



RICHLAND COUNTY COUNCIL

ADMINISTRATION AND FINANCE COMMITTEE

Paul Livingston
District 4

Greg Pearce
District 6

Joyce Dickerson, Chair
District 2

Mike Montgomery
District 8

Val Hutchinson
District 9

March 25, 2008
6:00 PM

Richland County Council Chambers
County Administration Building
2020 Hampton Street

Call to Order

Approval of Minutes

- A. February 26, 2008: Regular Meeting [Pages 3 – 5]

Adoption of Agenda

I. Items for Action

- A. A resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its not exceeding \$200,000 Hospital Refunding and Improvement Revenue Bonds, in one or more series, pursuant to the provisions of Title 41, Chapter 43 of the Code of Laws of South Carolina, as amended [Pages 6 – 13]
- B. Funding Request from Carolina Scholarships Inc. for sponsorship of Apollo Night at the Township [Pages 14 – 16]
- C. Draft intergovernmental agreement for detention center services [Pages 17 – 21]
- D. A resolution authorizing a policy on municipal incorporation [Pages 22 – 23]

II. Items for Discussion / Information

- A. Southeast Sports Complex [Pages 24 – 25]

B. CMRTA Audit

C. Joint City-County Homeless Shelter

Adjournment

Staffed by: Joe Cronin

MINUTES OF



**RICHLAND COUNTY COUNCIL
ADMINISTRATION AND FINANCE COMMITTEE
TUESDAY, FEBRUARY 26, 2008
5:00 P.M.**

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

MEMBERS PRESENT

Chair: Joyce Dickerson
Member: Valerie Hutchinson
Member: Paul Livingston
Member: Mike Montgomery
Member: L. Gregory Pearce, Jr.

ALSO PRESENT: Bernice G. Scott, Damon Jeter, Norman Jackson, Bill Malinowski, Michielle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Joe Cronin, Brad Farrar, Stephany Snowden, Jennifer Dowden, Tamara King, Chief Harrell, Teresa Smith, Geo Price, Sandra Haynes, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting started at approximately 5:01 p.m.

APPROVAL OF MINUTES

January 29, 2008 (Regular Session) – Ms. Hutchinson moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Montgomery moved, seconded by Mr. Pearce, to approve the agenda as distributed. The vote in favor was unanimous.

ITEMS FOR ACTION

Request to approve a contract with Honeywell Inc. in the amount of \$246,991.99 for the purpose of updating HVAC controls and smoke evacuation system at the Alvin S. Glenn Detention Center – Ms. Hutchinson moved, seconded by Mr.

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Administration and Finance Committee
February 26, 2008
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Montgomery, to forward this item to Council with a recommendation for approval. A discussion took place.

The vote in favor was unanimous.

Smoking policy for county facilities and vehicles – Mr. Montgomery moved, seconded by Ms. Hutchinson, to forward this item to Council with a recommendation for approval. A discussion took place.

The vote in favor was unanimous.

Request to transfer deed for certain water and sanitary sewer lines to the City of Columbia for service to the Palmetto Heart Medical Office Building

1. **An ordinance authorizing deed to the City of Columbia for certain water lines to serve the Palmetto Heart Medical Office Building at the Palmetto Richland Hospital Campus; Richland County TMS #11503-01-04(p)** – Mr. Pearce moved, seconded by Mr. Montgomery, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.
2. **An ordinance authorizing deed to the City of Columbia for certain sanitary sewer lines to serve the Palmetto Heart Medical Office Building at the Palmetto Richland Hospital Campus; Richland County TMS #11503-01-04(p)** – Mr. Pearce moved, seconded by Mr. Montgomery, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

A resolution authorizing a policy on municipal incorporation – Mr. Pearce moved, seconded by Mr. Livingston, to defer this item until the March A&F Committee meeting. The vote in favor was unanimous.

Draft intergovernmental agreement for detention center services – Mr. Montgomery moved, seconded by Mr. Pearce, to forward this item to Council without a recommendation. A discussion took place.

The vote in favor was unanimous.

