/30/09		8.) Application Due Date: 9/11/07	
9.) Status: <input type="checkbox"/> Application sent – date <input checked="" type="checkbox"/> To be submitted – date 9/10/07		10.) Anticipated Award Date: October 2007	
11.) <input checked="" type="checkbox"/> New Grant? or <input type="checkbox"/> Continuation Grant? (check one)		12.) If continuation grant, what is previous grant #?	
13. a.) Amount of grant funds requested: \$220,880	13. b.) Percentage of total request: 100%	14. a.) Amount of matching funds requested: \$0	14. b.) Percentage of total request: 0%
15.) Total Project Cost: (Grant funds requested + matching funds requested) \$			
= 100%			

Section B: Project Description

16.) Provide a general statement of the purpose of the grant. Program supports personnel, equipment, supplies and counseling to provide direct assistance to victims of financial crimes and identity theft in Richland County.

Section C: Financial Impact

17.) Does grant allow administrative (indirect) costs? No If yes, what percentage? _____

When applying for the grant, be sure to include this amount in your budget to assist with the County's and your Department's indirect costs of managing the grant.

Grant Personnel

For new grants:

18. a.) How many new, full-time positions will be created by this grant? 1
Note that the Personnel form reflects one year of salary of this 24 month request.

Please complete and attach a **Grant Funded New Position Funding Request** form for each new position type (mandatory)

For continuation grants:

18. b.) How many full-time positions will be continuing with this grant?

For all:

19.) Does the grant require positions to be maintained following conclusion of the grant? No

20.) If yes, for how long? (i.e., one local fiscal year, 12 months, etc.)

Richland County Council Request of Action

Subject: Funding Request: Palmetto Center for Advocacy

A. Purpose

County Council is requested to consider a funding request from the Palmetto Center for Advocacy in the amount of \$50,000.

B. Background / Discussion

On June 7, 2007, the County Administrator received a letter from McKinley Washington, Jr. of the Palmetto Center for Advocacy. In the letter, Mr. Washington requested support from county council in the amount of \$50,000 to combat obesity in South Carolina.

C. Financial Impact

Approval of this request would result in a financial impact of \$50,000. If approved, a funding source would need to be identified by council.

D. Alternatives

1. Approve the request and identify a funding source.
2. Do not approve the request.

E. Recommendation

This decision is left to council's discretion.

Recommended by:
Staff

Department:
Administration

Date:
September 10, 2007

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Council discretion. If approved and a funding source is identified we will determine if a budget amendment is required.

Legal

Reviewed by: Amelia Linder

Date: 9/14/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Both alternatives appear to be legally sufficient; therefore, this request is at the discretion of County Council.

Administration

Reviewed by: Tony McDonald

Date: 9/18/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend denial as this request comes outside of the budget cycle. No funds, therefore, have been appropriated for this project.

PALMETTO CENTER FOR ADVOCACY, INC.

June 7, 2007

Mr. J. Milton Pope
County Administrator
Richland County
Post Office Box 192
Columbia, South Carolina 29202

Dear Mr. Pope:

We respectfully ask for your support of the Palmetto Center for Advocacy, Inc. (PCA) Obesity Project by allocating \$50,000.00 in your budget for fiscal year 2007-2008 to PCA.

Nationally, an estimated 65% of adults are overweight, with over 30% of children and adolescents overweight. The data that we do have for South Carolina indicates that 36.1% of children are overweight. For lower income children, the risks are higher: 44.3% of children from families below the poverty level are overweight. These numbers are based on Body Mass Index (BMI) calculations, using weight in pounds and height in inches.

One of the most distressing trends is obesity in children. More time spent watching television, which increases exposure to commercials promoting unhealthy snacks, and less time spent exercising outdoors, along with a lack of access to fresh fruits and vegetables, have resulted in increased obesity in children. Children today need to be taught from an early age how to make proper nutritional choices and the importance of physical exercise. If we don't address the problem quickly, these obese children are more likely to grow into obese adults with all of the associated health problems.

