



## **RICHLAND COUNTY COUNCIL REGULAR SESSION AGENDA**

**NOVEMBER 3, 2009  
6:00 PM**

**CALL TO ORDER**

**HONORABLE PAUL LIVINGSTON, CHAIR**

**INVOCATION**

**HONORABLE KIT SMITH**

**PLEDGE OF ALLEGIANCE**

**HONORABLE KIT SMITH**

### **Citizen's Input**

1. For Items on the Agenda Not Requiring a Public Hearing

### **Approval Of Minutes**

2. Regular Session: October 6, 2009 [PAGES 9-23]
3. Zoning Public Hearing: October 27, 2009 [PAGES 25-27]

### **Adoption Of The Agenda**

### **Report Of The Attorney For Executive Session Items**

4.
  - Columbia Venture Litigation
  - Lobbyist Contract Award
  - Employee Grievances
  - HBA vs. Richland County

### **Report Of The County Administrator**

5.
  - Township Property Purchase
  - Whitaker Container Update/West Pro Analysis
  - Columbia Renaissance Redevelopment Update
  - Screaming Eagle Substation: Cost Overruns
  - Development Roundtable
  - Lobbyist Contract Award
  - Employee Grievances - 3
  - State Museum MOU

## Report Of The Clerk Of Council

6.
  - Monday, November 2, 2009, 10:30 a.m.-7:30 p.m. and Tuesday, November 3, 2009, 8 a.m-Noon - National Multi-Modal Transportation Steering Committee, Columbia Hilton Center; (Monday November 2, 2009, 5:30 -7:30 p.m. - reception at Columbia Museum of Art)
  - Tuesday, November 3, 2009, 5:30 p.m.-7:30 p.m. - Auntie Karen's Legends of ... 2010 Kick Off Party, AT&T Conference Center, 1600 Williams Street, RSVP Required
  - Wednesday, November 4, 2009, 6-8 p.m., Midlands Technical College 4th Annual Oyster Roast & Shrimp Boil, MTC Center of Excellence for Technology Patio - North East Campus, RSVP Required
  - Thursday, November 5, 2009, Columbia Urban League Equal Opportunity Day Dinner, Seawell's on Rosewood, Reception - 6:00 p.m.; Dinner - 7:00 p.m.
  - Wednesday, November 11, 2009, 4:30-6:30 p.m., Tailgating on the Terrace - Clarion Hotel, RSVP Required
  - Thursday, November 12, 2009, 5:00 p.m., Home Builders Association Third Annual Housing Stump Meeting, The Medallion Center, 7309 Garner's Ferry Road, RSVP Required

## Report Of The Chairman

### Open/Close Public Hearings

7. a. Regional Sports Complex MCIP
- b. An Ordinance Amending the FY 2009-2010 Road Maintenance and Mass Transit Fee Fund Annual Budget to appropriate of undesignated Fund Balance for the Revised Transportation Study
- c. Authorizing the Execution and Delivery of a special source revenue credit agreement by and among Richland County, South Carolina, and South Pills, LLC, and South University of Carolina, Inc., their affiliates and assigns, to provide for a special source revenue credit; to provide for the inclusion of the project in a multi-county business or industrial park; and other matters thereto related

### Approval Of Consent Items

8. 09-12MA  
Robert Giles  
Jonathan Giles  
RM-HD to NC (0.32 Acres)  
11203-01-02  
Corner of Olympia Ave. and Bluff Rd. [**THIRD READING**] [**PAGE 33**]
9. An Ordinance Amending Section 26-181 regarding road signs/traffic control devices; so as to conform to the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated* [**THIRD READING**] [**PAGES 35-36**]
10. An Ordinance to Define and Permit "Bus Shelters & Benches" in all Zoning Districts, with special requirements [**THIRD READING**] [**PAGES 38-87**]
11. An Ordinance Amending Section V, Zoning Districts and District Standards; and Article VI,



Supplemental Use Standards; so as to provide for a parks and recreation district [**THIRD READING**] [**PAGES 89-96**]

