

**RICHLAND COUNTY COUNCIL
SPECIAL CALLED MEETING
COUNCIL CHAMBERS
JULY 22, 2008
6:00 P.M.**

CALL TO ORDER

**Honorable Joseph McEachern,
Chairman**

INVOCATION

Honorable Bernice G. Scott

PLEDGE OF ALLEGIANCE

Honorable Bernice G. Scott

PRESENTATION

Richland County Recreation Commission

CITIZENS' INPUT

APPROVAL OF MINUTES

Regular Session: July 15, 2008 [Pages 4-14]

ADOPTION OF AGENDA

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

- a. **Farmers' Market**
- b. **Palmetto Utilities**
- c. **Mungo Property Appraisal**

REPORT OF THE COUNTY ADMINISTRATOR

- a. **Contract Award: No Kill Animal Shelter**
- b. **Richland 101 for Kids: July 24, 2008, 9:00 a.m.—1:00 p.m., Dutch Square Mall**
- c. **Geometrics Voluntary Work Session: July 24, 2008, 4:00 p.m., Council Chambers**

REPORT OF THE CLERK OF COUNCIL

- a. **South Carolina Association of Counties Conference**
- b. **Columbia Chamber of Commerce Annual Gala
September 18, 2008**

REPORT OF THE CHAIRMAN

PUBLIC HEARING ITEMS

2.f.

APPROVAL OF CONSENT ITEMS:

1.b., 2.a., 2.b., 2.c., 2.d., 2.e.

1. THIRD READING ITEMS

- a. An Ordinance to levy and impose a one percent (1%) sales and use tax, subject to a referendum, within Richland County pursuant to Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended; to define the specific purposes and designate the projects for which the proceeds of the tax may be used; to provide the maximum time for which such tax may be imposed; to provide the estimated cost of the projects funded from the proceeds of the tax; to provide for a county-wide referendum on the imposition of the sales and use tax and the issuance of general obligation bonds and to prescribe the contents of the ballot questions in the referendum; to provide for the conduct of the referendum by the Richland County Election Commission; to provide for the administration of the tax, if approved; to provide for the payment of the tax, if approved; and to provide for other matters relating thereto [Pages 15-40]**

- b. 08-16MA
The Cascades
Tom Margle
RU to RS-LD (67.97 Acres)
Single Family Residential
20400-01-01/02/03/04/10/11 & 18
Sand Farm Rd. [CONSENT] [Pages 41-42]**

2. SECOND READING ITEMS

- a. An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, in general; so as to address business revenues generated by interstate commerce [CONSENT] [Pages 43-45]**

- b. An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, in general; so as to address rates set for landfills [CONSENT] [Pages 46-47]**

- c. Ordinance to amend Siemens Diesel Systems Technology FILOT [CONSENT] [Page 48]**

- d. **Ordinance to amend Siemens VDO Automotive Corporation FILOT [CONSENT] [Page 49]**
 - e. **Bailey Bill Ordinance Amendments [CONSENT] [Pages 50-64]**
 - f. **An Ordinance authorizing the Recreation Commission of Richland County on behalf of the Recreation District of Richland County to issue General Obligation Bonds in the principal amount of not exceeding \$45,000,000; and other matters relating thereto [PUBLIC HEARING] [Pages 65-72]**
- 3. **REPORT OF DEVELOPMENT & SERVICES COMMITTEE**
 - 4. **REPORT OF ADMINISTRATION & FINANCE COMMITTEE**
 - 5. **REPORT OF ECONOMIC DEVELOPMENT COMMITTEE**
 - a. **ALD Thermal**
 - 6. **REPORT OF RULES & APPOINTMENTS COMMITTEE [Page 73]**
 - I. **NOTIFICATION OF VACANCIES TO BOARDS, COMMISSIONS AND COMMITTEES**
 - a. **Airport Commission—2**
 - 7. **Contract Award: No Kill Animal Shelter, Lexington and Richland Counties [Pages 74-76]**
 - 8. **CITIZEN'S INPUT**
 - 9. **EXECUTIVE SESSION**
 - 10. **MOTION PERIOD**
 - a. **An Ordinance Authorizing a development agreement between Richland County, South Carolina and Charlie Waite and Summit Contractors, Inc., and other matters related thereto**
 - 11. **ADJOURNMENT**

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JULY 15, 2008 6:00 p.m.

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

MEMBERS PRESENT:

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

OTHERS PRESENT – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Joe Cronin, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Anna Almeida, Jennie Sherry-Linder, Tiaa Rutherford, Brandon Hooker, Andy Metts, Pam Davis, Daniel Driggers, Teresa Smith, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:02 p.m.

POINT OF PERSONAL PRIVILEGE – Mr. Pearce recognized that Lexington County Council Chairman Billy Derrick and his wife and Lexington County Administrator Katherine Hubbard were in the audience.

POINT OF PERSONAL PRIVILEGE – Mr. McEachern recognized that Councilwoman-elect Gwendolyn Kennedy was in the audience.

POINT OF PERSONAL PRIVILEGE – Mr. Jackson recognized that Councilman-elect Kelvin Washington was in the audience.

POINT OF PERSONAL PRIVILEGE – Mr. McEachern recognized that Executive Director of the COG Norman Whitaker and Midlands Technical College President Sonny White were in the audience.

POINT OF PERSONAL PRIVILEGE – Mr. McEachern recognized the Transportation Study Commission.

POINT OF PERSONAL PRIVILEGE – Mr. Pearce recognized that I. S. Leevy Johnson was in the audience.

POINT OF PERSONAL PRIVILEGE – Mr. Jeter recognized that Doug Bryant, former DHEC Commissioner, was in the audience.

INVOCATION

The Invocation was given by the Honorable Valerie Hutchinson

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Valerie Hutchinson

I. S. Leevy Johnson, Esq. Resolution Presentation – Ms. Scott, Mr. Jeter and Mr. Livingston presented I. S. Leevy Johnson, Esq. with a resolution.

CITIZENS' INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: July 1, 2008 – Mr. Jeter moved, seconded by Mr. Pearce, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Pope stated that the following item needed to be added under the Report of the County Attorney for Executive Session Items: Farmers' Market—Legal Update and that Option 3 for the sales and use tax ballot question was included in the agenda packet, but that copies of the additional options were available to the public at tonight's meeting.

Mr. Jeter moved, seconded by Mr. Montgomery, to adopt the agenda as amended. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

The following items were potential Executive Session items:

- a. **Splash vs. Richland County**
- b. **Lower Richland LLC Update**
- c. **Mungo Property Appraisal Update**
- d. **Farmers' Market Legal Update**
- e. **Project CAGE**

REPORT OF THE COUNTY ADMINISTRATOR

Lower Richland LLC Update – This item was taken up during Executive Session.

Mungo Property Appraisal Update – This item was taken up during the motion period.

No Kill Animal Shelter Contract Award: July 22, 2008 – Mr. Pope stated this item will be on the Lexington County Council agenda for action on July 22, 2008. This item will also be on the Council agenda for July 22, 2008 for action.

Richland 101 for Kids – Mr. Pope stated that the Public Information Office will be hosting Richland 101 for Kids on July 24th, 9:00 a.m.-1:00 p.m. at Dutch Square Mall.

REPORT OF THE CLERK OF COUNCIL

Longevity Reception: Friday, July 18, 2008 – Ms. Finch stated that the Longevity Reception will be held on Friday, July 18th, 12:00 p.m.-3:00 p.m. in the 4th Floor Conference Room.

July 22nd Council Meetings – Ms. Finch reminded Council of the schedule for the July 22nd meetings. [Economic Development Committee—3:00 p.m.; Development & Services Committee—4:00 p.m.; Administration & Finance Committee—5:00 p.m.; Special Called Meeting—6:00 p.m.; Zoning Public Hearing—7:00 p.m.]

Geometrics Work Session – This item was taken up during the motion period.

September Meetings – This item was taken up during the motion period.

REPORT OF THE CHAIRMAN

Creation of Hospitality Tax Ad Hoc Committee – Mr. McEachern stated that this item would be taken up during the motion period.

PUBLIC HEARING ITEMS

- **An Ordinance to levy and impose a one percent (1%) sales and use tax, subject to a referendum, within Richland County pursuant to Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended; to define the specific purposes and designate the projects for which the proceeds of the tax may be used; to provide the maximum time for which such tax may be imposed; to provide the estimated cost of the projects funded from the proceeds of the tax; to provide for a county-wide referendum on the imposition of the sales and use tax and the issuance of general obligation bonds and to prescribe the contents of the ballot questions in the referendum; to provide for the conduct of the referendum by the Richland County Election Commission; to provide for the administration of the tax, if approved; to provide for the payment of the tax, if approved; and to provide for other matters relating thereto**

Ms. Kathy Novinger, Ms. Anita Floyd, Mr. Bob Liming, Ms. Fred Hanna, Mr. Rob Youngblood, Rep. Carl Gullick, Mr. Doug Bridges, Mr. Darius Adams, Mr. Norman Whitaker, Mr. Robin White, Mr. Arnold Karr, Mr. Trip Gregory, Ms. Pat Walthoff, Ms. Carol Randolph-Mosser, Mr. Will Haltiwanger, Ms. Anna Haltiwanger, Ms. Natalie Britt, Ms. Carol Kososki, Ms. Michael Juras, Mr. Paul Wejoski, Ms. Lill Mood, Ms. Valerie Marcil, Mr. Kelvin Washington, Mr. Alex Butler, Mr. John Newman, Ms. Eddie Glenn, Mr. Henry Hopkins, Mr. Phillip Crotwell, Ms. Briana Timmerman, Ms. Becky Bailey, Ms. Kathryn Fenner, Ms. Mary Reese, Mr. Lars Seiler, Mr. Tom Dodds, Mr. Ted Hopkins, Ms. Kim Murphy, Mr. Jay Martin and Mr. Charles Brooks

- **A Resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its not exceeding \$35,000,000 industrial revenue bonds (South Carolina Electric and Gas Company Project), in one or more series, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended – No one signed up to speak.**

Mr. Montgomery moved, seconded by Ms. Scott, to reorder the agenda and take up item 2.a. before the Approval of the Consent Items.

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

The motion failed.

APPROVAL OF CONSENT ITEMS

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

- **08-10MA, Stan Mack, RS-MD to GC, Law Office, 07307-02-01, 1320 Bluefield Dr. [Third Reading]**
- **08-18MA, B & C Development Company, LLC, Lee Blythe, RU to RS-MD (25.71 Acres), Single Family Residential, 02509-04-03 & 02416-01-01 & 02412-02-06, Wise Rd. & Bickley Rd. [Third Reading]**
- **08-19MA, Hester Woods Place, Steve Corboy, PDD to RM-MD (3.35 Acres), Townhomes, 20200-04-02(p), Hardscrabble & Hester Woods Dr. [Third Reading]**
- **An Ordinance Amending the Required Conditions for Day Cares (Adult Day Cares, Family Day Cares, and Group Day Cares) regarding parking [Third Reading]**
- **An Ordinance Correcting the Table of Permitted Uses with Special Requirements, and Special Exceptions; "Recreational Use"; so as to permit golf courses only in the TROS, GC, M-1 and LI zoning districts [Third Reading]**
- **08-16MA, The Cascades, Tom Margle, RU to RS-LD (67.97 Acres), Single Family Residential, 20400-01-01/02/03/04/10/11 & 18, Sand Farm Rd. [Second Reading]**
- **A Resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its not exceeding \$35,000,000 industrial revenue bonds (South Carolina Electric and Gas Company Project), in one or more series, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended [Second Reading]**

The vote in favor was unanimous.

THIRD READING ITEMS

An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article III, Building Codes, Section 6-82; Article IV, Electrical Code, Sections 6-96 and 9-97; Article V, Fire Prevention Code; Article VI, Gas Code; Article VII, Mechanical Code; Article VIII, Plumbing Code, Sections 6-153 and 6-154; Article IX, Swimming Pool Code, Sections 6-168 and 6-169; Article X, Property Maintenance, Section 6-182; so as to adopt the 2005 Edition of the National Electrical Code and the 2006 Editions of the International Building Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, and International Property

Maintenance Code – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, in general, so as to amend requirements pertaining to sexually oriented businesses, and make clarifications pertaining to all businesses – Mr. Jackson moved, seconded by Mr. Montgomery, to defer this item until after Executive Session. The vote in favor was unanimous.

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

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (c), Standard; Paragraph (66), Sexually Oriented Businesses; so as to amend requirements pertaining to sexually oriented businesses – Mr. Jackson moved, seconded by Mr. Montgomery, to defer this item until after Executive Session. The vote in favor was unanimous.

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

SECOND READING ITEM

An Ordinance to levy and impose a one percent (1%) sales and use tax, subject to a referendum, within Richland County pursuant to Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended; to define the specific purposes and designate the projects for which the proceeds of the tax may be used; to provide the maximum time for which such tax may be imposed; to provide the estimated cost of the projects funded from the proceeds of the tax; to provide for a county-wide referendum on the imposition of the sales and use tax and the issuance of general obligation bonds and to prescribe the contents of the ballot questions in the referendum; to provide for the conduct of the referendum by the Richland County Election Commission; to provide for the administration of the tax, if approved; to provide for the payment of the tax, if approved; and to provide for other matters relating thereto – Mr. Livingston moved, seconded by Mr. Pearce, to approve Option 3 of this item. A discussion took place.

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

The vote was in favor.

FIRST READING ITEMS

An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, in general; so as to address business revenues generated by interstate commerce – Mr. Jeter moved, seconded by Ms. Hutchinson, to approve this item. A discussion took place.

The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, in general; so as to address rates set for landfills – Mr. Pearce moved, seconded by Mr. Montgomery, to approve this item. The vote in favor was unanimous.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Request to approve an extension of the American Engineering Construction Management Contract, the Power Engineering Resident Contract Representative Contract, and the Power Engineering Consultant Services Contract for the purpose of completing the Broad River Waste Water Treatment Plant construction project – Mr. Livingston moved, seconded by Ms. Scott, to defer this item. The vote in favor was unanimous.

REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE

Project CAGE Resolution – The committee recommended deferment of this item until after Executive Session.

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

Project CAGE MOU – The committee recommended deferment of this item until after Executive Session.

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

Ordinance to amend Siemens Diesel Systems Technology FILOT – The committee recommended deferment of this item until after Executive Session.

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

Ordinance to amend Siemens VDO Automotive Corporation FILOT – The committee recommended deferment of this item until after Executive Session.

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

Bailey Bill Ordinance Amendments – Mr. Jeter stated that the committee recommended approval of this item. The vote in favor was unanimous.

Industry Appreciation Week Resolution – Mr. Jeter stated that the committee recommended approval of this item. The vote in favor was unanimous.

Business Ambassador for Richland County – Mr. Jeter stated that the committee recommended approval of this item. The vote in favor was unanimous.

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES ON BOARDS, COMMISSIONS, AND COMMITTEES

- a. Accommodations Tax Committee—1** – Mr. Montgomery stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.
- b. Board of Assessment Control—1** – Mr. Montgomery stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.
- c. Community Relations Council—1** – Mr. Montgomery stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.
- d. Employee Grievance Committee—1** – Mr. Montgomery stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.

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

- a. **Board of Zoning Adjustments and Appeals—1** – Mr. Montgomery stated there were two applicants and one vacancy. The committee recommended appointing Mr. Sheldon L. Cooke, Jr. The vote in favor was unanimous.
- b. **Building Codes Board of Adjustments and Appeals—1** – Mr. Montgomery stated there was one applicant and one vacancy. The committee recommended re-appointing Mr. Victor Snipes. The vote in favor was unanimous.
- c. **Central Midlands Council of Governments—2** – Mr. Montgomery stated there was one applicant and two vacancies. The committee recommended re-appointing Ms. Sarah Watson and re-advertising the remaining vacancy. The vote in favor was unanimous.
- d. **East Richland Public Service Commission—1**—Mr. Montgomery stated there were two applicants and one vacancy. The committee recommended appointing Ms. Phyllis B. Beighley. The vote in favor was unanimous.
- e. **Internal Audit Committee—1** – Mr. Montgomery stated there were no applicants and one vacancy. The committee recommended re-advertising for this position. The vote in favor was unanimous.
- f. **Midlands Regional Convention Center Authority—1**—Mr. Montgomery stated there was one applicant and one vacancy. The committee recommended appointing Mr. Tony Tam. The vote in favor was unanimous.

III. MOTION PERIOD—RULE CHANGE—This item was retained in committee.

IV. MOTION PERIOD—REVIEW POLICY OF MOTIONS BEING HELD IN COMMITTEES FOR MORE THAN SIX MONTHS—This item was retained in committee.

CITIZENS' INPUT

No one signed up to speak.

EXECUTIVE SESSION

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Council went into Executive Session at approximately 7:22 p.m. and came out at approximately 8:55 p.m.
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- a. **Splash vs. Richland County** – Mr. Jackson moved, seconded by Ms. Scott, to accept the recommendation as amended. The vote in favor was unanimous.
- b. **Lower Richland LLC Update** – Mr. Pearce moved, seconded by Mr. Montgomery, to authorize the County Administrator to enter into an agreement with the City of Columbia incorporating the following principles: the County will enter into an agreement with the City of Columbia subject to the approval of both Councils that will permit the Lower Richland Sewer Associates, LLC to make upgrades to the City system on a temporary basis; Richland County by MOU with the City of Columbia will allow temporary modifications to the County 208 Plan; developer upgrades to the City system will accommodate the approved (by the County and City's MOU) sewer needs of the Lower Richland Sewer Associates members' developments; and the proposed agreement between County and City will protect the County's interest in the 208 sewer plan area in future years. The vote in favor was unanimous.
- c. **Farmers' Market** – Mr. Montgomery moved, seconded by Mr. Livingston, to adopt the legal and strategic course discussed in Executive Session. The vote in favor was unanimous.