Obesity affects us all, because it is a health problem that costs our state millions of dollars each year. There are direct costs for the care of those who suffer from obesity-related health problems, as well as indirect costs and quality of life issues associated with obesity. One way or another, we are all touched by obesity, and it costs us all.

That's the bad news. The good news is: We can do something about it. Palmetto Center for Advocacy, Inc. (PCA) is currently implementing a program to combat obesity in South Carolina. Our efforts will be focused on research and public education. To date, very little data has been collected on obesity in South Carolina. As we work with knowledgeable health care professionals to collect information, we will partner with state agencies, community leaders, schools and businesses to educate the public on obesity and its prevention.

Post Office Box 11319 • Columbia, SC 29211 • Phone (803) 931-8303 • Fax (803) 931-8309
www.palmettoadvocacy.org

Mr. J. Milton Pope
June 7, 2007
Page 2

In addressing childhood obesity, PCA will partner with health care professionals, such as the South Carolina School Nurses Association, to develop guidelines for collecting and analyzing BMI data. Also, in association with public schools and community centers, PCA will implement education programs that concentrate on encouraging healthy food choices and physical activity, as well as ensuring that there is increased access to fresh fruits and vegetables and to safe places to exercise.

We are also partnering with civic and faith-based community leaders to implement adult education and outreach activities involving healthy lifestyle choices. Increasing the availability of fresh produce and opportunities for physical activity is the focal point of the adult program.

As you can see, controlling the obesity problem before it controls us is achievable. To make it happen, we need your help. By including this funding in your budget, you can improve the quality of life for your fellow South Carolinians. Thank you for supporting our efforts to make South Carolina a healthier place to live.

Sincerely,



McKinley Washington, Jr.
Board of Directors



BENEDICT COLLEGE

1600 Harden Street
COLUMBIA, SOUTH CAROLINA 29204

June 18, 2007

The Honorable Joseph McEachern
2020 Hampton Street
P.O. Box 192
Columbia, SC 29202

Dear Councilman McEachern:

Benedict College has been invited to prepare a bid to host the 2007 Pioneer Bowl. The Pioneer Bowl is the only NCAA-certified football bowl game involving historically black college conferences. The winner not only gets bragging rights, but the right to take home the vaunted Pioneer Bowl Trophy. The first Pioneer Bowl game was played in 1997 in Atlanta, GA.

We are confident that this bowl game will be of great benefit to the citizens of Richland County. We are certain the county will benefit from the economic impact of the Pioneer Bowl. Previous bowl games have been held in Atlanta, GA, Mobile, AL, and Charlotte, NC.

The Pioneer Bowl will be played Saturday, December 1, 2007. The game will continue to feature representatives from the CIAA and the SIAC. We are requesting your assistance in this endeavor by providing a sponsorship in the amount of \$25,000.

I look forward to speaking with you further about this opportunity. Thank you as always for your continued support of Benedict College and the Athletic Department.

Sincerely,

Willie Washington
Athletic Director

Equal Opportunity in Education and Employment
Without Regards to Race, Sex, Color, National Origin, Religion or Disability