12. An Ordinance Amending Section 26-105, FP Floodplain Overlay District; Subsection (B), Applicability/Establishment; so as to require delineation of flood lines on plats and to delete reference to areas along the Congaree River [**THIRD READING**] [**PAGES 98-100**]
13. Section 26-180, Signs; so as to create a new section that would allow digital display devices under certain conditions [**THIRD READING**][**PAGES 102-105**]
14. Authorizing the Execution and Delivery of a special source revenue credit agreement by and among Richland County, South Carolina, and South Pills, LLC, and South University of Carolina, Inc., their affiliates and assigns, to provide for a special source revenue credit; to provide for the inclusion of the project in a multi-county business or industrial park; and other matters thereto related [**THIRD READING**] [**PAGES 107-124**]
15. Regional Sports Complex MCIP [**SECOND READING**] [**PAGES 126-130**]
16. An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, In General; Section 21-10, Street Name Signs; Subsection (A); so as to conform to the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated* [**SECOND READING**] [**PAGES 132-135**]
17. An Ordinance Authorizing a quit-claim deed to EHP Development, LLC for five parcels of land totaling Five Thousand Three Hundred Sixteen (5316) square feet located along Hastings Alley and Hamrick Street, Richland County, South Carolina, and being portions of TMS # 11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, and 11203-03-27 [**SECOND READING**] [**PAGES 137-139**]
18. An Ordinance Authorizing a quit-claim deed to Smallwood Village Phase III Homeowner's Association, Inc. for a certain parcel of land totaling .76 Acres located along White Branch Circle, Richland County, South Carolina, known as TMS # 22710-08-30 [**SECOND READING**] [**PAGE 141**]
19. An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$90,157 of General Fund Undesignated Fund Balance to the Court Administration Budget, Magistrates Budget and Central Services Budget [**SECOND READING**] [**PAGES 143-144**]
20. An Ordinance Amending the Fiscal Year 2009-2010 Hospitality Tax Fund Annual Budget Amendment to appropriate \$100,000 of Hospitality Tax Fund Designated Fund Balance for the next steps in the design-development phase of the Regional Sports Complex [**SECOND READING**] [**PAGES 146-151**]
21. An Ordinance Amending the Richland County Code of Ordinances; Chapter 25, Vehicles for Hire; Article II, Towing and Wrecker Services; Section 25-20, Wrecker and Storage Charges, so as to increase the fees charged for towing and wrecker services [**SECOND READING**] [**PAGES 153-154**]
22. An Ordinance Amending the Fiscal Year 2009-2010 Title IV-D Sheriff's Fund Budget to

appropriate \$10,000 of additional revenue due to revised revenue projections [**SECOND READING**] [**PAGES 156-157**]

23. An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$81,000 of General Fund Undesignated Fund Balance to the Election Commission Budget for the mandated purpose of replacing batteries in electronic voting machines [**SECOND READING**] [**PAGES 159-160**]
24. Deed of Water and Sewer Lines (Bookert Heights, Ridgewood, BRRWWTP) [**SECOND READING**] [**PAGES 162-178**]
25. 09-14MA  
Joe Jackson  
Prayer & Faith Temple  
RS-HD to RU (2.85 Acres)  
24903-05-02  
1520 Lower Richland Blvd. [**SECOND READING**] [**PAGE 180**]
26. 09-15MA  
Larry M. Spivey  
Major Management/Tracy Billings  
RU to GC (.341 Acres)  
19716-02-20(p)  
Alpine Rd. & Old Percival Rd. [**SECOND READING**] [**PAGES 182-183**]
27. 09-17MA  
FSD, LLC  
Fred Babae  
HI to GC (2 Acres)  
17200-03-23  
206 Business Park Blvd. [**SECOND READING**] [**PAGE 185**]
28. Bridge Renaming [**PAGES 186-190**]
29. Conservation Donation of 175 acres off Long Creek Parkway [**PAGES 192-194**]
30. Conservation Donation off Sloan Road [**PAGES 196-198**]
31. Lower Richland County Agricultural Center [**DENIAL**][**PAGES 200-203**]
32. Accounting for the Last Two Years of the Richland County Neighborhood Council [**PAGES 205-206**]
33. Hospitality Taxes and Businesses Straddling Jurisdictional Lines [**PAGES 208-212**]
34. School District Tax Info/Carry Over Funds [**PAGES 214-216**]
35. Waste Tire Grant [**PAGES 218-219**]
36. Hospitality Tax Round Two Funding Recommendations [**PAGES 221-224**]