MOTION PERIOD

September Meeting Schedule – Mr. Pearce moved, seconded by Ms. Scott, to schedule the first meeting in September for September 9th. The vote in favor was unanimous.

Geometric Work Session – Mr. Jackson moved, seconded by Ms. Scott, to schedule a work session on July 24th at 4:00 p.m. The vote in favor was unanimous.

Four-day Work Week – Mr. Jeter referred to the A&F Committee the feasibility of a four-day work week.

ADJOURNMENT

The meeting adjourned at approximately 9:59 p.m.

Joseph McEachern, Chair

Valerie Hutchinson, Vice-Chair

Joyce Dickerson

Norman Jackson

Damon Jeter

Paul Livingston

Bill Malinowski

Mike Montgomery

L. Gregory Pearce, Jr.

Bernice G. Scott

Kit Smith

The minutes were transcribed by Michelle M. Onley

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

AN ORDINANCE TO LEVY AND IMPOSE A ONE PERCENT (1%) SALES AND USE TAX, SUBJECT TO A REFERENDUM, WITHIN RICHLAND COUNTY PURSUANT TO SECTION 4-37-30 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; TO DEFINE THE SPECIFIC PURPOSES AND DESIGNATE THE PROJECTS FOR WHICH THE PROCEEDS OF THE TAX MAY BE USED; TO PROVIDE THE MAXIMUM TIME FOR WHICH SUCH TAX MAY BE IMPOSED; TO PROVIDE THE ESTIMATED COST OF THE PROJECTS FUNDED FROM THE PROCEEDS OF THE TAX; TO PROVIDE FOR A COUNTY-WIDE REFERENDUM ON THE IMPOSITION OF THE SALES AND USE TAX AND THE ISSUANCE OF GENERAL OBLIGATION BONDS AND TO PRESCRIBE THE CONTENTS OF THE BALLOT QUESTIONS IN THE REFERENDUM; TO PROVIDE FOR THE CONDUCT OF THE REFERENDUM BY THE RICHLAND COUNTY ELECTION COMMISSION; TO PROVIDE FOR THE ADMINISTRATION OF THE TAX, IF APPROVED; TO PROVIDE FOR THE PAYMENT OF THE TAX, IF APPROVED; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

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 South Carolina General Assembly has enacted Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended (the "Act"), pursuant to which the county governing body may impose by ordinance a sales and use tax in an amount not to exceed one percent, subject to the favorable results of a referendum, within the county area for a specific purpose or purposes and for a limited amount of time to collect a limited amount of money.

(b) Pursuant to the terms of Section 4-37-10 of the Code of Laws of South Carolina 1976, as amended, the South Carolina General Assembly has authorized county government to finance the costs of acquiring, designing, constructing, equipping and operating highways, roads, streets, bridges, greenways, pedestrian sidewalks, bike paths and lanes, and other transportation-related projects either alone or in partnership with other governmental entities. As a means to furthering the powers granted to the County under the provisions of Section 4-9-30 and Sections 6-21-10, *et. seq* of the Code of Laws of South Carolina 1976, as amended, the County Council is authorized to form a transportation authority or to enter into a partnership, consortium, or other contractual arrangement with one or more other governmental entities pursuant to Title 4, Chapter 37 of the Code of Laws of the South Carolina 1976, as amended. The County Council has decided to provide funding for highways, roads, streets, bridges, mass transit, greenways, pedestrian sidewalks, bike paths and lanes, *inter alia*, without the complexity of a transportation authority or entering into a partnership, consortium, or other contractual arrangements with one or more other governmental entities at this time; provided that nothing herein shall preclude County Council from entering into partnerships, consortiums, or other contractual arrangements in the future. County Council may utilize such provisions in the future as necessary or convenient to promote the public purposes served by funding highways, roads, streets, bridges, mass transit, greenways, pedestrian sidewalks, and bike paths and lanes as provided in this Ordinance.

(c) The County Council finds that a one percent sales and use tax should be levied and imposed within Richland County, for the following projects and purposes:

(i) For financing the costs of highways, roads, streets, bridges, greenways, pedestrian sidewalks, and bike paths and lanes and other transportation-related projects facilities, and drainage facilities related thereto, and mass transit systems operated by Richland County or (jointly) operated by the County, other governmental entities and transportation authorities.

For a period not to exceed eight (8) years from the date of imposition of such tax, to fund the projects at a maximum cost not to exceed \$521,480,000 to be funded from the net proceeds of a sales and use tax imposed in Richland County pursuant to provisions of the Act, subject to approval of the qualified electors of Richland County in referendum to be held on November 4, 2008. The imposition of the sales and use tax and the use of sales and use tax revenue, if approved in the referendum, shall be subject to the conditions precedent and conditions or restrictions on the use and expenditure of sales and use tax revenue established by the Act, the provisions of this Ordinance, and other applicable law. Subject to annual appropriations by County Council, sales and use tax revenues shall be used for the costs of the projects established in this Ordinance, as it may be amended from time to time, including, without limitation, payment of administrative costs of the projects, and such sums as may be required in connection with the issuance of bonds, the proceeds of which are applied to pay costs of the projects. All spending shall be subject to an annual independent audit to be made available to the public.

(d) County Council finds that the imposition of a sales and use tax in Richland County for the projects and purposes defined in this Ordinance for a limited time not to exceed eight (8) years to collect a limited amount of money will serve a public purpose, provide funding for roads and transportation, mass transit, and greenbelts to facilitate economic development, promote public safety, provide needed infrastructure, promote desirable living conditions, enhance the quality of life in Richland County, and prepare Richland County to meet present and future needs of Richland County and its citizens.

Section 2. Approval of Sales and Use Tax Subject to Referendum.

(a) A sales and use tax (the "Sales and Use Tax"), as authorized by the Act, is hereby imposed in Richland County, South Carolina, subject to a favorable vote of a majority of the qualified electors voting in a referendum on the imposition of the tax to be held in Richland County, South Carolina on November 4, 2008.

(b) The Sales and Use Tax shall be imposed for a period not to exceed eight (8) years from the date of imposition.

(c) The maximum cost of the projects to be funded from the proceeds of the Sales and Use Tax shall not exceed, in the aggregate, the sum of \$521,480,000, and the maximum amount of net proceeds to be raised by the tax shall not exceed \$521,480,000, which includes administrative costs and debt service on bonds issued to pay for the projects. The estimated principal amount of initial authorization of bonds to be issued to pay costs of the projects and to be paid by a portion of the Sales and Use Tax is \$100,000,000. The proceeds of these bonds shall be used for the following projects:

Project: 1: Highways, roads, streets, bridges, other transportation-related projects, and drainage projects related thereto including but not limited to resurfacing roads, paving dirt roads, improvements to Hardscrabble Road, Assembly Street, Pineview Road, Clemson Road, Wilson Boulevard, Broad River Road, North Main Street, Shop Road Extension, and Farrow Road. \$312,888,000

Project 2: Mass transit systems operated by the County or jointly operated by the County, other governmental entities and transportation authorities. \$130,370,000.

Project 3: Greenways, including but not limited to Crane Creek, Gills Creek, Smith/Rocky Branch, Three Rivers Greenway and Lincoln Tunnel Greenway; pedestrian sidewalks, pathways and intersection improvements including but not limited to Assembly Street/Shop Road, Clemson Road, Colonial Drive/Farrow Road, Broad River Road, Alpine Road, Leesburg Road, and Two Notch Road; bike paths and lanes including but not limited to Broad River Road, Harden Street, Two Notch Road, Clemson Road, Pickens Street, and Blossom Street. \$78,222,000

(d) The Sales and Use Tax shall be expended for the costs of the following projects, including payment of any sums as may be required for the issuance of and debt service for bonds, the proceeds of which are applied to such projects, for the following purposes:

(i) Highways, roads, streets, bridges, other transportation-related projects, and drainage projects related thereto including but not limited to resurfacing roads, paving dirt roads, improvements to Hardscrabble Road, Assembly Street, Pineview Road, Clemson Road, Wilson Boulevard, Broad River Road, North Main Street, Shop Road Extension, and Farrow Road. \$312,888,000

(ii) Mass transit systems operated by the County or jointly operated by the County, other governmental entities and transportation authorities. \$130,370,000.

(iii) Greenways, including but not limited to Crane Creek, Gills Creek, Smith/Rocky Branch, Three Rivers Greenway and Lincoln Tunnel Greenway; pedestrian sidewalks, pathways and intersection improvements including but not limited to Assembly Street/Shop Road, Clemson Road, Colonial Drive/Farrow Road, Broad River Road, Alpine Road, Leesburg Road, and Two Notch Road; bike paths and lanes including but not limited to Broad River Road, Harden Street, Two Notch Road, Clemson Road, Pickens Street, and Blossom Street. \$78,222,000

(e) The Sales and Use Tax, if approved in the referendum conducted on November 4, 2008, shall terminate on the earlier of:

(i) on April 30, 2017; or

(ii) the end of the calendar month during which the Department of Revenue determines that the tax has raised revenues sufficient to provide the greater of either the costs of the projects as approved in the referendum or the cost to amortize all debts related to the approved projects.

(f) The amounts of Sales and Use Tax collected in excess of the required proceeds must first be applied, if necessary, to complete each project for which the tax was imposed. Any additional revenue collected above the specified amount must be applied to the reduction of debt principal of Richland County on transportation infrastructure debts only.

(g) The Sales and Use Tax must be administered and collected by the South Carolina Department of Revenue in the same manner that other sales and use taxes are collected. The Department may prescribe amounts that may be added to the sales price because of the tax.

(h) The Sales and Use Tax is in addition to all other local sales and use taxes and applies to the gross proceeds of sales in the applicable area that is subject to the tax imposed by Chapter 36 of Title 12 of the Code of Laws of South Carolina, and the enforcement provisions of Chapter 54 of Title 12 of the

Code of Laws of South Carolina. The gross proceeds of the sale of items subject to a maximum tax in Chapter 36 of Title 12 of the Code of Laws of South Carolina are exempt from the tax imposed by this Ordinance. The gross proceeds of the sale of food lawfully purchased with United States Department of Agriculture Food Stamps are exempt from the tax imposed by this Ordinance. The tax imposed by this Ordinance also applies to tangible property subject to the use tax in Article 13, Chapter 36 of Title 12 of the Code of Laws of South Carolina.

(i) Taxpayers required to remit taxes under Article 13, Chapter 36 of Title 12 of the Code of Laws of South Carolina must identify the county in which the personal property purchased at retail is stored, used, or consumed in this State.

(j) Utilities are required to report sales in the county in which the consumption of the tangible personal property occurs.

(k) A taxpayer subject to the tax imposed by Section 12-36-920 of the Code of Laws of South Carolina 1976, as amended, who owns or manages rental units in more than one county must report separately in his sales tax return the total gross proceeds from business done in each county.

(l) The gross proceeds of sales of tangible personal property delivered after the imposition date of the Sales and Use Tax, either under the terms of a construction contract executed before the imposition date, or written bid submitted before the imposition date, culminating in a construction contract entered into before or after the imposition date, are exempt from the sales and use tax provided in this ordinance if a verified copy of the contract is filed with Department of Revenue within six months after the imposition date of the sales and use tax provided for in this Ordinance.

(m) Notwithstanding the imposition date of the Sales and Use Tax with respect to services that are billed regularly on a monthly basis, the sales and use tax authorized pursuant to this ordinance is imposed beginning on the first day of the billing period beginning on or after the imposition date.

Section 3. Remission of Sales and Use Tax; Segregation of Funds; Administration of Funds; Distribution to Counties: Confidentially.

(a) The revenues of the Sales and Use Tax collected under this Ordinance must be remitted to the State Treasurer and credited to a fund separate and distinct from the general fund of the State. After deducting the amount of any refunds made and costs to the Department of Revenue of administering the tax, not to exceed one percent of such revenues, the State Treasurer shall distribute the revenues quarterly to the Richland County Treasurer and the revenues must be used only for the purposes stated herein. The State Treasurer may correct misallocations by adjusting subsequent distributions, but these distributions must be made in the same fiscal year as the misallocation. However, allocations made as a result of city or county code errors must be corrected prospectively.

(b) Any outside agencies, political subdivisions or organizations designated to receive funding from the Sales and Use Tax must annually submit requests for funding in accordance with procedures and schedules established by the County Administrator. The County Administrator shall prepare the proposed budget for the Sales and Use Tax and submit it to the County Council at such time as the County Council determines. At the time of submitting the proposed budget, the County Administrator shall submit to the County Council a statement describing the important features of the proposed budget.

County Council shall adopt annually and prior to the beginning of fiscal year a budget for expenditures of Sales and Use Tax revenues. County Council may make supplemental appropriations for the Sales and Use Tax following the same procedures prescribed for the enactment of other budget

ordinances. The provisions of this section shall not be construed to prohibit the transfer of funds appropriated in the annual budget for the Sales and Use Tax for purposes other than as specified in the annual budget when such transfers are approved by County Council. In the preparation of the annual budget, County Council may require any reports, estimates, and statistics from any county agency or department as may be necessary to perform its duties as the responsible fiscal body of the County.

Except as specifically authorized by County Council, any outside agency or organization receiving an appropriation of the Sales and Use Tax must provide to County Council an independent annual audit of such agency or organization financial records and transactions and such other and more frequent financial information as required by County Council, all in form satisfactory to County Council.

(c) The Department of Revenue shall furnish data to the State Treasurer and to the Richland County Treasurer for the purpose of calculating distributions and estimating revenues. The information which must be supplied to the County upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers. Information about a specific taxpayer is considered confidential and is governed by the provisions of S.C. Code Ann. §12-54-240. Any person violating the provisions of this section shall be subject to the penalties provided in S.C. Code Ann. § 12-54-240.

Section 4. Sales and Use Tax Referendum; Ballot Question.

(a) The Commission shall conduct a referendum on the question of imposing the Sales and Use Tax in the area of Richland County on Tuesday, November 4, 2008, between the hours of 7 a.m. and 7 p.m. under the election laws of the State of South Carolina, mutatis mutandis. The Commission shall publish in a newspaper of general circulation the question that is to appear on the ballot, with the list of projects and purposes as set forth herein, and the cost of projects, and shall publish such election and other notices as are required by law.

(b) The referendum question to be on the ballot of the referendum to be held in Richland County on November 4, 2008, must read substantially as follows:

RICHLAND COUNTY SPECIAL SALES AND USE TAX

QUESTION 1

I approve a special sales and use tax in the amount of one percent to be imposed in Richland County, South Carolina (the "County") for not more than eight (8) years, or until a total of \$521,480,000 in sales tax revenue has been collected, whichever occurs first. The sales tax revenue will be used to pay the costs of the following projects:

- Project 1: Highways, roads, streets, bridges, other transportation-related projects, and drainage projects related thereto including but not limited to resurfacing roads, paving dirt roads, improvements to Hardscrabble Road, Assembly Street, Pineview Road, Clemson Road, Wilson Boulevard, Broad River Road, North Main Street, Shop Road Extension, and Farrow Road. \$312,888,000
- Project 2: Mass transit systems operated by the County or jointly operated by the County, other governmental entities and transportation authorities. \$130,370,000.
- Project 3: Greenways, including but not limited to Crane Creek, Gills Creek, Smith/Rocky Branch, Three Rivers Greenway and Lincoln Tunnel Greenway; pedestrian sidewalks, pathways and intersection improvements including but not limited to Assembly Street/Shop Road,

Clemson Road, Colonial Drive/Farrow Road, Broad River Road, Alpine Road, Leesburg Road, and Two Notch Road; bike paths and lanes including but not limited to Broad River Road, Harden Street, Two Notch Road, Clemson Road, Pickens Street, and Blossom Street. \$78,222,000

YES

NO

Instructions to Voters: All qualified electors desiring to vote in favor of levying the special sales and use tax shall vote YES and

All qualified electors opposing to levying the special sales and use tax shall vote NO

QUESTION 2

I approve the issuance of not exceeding \$100,000,000 of general obligation bonds of Richland County, payable from the special sales and use tax described in Question 1 above, maturing over a period not to exceed eight (8) years, to fund projects from among the categories described in Question 1 above.

YES

NO

Instructions to Voters: All qualified electors desiring to vote in favor of the issuance of bonds for the stated purposes shall vote YES and

All qualified electors opposing to the issuance of bonds for the stated purposes shall vote NO

(c) In the referendum on the imposition of a special sales and use tax in Richland County, all qualified electors desiring to vote in favor of imposing the tax for the stated purposes shall vote “yes” and all qualified electors opposed to levying the tax shall vote “no.” If a majority of the electors voting in the referendum shall vote in favor of imposing the tax, then the tax is imposed as provided in the Act and this Ordinance. Expenses of the referendum must be paid by Richland County government.

(d) In the referendum on the issuance of bonds, all qualified electors desiring to vote in favor of the issuance of bonds for the stated purpose shall vote “yes” and all qualified electors opposed to the issuance of bonds shall vote “no.” If a majority of the electors voting in the referendum shall vote in favor of the issuance of bonds, then the issuance of bonds shall be authorized in accordance with S.C. Constitution Article X, Section 14, Paragraph (6). Expenses of the referendum must be paid by Richland County government.

Section 5. Imposition of Tax Subject to Referendum.

The imposition of the Sales and Use Tax in Richland County is subject in all respects to the favorable vote of a majority of qualified electors casting votes in a referendum on the question of imposing a sales and use tax in the area of Richland County in a referendum to be conducted by the Board of Elections and Voter Registration of Richland County on November 4, 2008, and the favorable vote of a

majority of the qualified electors voting in such referendum shall be a condition precedent to the imposition of a sales and use tax pursuant to the provisions of this Ordinance.

Section 6. Miscellaneous.