ITEMS FOR DISCUSSION/INFORMATION

Amendment to Business License Fee Schedule to require all businesses using trailers in the course of doing work in the unincorporated areas of Richland County to obtain a decal for those trailers – Mr. Pope gave a brief update regarding this item.

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CMRTA Audit – Mr. Pope stated that the audit had been delayed.

Southeast Sports Complex – Mr. Pope gave a brief update regarding this matter.

POINT OF PERSONAL PRIVILEGE – Mr. Pearce recognized an article by Ms. Dawn Hinshaw in The State newspaper regarding a homeless gentleman in his district.

ADJOURNMENT

The meeting adjourned at approximately 5:48 p.m.

Submitted by,

Joyce Dickerson, Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject: Palmetto Health Alliance JEDA Bond Issuance

A. Purpose

County Council is requested to hold a joint public hearing with the South Carolina Jobs-Economic Development Authority (JEDA) in connection with JEDA's issuance of not exceeding \$200,000,000 Hospital Refunding and Improvement Revenue Bonds to benefit Palmetto Health Alliance. County Council is also requested to adopt a resolution supporting the bond issuance as required by Title 41, Chapter 43 of the Code of Laws of South Carolina 1976, as amended (the "Enabling Act").

B. Background / Discussion

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

Palmetto Health Alliance is a nonprofit corporation (the "Corporation") which leases and operates Palmetto Health Richland Memorial Hospital, Palmetto Health Baptist Medical Center Columbia ("Richland County"), and Palmetto Health Baptist Medical Center Easley (Pickens County) as unincorporated divisions of the Corporation (Richland County and Pickens County and collectively referred to as the "Counties"). The Corporation also employs practicing physicians and owns or operates numerous other facilities offering preventive, ambulatory, specialty, home care, secondary, tertiary, and hospice services. The Corporation serves approximately 825,000 residents in Richland County and approximately 110,000 residents in Pickens County in northwestern South Carolina. which exists to help people with disabilities and other special needs to become fully independent citizens through education, training and employment leading to job placement. The Corporation has requested that JEDA issue its economic development revenue bonds in the aggregate principal amount of not exceeding \$200,000,000 and to lend the proceeds of the sale of such bonds to the Corporation to finance or refinance, as applicable, all or a portion of the following: (a) the refunding of the \$105,000,000 South Carolina Jobs-Economic Development Authority Hospital Refunding and Improvement Revenue Bonds (Palmetto Health Alliance) Series 2003B, and the \$47,150,000 South Carolina Jobs-Economic Development Authority Variable Rate Hospital Refunding Revenue Bonds (Palmetto Health Alliance) Series 2005B (collectively, the "Prior Bonds"); (b) to finance certain additions, expansions and enlargements to its existing hospital facilities and certain acquisitions of machinery, equipment, office furnishings and other depreciable assets (collectively, the "Project"); (c) to fund a debt service reserve fund if deemed

necessary or advisable by JEDA or the Corporation; and (d) to pay other fees and expenses incurred in connection with the acquisition, construction and financing thereof

The Corporation anticipates that the assistance of JEDA through the issuance of the bonds and the loan of the proceeds thereof to the Corporation for such purposes will result in the maintenance of permanent employment in the Counties and adjacent areas for approximately 7,100 people and will stimulate the economy of Richland County and surrounding areas by increased payrolls, capital investment and tax revenues.

A draft resolution in support of the Project is submitted with this request for action.

C. Financial Impact

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

D. Alternatives

1. Approve Richland County’s support of the issuance of bonds by JEDA for Palmetto Health Alliance project as required by the Enabling Act.
2. Do not approve Richland County’s support of the issuance of bonds by JEDA for Palmetto Health Alliance project as required by the Enabling Act.

E. Recommendation

It is recommended that County Council support the issuance of bonds by JEDA for Palmetto Health Alliance project as required by the Enabling Act.

Recommended by: David J. Kates, Jones Day, Bond Counsel

Date: 03/11/08

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 3/13/08

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Council discretion.

Legal

Reviewed by: Larry Smith

Date: 3/13/08

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Council discretion.