## **Second Reading Items**

37. An Ordinance Amending the Fiscal Year 2009-2010 Road Maintenance Fund Annual Budget to appropriate \$40,000 of Undesignated Fund Balance for the revised transportation study [SECOND READING] [PAGES 226-228]

## **Report Of Administration And Finance Committee**

38. Negotiate Purchase of 1400 Atlas Road for Farmers Market [PAGES 230-261]

## **Report Of Economic Development Committee**

39. SC Economic Development Ambassador Award Nomination for Richland County [PAGES 263-268]

## **Report Of Rules And Appointments Committee**

### **1. Notification Of Vacancies**

40. Lexington/Richland Alcohol and Drug Abuse Council-2 [Paul Bouknight\*, Roosevelt Garrick, Jr.\*]
41. Midlands Regional Convention Center Authority-1 [Randy Fowler]
42. Richland Memorial Hospital Board-3 [Bill Bradshaw\*, Jerry Odom\*, Ann Pringle Washington]
43. Riverbanks Park Commission-1 [Tracey S. Waring\*]

### **2. Notification Of Appointments**

44. Board of Zoning Appeals-1 [Sheldon L. Cooke Sr.\*] [PAGES 274-275]
45. Business Service Center Appeals Board-1 [Vincent K. Bartley, Pierre E. Brunache] [PAGES 277-286]
46. Community Relations Council-1 [Kimberly A. Kennedy-Gooden, Carol A. Lewis] [PAGES 288-293]
47. Employee Grievance Committee-2 [Staci Pritchard, IT\*] [PAGES 295-296]
48. Midlands Workforce Board-1 [Randy Cherry, RC Research Manager] [PAGE 298]
49. Planning Commission-2 [Christopher Anderson\*, William Cantwell, Preston C. Carter, Jr., William DuBard, Sr., Lewis Frederich, Charles F. Gwinn, Shelvy L. Ham, Kenneth C. Hanson, Michael P. Herrmann, Franklin D. Hertz, Joel Marshall Hoefler, Pamela E. Jones, Mark Paul Kays, David E. Letts, Donna J. Mahoney, Kathleen M. McDaniel, Frank E. Mitchell, Olin D. Westbrook, Vivian Wilkes, Christopher Yonke] [PAGES 300-350]

### **3. Rule Changes**

50. Motion for presentations to be held on the third Tuesdays of the month.

#### 4. **Discussion From Rules And Appointments Committee**

51. Draft of countywide letterhead to be used by all departments

52. Any Executive Session item involving an attorney hired outside the normal scope of a regular contract by Richland County will be taken up first so that attorney is not waiting for other matters and receiving unnecessary compensation

#### **Other Items**

53. Development Roundtable [**PAGES 353-380**]

54. Lobbyist Contract Award [**PAGE 382**]

55. Screaming Eagle Substation - Cost Overruns

56. An Ordinance Amending the Fiscal Year 2009-2010 Conservation Commission Fund Budget to appropriate \$23,000 of reserved fund balance for the Wetlands Mitigation Assessment [**PAGES 385-386**]

#### **Citizen's Input**

57. Must Pertain to Items Not on the Agenda

#### **Executive Session**

#### **Motion Period**

58. • Resolution for Dr. Jordan D. Smith [**LIVINGSTON**]  
• December Zoning Public Hearing [**SMITH**]  
• December Committee Meetings Schedule [**LIVINGSTON**]  
• Scheduling of Mitigation Bank, Smoking Ban, Comprehensive Plan and Stormwater Work Sessions [**STAFF**]  
• To create a tax free zone for companies willing to invest more than \$25 million (10 years county tax free and 75% County resident employment) [**JACKSON**]  
• County staff draft and present to Council a proposal to create a Richland County Neighborhood Council sanctioned and supported by the County [**MANNING**]

#### **Adjournment**



# Richland County Council Request of Action

**Subject**

For Items on the Agenda Not Requiring a Public Hearing

# Richland County Council Request of Action

**Subject**

Regular Session: October 6, 2009 [**PAGES 9-23**]

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, OCTOBER 6, 2009 6:00 p.m.