(a) If any one or more of the provisions or portions hereof are determined by a court of competent jurisdiction to be contrary to law, then that provision or portion shall be deemed severable from the remaining terms or portions hereof and the invalidity thereof shall in no way affect the validity of the other provisions of this Ordinance; if any provisions of this Ordinance shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid as applied to any particular case in any jurisdiction or in all cases because it conflicts with any constitution or statute or rule of public policy, or for any other reason, those circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever; provided, however, that the Sales and Use Tax may not be imposed without the favorable results of the referendum to be held on November 4, 2008.

(b) This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

(c) The headings or titles of the several sections hereof shall be solely for convenience of reference and shall not effect the meaning, construction, interpretation, or effect of this ordinance.

(d) This Ordinance shall take effect immediately upon approval at third reading.

(e) All previous ordinances regarding the same subject matter as this ordinance are hereby repealed.

Enacted this ____ day of _____, 2008.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Joseph McEachern, Chairman
Richland County Council

(SEAL)

ATTEST THIS ____ DAY OF
_____, 2008:

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

Date of First Reading:

Date of Second Reading:

Date of Third Reading:

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

AN ORDINANCE TO LEVY AND IMPOSE A ONE PERCENT (1%) SALES AND USE TAX, SUBJECT TO A REFERENDUM, WITHIN RICHLAND COUNTY PURSUANT TO SECTION 4-37-30 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; TO DEFINE THE SPECIFIC PURPOSES AND DESIGNATE THE PROJECTS FOR WHICH THE PROCEEDS OF THE TAX MAY BE USED; TO PROVIDE THE MAXIMUM TIME FOR WHICH SUCH TAX MAY BE IMPOSED; TO PROVIDE THE ESTIMATED COST OF THE PROJECTS FUNDED FROM THE PROCEEDS OF THE TAX; TO PROVIDE FOR A COUNTY-WIDE REFERENDUM ON THE IMPOSITION OF THE SALES AND USE TAX AND THE ISSUANCE OF GENERAL OBLIGATION BONDS AND TO PRESCRIBE THE CONTENTS OF THE BALLOT QUESTIONS IN THE REFERENDUM; TO PROVIDE FOR THE CONDUCT OF THE REFERENDUM BY THE RICHLAND COUNTY ELECTION COMMISSION; TO PROVIDE FOR THE ADMINISTRATION OF THE TAX, IF APPROVED; TO PROVIDE FOR THE PAYMENT OF THE TAX, IF APPROVED; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

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 South Carolina General Assembly has enacted Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended (the "Act"), pursuant to which the county governing body may impose by ordinance a sales and use tax in an amount not to exceed one percent, subject to the favorable results of a referendum, within the county area for a specific purpose or purposes and for a limited amount of time to collect a limited amount of money.

(b) Pursuant to the terms of Section 4-37-10 of the Code of Laws of South Carolina 1976, as amended, the South Carolina General Assembly has authorized county government to finance the costs of acquiring, designing, constructing, equipping and operating highways, roads, streets, bridges, greenways, pedestrian sidewalks, bike paths and lanes, and other transportation-related projects either alone or in partnership with other governmental entities. As a means to furthering the powers granted to the County under the provisions of Section 4-9-30 and Sections 6-21-10, *et. seq* of the Code of Laws of South Carolina 1976, as amended, the County Council is authorized to form a transportation authority or to enter into a partnership, consortium, or other contractual arrangement with one or more other governmental entities pursuant to Title 4, Chapter 37 of the Code of Laws of the South Carolina 1976, as amended. The County Council has decided to provide funding for highways, roads, streets, bridges, mass transit, greenways, pedestrian sidewalks, bike paths and lanes, *inter alia*, without the complexity of a transportation authority or entering into a partnership, consortium, or other contractual arrangements with one or more other governmental entities at this time; provided that nothing herein shall preclude County Council from entering into partnerships, consortiums, or other contractual arrangements in the future. County Council may utilize such provisions in the future as necessary or convenient to promote the public purposes served by funding highways, roads, streets, bridges, mass transit, greenways, pedestrian sidewalks, and bike paths and lanes as provided in this Ordinance.

(c) The County Council finds that a one percent sales and use tax should be levied and imposed within Richland County, for the following projects and purposes:

(i) For financing the costs of highways, roads, streets, bridges, greenways, pedestrian sidewalks, and bike paths and lanes and other transportation-related projects facilities, and drainage facilities related thereto, and mass transit systems operated by Richland County or (jointly) operated by the County, other governmental entities and transportation authorities.

For a period not to exceed eight (8) years from the date of imposition of such tax, to fund the projects at a maximum cost not to exceed \$521,480,000 to be funded from the net proceeds of a sales and use tax imposed in Richland County pursuant to provisions of the Act, subject to approval of the qualified electors of Richland County in referendum to be held on November 4, 2008. The imposition of the sales and use tax and the use of sales and use tax revenue, if approved in the referendum, shall be subject to the conditions precedent and conditions or restrictions on the use and expenditure of sales and use tax revenue established by the Act, the provisions of this Ordinance, and other applicable law. Subject to annual appropriations by County Council, sales and use tax revenues shall be used for the costs of the projects established in this Ordinance, as it may be amended from time to time, including, without limitation, payment of administrative costs of the projects, and such sums as may be required in connection with the issuance of bonds, the proceeds of which are applied to pay costs of the projects. All spending shall be subject to an annual independent audit to be made available to the public.

(d) County Council finds that the imposition of a sales and use tax in Richland County for the projects and purposes defined in this Ordinance for a limited time not to exceed eight (8) years to collect a limited amount of money will serve a public purpose, provide funding for roads and transportation, mass transit, and greenbelts to facilitate economic development, promote public safety, provide needed infrastructure, promote desirable living conditions, enhance the quality of life in Richland County, and prepare Richland County to meet present and future needs of Richland County and its citizens.

Section 2. Approval of Sales and Use Tax Subject to Referendum.

(a) A sales and use tax (the "Sales and Use Tax"), as authorized by the Act, is hereby imposed in Richland County, South Carolina, subject to a favorable vote of a majority of the qualified electors voting in a referendum on the imposition of the tax to be held in Richland County, South Carolina on November 4, 2008.

(b) The Sales and Use Tax shall be imposed for a period not to exceed eight (8) years from the date of imposition.

(c) The maximum cost of the projects to be funded from the proceeds of the Sales and Use Tax shall not exceed, in the aggregate, the sum of \$505~~21~~²¹,8480,000, and the maximum amount of net proceeds to be raised by the tax shall not exceed \$521,480,000, which includes administrative costs and debt service on bonds issued to pay for the projects. The estimated principal amount of initial authorization of bonds to be issued to pay costs of the projects and to be paid by a portion of the Sales and Use Tax is \$100,000,000. The proceeds of these bonds shall be used for the following projects:

Project: 1: Highways, roads, streets, bridges, other transportation-related projects, and drainage projects related thereto including but not limited to resurfacing roads, paving dirt roads, Hardscrabble Road, Assembly Street railroad grade separation, Pineview Road, Clemson Road, Wilson Boulevard, Broad River Road, North Main Street, Shop Road Extension, and Farrow Road. \$312,880,000

Project 2: Mass transit systems operated by the County or jointly operated by the County, other governmental entities and transportation authorities. \$130,370,000.

Project 3: Greenways, including but not limited to Crane Creek, Gills Creek, Smith/Rocky Branch, Three Rivers Greenway and Lincoln Tunnel Greenway; pedestrian sidewalks, pathways and intersection improvements including but not limited to Assembly Street/Shop Road, Clemson Road, Colonial Drive/Farrow Road, Broad River Road, Alpine Road, Leesburg Road, and Two Notch Road; bike paths and lanes including but not limited to Broad River Road, Harden Street, Two Notch Road, Clemson Road, Pickens Street, and Blossom Street. \$78,230,000

(d) The Sales and Use Tax shall be expended for the costs of the following projects, including payment of any sums as may be required for the issuance of and debt service for bonds, the proceeds of which are applied to such projects, for the following purposes:

~~(i) For financing the costs of highways~~Highways, roads, streets, bridges, sidewalks, bike lanes and paths, pedestrian sidewalks, greenbelts and other transportation-related projects facilities, and drainage facilities related thereto, and mass, and drainage projects related thereto including but not limited to resurfacing roads, paving dirt roads, Hardscrabble Road, Assembly Street railroad grade separation, Pineview Road, Clemson Road, Wilson Boulevard, Broad River Road, North Main Street, Shop Road Extension, and Farrow Road. \$312,880,000

~~(ii) Mass transit systems operated by Richland~~the County or (jointly) operated by the County, other governmental entities and transportation authorities. ~~The amount of the maximum total funds to be collected which shall be expended for these projects and purposes shall be no more than \$521,480,000.~~\$130,370,000.

~~(iii) Greenways, including but not limited to Crane Creek, Gills Creek, Smith/Rocky Branch, Three Rivers Greenway and Lincoln Tunnel Greenway; pedestrian sidewalks, pathways and intersection improvements including but not limited to Assembly Street/Shop Road, Clemson Road, Colonial Drive/Farrow Road, Broad River Road, Alpine Road, Leesburg Road, and Two Notch Road; bike paths and lanes including but not limited to Broad River Road, Harden Street, Two Notch Road, Clemson Road, Pickens Street, and Blossom Street. \$78,230,000~~

(e) If the Sales and Use Tax is approved by a majority of the qualified electors voting in a referendum to be held in Richland County on November 4, 2008, the tax is to be imposed on the first day of May, 2009, provided the Richland County Election Commission (the "Commission") shall certify the results not later than November 30, 2008, to Richland County Council and the South Carolina Department of Revenue. Included in the certification must be the maximum cost of the projects to be funded in whole or in part from the proceeds of the tax, the maximum time specified for the imposition of the Sales and Use Tax, and the principal amount of initial authorization of bonds, if any, to be supported by a portion of the Sales and Use Tax.

(f) The Sales and Use Tax, if approved in the referendum conducted on November 4, 2008, shall terminate on the earlier of:

(i) on April 30, 2017; or

(ii) the end of the calendar month during which the Department of Revenue determines that the tax has raised revenues sufficient to provide the greater of either the costs of the projects as approved in the referendum or the cost to amortize all debts related to the approved projects.

(g) The amounts of Sales and Use Tax collected in excess of the required proceeds must first be applied, if necessary, to complete each project for which the tax was imposed. Any additional revenue collected above the specified amount must be applied to the reduction of debt principal of Richland County on transportation infrastructure debts only.

(h) The Sales and Use Tax must be administered and collected by the South Carolina Department of Revenue in the same manner that other sales and use taxes are collected. The Department may prescribe amounts that may be added to the sales price because of the tax.

(i) The Sales and Use Tax is in addition to all other local sales and use taxes and applies to the gross proceeds of sales in the applicable area that is subject to the tax imposed by Chapter 36 of Title 12 of the Code of Laws of South Carolina, and the enforcement provisions of Chapter 54 of Title 12 of the Code of Laws of South Carolina. The gross proceeds of the sale of items subject to a maximum tax in Chapter 36 of Title 12 of the Code of Laws of South Carolina are exempt from the tax imposed by this Ordinance. The gross proceeds of the sale of food lawfully purchased with United States Department of Agriculture Food Stamps are exempt from the tax imposed by this Ordinance. The tax imposed by this Ordinance also applies to tangible property subject to the use tax in Article 13, Chapter 36 of Title 12 of the Code of Laws of South Carolina.

(j) Taxpayers required to remit taxes under Article 13, Chapter 36 of Title 12 of the Code of Laws of South Carolina must identify the county in which the personal property purchased at retail is stored, used, or consumed in this State.

(k) Utilities are required to report sales in the county in which the consumption of the tangible personal property occurs.

(l) A taxpayer subject to the tax imposed by Section 12-36-920 of the Code of Laws of South Carolina 1976, as amended, who owns or manages rental units in more than one county must report separately in his sales tax return the total gross proceeds from business done in each county.

(m) The gross proceeds of sales of tangible personal property delivered after the imposition date of the Sales and Use Tax, either under the terms of a construction contract executed before the imposition date, or written bid submitted before the imposition date, culminating in a construction contract entered into before or after the imposition date, are exempt from the sales and use tax provided in this ordinance if a verified copy of the contract is filed with Department of Revenue within six months after the imposition date of the sales and use tax provided for in this Ordinance.

(n) Notwithstanding the imposition date of the Sales and Use Tax with respect to services that are billed regularly on a monthly basis, the sales and use tax authorized pursuant to this ordinance is imposed beginning on the first day of the billing period beginning on or after the imposition date.

Section 3. Remission of Sales and Use Tax; Segregation of Funds; Administration of Funds; Distribution to Counties; Confidentially.

(a) The revenues of the Sales and Use Tax collected under this Ordinance must be remitted to the State Treasurer and credited to a fund separate and distinct from the general fund of the State. After deducting the amount of any refunds made and costs to the Department of Revenue of administering the tax, not to exceed one percent of such revenues, the State Treasurer shall distribute the revenues quarterly to the Richland County Treasurer and the revenues must be used only for the purposes stated herein. The State Treasurer may correct misallocations by adjusting subsequent distributions, but these distributions

must be made in the same fiscal year as the misallocation. However, allocations made as a result of city or county code errors must be corrected prospectively.

(b) Any outside agencies, political subdivisions or organizations designated to receive funding from the Sales and Use Tax must annually submit requests for funding in accordance with procedures and schedules established by the County Administrator. The County Administrator shall prepare the proposed budget for the Sales and Use Tax and submit it to the County Council at such time as the County Council determines. At the time of submitting the proposed budget, the County Administrator shall submit to the County Council a statement describing the important features of the proposed budget.

County Council shall adopt annually and prior to the beginning of fiscal year a budget for expenditures of Sales and Use Tax revenues. County Council may make supplemental appropriations for the Sales and Use Tax following the same procedures prescribed for the enactment of other budget ordinances. The provisions of this section shall not be construed to prohibit the transfer of funds appropriated in the annual budget for the Sales and Use Tax for purposes other than as specified in the annual budget when such transfers are approved by County Council. In the preparation of the annual budget, County Council may require any reports, estimates, and statistics from any county agency or department as may be necessary to perform its duties as the responsible fiscal body of the County.

Except as specifically authorized by County Council, any outside agency or organization receiving an appropriation of the Sales and Use Tax must provide to County Council an independent annual audit of such agency or organization financial records and transactions and such other and more frequent financial information as required by County Council, all in form satisfactory to County Council.

(c) The Department of Revenue shall furnish data to the State Treasurer and to the Richland County Treasurer for the purpose of calculating distributions and estimating revenues. The information which must be supplied to the County upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers. Information about a specific taxpayer is considered confidential and is governed by the provisions of S.C. Code Ann. §12-54-240. Any person violating the provisions of this section shall be subject to the penalties provided in S.C. Code Ann. § 12-54-240.

Section 4. Sales and Use Tax Referendum; Ballot Question.

(a) The Commission shall conduct a referendum on the question of imposing the Sales and Use Tax in the area of Richland County on Tuesday, November 4, 2008, between the hours of 7 a.m. and 7 p.m. under the election laws of the State of South Carolina, mutatis mutandis. The Commission shall publish in a newspaper of general circulation the question that is to appear on the ballot, with the list of projects and purposes as set forth herein, and the cost of projects, and shall publish such election and other notices as are required by law.

(b) The referendum question to be on the ballot of the referendum to be held in Richland County on November 4, 2008, must read substantially as follows:

RICHLAND COUNTY SPECIAL SALES AND USE TAX

QUESTION 1

I approve a special sales and use tax in the amount of one percent to be imposed in Richland County, South Carolina (the "County") for not more than eight (8) years, or until a total of \$521,480,000 in sales tax revenue has been collected, whichever occurs first. The sales tax revenue will be used to pay the costs of the following projects:

Project 1: Highways, roads, streets, bridges, other transportation-related projects, and drainage projects related thereto including but not limited to resurfacing roads, paving dirt roads, Hardscrabble Road, Assembly Street railroad grade separation, Pineview Road, Clemson Road, Wilson Boulevard, Broad River Road, North Main Street, Shop Road Extension, and Farrow Road. \$312,880,000

Project 2: Mass transit systems operated by the County or jointly operated by the County, other governmental entities and transportation authorities. \$130,370,000.

Project 3: Greenways, including but not limited to Crane Creek, Gills Creek, Smith/Rocky Branch, Three Rivers Greenway and Lincoln Tunnel Greenway; pedestrian sidewalks, pathways and intersection improvements including but not limited to Assembly Street/Shop Road, Clemson Road, Colonial Drive/Farrow Road, Broad River Road, Alpine Road, Leesburg Road, and Two Notch Road; bike paths and lanes including but not limited to Broad River Road, Harden Street, Two Notch Road, Clemson Road, Pickens Street, and Blossom Street. \$78,230,000

YES

NO

~~TO BE DETERMINED~~

~~SEE ATTACHMENT FOR OPTIONS~~

Instructions to Voters: All qualified electors desiring to vote in favor of levying the special sales and use tax shall vote YES and

All qualified electors opposing to levying the special sales and use tax shall vote NO

QUESTION 2

I approve the issuance of not exceeding \$100,000,000 of general obligation bonds of Richland County, payable from the special sales and use tax described in Question 1 above, maturing over a period not to exceed eight (8) years, to fund completion of projects from among the categories described in Question 1 above.

YES

NO

Instructions to Voters: All qualified electors desiring to vote in favor of the issuance of bonds for the stated purposes shall vote YES and

All qualified electors opposing to the issuance of bonds for the stated purposes shall vote NO

(c) In the referendum on the imposition of a special sales and use tax in Richland County, all qualified electors desiring to vote in favor of imposing the tax for the stated purposes shall vote "yes" and all qualified electors opposed to levying the tax shall vote "no." If a majority of the electors voting in the

referendum shall vote in favor of imposing the tax, then the tax is imposed as provided in the Act and this Ordinance. Expenses of the referendum must be paid by Richland County government.