December 1, 2007
BENEDICT COLLEGE - Columbia, SC

GAME DAY EXPENSES		
ITEM	PROJECTED	ACTUAL
Staff Per-diem	\$1,000.00	\$
Staff Hotel	\$3,000.00	\$
Truck Van Rental	\$500.00	\$
Car Rental	\$500.00	\$
Game Officials Hotel	\$1,500.00	\$
Team Hotel	\$30,000.00	\$
Team Per-diem	\$5,000.00	\$
Team Bus Assistance	\$1,000.00	\$
Band Assistance	\$1,500.00	\$
SIAC Regular Season Awards	\$2,000.00	\$
SIAC Regular Season Awards Luncheon	\$6,000.00	\$
Miscellaneous Expenses (gas, supplies, hotel internet etc.)	\$500.00	\$
Advertising/Marketing (TV, Radio, Print, Internet)	\$25,000.00	\$
Stadium Signage and Sponsor Banners	\$5,000.00	\$
Food for Commissioner's Suite's and Officials Locker Room	\$4,000.00	\$
Food for Press Box and Hospitality Suite	\$2,000.00	\$
Game Officials	\$3,000.00	\$
Announcer/Clock Operator/Game Operator/Score Board	\$1,000.00	\$
Footballs	\$300.00	\$
Credentials	\$1,000.00	\$
Tickets	\$2,000.00	\$
Thursday Night Banquet	\$5,500.00	\$
Thursday Night Banquet Speaker	\$3,000.00	\$
Walkie-Talkies	\$500.00	\$
Champion T-Shirts	\$1,000.00	\$
PB Trophy Repairs	\$100.00	\$
PB Awards	\$400.00	\$
Parking Attendants (6 @ \$100)	\$600.00	\$
Ticket Sales (4@\$125.00)	\$500.00	\$
Elevator Attendants (2)	\$250.00	\$
Cashier	\$125.00	\$
Set Up Clean Up	\$4,000.00	\$
Will-Call Attendant	\$100.00	\$
Palmetto Protection Agency	\$1,700.00	\$
SID Asst.	\$187.50	\$
Custodians (4)	\$400.00	\$
City of Columbia Officers (7)	\$1,400.00	\$
2 Radio Announcers	\$700.00	\$
BC Dining Services	\$2,015.00	\$
Rental (Portajons)	\$240.00	\$
Chain Crew	\$550.00	\$
Vehicle Rental for SIAC Staff and Dignataries	\$1,500.00	\$
Campus Safety/Security	\$3,000.00	\$
EMS Units	\$450.00	\$
TOTAL EXPENSES	\$124,017.50	

Richland County Council Request of Action

Subject: Budget Amendment to Reflect Undesignated HTAX Dollars as Unappropriated Reserve Funds

A. Purpose

Council is requested to consider an amendment to the 2007-08 budget that would reclassify Hospitality Tax funds currently budgeted as “undesigned.” If approved, these funds would instead be “unappropriated reserve funds” in the Hospitality Tax account.

B. Background / Discussion

During second reading of the budget on May 24, 2007, council referred to the A&F Committee consideration of a request to change the classification of hospitality tax funds currently budgeted as “undesigned” to “unappropriated reserve funds.”

Currently, any funds in the county’s Hospitality Tax fund not appropriated for a specific purpose during the budget process are classified as “undesigned.” These funds may be appropriated by council outside the budget process with one vote of approval. Changing the classification of these funds from “undesigned” to “unappropriated reserve funds” would require any off-year expenditures using these funds to be made by ordinance, which would require three readings and a public hearing.

If approved, the \$966,482 currently budgeted as undesigned in the 2007-08 budget would instead be unappropriated reserve funds. This budget amendment would not have any impact on \$25,000 currently set aside in the county promotions fund as “undesigned.” These funds may continue to be used to fund off-year expenses, and the appropriation of these funds will continue to require only one approval from council.

C. Financial Impact

There is no financial impact associated with this request, as unappropriated reserve funds will still be available for use upon three readings and a public hearing.

D. Alternatives

3. Approve the budget amendment.
4. Do not approve the budget amendment.

E. Recommendation

This request is at the discretion of County Council.

Referred by: Staff

Department: Administration

Date: 06/11/2007

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 6/20/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Amelia Linder

Date: 6/25/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Both alternatives appear to be legally sufficient; therefore, this request is at the discretion of County Council.

Administration

Reviewed by: Tony McDonald

Date: 6/25/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

In addition to the proposed hospitality tax ordinance amendment, staff recommends the following amendments: amend quarterly disbursements to annual disbursements; and insert an annual reporting mechanism for agencies / organizations receiving hospitality tax disbursements in excess of \$10,000.