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

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### MEMBERS PRESENT:

Chair	Paul Livingston
Vice Chair	Damon Jeter
Member	Gwendolyn Davis Kennedy
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Bill Malinowski
Member	Jim Manning
Member	L. Gregory Pearce, Jr.
Member	Kit Smith
Member	Kelvin Washington

**OTHERS PRESENT** – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Sara Salley, Randy Cherry, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Daniel Driggers, David Hoops, Joseph Kocy, Rodolfo Callwood, Geo Price, Brenda Carter, Betty Etheredge, Josh Houston, Donny Phipps, John Hixson, Bill Peters, Becky Knotts, Kevin Etheridge, Andy Metts, Paul Brawley, James Hayes, Dale Welch, Kyle Holsclaw, Trenia Bowers, Monique Walters, Michelle Onley

### CALL TO ORDER

The meeting was called to order at approximately 6:08 p.m.

### INVOCATION

The Invocation was given by the Honorable Kelvin E. Washington, Sr.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Kelvin E. Washington, Sr.

**POINT OF PERSONAL PRIVILEGE** – Ms. Dickerson recognized that the Richland District II School Board members in the audience.

### CITIZENS' INPUT

No one signed up to speak.

### APPROVAL OF MINUTES

**Regular Session: September 15, 2009** – Mr. Manning moved, seconded by Ms. Dickerson, to approve the minutes as amended. The vote in favor was unanimous.

**Zoning Public Hearing: September 22, 2009** – Mr. Pearce moved, seconded by Mr. Malinowski, to approve the minutes as distributed. The vote in favor was unanimous.

### ADOPTION OF AGENDA

Mr. Pope stated that Item #14 was not properly before Council and therefore, needed to be deleted and that the ordinance for Item #39 was amended. The amended ordinance was e-mailed to Council prior to the meeting.

The amended agenda was adopted unanimously.

### REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following items were potential Executive Session items:

- a. **Lower Richland Sewer Extension Update**
- b. **Columbia Venture vs. Richland County**
- c. **Whitaker Container**
- d. **Personnel Matter**

### REPORT OF THE COUNTY ADMINISTRATOR

**New Employees Introduction** – Mr. Pope introduced Ms. Sara Salley, Grants Manger, and Mr. Randy Cherry, Research Manager to Council.

**Benedict College Update** – Mr. Pope stated that Benedict has complied with all of the County requirements.



**Township Property Purchase** – Mr. Pope stated that Administration is in continuing discussion with the property owner. A full report regarding the possible purchase, as discussed in Executive Session, will be given at the October 20<sup>th</sup> Council meeting.

**Whitaker Container Update** – This item was taken up during Executive Session.

**Columbia Renaissance Redevelopment Update** – Mr. Pope stated that information from the City of Columbia was forwarded out to Council last week. Further direction for staff will be requested at the October 20<sup>th</sup> Council meeting.

**Presentation of FY10 Budget Books** – Mr. Pope recognized the Budget Department staff for their hard work on the budget book and the budget books were provided to Council.

**Convention Authority Request** – Mr. Ric Luber made a brief presentation.

**Bond Rating Information** – Mr. Pope stated that the County's bond rating has been upgraded to AA+.

**Township Naming Rights/Renovations** – This item was an action item.

**Carolina Clear Resolution** – Mr. Pope stated that in an endeavor to protect the area watersheds and water quality, Vice Chair Damon Jeter, Councilman Pearce and Councilman Manning, along with the mayors of Forest Acres and Arcadia Lakes, joined with Clemson University's Carolina Clear to sign a joint proclamation at Forest Acres City Hall.