(d) In the referendum on the issuance of bonds, all qualified electors desiring to vote in favor of the issuance of bonds for the stated purpose shall vote "yes" and all qualified electors opposed to the issuance of bonds shall vote "no." If a majority of the electors voting in the referendum shall vote in favor of the issuance of bonds, then the issuance of bonds shall be authorized in accordance with S.C. Constitution Article X, Section 14, Paragraph (6). Expenses of the referendum must be paid by Richland County government.

Section 5. Imposition of Tax Subject to Referendum.

The imposition of the Sales and Use Tax in Richland County is subject in all respects to the favorable vote of a majority of qualified electors casting votes in a referendum on the question of imposing a sales and use tax in the area of Richland County in a referendum to be conducted by the Board of Elections and Voter Registration of Richland County on November 4, 2008, and the favorable vote of a majority of the qualified electors voting in such referendum shall be a condition precedent to the imposition of a sales and use tax pursuant to the provisions of this Ordinance.

Section 6. Miscellaneous.

(a) If any one or more of the provisions or portions hereof are determined by a court of competent jurisdiction to be contrary to law, then that provision or portion shall be deemed severable from the remaining terms or portions hereof and the invalidity thereof shall in no way affect the validity of the other provisions of this Ordinance; if any provisions of this Ordinance shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid as applied to any particular case in any jurisdiction or in all cases because it conflicts with any constitution or statute or rule of public policy, or for any other reason, those circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever; provided, however, that the Sales and Use Tax may not be imposed without the favorable results of the referendum to be held on November 4, 2008.

(b) This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

(c) The headings or titles of the several sections hereof shall be solely for convenience of reference and shall not effect the meaning, construction, interpretation, or effect of this ordinance.

(d) This Ordinance shall take effect immediately upon approval at third reading.

(e) All previous ordinances regarding the same subject matter as this ordinance are hereby repealed.

Enacted this ____ day of _____, 2008.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Joseph McEachern, Chairman
Richland County Council

(SEAL)

ATTEST THIS _____ DAY OF
_____, 2008:

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

Date of First Reading:

Date of Second Reading:

Date of Third Reading:

Local Option Transportation Sales Tax Projected Revenue

	Roads (60%)	Transit (25%)	G/B/P (15%)	Subtotal	Subtotal	Total
Sales Tax Revenue	\$303.50	\$126.46	\$75.88	\$505.84	\$15.64	\$521.48
Revenue from Interest	-----	\$9.16*	-----	\$9.16	-----	\$9.16
Existing Revenue	-----	\$49.32	-----	\$49.32	-----	\$49.32
Total Revenue	\$303.50	\$184.94	\$75.88	\$564.32	\$15.64	\$579.96
Expenditures	\$303.50	\$184.94	\$75.88	\$564.32	\$15.64	\$579.96
Gap	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0

*An estimated \$9.16 million in interest will accrue due to the phasing in of projects.

All amounts are shown in millions of dollars.

ROADS

Planning Area	Special Project	Description	Priority	Bike/Ped	Comments	Projected Cost - 2008 Dollars (1)	Projected Cost - YOE Dollars (2)
n/a							
n/a							
n/a							
n/a							
n/a							
n/a							
1 - Northeast	Widening	Hardscabble Rd. - Lake Carolina Blvd	H1	Y		\$31,800,000	\$38,082,000
2							
3 - Southeast	Widening	Bluff Rd.	H1	N		\$20,100,000	\$23,581,000
4 - Northeast	Intersection	Rhame Rd / North Springs Rd.	H1	Y		\$3,500,000	\$3,861,000
5 - North Central	Intersection	Wilson Blvd.	H1	Y		\$3,800,000	\$4,162,000
6							
7							
8 - Southeast	Special Project	Shop Rd. Extension	H1	Y	PE & ROW Only	\$11,000,000	\$12,342,000
9 - Northeast	Widening	Hardscabble Rd.	H1	Y	PE, ROW & Intersection	\$7,500,000	\$8,671,000
10 - North Central	Intersection	Fairview Rd.	H1	Y		\$3,800,000	\$4,175,000
11 - Northeast	Intersection	Summit Pkwy	H1	Y		\$500,000	\$552,000
12							
13							
14 - North Central	Widening	Spawwood Rd.	H1	Y		\$9,500,000	\$10,761,000
15 - Northeast	Improvements	I-20	H1	Y		\$4,000,000	\$4,331,000
16							
17 - Northeast	Intersection	Sparkleberry Ln. (to Mallet Hill Rd.)	H1	Y		\$5,400,000	\$5,980,000
18 - Southeast	Widening	Lower Richard Blvd.	H1	N		\$6,500,000	\$7,403,000
19 - North Central	Intersection	Wilson Blvd	H1	N		\$2,800,000	\$3,075,000
20 - Southeast	Intersection	Garners Ferry Rd.	H1	N		\$2,800,000	\$3,035,000
21							
22 - Northeast	Intersection	North Springs Rd.	H1	N		\$1,700,000	\$1,847,000
23 - Northeast	Widening	Old Clemson Rd.	H2	Y		\$25,700,000	\$27,225,000
		Sparkleberry Crossing	H2	Y		\$270,000,000	\$303,500,000

(1) - Includes 20% Contingency to Account for Inflation

(2) - Adjusted to Year of Expenditure (YOE), with 15% contingency and limited amount for debt service

TRANSIT

Description of Improvements	Time in Years										Total 2008 Dollar	Total YOE Dollar	Total Paid from LOTST
	1	2	3	4	5	6	7	8	9	10			
Replace Buses in Current Fleet (Local Share)	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	\$3.50	\$7.00	
Purchase Buses for Service Expansion (Local Share)		\$0.35	\$2.40								\$3.10	\$3.87	
Bus Stop Shelters, Benches & Other Amenities		\$0.30	\$0.20	\$0.20							\$0.70	\$0.77	
Strengthen Transit Management & Marketing	\$0.20	\$0.20	\$0.20	\$0.20	\$0.20	\$0.20	\$0.20	\$0.20	\$0.20	\$0.20	\$1.60	\$1.69	
Perform Comprehensive Operational Analysis	\$0.10										\$0.10	\$0.10	
Perform Transit Market Research & Bus Maintenance Review	\$0.20										\$0.20	\$0.21	
Expand Coverage Area to Serve 75% of Transit Dependent		\$1.20	\$1.20	\$1.20	\$1.20	\$1.20	\$1.20	\$1.20	\$1.20	\$1.20	\$9.40	\$10.04	
Improve Service Span to LOS "C" on Weekdays & LOS "D" on Weekends			\$0.80	\$0.80	\$0.80	\$0.80	\$0.80	\$0.80	\$0.80	\$0.80	\$4.80	\$5.24	
Improve Peak Frequency to LOS "C" on Weekdays & LOS "D" on Weekends			\$6.40	\$6.40	\$6.40	\$6.40	\$6.40	\$6.40	\$6.40	\$6.40	\$36.40	\$40.73	
Expand Coverage Area to Serve 80% (LOS B) of Transit Supportive Areas											\$1.20	\$1.20	
Improvement O&M Costs	\$0.60	\$1.40	\$6.60	\$6.60	\$6.60	\$6.60	\$6.60	\$6.60	\$6.60	\$6.60	\$54.70	\$57.87	
Improvement Capital Costs	\$0.50	\$1.15	\$3.10	\$0.70	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	\$7.30	\$7.37	
Improvement Total	\$1.00	\$2.55	\$11.70	\$9.30	\$9.10	\$9.10	\$9.10	\$9.10	\$9.10	\$9.10	\$62.00	\$74.69	
Maintenance of Existing System	\$11.72	\$11.72	\$11.72	\$11.72	\$11.72	\$11.72	\$11.72	\$11.72	\$11.72	\$11.72	\$93.76	\$110.25	
TOTAL COST	\$12.72	\$14.27	\$23.42	\$21.02	\$20.82	\$20.82	\$20.82	\$20.82	\$20.82	\$20.82	\$155.76	\$172.84	\$126,460,000*

* The total (\$126,460,000) is the amount needed to cover the gap between the total (\$184.94 million) and the existing revenue (\$49.32 million) plus the interest earned (\$9.16 million)



GREENWAYS

Section	PA	Main Greenway Route	Miles	Cost Est.
2B	BW	Crane Creek	3.0	\$1,335,919
2C	BW	Crane Creek	0.9	\$398,843
2H	NC	Crane Creek	1.5	\$687,888
3A	BW	Gills Creek	4.3	\$1,946,203
3B	SE	Gills Creek	5.4	\$2,413,863
7A	BW	Smith/Rocky Branch	0.8	\$373,602
7B	BW	Smith/Rocky Branch	2.7	\$1,226,312
7D	BW	Smith/Rocky Branch	1.7	\$780,784
8C	BW	Three Rivers Greenway Extension	0.3	\$137,865
8D	BW	Three Rivers Greenway Extension	1.1	\$508,910
8F	BW	Three Rivers Greenway Extension	0.7	\$305,768
9A	BW	Lincoln Tunnel Greenway	1.7	\$773,520
10A	NW	Dutchman Blvd Connector	0.2	\$91,148
11A	BW	Columbia Mall Greenway	1.3	\$561,860
12A	NE	Polo/Windsor Lake Connector	0.7	\$334,058
13A	BW	Gills Creek North Greenway	0.7	\$298,639
15A	SE	Woodbury/Old Leesburg Connector	0.2	\$100,697
		Subtotal	27.4	\$12,275,879



BICYCLE

	PA	Project Type	Routes	From	To	Mileage	Cost Est.
1	BW	Bike Lanes	Broad River Rd	Greystone Blvd	Broad River Bridge	0.5	\$320,811
2	BW	Bike Lanes	Harden St	Devine St	Rosewood Dr	1.0	\$696,821
5	BW	Bike Lanes	Senate St	Sumter St	Laurens St	0.7	\$462,572
6	BW	Bike Lanes	Trenholm Rd	South of Dent Middle School	Decker Blvd	0.2	\$123,919
7	BW	Bike Lanes	Two Notch Rd	Beltline Blvd	Parklane Rd	3.5	\$2,435,039
9	BW	Bike Lanes, Restripe	Broad River Rd	Broad River Bridge (West End)	Broad River Bridge (East End)	0.3	\$17,658
10	BW	Bike Lanes, Restripe	Hampton St	Pickens St	Harden St	0.5	\$31,700
12	BW	Bike Lanes, Restripe	Pendleton St	Lincoln St	Marion St	0.5	\$31,680
13	BW	Bike Lanes, Restripe	Pickens St/Washington St/Wayne St	Hampton St (west)	Hampton St (east)	1.1	\$68,391
14*	BW	Bike Lanes, Restripe	Shop Rd	George Rogers Blvd	Northway Rd	0.7	\$0
15	BW	Bike Lanes, Restripe	Sumter St	Washington St	Senate St	0.3	\$19,306
24	BW	Connector	Beltline Blvd/Devine St	Rosewood Dr	Chateau Dr	2.3	\$24,158
25	BW	Connector	Beltline Blvd	Forest Dr	Valley Rd	0.1	\$1,101
26	BW	Connector	Beltline Blvd/Colonial Dr/Farrow Rd	Harden St	Academy St	0.6	\$6,636
29	BW	Connector	Catawba St/Tryon St/Whaley St/Williams St	Church St	Blossom St	0.5	\$5,547
32	BW	Connector	Bonham Rd/Devereaux Rd/Heathwood Cir/Kilbourne Rd/Rickenbaker Rd/Sweetbriar Rd	Blossom St	Fort Jackson Blvd	2.1	\$21,691
35	BW	Connector	Chester St/Elmwood Ave/Wayne St	Hampton St	Park St	1.1	\$12,094
37	BW	Connector	Clement Rd/Duke Ave/River Dr	Main St	Monticello Rd	2.9	\$30,427
39	BW	Connector	College St/Laurens St/Oak St/Taylor St	Greene St	Elmwood Ave	1.5	\$16,331
42	BW	Connector	Edgefield St/Park St	Calhoun St	River Dr	1.6	\$16,464
46	BW	Connector	Gervais St/Gladden St/Hagood Ave/Page St/Senate St/Trenholm Rd/Webster St	Millwood Ave	Beltline Blvd	2.2	\$22,913
50	BW	Connector	Heyward St/Manon St/Superior St	Whaley St	Wiley St	0.9	\$9,748
51	BW	Bike Lanes	Sumter St	Blossom St	Wheat St	0.4	\$276,972
52	BW	Connector	Huger St/Lady St/Park St	Gervais St (east)	Gervais St (west)	0.7	\$7,295
54	BW	Bike Lanes	Lincoln St	Blossom St	Lady St	0.7	\$487,105
57	BW	Connector	Ott Rd	Jim Hamilton Blvd	Blossom St	1.7	\$17,872
60	BW	Connector	Saluda Ave	Wheat St	Greene St	0.4	\$3,934
62	BW	Bike Lanes	Wheat St	Sumter St	Assembly St	0.2	\$133,189
63	BW	Connector	Wheat St	Harden St	King St	0.4	\$4,351
74*	BW	Bike Lanes, Restripe	Bluff Rd	Berea Rd	Beltline Blvd	2.0	\$0
77*	BW	Bike Lanes, Restripe	Shop Rd	Northway Rd	Beltline Blvd	1.6	\$0
78	BW	Sidepaths	Blossom St	Williams St	Huger St	0.1	\$41,564
79	BW	Sidepaths	Gervais St	450' west of Gist St	Gist St	0.0	\$17,276
80	BW	Bike Lanes, Restripe	Assembly St	Blossom St	Rosewood Dr	0.4	\$27,986
86	BW	Bike Lanes, Restripe	Beltline Blvd	Rosewood Dr	Devine St	0.4	\$25,547
87	BW	Bike Lanes, Restripe	Broad River Rd	Bush River Rd	Greystone Blvd	0.6	\$37,908
88	NW	Bike Lanes, Restripe	Broad River Rd	Harbison Blvd	Bush River Rd	5.1	\$321,115
89	BW	Bike Lanes, Restripe	Calhoun St	Wayne St	Harden St	1.4	\$88,292
90	BW	Bike Lanes, Restripe	Decker Blvd/Parklane Rd/Two Notch Rd	Two Notch Rd	Percival Rd	2.0	\$129,698
94	BW	Bike Lanes, Restripe	Fort Jackson Blvd	Devine St	Newell Rd	1.3	\$84,224
95	BW	Bike Lanes, Restripe	Garners Ferry Rd	Rosewood Dr	True St	1.1	\$66,826
96	BW	Bike Lanes, Restripe	Gervais St	Park St	Millwood Ave	1.4	\$91,378
97	BW	Bike Lanes, Restripe	Greene St	Assembly St	350' west of Lincoln St	0.3	\$19,388
98	BW	Bike Lanes, Restripe	Main St	Pendleton St	Whaley St	0.8	\$49,814
100	BW	Bike Lanes, Restripe	Oneil Ct	Decker Blvd	Parklane Rd	1.4	\$85,675
102	BW	Bike Lanes, Restripe	Rosewood Dr	Bluff Rd	Garners Ferry Rd	3.3	\$211,179
111*	BW	Bike Lanes, Restripe	Bluff Rd	Rosewood Dr	Berea Rd	0.5	\$0
114	BW	Shoulders	Colonial Dr	Bull St	Slighs Ave	0.6	\$395,430
116	BW	Shoulders	Holt Dr/Superior St	Wiley St	Airport Blvd	0.7	\$453,594
118	SE	Bike Lanes, Restripe	Leesburg Rd	Garners Ferry Rd	Semmes Rd	4.0	\$255,778

119*	NE	Shoulders	Wilson Blvd	I-77	Farrow Rd	1.1	\$0
121	BW	Sidelpaths	Gervais St	Gast St	Huger St	0.2	\$84,100
122	BW	Sidelpaths	Huger St	Blossom St	Gervais St	0.6	\$256,861
123*	SE	Sidelpaths	Shop Rd	Ballline Blvd	Pineview Dr	2.4	\$657,212
125	BW	Sidelpaths	Blossom St	Assembly St	Sumter St	0.2	\$86,381
126	BW	Bike Lanes, Restripe	Bull St	Elmwood Ave	Victoria St	0.3	\$20,218
131	BW	Bike Lanes, Restripe	Main St	Elmwood Ave	Sunset Dr	1.2	\$75,646
133	BW	Connector	Elmwood Ave	Wayne St	Proposed Greenway Connector	0.4	\$3,893
134	BW	Connector	Main St	Calhoun St	Elmwood Ave	0.1	\$1,025
142	NW	Bike Lanes	Dutchman Blvd	Broad River Rd	Lake Murray Blvd	0.2	\$116,138
143	NW	Bike Lanes	Columbiana Dr	Lake Murray Blvd	Lexington County Line	1.0	\$713,198
150	NW	Bike Lanes, Restripe	Broad River Rd/Lake Murray Blvd	I-26	Harrison Blvd	1.4	\$14,282
151*	NW	Bike Lanes, Restripe	Dutch Fork Rd	Bickley Rd	Rauch Meetze Rd	1.3	\$0
163*	NW	Shoulders	Broad River Rd	Woodrow St	I-26 (Exit 97)	3.8	\$0
157*	NW	Shoulders	Dutch Fork Rd	Broad River Rd	Bickley Rd	1.4	\$0
168*	NC	Shoulders	Blythewood Rd	Wimborne Rd	Main St	4.8	\$402,526
175	NE	Shoulders	Clemson Rd	Longtown Rd	Brook Hollow Dr	1.7	\$1,089,106
176*	NE	Shoulders	Clemson Rd	Summit Pky	Perchival Rd	4.6	\$1,641,468
180	NE	Shoulders	Alpine Rd	Two Notch Rd	Perchival Rd	2.4	\$1,536,100
183*	NE	Shoulders	Handscrabble Rd	Farrow Rd	Lee Rd	3.6	\$0
189*	NE	Shoulders	Polo Rd	Two Notch Rd	640' south of Mellet Hill Rd	3.7	\$1,075,853
196	NE	Bike Lanes, Restripe	Clemson Rd	Brook Hollow Dr	Summit Pky	1.8	\$116,481
197	NE	Bike Lanes, Restripe	Two Notch Rd	Alpine Rd	Spears Creek Church Rd	5.7	\$380,804
198*	NE	Shoulders	Handscrabble Rd	Lee Rd	Lake Carolina Blvd	2.0	\$0
225*	SE	Sidelpaths	Pineview Rd	Bluff Rd	Garners Ferry Rd	2.9	\$0
232*	SE	Bike Lanes	Affas Rd	Bluff Rd	Garners Ferry Rd	2.8	\$0
255	BW	Bike Lanes	Pickens St	Washington St	Rosewood Dr	1.7	\$1,179,744
257	BW	Bike Lanes	College St	Lincoln St	Sumter St	0.4	\$280,735
260	BW	Bike Lanes	Assembly St	Blossom St	Rosewood Dr	1.0	\$689,224
264	BW	Bike Lanes	Greene St	Assembly St	Bull St	0.4	\$273,278
266	BW	Connector	Bull St/Henderson SURTice St	Wheat St	Heyward St	0.6	\$5,991
273	BW	Shoulders	Greene St	Bull St	Saluda Ave	0.6	\$359,251
274	BW	Shoulders	Calawba St	Sumter St	Lincoln St	0.4	\$250,145
276	BW	Sidelpaths	Blossom St	Huger St	Assembly St	0.3	\$137,829
276	BW	Bridge	Blossom St	Huger St	Assembly St	0.3	\$2,481,494
277	BW	Shoulders	Whaley St	Lincoln St	Pickens St	0.7	\$438,198
279	BW	Sidelpaths	Whaley St	Lincoln St	Church St	0.3	\$147,587
281	BW	Connector	Craig Rd	Harrison Rd	Covenant Rd	0.6	\$6,684
285*	NW	Shoulders	Broad River Rd	Royal Tower Rd	Woodrow St	0.8	\$0
289*	NW	Bike Lanes	Broad River Rd	Lake Murray Blvd	Western Ln	1.6	\$0
					Subtotal	119.8	\$22,218,850

* Project cost included in roadway project.