Administration

Reviewed by: Tony McDonald

Date: 3/19/08

Recommend Council approval
Comments regarding recommendation:

Recommend Council denial

Corporation, and (iv) to pay other fees and expenses incurred in connection with the acquisition, construction and financing thereof; and

WHEREAS, the Corporation is projecting that the assistance of the Authority by the issuance of the Bonds will result in the maintenance of permanent employment in the Counties and adjacent areas for approximately 7,100 people, and will stimulate the economy of the County and surrounding areas by increased payrolls, capital investment and tax revenues; and

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

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

Section 1. It is hereby found, determined and declared that the Refunding and the Project is anticipated to subserve the purposes of the Act and to benefit the general public welfare of the County by maintaining services, employment, or other public benefits not otherwise provided locally.

Section 2. The County Council supports the Authority in its determination to issue the Bonds to refinance the Prior Bonds and to finance the Project.

Section 3. The amount of Bonds required to refinance the Prior Bonds and finance the Project is not exceeding \$290,000,000.

Section 4. The Refunding and the Project will not give rise to a pecuniary liability of the County or a charge against its general credit or taxing power.

Section 5. All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force from and after its adoption.

Adopted this 15th day of April, 2008

Joseph McEachern, Chair
Richland County Council

(SEAL)

Attest: _____
Michelle R. Cannon-Finch
Clerk of Council

NOTICE OF PUBLIC HEARING

Notice is hereby given that the South Carolina Jobs-Economic Development Authority ("JEDA") and the County Council of Richland County, South Carolina (the "County"), will hold a public hearing on Tuesday, April 15, 2008 at 6:00 p.m. at Richland County Administration Building, 2020 Hampton Street, in the Richland County Council Chambers, Columbia, South Carolina with respect to a proposed issuance by JEDA of not to exceed \$200,000,000 aggregate principal amount Hospital Refunding and Improvement Revenue Bonds (Palmetto Health Alliance), in one or more series (the "Bonds"). The proceeds of the Bonds will be made available to Palmetto Health, a South Carolina nonprofit corporation (the "Corporation"), (i) to refund the \$105,000,000 South Carolina Jobs-Economic Development Authority Hospital Refunding and Improvement Revenue Bonds (Palmetto Health Alliance) Series 2003B and the \$47,150,000 South Carolina Jobs-Economic Development Authority Variable Rate Hospital Refunding Revenue Bonds (Palmetto Health Alliance) Series 2005B (collectively, the "Prior Bonds") previously issued to finance and refinance the costs of the acquisition of land, buildings or other improvements thereon, machinery, equipment, office furnishings and other depreciable assets, constituting hospital facilities located in the County and Pickens County, South Carolina (collectively, the "Counties"), (ii) to finance certain additions, expansions and enlargements to its existing hospital facilities and certain acquisitions of machinery, equipment, office furnishings and other depreciable assets all constituting hospital facilities located in the Counties (the "Project") and all necessary and attendant facilities, equipment, site work and utilities thereto, (iii) to fund a debt service reserve fund for the benefit of the holders of the Bonds, if deemed necessary or advisable by the Corporation, and (iv) to pay certain related expenses.

The proceeds of the Prior Bonds were used to (i) finance and refinance the costs of acquiring, constructing, renovating, remodeling and equipping certain of its health care facilities, and (ii) pay certain related expenses.

All of the improvements to be financed or refinanced by the Corporation with the proceeds of the Bonds and the Prior Bonds are or will be initially owned, operated or managed by the Corporation and will be located on land owned, operated or managed by the Corporation at the following addresses: Palmetto Richland Memorial Hospital, Harden Street Extension (Medical Park Campus), Columbia, South Carolina 29203; Palmetto Baptist Medical Center, Columbia, Taylor at Marion Streets, Columbia, South Carolina 29201; and Palmetto Baptist Medical Center, Easley, 200 Fleetwood Road, Easley, South Carolina 29640.