Currently, the hospitality tax ordinance states that funds allocated to agencies / organizations will be distributed quarterly. Staff recommends a once per year disbursement of these funds. This amendment will decrease the efforts of both Richland County staff and the staff of the requesting agencies / organizations. Discretionary Grants are disbursed once per year, and Accommodations Tax grants are disbursed quarterly, per internal procedure.

Per the current hospitality tax ordinance, “Any organization or agency receiving Hospitality Tax funds must submit a report of expenditures and the impact on tourism for the preceding calendar year and a plan for the upcoming year to the Richland County Administrator on or before March 1 of each year. Such report shall be on a form provided by the County.” In previous years, staff has enforced this reporting mechanism on the largest recipients of hospitality tax funds (Columbia Museum of Art, Historic Columbia, and EdVenture) but has allowed more leniencies via reporting information contained in the hospitality tax funds applications for agencies / organizations receiving lesser allocations. Per Council direction, it is now recommended that an annual reporting mechanism for all agencies / organizations receiving hospitality tax disbursements in excess of \$10,000 be enforced. The annual reporting mechanism will include a report of how Richland County hospitality tax funds were spent, and the impact on tourism associated with the project / agency / organization that received funding.

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

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

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

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

REVENUE

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

EXPENDITURES

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

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

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

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

RICHLAND COUNTY COUNCIL

BY: _____
Joseph McEachern, Chair

ATTEST THIS THE ____ DAY
OF _____, 2007

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

Richland County Council Request of Action

Subject: Auditor's Budget Amendment

A. Purpose

County Council is requested to approve a budget amendment to the Auditor's Department budget in the amount of \$127,500.00 for the purpose of providing an audit by an outside entity, provide funding for additional staff positions and restore funds for furnishing in the Auditor's office.

B. Background / Discussion

The auditor's office was occupied by an 18 year incumbent who was unwilling to transition the office to the new auditor prior to leaving the office, effective June 30, 2007. Upon my arrival as the new auditor, I discovered that many of the practices and procedures utilized in the auditor's office have never undergone a thorough, external audit. As the incoming auditor, I am requesting that County Council approve funds up to \$15,000 for an external audit of the auditor's office. Good public policy dictates such an audit given the circumstances surrounding the transition of the office and to determine if there are exceptions that require adjustments in office procedure.

Having an outside entity perform the audit as outlined below would ensure practices and procedures adhere to state law and would afford greater opportunity to improve existing practices within the office for the citizens of Richland county.

Audit Scope:

1. Entrance conference with Auditor and designated staff to plan and determine the workflow for the audit
2. Document current procedures prior to the onsite visit
3. Review current documentation
4. Identify process or control weaknesses based on the current procedure design
5. Sampling of documents and procedures
6. Identify additional procedural improvements based on best practices
7. Develop recommendations for plan of action for implementation
8. Exit conference with Auditor and designated staff on findings and recommendations
9. Prepare and deliver a report on documented procedures, findings and action plan on best practices

Council delayed a request for an additional Deputy Auditor during the budget debate. The new Auditor re-classified the Administrative Assistant position to a Deputy Auditor with limited funding. He also reduced the salary of the existing Deputy Auditor to free up dollars to fund the re-classified position at a reduced salary rate. This office needs an Administrative Assistant to handle the volumes of paper generated by virtue of its administrative duties. The

office also needs a Senior Revenue Analyst to assist in reviewing internal and external documents and perform external visits to ensure the integrity of our billings. Richland County has more than 20,000 businesses that file business property tax forms with the Auditor’s Office that have not received an onsite visit from the staff in the Auditor’s office. It is estimated that the Revenue Analyst position will generate enough new revenue for the county to pay for the additional position. The Auditor’s Office handles more than 450,000 billings and in excess of 150,000 calls or customer visits annually.