PEDESTRIAN

ID	PA	Project Type	Routes	From	To	Mileage	Cost Est.
1*	BW	Sidewalks - C&G	Assembly St/Shop Rd	Whaley St	Bellline Blvd	3.31	\$1,920,257
2	NE	Sidewalks	Clemson Rd	Longtown Rd	Two Notch Rd	4.98	\$2,364,310
3	BW	Sidewalks - C&G	Colonial Dr/Farrow Rd	Harden St	Academy St	0.55	\$1,012,704
4	NW	Sidewalks	Columbia Dr	Lexington County Line	Lake Murray Blvd	1.02	\$486,272
6	BW	Sidewalk, One Side	Broad River Rd	Greystone Blvd	Broad River Bridge	0.46	\$109,367
9	BW	Sideways	Blossom St	Williams St	Huger St	0.10	\$41,564
10	BW	Sideways, One Side	Gervais St	450' west of Gist St	Gist St	0.04	\$8,638
11	BW	Sideways	Broad River Rd	Broad River Bridge (West End)	Broad River Bridge (East End)	0.28	\$2,090,250
12	NE	Sideways	Alpine Rd	Two Notch Rd	Percival Rd	2.42	\$1,152,075
15	NC	Sideways	Blythewood Rd	l-77	Main St	0.40	\$191,601
17	NW	Sideways	Broad River Rd	Harbison Blvd	Bush River Rd	5.07	\$2,408,361
21	BW	Sideways	Heyward St/Holt Dr/Marion St/Superior St	Whaley St	Jim Hamilton Blvd	1.64	\$778,853
22	BW	Sideways	Leesburg Rd	Garner's Ferry Rd	Sermes Rd	4.05	\$1,924,227
26*	NE	Sideways	Polo Rd	Two Notch Rd	Mallet Hill Rd	1.97	\$0
32	NE	Sideways	Two Notch Rd	Alpine Rd	Spears Creek Church Rd	5.69	\$2,703,508
33*	BW	Sideways	Bluff Rd	Rosewood Dr	Bellline Blvd	2.51	\$0
34	BW	Sideways	Gervais St	Gist St	Huger St	0.20	\$84,100
35	BW	Sideways	Huger St	Blossom St	Gervais St	0.61	\$256,861
37	NW	Sideways - C&G	Broad River Rd/Lake Murray Blvd	l-26	Harbison Blvd	1.35	\$2,498,420
41	BW	Sideways - C&G	Park St	Gervais St	Senate St	0.09	\$170,570
42	NE	Sideways, One Side	Polo Rd	Mallet Hill Rd	Alpine Rd	1.70	\$403,445
43*	NE	Sideways	Clemson Rd	Two Notch Rd	Percival Rd	3.15	\$564,728
48*	SE	Sideways - C&G	Atlas Rd	Mountain Lake Way	Garner's Ferry R	0.55	\$0
50	BW	Sideways - C&G	Bratton St	King St	Maple St	0.21	\$386,602
55	BW	Sideways, One Side - C&G	Franklin St	Calhoun St	Wayne St	0.70	\$91,106
66	BW	Sideways, One Side	Franklin St	Sumter St	Bull St	0.43	\$785,585
65	BW	Sideways - C&G	Fort Jackson Blvd	Wildcat Rd	l-77	0.19	\$343,543
69	BW	Sideways - C&G	Grand St	Shealy St	Hydnck St	0.39	\$714,622
73	BW	Sideways - C&G	Jefferson St	Sumter St	Bull St	0.21	\$381,242
78	BW	Sideways - C&G	Laurer St	Gadsden St	Pulaski St	0.19	\$359,066
80	BW	Sideways - C&G	Lincoln St	Heyward St	Whaley St	0.11	\$198,475
82	BW	Sideways, One Side - C&G	Lyon St	Gervais St	Washington St	0.21	\$194,410
83	BW	Sideways - C&G	Magnolia St	Two Notch Rd	Pinehurst Rd	0.45	\$828,458
85	BW	Sideways - C&G	Maple St	Kirby St	Gervais St	0.07	\$132,502
87	BW	Sideways - C&G	Mildred Ave	Westwood Ave	Duke Ave	0.08	\$151,536
96	BW	Sideways - C&G	Royster St	Mitchell St	Superior St	0.05	\$95,357
98	BW	Sideways - C&G	School House Rd	Two Notch Rd	Ervin St	0.26	\$482,882
101	BW	Sideways - C&G	Senate St	Gladden St	Kings St	0.26	\$476,230
102	BW	Sideways - C&G	Shandon St	Wilnot St	Wheat St	0.10	\$179,071

105	BW	Sidewalks - C&G	Tryon St	Catawba St	Heyward St	0.19	\$354,446
109	BW	Sidewalks - C&G	Wayne St	Calhoun St	Laurel St	0.20	\$366,828
112	BW	Sidewalks - C&G	Wildwood Ave	Monticello Rd	Ridgewood Ave	0.14	\$264,450
113	BW	Sidewalks - C&G	Wiley St	Superior St	Edisto Ave	0.15	\$280,896
114	BW	Sidewalks - C&G	Windover St	Two Notch Rd	Belvedere Dr	0.10	\$187,942
117	BW	Sidewalks - C&G	Shandon St	Rosewood Dr	Heyward St	0.15	\$268,514
119*	NW	Sidewalks	Broad River Rd	Royal Tower Rd	Woodrow St	0.76	\$0
121*	NW	Sidewalks	Broad River Rd	Lake Murray Blvd	Western Ln	1.60	\$0
129	SE	Sidewalks	Lower Richland Blvd	Rabbit Run Rd	Garners Ferry Rd	0.55	\$260,077
					Subtotal	49.27	\$28,954,951



* Project cost included in roadway project.

PEDESTRIAN (INTERSECTIONS)

ID	PA	Prioritization	Crossing	Cost Est.
1	BW	Higher	Broad River Rd and Bush River Rd	\$100,000
2	BW	Higher	Huger St and Gervais St	\$100,000
4	BW	Higher	Elmwood Ave and Park St	\$100,000
5	BW	Higher	Main St and Elmwood Ave	\$100,000
6	BW	Higher	Elmwood Ave and Bull St	\$100,000
8	BW	Higher	Gervais St and Millwood Ave	\$100,000
10*	SE	Higher	Garners Ferry Rd and Atlas Rd	\$0
11*	SE	Higher	Garners Ferry Rd and Hallbrook Dr/Pineview Rd	\$0
13	NE	Higher	Two Notch Rd and Alpine Rd	\$100,000
14	NE	Higher	Two Notch Rd and Maingate Dr/Windsor Lake Blvd	\$100,000
15*	NE	Higher	Two Notch Rd and Polo Rd	\$0
16	NE	Higher	Two Notch Rd and Brickyard Rd	\$100,000
17	NE	Higher	Two Notch Rd and Sparkleberry Ln	\$100,000
21	BW	Higher	Blossom St and Saluda Ave	\$100,000
22	BW	Higher	Devine St and Harden St/Santee Ave	\$100,000
23	BW	Higher	Two Notch Rd and Decker Blvd/Parklane Rd	\$100,000
24*	NE	Higher	Polo Rd and Mallet Hill Rd	\$0
25	BW	Higher	Huger St and Blossom St	\$100,000
26	BW	Higher	Huger St and Greene St	\$100,000
27	BW	Higher	Huger St and Lady St	\$100,000
29	BW	Higher	Assembly St and Greene St	\$100,000
30	BW	Higher	Assembly St and Pendleton St	\$100,000
31	BW	Higher	Assembly St and Gervais St	\$100,000
33	BW	Higher	Assembly St and Washington St	\$100,000
37	BW	Higher	Assembly St and Laurel St	\$100,000
39	BW	Higher	Assembly St and Calhoun St	\$100,000
41	BW	Higher	Main St and Taylor St	\$100,000
42	BW	Higher	Main St and Blanding St	\$100,000
43	BW	Higher	Main St and Laurel St	\$100,000
45	BW	Higher	Main St and Calhoun St	\$100,000
49	BW	Higher	Rosewood Dr and Marion St	\$100,000
50	BW	Higher	Rosewood Dr and Pickens St	\$100,000
51	BW	Higher	Rosewood Dr and Harden St	\$100,000
52	BW	Higher	Rosewood Dr and Holly St	\$100,000
53	BW	Higher	Rosewood Dr and Ott Rd	\$100,000
54	BW	Higher	Rosewood Dr and Kilbourne Rd	\$100,000
55	BW	Higher	Rosewood Dr and Beltline Blvd	\$100,000
56	BW	Higher	Garners Ferry Rd and Old Woodlands Rd	\$100,000
57	BW	Higher	Devine St and Fort Jackson Blvd	\$100,000
58	BW	Higher	Harden St and Gervais St	\$100,000
				\$3,600,000

* Project cost included in roadway project.



TSC Funding Recommendations

	Total (2008 Dollars)	Total (YOE Dollars)	Total (With Admin Costs)	
GREENWAYS, BIKE & PED	\$67,049,680	\$75,880,000	\$78,222,000	⇐ Ballot Amount
Bicycle Improvements	\$22,218,850	\$25,145,032	\$25,921,121	
Greenway Improvements	\$12,275,879	\$13,892,590	\$14,321,378	
Pedestrian Improvements	\$28,954,951	\$32,768,265	\$33,779,642	
Pedestrian Intersection Improvements	\$3,600,000	\$4,074,113	\$4,199,859	
ROADS	\$270,000,000	\$303,500,000	\$312,888,000	⇐ Ballot Amount
Widenings	\$142,400,000	\$162,912,000	\$167,951,267	
Intersection Improvements	\$42,800,000	\$46,728,000	\$48,173,412	
Special Projects & Misc. Improvements	\$47,100,000	\$56,160,000	\$57,897,167	
Dirt Road Paving	\$15,000,000	\$15,000,000	\$15,463,987	
Local Road Resurfacing	\$20,200,000	\$20,200,000	\$20,824,836	
Other Countywide Programs	\$37,700,000	\$37,700,000	\$2,577,331	
TRANSIT	\$115,480,000	\$126,460,000	\$130,370,000	⇐ Ballot Amount
Transit Maintenance & Improvements	\$115,480,000	\$126,460,000	\$130,370,000	
GRAND TOTAL	\$452,529,680	\$505,840,000	\$521,480,000	⇐ Total Ballot Amount

Impact of Grocery Exemption (H 4355) - Failed to pass in the 2007-08 session

Net Loss - Total Program

	Sales Tax Revenues	
Total Projected Collections	\$521,480,000	
Less Groceries (8%)	-\$41,718,400	⇐ Total Net Loss of Grocery Exemption
TOTAL	\$479,761,600	

Net Loss by Mode (% Unchanged)

	Sales Tax Revenues (Groceries Included)	Sales Tax Revenues (Groceries Excluded)	Net Loss
Greenway, Bicycle & Pedestrian	\$78,222,000	\$71,964,240	\$6,257,760
Roads	\$312,888,000	\$287,856,960	\$25,031,040
Transit	\$130,370,000	\$119,940,400	\$10,429,600
TOTAL	\$521,480,000	\$479,761,600	\$41,718,400

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

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # 20400-01-01/02/03/04/10/11 & 18 FROM RU (RURAL DISTRICT) TO RS-LD (RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 20400-01-01/02/03/04/10/11 & 18 from RU (Rural District) zoning to RS-LD (Residential, Single-Family – Low Density District) zoning.

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

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

Section IV. This ordinance shall be effective from and after _____, 2008.

RICHLAND COUNTY COUNCIL

By: _____
Joseph McEachern, Chair

Attest this _____ day of
_____, 2008.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: June 24, 2008
First Reading: June 24, 2008
Second Reading: July 15, 2008 (tentative)
Third Reading:

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 16, LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS; ARTICLE I, IN GENERAL; SO AS TO ADDRESS BUSINESS REVENUES GENERATED BY INTERSTATE COMMERCE.

WHEREAS, interstate commerce is defined as the trading in goods and commodities between citizens or businesses of different states; and

WHEREAS, revenues generated by interstate commerce can be required to be reported for business license purposes pursuant to and in keeping with the 1977 US Supreme Court decision in *Complete Auto Transit, Inc. v. Brady*; and

WHEREAS, business license fees are charged for the privilege of doing business within the jurisdiction, and the value of the privilege is measured by the businesses' gross receipts; and

WHEREAS, Richland County's business license ordinance included an exemption from business license fees for revenues generated by interstate commerce exemption starting from the ordinance's initial approval in 1987; and

WHEREAS, in July 2007 Richland County Council exercised its right to remove that exemption from the business license ordinance in order to update the ordinance to reflect the Supreme Court decision and to standardize the ordinance with cities' and counties' ordinances across the state; and

WHEREAS, Richland County Council recognizes that businesses located within its jurisdiction contribute to the economic and financial health of the Richland County community, and

WHEREAS, Richland County Council wishes to enhance the economic environment in which these businesses operate, and

WHEREAS, Richland County Council, in the spirit of promoting interstate commerce and bolstering the economic wellbeing of businesses located within unincorporated Richland County, is exercising its right to provide a discount on business license fees to businesses within Richland County engaged in interstate commerce for their economic benefit;

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

SECTION I. The Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, In General; Business License Fee Schedule, is hereby amended by

the addition of the following language:

(4) **Interstate Commerce Declining Rates**

These declining rates apply in all classes for gross revenues generated by interstate commerce, i.e., the sale of goods across South Carolina state lines, for which a business license was not paid for and obtained in another jurisdiction outside South Carolina.

<u>Interstate Commerce Revenue</u> (in millions)	<u>Discount on the</u> <u>Business License Fee</u>
1.00 – 4.99	5%
5.00 – 9.99	10%
10.00 – 14.99	15%
15.00 – 19.99	20%
20.00 – 24.99	25%
25.00 – 29.99	30%
30.00 – 34.99	35%
35.00 – 39.99	40%
40.00 – 44.99	45%
45.00 or greater	50%

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

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

SECTION IV. Effective Date. This amendment shall be effective on and after January 1, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
Joseph McEachern, Chair

ATTEST THIS THE ____ DAY

OF _____, 2008

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:

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 16, LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS; ARTICLE I, IN GENERAL; SO AS TO ADDRESS RATES SET FOR LANDFILLS.

WHEREAS, the Richland County Council has discretion to assign business license rates for businesses, and

WHEREAS, Richland County Council wishes to exercise this discretion to address the rates set for landfills;

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

SECTION I. The Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, In General, Business License Fee Schedule, Paragraph (5), Rate Class 8.02; is hereby amended by the deletion of the language contained therein and the substitution of the following language:

Business License Fee Schedule

(5) **Class 8 Rates**

<u>Rate</u>	<u>NAICS #</u>	<u>Business Type</u>	
8.02	5622	Waste Treatment and Disposal	
		First \$2,000	\$50.00
		Each additional \$1,000	\$2.00

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

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

SECTION IV. Effective Date. This amendment shall be effective on and after January 1, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
Joseph McEachern, Chair

ATTEST THIS THE ____ DAY

OF _____, 2008

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:

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

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATED FEE AGREEMENT BY AND BETWEEN RICHLAND COUNTY AND CONTINENTAL DIESEL SYSTEMS US, LLC ("CDS-LLC"), ITS AFFILIATES AND ASSIGNS, TO PROVIDE FOR AN AMENDMENT TO THE EXISTING FEE IN LIEU OF *AD VALOREM* TAXES INCENTIVE, TO ALLOW ADDITIONAL INVESTMENT EXPENDITURES TO QUALIFY AS ELIGIBLE EXPENDITURES THEREUNDER; TO INCLUDE THE GRANT OF CERTAIN INFRASTRUCTURE CREDITS; TO ADD A SPONSOR AFFILIATE THERETO; TO APPROVE ITS CONVERSION PURSUANT TO SECTION 12-44-170(B) OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; AND OTHER MATTERS THERETO RELATED.