The Corporation will unconditionally covenant to make payments sufficient to pay the principal and interest on the Bonds. The Bonds will be payable by JEDA solely and exclusively out of payments to be made by the Corporation and are to be secured, inter alia, by a security interest in the revenues derived by JEDA from the Corporation. The Bonds will not constitute an indebtedness of JEDA, the State of South Carolina or the County within the meaning of any South Carolina constitutional provision or statutory limitation (other than Article X, Section 13(9) of the State Constitution permitting indebtedness payable from a source other than revenues derived from a tax or license) nor give rise to a pecuniary liability of JEDA, the State of South Carolina or the County. The Bonds will not constitute a charge against the general credit

of JEDA, the State of South Carolina or the County or the taxing powers of the State of South Carolina or the County. JEDA has no taxing powers.

The public hearing is required by Section 147(f) of the Internal Revenue Code of 1986, as amended. Subsequent to the public hearing, the members of the Authority will meet to consider approving the issuance of the Bonds.

NOTICE DATED: March 21, 2008

/s/ Elliott E. Franks, III
Executive Director
South Carolina Jobs-Economic Development
Authority

/s/ Michelle Cannon-Finch
Clerk to County Council
Richland County, South Carolina

CERTIFICATE AS TO EXCERPTS OF MINUTES

I, the undersigned, Michielle Cannon-Finch, Clerk to County Council of Richland County, South Carolina (the "County"), do hereby certify;

1. I am duly qualified and acting Clerk to County Council of the County ("County Council").
2. Attached hereto are excerpts of the minutes of the meetings of the County Council on April 15, 2008 (the "Meetings").
3. I have compared the copies of the minutes of the Meetings with the official minutes records in my official custody and the excerpts are true, correct and complete transcripts from the original minutes records insofar as they relate to the Bonds (as defined herein).
4. At a meeting of the County Council duly called and held on April 15, 2008 at which a quorum was present and acting throughout, a public hearing, duly noticed, was held jointly by the County Council and the South Carolina Jobs-Economic Development Authority (the "Authority") in connection with the issuance of its not exceeding \$200,000,000 aggregate principal amount Hospital Refunding and Improvement Revenue Bonds (Palmetto Health) in one or more series (the "Bonds"). No individual in attendance at the public hearing spoke in opposition to the issuance of the Bonds. At a meeting of the County Council duly called and held on April 15, 2008 at which a quorum was present and acting throughout, the resolution in support of the issuance by the Authority of the Bonds was approved by the County Council.
5. (a) As required by Section 30-4-80 of the Code of Laws of South Carolina 1976, as amended (the "Code"), the notices of call for the Meetings were posted on a bulletin board at the office or meeting place of the County Council at least 24 hours prior to the Meetings and furnished to area newspapers and radio and television stations one week prior to the Meetings, and (b) as required by Section 30-4-60 of the Code, the Meetings were open to the public except those portions allowed to be held in closed session under Section 30-4-70 of the Code.

In witness whereof, I have hereunto set my hand this 15th day of April, 2008.

Michielle Cannon-Finch, Clerk to County Council
of Richland County, South Carolina

Richland County Council Request of Action

Subject: Sponsorship Request: Carolina Scholarships Inc.

A. Purpose

County Council is requested to consider a funding request from Carolina Scholarships Inc. for an event sponsorship.

B. Background / Discussion

This request was forwarded to the A&F Committee by a motion of Councilman Damon Jeter. In a letter sent to the county on February 12, 2008, Carolina Scholarships Inc. requested a sponsorship from the county for their upcoming "Apollo Night at the Township" event. The letter outlines two sponsorship levels: Gold (\$5,000) and Silver (\$1,000). The event will take place on March 29, 2008.

C. Financial Impact

If approved, the financial impact would depend on the sponsorship level selected by council. Council would also have to identify a funding source. To date, all tourism promotion funds (hospitality and accommodations tax funds) for FY 2007-08 have been allocated.

D. Alternatives

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

E. Recommendation

This request is at the discretion of County Council.

Recommended by: Council Motion – Councilman Damon Jeter

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 3/17/08

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Left to council discretion. Approval would require the identification of a funding source and may require a budget amendment based on the funding source approved.