**Personnel Matter** – This item was taken up during Executive Session.

#### REPORT OF THE CLERK OF COUNCIL

**SCANA Corporation Salute to Elected Officials Oyster Roast & Barbeque** – Ms. Finch reminded Council of the SCANA Corporation's Salute to Elected Officials on October 7<sup>th</sup> at 6:30-9:00 p.m.

**Council Retreat** – Ms. Finch stated that a location has not been selected; therefore, she contacted Parklane Adult Activity Center. They are holding the dates of January 14-15 and January 21-22. Mr. Livingston requested that Council members to contact Ms. Finch by Friday, October 9<sup>th</sup> with their preference.

**Councilwomen Dickerson and Kennedy's Appointments to NFWL Positions** – Ms. Finch stated that Ms. Dickerson and Ms. Kennedy have been tapped for leadership positions with the National Foundation for Women Legislators. Ms. Dickerson will be the Director of Region 3 and Ms. Kennedy will be the State Director of South Carolina.

**Urban League Equal Opportunity Day Dinner** – Ms. Finch stated that the Urban League Equal Opportunity Day Dinner will be held November 5<sup>th</sup> at Seawells.

## REPORT OF THE CHAIRMAN

**CMRTA Board—Council Appointments** – Mr. Livingston appointed Ms. Dickerson, Ms. Hutchinson and Ms. Smith to represent Richland County on the CMRTA Board.

## PUBLIC HEARING ITEM

Mr. Livingston opened the floor to the following public hearing:

- **A Budget Amendment to adjust the budgets for Richland County School District 1 and Richland County School District 2 to the amount which will be yielded by an assessment of the millage cap pursuant to Act 388 – No one signed up to speak.**

The public hearing was closed.

Mr. Washington moved, seconded by Ms. Kennedy, to allow Mr. Elliott to speak regarding the Farmers' Market. The motion failed.

## APPROVAL OF CONSENT ITEM

- **Project South [SECOND READING]**
- **Regional Sports Complex MCIP [SECOND READING]**
- **09-12MA, Robert Giles, Jonathon Giles, RM-HD to NC (0.32 Acres), 11203-01-02, Corner of Olympia Ave. and Bluff Rd. [SECOND READING]**
- **An Ordinance Amending Section 26-181 regarding road signs/traffic control devices; so as to conform to the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated* [SECOND READING]**
- **An Ordinance to Define and Permit "Bus Shelters & Benches" in all Zoning Districts, with special requirements [SECOND READING]**
- **An Ordinance Amending Section V, Zoning Districts and District Standards; and Article VI, Supplemental Use Standards; so as to provide for a parks and recreation district [SECOND READING]**
- **SC Building Code Modification**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, in general; Section 21-10, Street Name Signs; Subsection (A); so as to conform to the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated* [FIRST READING]**
- **An Ordinance Authorizing a quit-claim deed to Edward H. Pitts, Jr. and EHP Development, LLC for five parcels of land totaling Five Thousand Three Hundred Sixteen (5,316) square feet located along Hastings Alley and Hamrick Street, Richland County, South Carolina, and being portions of TMS# 11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, and 11203-03-27 [FIRST READING]**

- **Neighborhood Matching Grant Awards**
- **Roll Cart Contract Award**
- **Increase in Sidewalk Reimbursement**

Ms. Hutchinson moved, seconded by Mr. Pearce, to approve the consent item. The vote in favor was unanimous.

**POINT OF PERSONAL PRIVILEGE** – Mr. Livingston recognized that Representative Jimmy Bales was in the audience.

### THIRD READING

**A Budget Amendment to adjust the budgets for Richland County School District 1 and Richland County School District 2 to the amount which will be yielded by an assessment of the millage cap pursuant to Act 388** – Mr. Manning moved, seconded by Ms. Dickerson, to set the millage for Richland School District II operations be set at 250.3 mills and to amend the budget to reflect that the funding for Richland School District II be \$120,011,732.86 with the following proviso attached: that the 250.3 mill assessment yield collections less than that amount, Richland School District II's budget shall automatically be cut to the amount of the tax collections received and should the 250.3 mill assessment yield collections greater than that amount, Richland School District II's budget shall automatically be increased to the amount of the tax collections received. Carryover funds from FY08-09 are included in this budget number. A discussion took place.