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

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO A FEE AGREEMENT BY AND BETWEEN RICHLAND COUNTY AND CONTINENTAL AUTOMOTIVE SYSTEMS US, LLC ("CAS-US"), TO EXTEND THE INITIAL INVESTMENT PERIOD OF THE FEE-IN-LIEU OF AD VALOREM TAX INCENTIVE DURING WHICH ELIGIBLE EXPENDITURES MAY QUALIFY; TO CHANGE CERTAIN DEFINITIONS THEREUNDER; TO ADD A SPONSOR AFFILIATE THERETO; AND OTHER MATTERS THERETO RELATED.

**Historic Properties Ordinance
"Bailey Bill"**

Former Statute	Amended Statute	Current Ordinance	Staff Recommendations
REVIEW			
Rehabilitation plans are reviewed by the SC Department of Archives and History for compliance with the Secretary of the Interior's Standards.	Gives the option of assigning the review of rehabilitation plans to a local Board of Architectural Review, using guidelines established for the district.	Rehabilitation plans are reviewed by the SC Department of Archives and History.	Work performed on historic properties in the unincorporated areas of the county, and in municipalities without a Board of Architectural Review, would be reviewed by the SC Department of Archives and History. In a municipality that has a Board of Architectural Review, the county would defer the reviewing process to the municipal board.
SPECIAL ASSESSMENT RATE			
A special assessment rate was based on the pre-rehabilitation value or 40% of the new assessed value, whichever was HIGHER.	Upon final certification, the property must be assessed based on the fair market value before rehabilitation. This assessment must remain in place for the remainder of the special assessment period. (Essentially a freeze)	For the first two years after final certification, the special assessment rate is equal to the pre-rehabilitation rate. For the next eight years, the special assessment rate is equal to the pre-rehabilitation rate, or 40% of the new assessed value, whichever is HIGHER.	The new statute requires that the property be assessed based on the pre-rehabilitation value for the entire length of the special assessment period.
MINIMUM INVESTMENT			
The minimum expenditure required to qualify for a special tax assessment was set at 50% of fair market value for owner-occupied buildings and 100% for income-producing buildings.	Lets local government choose the expenditure required to qualify for the special assessment with the minimum being 20% of the fair market value of the building. The value may be different for owner-occupied and income-producing buildings.	Minimum expenditure required to qualify for a special tax assessment: <ul style="list-style-type: none"> • Owner Occupied: 50% of FMV • Income Producing: 100% of FMV 	Staff recommends that the county ordinance continue to use the existing minimum investment levels (50% for owner occupied and 100% for income producing properties).
LENGTH OF SPECIAL ASSESSMENT			
The special assessment period was set at 10 years. The first two years were based on the pre-rehabilitation value, and the following 8 years were based on the pre-rehabilitation value or 40% of the post-rehabilitation value, which ever was higher.	Authorizes local government to set the length of the abatement, but not more than 20 years.	Sets the special assessment period at a total of 10 years: <ul style="list-style-type: none"> • 2 years based on pre-rehabilitation value • 8 years based on pre-rehabilitation value or 40% of post-rehabilitation value, which ever is higher. 	Staff recommends that the county continue to use the existing special assessment period of 10 years; however, the special assessment rate may no longer change after the second year. The special assessment rate would be based on the pre-rehabilitation value for the entire 10-year period.

Staff Recommendations

Owner-Occupied	
Minimum Investment	Special Assessment
50% of FMV	10 Years

Income-Producing	
Investment	Special Assessment
100% of FMV	10 Years

Compared to the county’s current historic property incentives, these recommendations would:

- **Maintain the current minimum investment levels of 50% for owner-occupied properties and 100% for income-producing properties.**
- **Freeze the special assessment rate for a period of 10 years based on the property’s pre-rehabilitation assessment.**

Other Issues

- **Eligible Properties**
 - In order to be eligible for the special assessment, properties must be:
 - Listed on the National Register of Historic Places, or
 - Within the boundaries of a district listed on the National Register of Historic Places and be at least 50 years old.
- **Project Review**
 - The SC Department of Archives and History has stated that it will only review properties in the unincorporated areas of Richland County and within municipalities that do not have a Board of Architectural Review.
 - In municipalities that have a Board of Architectural Review, staff recommends that the county defer to the municipality’s board for the review of the work only. All other functions (determining eligibility, verifying investment, etc.) would be done within the county. SCDAH and the municipal ARB would act in an advisory capacity.
- **Differences between City and County Ordinances**
 - Eligibility: Only properties on the National Register of Historic Places will be eligible under the county’s ordinance, while the city authorizes special assessments for properties within local historic districts as well as those on the National Register.
 - Minimum Investment: The county’s ordinance would maintain the 50% and 100% minimum investment levels, while the city’s ordinance will drop the minimum investment to 20% for owner-occupied as well as income-producing properties.
 - Length of Special Assessment: The county’s ordinance would provide a 10-year special assessment based on the pre-rehabilitation value, while the city’s ordinance extends the length of the special assessment to 20 years.
- Only work that has been reviewed and approved by SCDAH or municipal reviewing authority will count toward the minimum investment.
- Sale or transfer of the property will result in decertification and loss of the special assessment.

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

AN ORDINANCE TO REPEAL ORDINANCE NUMBER 025-96HR, ENTITLED "AN ORDINANCE ADOPTING A POLICY WITH RESPECT TO SPECIAL PROPERTY TAX ASSESSMENTS FOR REHABILITATED HISTORIC PROPERTIES", AND TO AMEND THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 23, TAXATION, ARTICLE V, REHABILITATED HISTORIC PROPERTIES, SO AS TO REFLECT THE 2004 AMENDMENTS MADE TO SECTION 4-9-195 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED.

WHEREAS, pursuant to Section 4-9-195 of the S. C. Code of Laws, 1976, as amended, Richland County Council enacted Ordinance Number 025-96HR, "An Ordinance Adopting a Policy with Respect to Special Property Tax Assessments for Rehabilitated Historic Properties" on May 21, 1996, which was subsequently codified as Article V of Chapter 25 in the Richland County Code of Ordinances; and

WHEREAS, Section 4-9-195 of the S. C. Code of Laws, 1976, as amended, was recently amended by the South Carolina General Assembly through the enactment of Act No. 292, effective August 16, 2004; and

WHEREAS, Richland County Council now desires to repeal Ordinance Number 025-96HR and to amend the Richland County Code of Ordinances, Chapter 23, Taxation, Article V, Rehabilitated Historic Properties, to reflect the 2004 amendments made to Section 4-9-195 of the South Carolina Code of Laws, 1976, as amended;

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

SECTION I. Ordinance Number 025-96HR, entitled "An Ordinance Adopting a Policy with Respect to Special Property Tax Assessments for Rehabilitated Historic Properties", and enacted on May 21, 1996, is hereby repealed in its entirety.

SECTION II. The Richland County Code of Ordinances; Chapter 23, Taxation; Article V, Rehabilitated Historic Properties; is hereby amended by the deletion of the language contained therein and the substitution of the following language:

ARTICLE V. REHABILITATED HISTORIC PROPERTIES

Sec. 23-60. Special tax assessment created.

A special tax assessment is created for ~~the following two types of~~ eligible rehabilitated historic properties for a period of [REDACTED] equal to the assessed value of the property at the time of Preliminary Certification.

- ~~(1) — For owner-occupied property, as assessment for two (2) years, equal to four (4) percent of the appraised value of the property at the time certification is made and for eight (8) years equal to the greater of forty (40) percent of four (4) percent of the appraised value of the property after rehabilitation or the original assessment on the uncertified property.~~
- ~~(2) — For income-producing rehabilitated property, as assessment for two (2) years equal to six (6) percent of the appraised value of the property at the time of certification and an assessment for eight (8) years equal to the greater of forty (40) percent of six (6) percent of the appraised value of the property after rehabilitation or the original assessment on the uncertified property.~~

Sec. 23-61. Purpose.

It is the purpose of this Article to:

- (1) Encourage the rehabilitation of historic properties;
- (2) Promote community development and redevelopment;
- (3) Encourage sound community planning; and
- (4) Promote the general health, safety, and welfare of the community.

Sec. 23-62. Eligible Properties.

(a) Certification. In order to be eligible for the special tax assessment, historic properties must receive preliminary and final certification.

(1) Preliminary Certification. To receive Preliminary Certification a property must meet the following conditions:

- a. The property meets the requirements for historic designation as established in this section.
- b. The proposed rehabilitation work receives a recommendation of approval from the appropriate architectural reviewing authority (hereinafter “reviewing authority”) and is consistent with the rehabilitation standards as set forth in this article. The reviewing authority shall review all improvements associated with the rehabilitation and make a recommendation to the county regarding the project’s eligibility. For the purpose of this article, the reviewing authority shall be defined as follows:
 1. In any municipality that has an architectural review board, the municipal board shall serve as the reviewing authority.

2. In the unincorporated areas of the county, and within any municipality that does not have an architectural review board, the South Carolina Department of Archives and History shall serve as the reviewing authority.

c. Be a project that commenced by or after August 17, 2004 to the date of the adoption of this ordinance and work was permitted to have begun prior to receiving Preliminary Certification, or

d. Be a project that commences on or after the date of the adoption of this ordinance.

(2) Final Certification. To be eligible for Final Certification, a property must have met the following conditions:

a. The property has received Preliminary Certification.

b. The minimum expenditures for rehabilitation as set forth in this article have been incurred and paid.

c. The completed rehabilitation receives a recommendation for approval from the reviewing authority as being consistent with the plans approved by the reviewing authority during Preliminary Certification.

d. All application fees have been paid in full by the applicant.

e. The property has met all other requirements of this article.



~~(a) Certification. Historic properties must be certified by the County Council as eligible to receive the special tax assessment. To receive certification, owners of property must meet all requirements of this article and the regulations of the South Carolina Department of Archives and History. The owner shall receive a certification form indicating all requirements have been met.~~

~~(b) Eligible properties. To be certified as eligible, properties must:~~

- ~~(1) Be listed on the National Register of Historic Places, either individually or as a contributing property in a district, or;~~
- ~~(2) To be fifty (50) or more years old and have been designated as historic by the County Council, either individually or as contributing property in a local historic district.~~

~~(c) *Designation.* The County Council may designate a property or district as historic if it is more than fifty (50) years old and meets one or more of the following criteria:~~

- ~~(1) Has significant inherent character, interest, or value as a part of the development or heritage of the community, state or nation;~~
- ~~(2) Is the site of an event significant in history;~~
- ~~(3) Is associated with a person or persons who contributed significantly to the culture and development of the community, state or nation;~~
- ~~(4) Exemplifies the cultural, political, economic, social, ethnic, or historic heritage of the community, state, or nation;~~
- ~~(5) Individually, or as a collection of resources, embodies distinguishing characteristics of a type, style, period or specimen in architecture or engineering;~~
- ~~(6) Is the work of a designer whose work has influenced significantly the development of the community, state or nation;~~
- ~~(7) Contains elements of design, detail, materials or craftsmanship which represent a significant innovation;~~
- ~~(8) Is part of or related to a square or other distinctive element of community planning;~~
- ~~(9) Represents an established and familiar visual feature of the neighborhood or community;~~
- ~~(10) Has yielded or may be likely to yield information important in history or pre-history.~~

~~(d) *Moved properties.* The moving of historic buildings from their original site is generally discouraged. If such property is moved as part of a rehabilitation project, it may be eligible for the special tax assessment if:~~

- ~~(1) It has been locally designated as historic but will retain on the new site the characteristics that made it eligible for historic designation on the former site;~~

~~(2) It has not yet been designated historic but will meet designation criteria on its new site;~~

~~(3) It is listed on the National Register of Historic Places and the movement meets all standards and procedures of the United States Department of the Interior and South Carolina Department of Archives and History.~~

~~(e) *Removal of historic designation.* Designated properties may be removed from the list of eligible properties if they no longer possess the qualities that made them eligible for designation, provided that:~~

~~(1) The property has been removed from the National Register of Historic Places and has not been designated under the local criteria included in Section 23-62(e) of this article; and~~

~~(2) Owners of property proposed for removal of designation shall be given thirty (30) days notice prior to such action and are given opportunity to present evidence why such removal should not be conducted.~~

Sec. 23-63. Eligible rehabilitation.

~~(a) *Standards for rehabilitation.* To be eligible for the special tax assessment, historic rehabilitations must be conducted according to the following standards:~~

~~(1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.~~

~~(2) The historic character of a property shall be retained and preserved. The removal of historic materials or alterations ~~or~~ of features and spaces that characterize each property shall be avoided.~~

~~(3) Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development shall not be undertaken.~~

~~(4) Most properties change over time. Those changes that have acquired historic significance in their own right shall be retained and preserved.~~

~~(5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property should be preserved.~~

~~(6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement ~~or~~ of a distinctive feature, the new should match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.~~

~~(76)~~ Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the most gentle means possible.

~~(8)~~ Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

~~(97)~~ New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the historic property and its environment.

~~(108)~~ New additions and adjacent new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(b) Work to be reviewed. The following work will be reviewed according to the standards set forth above:

(1) Repairs to the exterior of the designated building.

(2) Alterations to the exterior of the designated building.

(3) New construction on the property on which the building is located, [REDACTED]

(4) Alterations to interior primary public spaces, as defined by the reviewing authority.

(5) Any remaining work where the expenditures for such work are being used to satisfy the minimum expenditures for rehabilitation, [REDACTED]

~~(b) (c) Value of Minimum expenditures for rehabilitation. The rehabilitation work conducted pursuant to this article must have expenditures: To be eligible for the special property tax assessment, the owner or the owner's estate must meet the minimum expenditures for rehabilitation:~~

(1) For owner-occupied, non-income producing properties, the [REDACTED] of the fair market value of the property.

(2) For income-producing or non-owner occupied properties, the [REDACTED] of the fair market value of the property.

Fair market value means the appraised value as certified to the county by a real estate appraiser licensed by the State of South Carolina, the sales price as delineated in a bona fide contract of sale within twelve months of the time it is submitted, or the most recent appraised value published by the Richland County Tax Assessor.

- ~~(1) Exceeding fifty (50) percent of the appraised value for owner-occupied building; or~~
- ~~(2) Exceeding the appraised value of the building for income-producing property.~~

~~(e) (d) Expenditures for Rehabilitation means the actual cost of rehabilitation relating to one or more of the following:~~

- ~~(1) Improvements located on or within the historic building as designated.~~
- ~~(2) Improvements outside of but directly attached to the historic building which are necessary to make the building fully useable (such as vertical circulation) but shall not include rentable/habitable floorspace attributable to new construction.~~
- ~~(3) Architectural and engineering services attributable to the design of the improvements.~~
- ~~(4) Costs necessary to maintain the historic character or integrity of the building.~~

~~(e) (e) Scope. The special tax assessment may apply to the following:~~

- ~~(1) Property that is Structure(s) rehabilitated;~~
- ~~(2) Real property surrounding the building; or on which the building is located.~~
- ~~(3) Structures which are significant to the rehabilitated property, as determined by the county council.~~

~~(d) (f) Time limits. To be eligible for the special tax assessment, rehabilitations must be completed within two (2) years after approval of submitted plans, pursuant to Section 23-64 of the date of Preliminary Certification. If the project is not complete after two years, but the minimum expenditures for rehabilitation have been incurred, the property continues to receive the special assessment until the project is completed or until the end of the special assessment period, whichever shall occur first.~~

Sec. 23-64. Process.

~~(a) Fee required. There is a fee of one hundred dollars (\$100.00) for each application for review of rehabilitation work conducted pursuant to this ordinance. No application shall be processed without payment of this fee. (A cashiers check should be made payable to the county.) There is a fee required for the review of rehabilitation work during the Final Certification process. Final Certification of the property will not be given until the fee has been paid in full by~~

the applicant. Fees shall be made payable to Richland County. The amount of the fee shall be as follows:

(1) For owner-occupied, non-income producing properties, the fee shall be [REDACTED].

(2) For income-producing or non-owner occupied properties, the fee shall be [REDACTED].

(b) *Plan required.* Owners of property seeking approval of rehabilitation work must complete submit a completed Rehabilitation of Historic Property Application with supporting documentation and application fee prior to beginning work. Rehabilitation work conducted prior to approval of the application is done so at the risk of the property owner.

(c) *Preliminary approval Certification.* Upon receipt of the completed application, the department county shall submit the plan to the reviewing authority determine if for a recommendation as to whether the project is consistent with the standards for rehabilitation. Upon receipt of the reviewing authority's recommendation, the county and shall notify the owner in writing. Upon receipt of this determination, the property owner may:

(1) If the application is approved, begin rehabilitation;

(2) If the application is not approved, he/she may revise such application in accordance with comments provided by the department reviewing authority; and,

~~(3) If the application is not approved, he/she may appeal the decision.~~

(d) *Substantive changes.* Once pPreliminary approval Certification is granted to an application, substantive changes must be approved in writing by the department county. ~~Unapproved~~ Any substantive changes made to the property during rehabilitation that are not approved by county, upon review and recommendation of the reviewing authority, are conducted at the risk of the property owner and may disqualify the project from eligibility during the Final Certification process.