Legal

Reviewed by: Larry Smith

Date: 3-17-08

Recommend Council approval Recommend Council denial
Comments regarding recommendation: Council Discretion

Administration

Reviewed by: Tony McDonald

Date: 3/18/08

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend denial as this request is outside of the budget process.

February 12, 2008
Tax ID: 57-0899919

Care of Richland County Council
Attention: Michelle Cannon-Finch

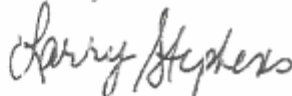
Carolina Scholarships Incorporated will celebrate 20 years of providing scholarship opportunities to students throughout the state of South Carolina. Many of the recipients have now graduated from Colleges and Universities from around the nation; such as The University of SC, The College of Charleston, Clemson University, Benedict College, Wake Forest, Harvard University, Duke, and Emory to name a few.

One hundred percent of our funding comes directly from our annual fundraiser the "Apollo Night at the Township". On March 29, 2008, headlining this event is recording artist Ms. Angie Stone. Anticipated attendance for the show is 3400 people. For this event we are seeking sponsorships at the following levels:

- Gold Sponsor \$5000: (includes company name on venue tickets, your company may place ad signs in arena and your company's name will be announced during the show).
- Silver Sponsor \$1000: (your company may place ad signs in arena and your company's name will be announced during the show).

Your participation in either category is needed and very much appreciated in our efforts to continue providing scholarship opportunities. I look forward to your favorable reply. If you need to contact me I can be reached at 803-691-0160 (h) or 803-66-6121 (c).

Sincerely



Larry Stephens
Chairman

Richland County Council Request of Action

Subject: Intergovernmental Agreements for Detention Center Services

A. Purpose

Council is requested to approve the draft Intergovernmental Agreement (IGA) regarding the assessment, collection, and enforcement of daily fees charged for the housing of inmates. All entities using the Alvin S. Glenn Detention Center will be required, per Council's directive, to have a formalized agreement in place with Richland County by July 1, 2008.

B. Background / Discussion

In FY 05, County Council imposed a pro-rated per diem fee for all of the users of the Detention Center to assist in defraying the cost of securing, housing, clothing, providing medical care, and feeding the detainees.

To date, there is \$2,469,379 outstanding in fees from all entities using the jail for detention services.

At the 2008 Council Retreat, Council set the following goal: Establish MOU's / IGA's with all entities using the Alvin S. Glenn Detention Center by July 1, 2008. In order to have these agreements in place by the beginning of the new fiscal year as directed by Council, it is imperative that staff begin discussions with all users of the facility as soon as possible. Before beginning these discussions, staff needs review and approval of the draft document from Council.

The first draft version was submitted to the A&F Committee during the February 2008 meeting. The committee forwarded the draft to council without recommendation. During the council meeting on March 3, 2008, council requested that the draft be amended and sent back to committee for consideration. An amended agreement has been drafted based on council's feedback. (See attached.)

C. Financial Impact

As of December 31, 2007, there is \$2,469,379 outstanding in inmate fees. Council must also determine if it wishes to continue to pursue the collection of these fees, or "write off" the outstanding balance from all entities.

D. Alternatives

1. Approve the draft IGA, and direct staff to begin discussions with the various entities regarding this agreement. Council must also make a policy decision regarding unpaid balances.

2. Approve an amended version of the IGA, and direct staff to begin discussions with the various entities regarding this agreement. Council must also make a policy decision regarding unpaid balances.
3. Do not approve the draft IGA. Council must also make a policy decision regarding unpaid balances.

E. Recommendation

This is a policy decision of Council.

Requested by: County Council, 2008 Council Retreat

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. Detention Services

The County agrees to provide detention services at the Alvin S. Glenn Detention Center for all persons arrested and transported to the Alvin S. Glenn Detention Center by the City. All City arrestees shall be processed and housed under the rules, regulations, policies, and procedures of Richland County and the Alvin S. Glenn Detention Center.