C. Financial Impact

Senior Revenue Analyst	\$40,000	Salary
Administrative Assistant	\$35,000	Salary
Restore Pay Reductions & Adjustments	\$20,000	Deputy Auditors/Senior Accountant
Part-time funding	\$10,000	Tax Clerks
Furniture	\$ 7,500	Restore funds for furnishing needs
Audit	<u>\$15,000</u>	
TOTAL	\$127,500	

D. Alternatives

1. Approve the requested budget amendment and embrace the need to have the Auditor’s office reviewed by an external entity and the Auditor’s vision for a more active role for the staff.
2. Do not approve

E. Recommendation

It is recommended that Council approve the request to amend the Auditor’s budget and add \$127,500.00.

Recommended by: Paul Brawley **Department:** Auditor **Date:** 8/23/07

F. Reviews

Finance

Reviewed by: Daniel Driggers Date: 9/11/07
 Recommend Council approval Recommend Council denial
 Comments regarding recommendation: Approval would require the identification of a funding source. Use of fund balance would require a budget amendment.

Legal

Reviewed by: Amelia Linder Date: 9/17/07
 Recommend Council approval Recommend Council denial

Comments regarding recommendation: Both alternatives are legally sufficient; therefore, this request is at the discretion of Council. In addition, I concur with the comments of the Finance Director, above.

Administration

Reviewed by: J. Milton Pope

Date: 9/21/07

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval at the reduced amount of \$110,930. The reduction is due to the fact that a portion of the fiscal year has passed; therefore, a full year's salary is not required. This has been discussed with the Auditor.

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

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

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

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

REVENUE

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

EXPENDITURES

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

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

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

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

RICHLAND COUNTY COUNCIL

BY: _____
Joseph McEachern, Chair

ATTEST THIS THE _____ DAY

OF _____, 2007

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

STATE OF SOUTH CAROLINA)
) A RESOLUTION OF THE
) RICHLAND COUNTY COUNCIL
 COUNTY OF RICHLAND)

A RESOLUTION AUTHORIZING A POLICY ON MUNICIPAL INCORPORATION

WHEREAS, the South Carolina Code of Laws, §5-1-10 et seq., contemplates the incorporation of municipalities for the purpose of providing higher levels of services to the citizens therein; and

WHEREAS, municipalities contain land use patterns characterized by urban commercial centers and higher density residential neighborhoods; and

WHEREAS, Richland County has experienced growth since 1990 that has led to public discussion of the creation of additional municipalities; and

WHEREAS, some citizens of Richland County have begun to explore the possibility of municipal incorporation with dependency on Richland County for the continued delivery of certain essential services; and

WHEREAS, §5-1-30 (6) of the South Carolina Code of Laws requires cities to provide three of nine expressed services, some of which are not currently provided by Richland County; and

WHEREAS, municipal incorporation by any area in Richland County would reduce the Business License Tax and future Accommodations and Hospitality Tax revenues; and

WHEREAS, it is incumbent upon Richland County Council to prescribe a policy under what circumstances the County will facilitate municipal incorporation by contracting to provide any of the nine statutorily required services;

NOW, THEREFORE, BE IT RESOLVED that Richland County Council affirms that the primary purpose of municipal incorporation is to provide enhanced or additional services for its municipal citizens; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that Richland County Council will support municipal incorporation of unincorporated areas of Richland County by entering into discussions to develop intergovernmental agreements to provide agreed upon services when the proposed incorporation can be demonstrated to:

- Develop an urbanized commercial district with adjacent higher density residential areas
- Provide parks and recreation
- Plan for sidewalks
- Provide a higher level of law enforcement with a municipal police force
- Be responsible for garbage and yard debris pick-up and disposal

- Be responsible for maintenance of existing county roads within the proposed municipal boundaries

Such discussions, however, shall not guarantee the execution of any agreement. If the proposed incorporation is primarily motivated by resistance to annexation by an existing municipality and/or the desire to preserve the character of existing communities, Richland County will work with the affected parties to develop a strategy to further those goals and discuss intergovernmental agreements to assist in accomplishing such goals.

ADOPTED THIS _____ day of _____, 2007.

Joseph McEachern, Chair
Richland County Council

ATTEST this ____ day of _____, 2007

Michielle Cannon-Finch
Clerk of Council