~~(e) Final approval.~~ Completed projects may be inspected by the department or its designee to determine if the work is consistent with the standards for rehabilitation. The department shall issue final approval when the completed work meets the standards for rehabilitation and verification is made that expenditures have been made in accordance with Section 23-63(b) of this article.

(e) Final Certification. Upon completion of the project, the property must receive Final Certification in order to be eligible for the special assessment. The reviewing authority shall inspect completed projects to determine if the work is consistent with the approval recommended by the reviewing authority and granted by the county during Preliminary Certification. The review process for Final Certification shall be established by the reviewing authority and may include a physical inspection of the property. The reviewing authority shall notify the applicant

in writing of its recommendation. If the applicant wishes to appeal the reviewing authority's recommendation, the appeal must follow the reviewing authority's appeals process. The county may grant Final Certification only if the following conditions have been met:

- (1) The completed work meets the standards for rehabilitation as established in this article;
- (2) Verification is made that the minimum expenditures have been have been incurred in accordance with the provisions of this article; and
- (3) Any fee(s) shall be paid in full.

Upon receiving Final Certification, the property will be assessed for the remainder of the special assessment period on the fair market value of the property at the time the Preliminary Certification was made or the Final Certification was made, whichever occurred earlier.

~~(f) *Additional work.* After the department's final approval has been issued, For the remainder of the special assessment period after Final Certification, the property owner shall notify the department county of any additional work, other than ordinary maintenance, prior to the work beginning before the ten (10) year expiration of the special property assessment. The department reviewing authority shall review the work and make a recommendation to the county whether the overall project is consistent with the standards for rehabilitation. The county shall notify the property owner in writing if the overall project is consistent with the standards for rehabilitation. If the additional work is found to be inconsistent by the reviewing authority, the department county shall notify the owner in writing within thirty (30) days of its decision to rescind approval. The property owner may withdraw his/her request and cancel or revise the proposed additional work.~~

~~(g) *Decertification.* The date of any of the following shall be considered the date of the end of the special tax assessment:~~

- ~~(1) Written notice from the owner to the county removal of preferential assessment;~~
- ~~(2) Sale or transfer of ownership during the ten (10) year period, except in the course of probate proceedings;~~
- ~~(3) Removal of the historic property designation by the county council National Register of Historic Places; or~~
- ~~(4) Rescission of the approval of rehabilitation by the Department of Archives and History.~~

~~(h) (g) *Notification.* The county shall, uUpon Final eCertification of a rehabilitated historic property, as historic, notify the Richland eCounty aAssessor, aAuditor, and tTreasurer shall be notified that such property has been duly certified and is eligible for the special tax assessment.~~

~~(i) (h) Annual Application. Owners of properties certified as historic under this ordinance shall make application to the county auditor to begin the special assessment, and shall annually make such application for each year the assessment shall be in effect. Once the Final Certification has been granted, the owner of the property shall make application to the Richland County Auditor for the special assessment provided for herein.~~

~~(j) (i) Fiscal year Date effective. To be eligible for the special tax assessment, a property must be certified as historic before the first day of April of the year it intends to receive this treatment. If an application for preliminary or final certification is filed by May first or the Preliminary or Final Certification is approved by August first, the special assessment authorized herein is effective for that year. Otherwise, it is effective beginning with the following year. The special assessment only begins in the current or future tax years as provided for in this section. The special assessment period shall not exceed ten (10) years in length, and in no instance may the special assessment be applied retroactively.~~

~~(j) Previously certified properties. A property certified to receive the special property tax assessment under the existing law continues to receive the special assessment in effect at the time certification was made.~~

~~(k) Decertification. Once the property has received Final Certification and assessed as rehabilitated historic property, it remains so certified and must be granted the special assessment until the property becomes disqualified by any one of the following:~~

- ~~(1) Written notice from the owner to the Richland County Auditor requesting removal of the special assessment;~~
- ~~(2) Sale or transfer of ownership during the special assessment period, other than in the course of probate proceedings;~~
- ~~(3) Removal of the historic designation by the National Register of Historic Places; or~~
- ~~(4) Recision of the approval of rehabilitation by the county, at the recommendation of the reviewing authority, because of alterations or renovation by the owner or the owner's estate which causes the property to no longer possess the qualities and features which made it eligible for Final Certification. Notification of any change affecting eligibility must be given immediately to the Richland County Assessor, Auditor, and Treasurer.~~

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 _____, 2008.

RICHLAND COUNTY COUNCIL

BY: _____
Joseph McEachern, Chair

ATTEST THIS THE ____ DAY
OF _____, 2008

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:

Income Producing

PRE-REHABILITATION
Appraised Value: \$600,000
Assessed Value: \$36,000

INVESTMENT
Appraised Value: \$5,000,000
Assessed Value: \$360,000

POST-REHABILITATION
Appraised Value: \$6,000,000
Assessed Value: \$360,000

Year	FMV	Millage	Assessed Value	Taxes Collected	Scenario #1 No Rehabilitation	Scenario #2 Post Rehab / No Incentives	Scenario #3 Post Rehab / Current Ordinance	Scenario #4 Post Rehab / City Ordinance	Scenario #5 Post Rehab / Proposed Ordinance
2008	\$600,000	0.377	\$36,000	\$13,572	\$36,000	\$36,000	\$36,000	\$36,000	\$36,000
2009	\$600,000	0.385	\$36,000	\$13,843	\$36,000	\$36,000	\$36,000	\$36,000	\$36,000
2010	\$600,000	0.392	\$36,000	\$14,120	\$36,000	\$36,000	\$36,000	\$36,000	\$36,000
2011	\$600,000	0.398	\$36,000	\$14,403	\$36,000	\$36,000	\$36,000	\$36,000	\$36,000
2012	\$6,000,000	0.348	\$41,400	\$14,981	\$41,400	\$41,400	\$41,400	\$41,400	\$41,400
2013	\$6,000,000	0.362	\$41,400	\$14,965	\$41,400	\$41,400	\$41,400	\$41,400	\$41,400
2014	\$6,000,000	0.368	\$41,400	\$15,284	\$41,400	\$41,400	\$41,400	\$41,400	\$41,400
2015	\$6,000,000	0.377	\$41,400	\$15,590	\$41,400	\$41,400	\$41,400	\$41,400	\$41,400
2016	\$6,000,000	0.384	\$41,400	\$15,902	\$41,400	\$41,400	\$41,400	\$41,400	\$41,400
2017	\$6,900,000	0.341	\$47,610	\$16,220	\$47,610	\$47,610	\$47,610	\$47,610	\$47,610
2018	\$6,900,000	0.347	\$47,610	\$16,544	\$47,610	\$47,610	\$47,610	\$47,610	\$47,610
2019	\$6,900,000	0.354	\$47,610	\$16,875	\$47,610	\$47,610	\$47,610	\$47,610	\$47,610
2020	\$6,900,000	0.362	\$47,610	\$17,213	\$47,610	\$47,610	\$47,610	\$47,610	\$47,610
2021	\$7,935,000	0.324	\$54,752	\$17,557	\$54,752	\$54,752	\$54,752	\$54,752	\$54,752
2022	\$7,935,000	0.327	\$54,752	\$17,908	\$54,752	\$54,752	\$54,752	\$54,752	\$54,752
2023	\$7,935,000	0.334	\$54,752	\$18,266	\$54,752	\$54,752	\$54,752	\$54,752	\$54,752
2024	\$7,935,000	0.340	\$54,752	\$18,631	\$54,752	\$54,752	\$54,752	\$54,752	\$54,752
2025	\$7,935,000	0.347	\$54,752	\$19,004	\$54,752	\$54,752	\$54,752	\$54,752	\$54,752
2026	\$9,125,250	0.308	\$62,964	\$19,384	\$62,964	\$62,964	\$62,964	\$62,964	\$62,964
2027	\$9,125,250	0.314	\$62,964	\$19,772	\$62,964	\$62,964	\$62,964	\$62,964	\$62,964
2028	\$9,125,250	0.320	\$62,964	\$20,167	\$62,964	\$62,964	\$62,964	\$62,964	\$62,964

10 YEAR TOTALS (2009-2018)	\$151,582	\$1,102,803	\$435,861	\$972,535	145.9%
LOST TAX REVENUE DUE TO INCENTIVES					
% OF REVENUE LOST DUE TO INCENTIVES	60.5%				
COMPARISON TO CURRENT INCENTIVE (2+8 YEARS)					
20 YEAR TOTALS (2009-2028)	\$336,359	\$2,709,683	\$249,706	\$2,458,957	90.8%
LOST TAX REVENUE DUE TO INCENTIVES					
% OF REVENUE LOST DUE TO INCENTIVES	90.8%				
COMPARISON TO CURRENT INCENTIVE (2+8 YEARS)					
Assumptions:					
Millage increases 2% per year.					
Property value is increased by 15% in reassessment years.					
Millage rolls back 11.3% in reassessment years.					

Owner Occupied

PRE-REHABILITATION
 Assessed Value: \$100,000
 Amount Value: \$4,000

POST-REHABILITATION
 Assessed Value: \$150,000
 Amount Value: \$6,000

Year	City	County	School	LOI	Scenario #1 No Rehabilitation			Scenario #2 Post Rehab / No Incentives			Scenario #3 Post Rehab / Current Ordinance			Scenario #4 Post Rehab / City Ordinance			Scenario #5 Post Rehab / Proposed Ordinance		
					Assessed Value	Taxes Collected	Allow Credits	Assessed Value	Taxes Collected	Allow Credits	Assessed Value	Taxes Collected	Allow Credits	Assessed Value	Taxes Collected	Allow Credits	Assessed Value	Taxes Collected	Allow Credits
2008	\$100,000	0.0000	0.2168	0.00375	\$4,000	\$1,653	\$4,000	\$4,000	\$1,658	\$4,000	\$1,658	\$4,000	\$1,658	\$4,000	\$1,658	\$4,000	\$1,658	\$4,000	\$1,658
2009	\$100,000	0.3845	0.2168	0.00375	\$4,000	\$1,593	\$4,000	\$4,000	\$1,593	\$4,000	\$1,593	\$4,000	\$1,593	\$4,000	\$1,593	\$4,000	\$1,593	\$4,000	\$1,593
2010	\$100,000	0.5622	0.2168	0.00375	\$4,000	\$1,532	\$4,000	\$4,000	\$1,532	\$4,000	\$1,532	\$4,000	\$1,532	\$4,000	\$1,532	\$4,000	\$1,532	\$4,000	\$1,532
2011	\$100,000	0.7399	0.2168	0.00375	\$4,000	\$1,471	\$4,000	\$4,000	\$1,471	\$4,000	\$1,471	\$4,000	\$1,471	\$4,000	\$1,471	\$4,000	\$1,471	\$4,000	\$1,471
2012	\$150,000	0.9168	0.2168	0.00375	\$6,000	\$2,172	\$6,000	\$6,000	\$2,172	\$6,000	\$2,172	\$6,000	\$2,172	\$6,000	\$2,172	\$6,000	\$2,172	\$6,000	\$2,172
2013	\$150,000	1.0935	0.2168	0.00375	\$6,000	\$1,865	\$6,000	\$6,000	\$1,865	\$6,000	\$1,865	\$6,000	\$1,865	\$6,000	\$1,865	\$6,000	\$1,865	\$6,000	\$1,865
2014	\$150,000	1.2702	0.2168	0.00375	\$6,000	\$1,558	\$6,000	\$6,000	\$1,558	\$6,000	\$1,558	\$6,000	\$1,558	\$6,000	\$1,558	\$6,000	\$1,558	\$6,000	\$1,558
2015	\$150,000	1.4469	0.2168	0.00375	\$6,000	\$1,251	\$6,000	\$6,000	\$1,251	\$6,000	\$1,251	\$6,000	\$1,251	\$6,000	\$1,251	\$6,000	\$1,251	\$6,000	\$1,251
2016	\$172,500	1.6236	0.2168	0.00375	\$8,250	\$1,767	\$8,250	\$8,250	\$1,767	\$8,250	\$1,767	\$8,250	\$1,767	\$8,250	\$1,767	\$8,250	\$1,767	\$8,250	\$1,767
2017	\$172,500	1.7999	0.2168	0.00375	\$8,250	\$1,460	\$8,250	\$8,250	\$1,460	\$8,250	\$1,460	\$8,250	\$1,460	\$8,250	\$1,460	\$8,250	\$1,460	\$8,250	\$1,460
2018	\$172,500	1.9762	0.2168	0.00375	\$8,250	\$1,153	\$8,250	\$8,250	\$1,153	\$8,250	\$1,153	\$8,250	\$1,153	\$8,250	\$1,153	\$8,250	\$1,153	\$8,250	\$1,153
2019	\$172,500	2.1525	0.2168	0.00375	\$8,250	\$846	\$8,250	\$8,250	\$846	\$8,250	\$846	\$8,250	\$846	\$8,250	\$846	\$8,250	\$846	\$8,250	\$846
2020	\$172,500	2.3288	0.2168	0.00375	\$8,250	\$539	\$8,250	\$8,250	\$539	\$8,250	\$539	\$8,250	\$539	\$8,250	\$539	\$8,250	\$539	\$8,250	\$539
2021	\$195,000	2.5051	0.2168	0.00375	\$10,500	\$1,042	\$10,500	\$10,500	\$1,042	\$10,500	\$1,042	\$10,500	\$1,042	\$10,500	\$1,042	\$10,500	\$1,042	\$10,500	\$1,042
2022	\$195,000	2.6814	0.2168	0.00375	\$10,500	\$735	\$10,500	\$10,500	\$735	\$10,500	\$735	\$10,500	\$735	\$10,500	\$735	\$10,500	\$735	\$10,500	\$735
2023	\$195,000	2.8577	0.2168	0.00375	\$10,500	\$428	\$10,500	\$10,500	\$428	\$10,500	\$428	\$10,500	\$428	\$10,500	\$428	\$10,500	\$428	\$10,500	\$428
2024	\$195,000	3.0340	0.2168	0.00375	\$10,500	\$121	\$10,500	\$10,500	\$121	\$10,500	\$121	\$10,500	\$121	\$10,500	\$121	\$10,500	\$121	\$10,500	\$121
2025	\$195,000	3.2103	0.2168	0.00375	\$10,500	\$19	\$10,500	\$10,500	\$19	\$10,500	\$19	\$10,500	\$19	\$10,500	\$19	\$10,500	\$19	\$10,500	\$19
2026	\$220,000	3.3866	0.2168	0.00375	\$13,000	\$12	\$13,000	\$13,000	\$12	\$13,000	\$12	\$13,000	\$12	\$13,000	\$12	\$13,000	\$12	\$13,000	\$12
2027	\$220,000	3.5629	0.2168	0.00375	\$13,000	\$5	\$13,000	\$13,000	\$5	\$13,000	\$5	\$13,000	\$5	\$13,000	\$5	\$13,000	\$5	\$13,000	\$5
2028	\$220,000	3.7392	0.2168	0.00375	\$13,000	\$0	\$13,000	\$13,000	\$0	\$13,000	\$0	\$13,000	\$0	\$13,000	\$0	\$13,000	\$0	\$13,000	\$0

10-YEAR TOTALS (2008-2018) \$16,842 \$2,225 \$1,023 \$14,438 \$3,003 \$2,148 \$6,855 \$1,448 \$14,438 \$3,003 \$2,148 \$6,855 \$1,448 \$14,438 \$3,003 \$2,148 \$6,855 \$1,448 \$14,438 \$3,003 \$2,148 \$6,855 \$1,448

LOST TAX REVENUE DUE TO INCENTIVES \$6,855 31.3%

% OF REVENUE LOST DUE TO INCENTIVES 78.1%

COMPARISON TO CURRENT INCENTIVE (P=4 YEARS) \$3,773 304.6% \$3,711 85.0%

20-YEAR TOTALS (2008-2028) \$16,842 \$2,225 \$1,023 \$14,438 \$3,003 \$2,148 \$6,855 \$1,448 \$14,438 \$3,003 \$2,148 \$6,855 \$1,448 \$14,438 \$3,003 \$2,148 \$6,855 \$1,448 \$14,438 \$3,003 \$2,148 \$6,855 \$1,448

LOST TAX REVENUE DUE TO INCENTIVES \$6,855 31.3%

% OF REVENUE LOST DUE TO INCENTIVES 78.1%

COMPARISON TO CURRENT INCENTIVE (P=8 YEARS) \$3,773 304.6% \$3,711 85.0%

Assessment: Total millage increases 2% per year.
 Property value is increased by 1.5% in reassessment years.
 Total millage rolls back 1.3% in reassessment years.
 School millage increases 2.85% per year (CPI).
 School millage rolls back 1.05% in reassessment years.

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

AUTHORIZING THE RECREATION COMMISSION OF RICHLAND COUNTY
ON BEHALF OF THE RECREATION DISTRICT OF RICHLAND COUNTY TO
ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT
EXCEEDING \$45,000,000; AND OTHER MATTERS RELATING THERETO.

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

(a) The Recreation Commission of Richland County (the "Commission") is the governing body of The Recreation District of Richland County, South Carolina (the "District") and has submitted a petition dated June 24, 2008, to the County Council requesting authorization to issue not exceeding \$45,000,000 principal amount general obligation bonds of the District (the "Bonds").

(b) The District was established pursuant to Act No. 873 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1960, as amended (the "Act").

(c) The corporate powers and responsibilities of the District are performed by the Commission and as such the Commission is the governing body of the District. The Act committed to the Commission the power to acquire, by gift, purchase or through the exercise of eminent domain, lands, or interest thereon whereon to establish physical education and recreation facilities.

(d) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended, provides that special purpose districts shall have the power to issue bonded indebtedness only for a purpose which is a public purpose and a corporate purpose in an amount not exceeding eight percent (8%) of the assessed value of all taxable property therein upon such terms and conditions as the General Assembly shall prescribe by general law.