Mr. Brawley stated that he calculated the millage for School District II at 244.7 mills and the millage will yield \$116,998,456. The dollar amount for School District I will be \$181,038,955. A discussion took place. The motion was in favor.

Mr. Jackson moved, seconded by Ms. Kennedy, to reconsider the motion. The motion passed.

Ms. Smith moved, seconded by Mr. Manning, to set the millage for Richland School District II operations be set at 250.3 mills and to amend the budget to reflect that the funding for Richland School District II be \$120,011,732.86 with the following proviso attached: that the 250.3 mill assessment yield collections less than that amount, Richland School District II's budget shall automatically be cut to the amount of the tax collections received and should the 250.3 mill assessment yield collections greater than that amount, Richland School District II's budget shall automatically be increased to the amount of the tax collections received. Carryover funds from FY08-09 are included in this budget number. It is further moved, that an Attorney General's opinion be obtained on the governing body being the one to set the millage rate and to adjust the cap based on the calculations used to adjust the budget.

Ms. Smith moved, seconded by Ms. Hutchinson, to allow a representative from School District II to speak. The motion failed.

Ms. Smith moved, seconded by Mr. Manning, to recess for five minutes. The vote was in favor.

*[Council recessed at 7:25 p.m. and reconvened at 7:31 p.m.]*

<b><u>For</u></b>	<b><u>Against</u></b>
Pearce	Malinowski
Hutchinson	Jackson
Jeter	Kennedy
Livingston	Washington
Dickerson	
Manning	
Smith	

The vote was in favor.

**An Ordinance Amending Section 26-180, Signs, so as to allow legal nonconforming off premises signs in Commercial, Manufacturing, and Industrial Zoning Districts to be replaced by surface area digital signs** – Mr. Manning moved, seconded by Ms. Dickerson, to approve this item with the amendments proposed by the billboard panel. A discussion took place.

Mr. Livingston proposed the following amendments: (1) the 300 feet rule apply to hospitals and nursing homes; and (2) to limit the number of digital billboards to no more than 1/3 of what's in the County now, regardless of the current rules.

<b><u>For</u></b>	<b><u>Against</u></b>
Jackson	Pearce
Jeter	Malinowski
Livingston	Hutchinson
Dickerson	Smith
Manning	
Kennedy	
Washington	

The vote was in favor.

Mr. Jackson moved, seconded by Ms. Dickerson, to reconsider.

<u>For</u>	<u>Against</u>
Pearce	Jackson
Malinowski	Jeter
Hutchinson	Livingston
Smith	Dickerson
	Manning
	Kennedy
	Washington

The motion for reconsideration failed.

**FY2009-2010 Millage Ordinance** – Mr. Manning moved, seconded by Ms. Dickerson, to approve this item as amended. The vote was in favor.

Ms. Dickerson moved, seconded by Ms. Kennedy, to reconsider. The motion for reconsideration failed.

## SECOND READING

**Section 26-180, Signs; so as to create a new section that would allow off-premise directional kiosks under certain conditions** – Mr. Jeter moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

<u>For</u>	<u>Against</u>
Pearce	Malinowski
Jackson	Hutchinson
Jeter	Manning
Livingston	Kennedy
Dickerson	Washington
	Smith

The motion failed.

Ms. Smith moved, seconded by Ms. Hutchinson, to reconsider. The motion to reconsider failed.

**Section 26-180, Signs; so as to create a new section that would allow digital display devices under certain conditions** – Mr. Jeter moved, seconded Mr. Manning, to approve this item. A discussion took place.

The vote in favor was unanimous.