2. Per Diem Fee. Daily Maintenance Fee.

The City agrees to pay a daily maintenance fee ~~per diem fee~~ for use of the detention services of the Alvin S. Glenn Detention Center, which fee shall be used by the County to offset any costs associated with such use: , which shall include, but not be limited to the costs associated with the housing, feeding, clothing, medical care, and supervision of detainees, arrestees, inmates, and/or prisoners. Any unpaid per diem fees accrued between July 1, 2003 and the execution date of this agreement are due the County immediately upon execution of this agreement. No fee shall be assessed for those individuals arrested by the Richland County Sheriff's Department, nor for any individual charged with a General Sessions Offense.

3. Payment of Fee.

The County shall mail an invoice for services at the conclusion of each month. The City has fifteen (15) days from the invoice date to remit payment to the County. If payment has not been received by the County within the allotted fifteen (15) day period, a 5% late fee shall be assessed.

4. Adjustment of Fee Amount.

The County reserves the right to adjust the amount of the per diem fee at any time during the course of this agreement if, due to the enactment of any state, local, or federal legislation, or for any other reason, the operating costs of the Alvin S. Glenn Detention Center increase. The adjustment of the fee shall be solely for the purpose of recouping such operating costs.

5. Term.

This agreement shall be in effect for a period of five (5) years and shall automatically be extended for additional five (5) year terms unless either party gives written notice of intent to terminate at least one (1) year prior to the expiration of each such five (5) year term.

6. Amendment.

Any modification of this Agreement shall be in writing and signed by both parties.

IN WITNESS WHEREOF WE THE UNDERSIGNED have this _____ day of _____, 2008, set our hand and seal hereon.

CITY OF COLUMBIA:

WITNESSES:

Mayor

RICHLAND COUNTY

WITNESSES:

J. Milton Pope
Richland County Administrator

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

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

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. 001-08HR

2008 FEB 11
FILED
RICHLAND COUNTY
SOUTH CAROLINA

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

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

SECTION I. The Richland County Code of Ordinances: Chapter 23, Taxation; Article VI, Local Hospitality Tax; Section 23-69, Distribution of Funds; is hereby amended to read as follows:

Sec. 23-69. Distribution of Funds.

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

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

- (2) The amounts distributed to the Columbia Museum of Art, Historic Columbia, and EdVenture Museum shall be paid quarterly beginning October 1, 2003. The amount distributed to organizations receiving County Promotions funding shall be paid to the organization as a one-time expenditure beginning in fiscal year 2008-09.

- (3) As a condition of receiving its allocation, each Agency must annually present to the County an affirmative marketing plan for the inclusion of all citizens of Richland County and must also annually offer some "free" or discounted services to Richland County citizens. If an Agency fails to comply with these requirements, its portion of the Local Hospitality Tax shall be retained in the Richland County Local Hospitality Tax Revenue Fund and distributed as provided in subsection (d) below.

- (4) In the event Local Hospitality Tax revenues are not adequate to fund the Agencies listed above in the prescribed amounts, each Agency will receive a proportionate share of the actual revenues received, with each Agency's share to be determined by the percentage of the total revenue it would have received had the revenues allowed for full funding as provided in subsection (a)(1) above.

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

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

- (d) Beginning in fiscal year 2007-2008 and continuing thereafter, the amount of Local Hospitality Tax to be distributed annually to each Agency named

above shall be increased based on the revenue growth rate as determined by trend analysis of the past three years, but in any event not more than 3%.

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



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

Sec. 23-71. Oversight and Accountability.

The following organizations: the Columbia Museum of Art, Historic Columbia, and EdVenture Museum must submit a detailed report to the Richland County Administrator on or before March 1 of each year. This report must provide a detailed accounting of all hospitality tax fund expenditures, the impact on tourism for the preceding calendar year, and a plan for the upcoming year.

Any organization receiving County Promotions funding must comply with all application guidelines and annual reporting requirements as established by council, to include a detailed reporting of all grant expenditures.

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

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

SECTION V. Effective Date. This ordinance shall be enforced from and after January 8, 2008.


RICHLAND COUNTY COUNCIL

By: 
Joseph McEachern, Chair

Attest this 23rd day of

January, 2008.


Michelle 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: November 6, 2007
Second Reading: November 20, 2007
Public Hearing: December 18, 2007
Third reading: January 8, 2008