(e) The Council constitutes the "county board" of the County and the District constitutes a "special purpose district," as such quoted terms are defined in the Code.

(f) Pursuant to Title 6, Chapter 11, Article 5, Code of Laws of South Carolina, 1976, as amended (the "Code"), the county boards of all counties of the State of South Carolina wherein special purpose districts exist are empowered to authorize the governing body of such special purpose district to issue bonds of the special purpose district whose proceeds shall be used in furtherance of any power of the special purpose district.

(g) Pursuant to the Code the County Council is empowered to authorize the Commission of the District to issue bonds of the District whose proceeds shall be used in furtherance of any power of the District.

(h) The assessed value of all taxable property of the District as of June 30, 2007, is \$938,376,870. Eight percent of such assessed value is \$75,070,150. The general obligation debt outstanding of the District for computation purposes under Article X, Section 14, of the Constitution of the State of South Carolina, 1895, as amended, is \$5,478,618. Thus, the District may incur \$69,591,532 of general obligation debt within its applicable debt limitation.

(i) It is now in the best interest of the District for the Commission to provide for the issuance and sale of the Bonds of the District pursuant to the aforesaid provisions of the Constitution and laws of the State of South Carolina in the principal amount of not exceeding \$45,000,000, the proceeds of which will be used for projects (the "Projects") as identified on Exhibit A attached hereto and incorporated herein by reference and costs of issuance of the Bonds.

(j) Prior to the enactment of this Ordinance, County Council shall hold a public hearing on the question of the issuance of the Bonds as required by Section 6-11-830, Code of Laws of South Carolina 1976 as amended.

SECTION 2. Pursuant to the aforementioned constitutional and statutory provisions, the Commission, on behalf of the District, is hereby authorized to issue the Bonds. The Bonds may be issued in one or more series, in one or more years, with appropriate series designations. The Bonds shall be dated, shall mature, shall be in such denomination, shall bear such interest, shall be subject to redemption, shall be executed and shall contain such other provisions as the Commission shall determine. Prior to the issuance of a series of bonds, the Commission may issue bond anticipation notes in anticipation of the receipt of proceeds of such bonds.

SECTION 3. Proceeds of the Bonds shall be expended only for Projects as identified on Exhibit A and only in such amounts as shown on Exhibit A attached hereto provided that an amount not to exceed ten percent (10%) of the total cost of the Projects may be reallocated among the Projects at the direction of the Commission. Interest earned on the proceeds of the Bonds, net of any rebate liability, shall be expended on the Projects at the direction of the Commission. The Projects shall be undertaken in such order and at such times as the Commission shall determine.

SECTION 4. No election shall be held as a condition to the issuance of the Bonds.

SECTION 5. For the payment of the principal and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary to provide for the prompt payment thereof, the full faith, credit, taxing power and resources of the District shall be irrevocably pledged, and there shall be levied annually by the Auditor of Richland County and collected by the Treasurer of Richland County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property of the District sufficient to pay the principal and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 6. The Commission is authorized to do all things necessary or convenient in accordance with applicable law to effect the issuance of the Bonds at such times as it deems necessary and in the interest of the District.

SECTION 7. Following the enactment of this Ordinance, a Notice in substantially the form attached as Exhibit B shall be published in a newspaper of general circulation in the County for three successive weeks.

SECTION 8. All orders, resolutions, ordinances and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the General Obligation Bond and the General Obligation Refunding Bonds are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

SECTION 9. Miscellaneous. All rules, regulations, resolutions and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Bonds are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its adoption.

Enacted this ____ day of September, 2008.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Joseph McEachern, Chairman
Richland County Council

(SEAL)

ATTEST THIS ____ DAY OF
_____, 2008:

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

Date of First Reading: July 1, 2008
Date of Second Reading: July 15, 2008
Publication of Notice of
Public Hearing: July 5, 12 and 19, 2008
Date of Public Hearing: July 22, 2008
Date of Third Reading: September ___, 2008

EXHIBIT A

List of Recreation Commission of Richland County
Projects to be funded from not to exceed \$45,000,000 of Bonds

[See Attached]

Preliminary, subject to change

FORM OF
NOTICE PURSUANT TO
SECTION 6-11-870, CODE OF LAWS
OF SOUTH CAROLINA, 1976, AS AMENDED,
OF APPROVAL BY THE COUNTY COUNCIL
OF RICHLAND COUNTY, SOUTH CAROLINA
OF THE ISSUANCE OF
NOT EXCEEDING \$45,000,000 GENERAL OBLIGATION BONDS
OF THE RECREATION DISTRICT OF RICHLAND COUNTY, SOUTH CAROLINA

On June 24, 2008, the Recreation Commission of Richland County (the "Commission") on behalf of The Recreation District of Richland County, South Carolina (the "District") petitioned the County Council of Richland County, South Carolina (the "County Council") requesting that County Council (a) accept the filing of a Petition; (b) make a finding that it is in the best interest of the District for County Council to authorize the Commission to issue not exceeding \$45,000,000 general obligation bonds (the "Bonds"), (c) order a public hearing upon the question of the issuance of the Bonds of the District; and (d) enact an ordinance authorizing the Commission on behalf of the District to issue the Bonds of the District without the necessity of an election in the District upon the question of the issuance of such Bonds.

The County Council caused the required notice to be published in a newspaper of general circulation in Richland County and on July 22, 2008, held a public hearing in Council Chambers, Richland County Administration Building, 2020 Hampton Street, Columbia, South Carolina 29201, on the question of the issuance of the Bonds. The hearing was conducted publicly and both proponents and opponents were given full opportunity to be heard.

The Bonds will be issued at such time as the Commission determines. For the payment of the principal and interest on the Bonds as they respectively mature and for the creation of such sinking fund as may be necessary to provide for the prompt payment thereof, the full faith, credit, taxing power and resources of the District shall be irrevocably pledged, and there shall be levied and collected annually upon all taxable property of the District a tax, without limitation as to rate or amount, sufficient for such purposes.

County Council determined that no election shall be ordered in the District upon the question of the issuance of the Bonds.

Any person affected by the action of the County Council may, by action de novo instituted in the Court of Common Pleas for Richland County, within twenty (20) days following the last publication of this notice, but not afterwards, challenge the action of the County Council.

Chairman, County Council of Richland County,
South Carolina

B-1

Lower Richland Area Bond Project List

Dist	Location/Project
BLUFF ROAD PARK:	
10	Replace recreation center building/gymnasium (Polo Road Park & Denny Terrace gym models)
10*	Replace fencing (Black vinyl covered fencing)
CROSS ROADS PARK:	
10*	Ball field lighting
10*	Replace fencing (Black vinyl covered fencing)
10	Community center -- (Ballentine model without the walking corridor)
10*	Playground system (Use Perrin Thomas Community Center playground as model)
EASTOVER PARK:	
10*	Replace outdoor restrooms (Larger version of Meadowlake model)
10	Purchase land for future development
10*	Replace fencing (Black vinyl covered fencing)
10	Swimming pool addition
HOPKINS PARK:	
10*	Replace fencing (Black vinyl covered fencing)
10	Replace senior center building -- (Ballentine model without the walking corridor)
10	Picnic shelter (Perrin Thomas model)
10	Canteen
GADSDEN PARK:	
10	Enlarge community center (Increase meeting room space and build new gym using Denny Terrace model)
OLYMPIA PARK:	
10*	Playground (Perrin Thomas model)
PERRIN THOMAS COMMUNITY CENTER:	
10	Raze school building and build community center -- (Upper Richland model)
CAUGHMAN ROAD PARK:	
11*	Replace outdoor restrooms (Larger version of Meadowlake model)
11*	Replace fencing (Black vinyl covered fencing)
11*	Replace racquetball court (Refurbish one court and convert one to a climbing wall)
GARNERS FERRY SPORTS COMPLEX:	
11	Adult Activity Center and Technology Center (AAC & Tech Center models)
11	Playground system (Perrin Thomas model)
LAND PURCHASE OPPORTUNITIES FOR FUTURE DEVELOPMENT	
11	Land Acquisition to acquire Carolina Bay and build a buffer, possibly a public golf course (RCRC Board needs more information on this project)
11	Land Acquisition -- Southeast Sports Complex (possible enhancements to Garners Ferry Sports Complex if additional land can be obtained adjoining the current property)
11	Land Acquisition -- Neighborhood mini parks (4) which feature playground and picnic facilities

Upper Richland Area Bond Project List

Dist	Location/Project
	Friarsgate Park:
1*	Replace racquetball court
1*	Replace playground system (Perrin Thomas model)
1	Land Acquisition -- 12 acres for athletic field development
	Blythewood Park:
2*	Ballfield lighting
2*	Replace fencing (Black vinyl covered fencing)
2	Development of multipurpose athletic field for football and soccer, lighting, fencing, and irrigation
2	Lighting for new T-ball athletic fields
	Marly Drive Area: Land Acquisition -- 5.53 acres for community center (conversion of existing building) (RCRC Board needs more information on this project)
2	Round Top Community: Land Acquisition -- 60 acres for community center (RCRC Board needs more information on this project)
	St. Andrews Park:
2	Replace gymnasium/recreation center building (Polo Road Park/Denny Terrace gym models)
2*	Replace outdoor restrooms at ballfield (Larger version of Meadowlake model) New smaller outdoor restroom at tennis courts (Smaller version of Meadowlake model)
3	Greenview Park: Drainage project partnership with City of Columbia and RC Conservation Commission
	New Castle/Trenholm Acres: Convert existing Shakespeare site to community center and replace the headquarters building (Pine Grove model)
3	
4	Ridgewood Park: Community center building (Pine Grove model)
	Adult Activity Center: Add indoor space by tearing down interior walls to make rooms larger; move Board room to new headquarters building to free up that space for programs
7	
7	Crane Creek Community Center: Gymnasium (Denny Terrace gym model)
7	Killian Park: Replace fencing (Black vinyl covered fencing)
	Meadowlake Park:
7*	Refurbish one racquetball court
7*	Replace playground system (Perrin Thomas model)
7*	Three press boxes with canteen and storage
7	Irrigation Improvements
7*	Richland County Tennis Center: Build new 2,400 square foot pro shop
7*	Summerhill Park: Replace playground system (Perrin Thomas model)
	Headquarters/Shakespeare Road: Purchase land and build new administrative office building approximately 16,000 square feet
7	
	Long Green Parkway: Purchase of 27 acres in Long Green Parkway area for a future recreation center with athletic fields (RCRC Board needs more information on this project)
7	

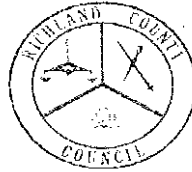
Upper Richland Area Bond Project List -- CONTINUED

Dist	Location/Project
	Polo Road Park:
8*	Outdoor restrooms (Larger version of Meadowlake model)
8*	Replace fencing (Black vinyl covered fencing)
8*	Stairs to soccer fields
8*	Parking lot paving
	Land Acquisition and Development: purchase and develop approximately 29 acres identified near
8	Sesqui State Park for additional soccer fields
8	Lighted tennis courts
8	Irrigation improvements and commercial well
	Candlewood Area:
9	Land Acquisition and development for neighborhood mini park
	Kelly Mill Area: Land Acquisition -- 126.17 acres with lake for sports complex (RCRC Board needs more information on this project)
9	
	North Springs Park:
9*	Refurbish racquetball courts
9*	Replace playground system (Perrin Thomas model)
9	Irrigation improvements
9	New community center building (4,000 s.f.) (Upper Richland model), and add a baseball field, additional parking, landscaping and irrigation system for front of building
	Royal Pines Community:
9	Purchase land for and develop new neighborhood mini park
	Trenholm Park:
9*	Replace fencing (Black vinyl covered fencing)
	These projects would be built at existing sites which are to be determined
	Bike trails and tracks
	Acquatic features (water spray features without swimming pool)
	Skateboard park features
	Disc golf course

TOTAL PROPOSED RECREATION BOND NOT TO EXCEED \$45 MILLION

Richland County Council

Rules and Appointments Committee



RICHLAND COUNTY COUNCIL REGULAR SESSION MEETING JULY 22, 2008

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES TO BOARDS, COMMISSIONS AND COMMITTEES

A. Airport Commission-2

There are two vacancies on this board for positions that were never filled.

Mike Montgomery
Chair
District Eight

Paul Livingston
District Four

Bill Malinowski
District One

Staffed by:

Monique Walters
Assistant to the Clerk of
Council

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

Richland/Lexington
Private/Public Pet Services
Evaluation Committee Report and Recommendation
Request for Proposals No. P08003-01/29/2008B
July 18, 2008

PURPOSE

The Counties of Richland and Lexington issued a request for proposals to establish a contract with a firm to provide a rescue/adoption program that focuses primarily on rescuing dogs and cats from area shelters, providing them with safety and rehabilitation in a suitable setting, with a goal of adopting them into responsible, permanent homes. The selected firm will partner with Lexington and Richland County shelters in a collaborative effort to increase shelter adoptions, decrease pet overpopulation, and educate the public about responsible pet ownership.

EVALUATION COMMITTEE

An evaluation committee was appointed by Katherine Hubbard, County Administrator and J. Milton Pope Richland County Administrator to evaluate and review the proposals and ultimately report its recommendation to the County Councils for their consideration. Committee members were Chris Folsom, Lexington County Animal Services Coordinator; Dr. Jim Cooler, Lexington County Veterinarian; Sandra Haynes, Richland County Director of Animal Care; and Rodolfo Callwood, Richland County Procurement Director. Non voting members of the Committee were Joe Mergo, Deputy County Administrator; Tony McDonald, Richland County Assistant Administrator; and Reggie Murphy, Lexington County Procurement Manager.

SOLICITATION REQUIREMENTS

The required legal advertisements, soliciting sealed competitive proposals for the project were placed and appeared on the County's website. Notification was also mailed to twelve (12) firms on a potential offeror list. The Request for Proposal process required all interested firms to attend a mandatory pre-proposal conference on May 7, 2008, at which time two (2) firms attended. The conference included a review of the RFP document, its detailed requirements, and discussion of the two Counties' current operations and the desired responses to the RFP. Proposals were due and received at 5:00 p.m. on June 6, 2008. At that time, the County received proposals from two (2) firms:

Pets, Inc
Project Pet, Inc

EVALUATION PROCESS

On June 11, 2008 the Evaluation Committee began its evaluation process. Copies of the submittals were distributed to each committee member for their individual evaluation. The committee met again on June 19, 2008 for detailed discussions of their individual evaluation of the proposals and respective scoring of each criteria factor. Each submittal under consideration was evaluated and scored on the seven (7) specific criteria areas as indicated in the RFP. The factors listed in the order of their relative importance were as follows: (1) Proposal content and its responsiveness to the RFP, (2) Financial stability of the firm, (3) Overall qualifications of the firm (4) General and specific qualifications of the firm, (5)

Number of annual animal adoptions projected, (6) Number of free spay and neuter vouchers to be issued annually, and (7) References.

On June 26, 2008, the committee conducted interviews with the two offerors. Both of these firms made brief presentations during the interview process and were able to answer all questions and concerns. Following the interviews, each committee member was given the opportunity to reevaluate the scores given to each firm.

After the evaluation committee was in agreement that it had obtained, reviewed, and analyzed all information and documentation presented and collected in the evaluation process, the final evaluation was completed by the committee on June 26, 2008. The evaluation committee's review, based upon the quality of the responses to the request for qualifications, resulted in Project Pet, Inc. receiving the highest number of points.

PROPOSED COST

Lexington and Richland Counties will provide a maximum of a total of \$3 million (\$1.5M from each County) toward the construction costs of the facility. The selected firm will provide funds for any construction costs exceeding \$3 million with a minimum of \$1 million being paid by the firm. Should the facility construction costs be less than \$4 million, the Counties will pay a proportional share less than \$3 million and the firm shall still pay \$1 million.

The \$1 million from the firm shall be deposited with Lexington County upon the award of the RFP. The firm will have the right to participate in the award of the construction contract since it will be responsible for all construction costs in excess of \$3 million.

COMMITTEE RECOMMENDATION

The committee hereby submits and recommends for Council's consideration and approval to award a contract with Project Pet, Inc.

ADMISTRATOR RECOMMENDATION

I recommend approval of the Joint Committee's recommendation. Approval of this recommendation will allow Richland and Lexington Counties to move forward on the approval of an MOU (to be approved by both entities) and an Operational agreement (by both entities).

J. Milton Pope

FINAL EVALUATION FACTORS										
	Point Range	Project Pet Inc				Pets Inc				
		CF	JC	SH	RC	CF	JC	SH	RC	
a)	Proposal content and its responsiveness to the RFP (including a detailed description of how the service requirements for the proposed animal services will be met). Demonstrated understanding of the scope and objectives and work plan presented in the RFP.	0 - 35	30	30	30	30	5	10	10	25
b)	Financial stability of the firm as determined by review of audited financial statements. Each offeror must submit the two most current years complete financial statements, audited by an independent certified public accountant.	0 - 30	26	28	30	30	15	10	15	30
c)	Overall qualifications of the firm. Successful prior experience performing projects similar in scope and scale to the one proposed and the ability to start up and manage the proposed program. Qualifications and experience of the proposer's personnel who will be assigned to the project. Four (4) years experience in providing a pet services program is preferred.	0 - 15	11	10	15	14	8	5	10	10
d)	General and specific experience of the firm related to the receipt, care and placement of domestic animals.	0 - 5	5	5	5	5	5	4	2	5
e)	Number of annual animal adoptions projected (broken down by County).	0 - 5	3	4	5	5	3	3	3	5
f)	Number of free spay and neuter vouchers to be issued annually (broken down by County).	0 - 5	4	5	5	3	3	3	2	5
g)	References	0 - 5	5	3	5	5	4	2	3	5
	TOTAL	0 - 100	84	85	95	92	43	37	45	85
			356				210			