## FIRST READING

**An Ordinance Authorizing a quit-claim deed to Smallwood Village Phase III Homeowner's Association, Inc. for a certain parcel of land totaling .76 Acres located along White Branch Circle, Richland County, South Carolina, known as TMS# 22710-08-30** – Mr. Jeter moved, seconded by Mr. Washington, to approve this item pending verification of the TMS#. The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$90,157 of General Fund Undesignated Fund Balance to the Court Administration Budget, Magistrate Budget and Central Services Budget** – Mr. Jeter moved, seconded by Mr. Pearce, to approve this item. The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2009-2010 Hospitality Tax Fund Annual Budget Amendment to appropriate \$100,000 of Hospitality Tax Fund Designated Fund Balance for the next steps in the design-development phase of the Regional Sports Complex** – Mr. Malinowski moved, seconded Ms. Dickerson, to approve this item. The vote in favor was unanimous.

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 25, Vehicles for Hire; Article II, Towing and Wrecker Services; Section 25-20, Wrecker and Storage Charges, so as to increase the fees charged for towing and wrecker services** – Ms. Smith moved, seconded by Ms. Dickerson, to approve this item. The approve this item. The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2009-2010 Title IV-D Sheriff's Fund Budget to appropriate \$10,000 of additional revenue due to revised revenue projections** – Ms. Dickerson moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$81,000 of General Fund Undesignated Fund Balance to the Elections Commission Budget for the mandated purpose of replacing batteries in electronic voting machines** – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

## REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE

**Conservation Easement: Neal** – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve this item as amended. The vote in favor was unanimous.

**Wetlands Mitigation Banking** – Mr. Washington moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

**Deed of Water and Sewer Lines (Bookert Heights, Ridgewood, BRRWWTP)** – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

#### **REPORT OF ADMINISTRATION AND FINANCE COMMITTEE**

**Blythewood Intergovernmental Agreements** – Ms. Smith moved, seconded by Ms. Kennedy, to approve this item as amended. The vote in favor was unanimous.

**Purchase of Menzi Muck Walking Excavator** – Mr. Jeter moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote in favor was unanimous.

**Lobby Display for Hamilton-Owens Airport** – Mr. Malinowski moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

**Multi Modal Conference Support** – Ms. Dickerson moved, seconded by Ms. Kennedy, to approve this item. A discussion took place.

The vote in favor was unanimous.

**Phone Tree Messaging Software Purchase** – Kyle Holsclaw gave a brief overview of the system.

Mr. Pearce moved, seconded by Mr. Malinowski, to send this item back to committee. A discussion took place.

Ms. Smith made a substitute motion, seconded by Mr. Washington, to test the software in Mr. Washington's district and report back to us. A discussion took place.

Mr. Jeter made a second substitute motion, seconded by Ms. Dickerson, to send this item back to committee and initiate a pilot program and bring back recommendations. A discussion took place.

The vote in favor was unanimous.

**To Negotiate the purchase of 1400 Atlas (Boozer Lumber Site) property for the purpose of maintaining a local Farmers' Market** – Mr. Washington moved, seconded by Ms. Dickerson, to defer this item until he gets more specificity. The vote was in favor.

Mr. Pope stated that his office had received an additional proposal for a local Farmers' Market site.

Mr. Washington moved, seconded by Mr. Pearce, to reconsider the motion. The vote was in favor of reconsideration.

Mr. Washington moved, seconded by Ms. Dickson, to refer this item back to the A&F Committee in order to look at the options for the Atlas Road property to find out which one would be the most advantageous to the County or any other innovative solution. The vote was in favor.

## REPORT OF RULES AND APPOINTMENTS COMMITTEE

### I. NOTIFICATION OF VACANCIES

- a. **Board of Zoning Appeals—1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous
- b. **Employee Grievance Committee—1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous
- c. **Planning Commission—2** – Mr. Malinowski stated that the committee recommended advertising for these vacancies. The vote in favor was unanimous

### II. NOTIFICATION OF APPOINTMENTS

- a. **Building Codes Board—3** – Mr. Malinowski stated that the committee recommended reappointing Ms. Isabel Berry, Mr. Michael Lowman and Mr. Greg Mackie. The vote in favor was unanimous.
- b. **Central Midlands RTA—2** – Mr. Malinowski stated that the committee recommended appointing Mr. William J. Leidinger and Mr. Robert G. Liming. A discussion took place.

Ms. Smith moved, seconded by Mr. Malinowski, to defer this item. The motion failed.

Mr. Jeter made a motion to re-advertise.

The motion died for lack of a second.

Ms. Smith moved, seconded by Mr. Pearce, to defer this item until after Executive Session. The vote in favor was unanimous.



<u>For</u>	<u>Against</u>
Pearce	Jackson
Malinowski	Hutchinson
Jeter	Dickerson
Livingston	Kennedy
Manning	Washington
Smith	

Mr. Manning moved, seconded by Ms. Kennedy, to go into Executive Session. The motion failed.

Mr. Malinowski moved, seconded by Ms. Hutchinson, to appoint Mr. William Leidinger and Mr. Robert G. Liming. The vote in favor was unanimous.

- c. **Employee Grievance Committee—2** – Mr. Malinowski stated that the committee recommended appointing Ms. Sonia Fells and the other position be re-advertised. The vote in favor was unanimous.
- d. **Internal Audit Committee—2** – Mr. Malinowski stated that the committee recommended re-advertising for these vacancies. The vote in favor was unanimous.

### III. RULE CHANGES

- a. **Motion for presentations to be held on the third Tuesdays of the month** – This item was held in committee.

### IV. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **Draft of countywide letterhead to be used by all county departments** – This item was held in committee.
- b. **Any Executive Session item involving an attorney hired outside the normal scope of a regular contract by Richland County will be taken up first so that attorney is not waiting for other matters and receiving unnecessary compensation** – This item was held in committee.

### OTHER ITEMS

**Billboard Panel Recommendations** – Mr. Pope stated that on October 5<sup>th</sup> the Billboard Panel met at the Capital Senior Center from approximately 5-8 p.m. This group included representative from the outdoor advertising industry, Greater Columbia Chamber of Commerce, Richland County Council of Neighborhoods, and the Conservation and Appearance Commissions. The meeting was mediated by two professionally trained

mediators, Anne Bowers and Xane Skinner of the Community Mediation Center. The mediators essentially explained the process and served as neutral coordinators for the meeting.

Ms. Xane Skinner gave a brief overview of the panels recommendations:

The conservation/neighborhood/appearance recommendations:

- a. restrictive distance from residential uses
- b. define zoning districts where they would be allowed excluding neighborhood commercial and rural commercial; and
- c. define zoning districts where they would be allowed excluding neighborhood commercial and rural commercial, and restrict from residential and restrict from official county revitalization districts

Industry recommendations:

- a. digital billboards shall not be within 300 feet of any historic district as defined by the national historic registry
- b. sign must be erected within one year of issuance of permit
- c. section 2(a) to be revised to read, a permit to replace legal nonconforming off-premise sign display surface area with equal or less digital surface area
- d. section 2(e) language should be should be added to reflect that new metal sign support must be no higher than existing sign.

**Lobbyist Contract Award** – Mr. Jackson moved, seconded by Mr. Malinowski, to defer this item. The vote was in favor.

#### **Report of the Airport Commission**

- a. **MOU with USC** – Mr. Jeter moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

**Township Naming Rights** – Mr. Jeter moved, seconded by Mr. Pearce, to accept the recommendation of the Administration. The vote in favor was unanimous.

**Township Renovations** – Mr. Jackson moved, seconded by Ms. Dickerson, to add the projects back in. The vote in favor was unanimous.

#### **Report of the Joint County/City Transportation Ad Hoc Committee**

- a. **National Multi Modal Conference Support** -- Ms. Dickerson moved, seconded by Ms. Hutchinson, to approve \$5,000 from Hospitality Tax Fund. The vote in favor was unanimous.

- b. **Budget Amendment: Revision of Transportation Study** – Ms. Dickerson moved, seconded Ms. Kennedy, to give First Reading by title only. A discussion took place.

The vote was in favor.

- c. **Transportation Sales Tax Recommendations**

- 1. **Project(s)**
- 2. **Amount**
- 3. **Timeline**

The committee recommended approving the three areas of: transit, greenway/bike/pedestrian and roadway; the ½ penny or penny options up to, and including, the maximum 25 years for the Transportation Sales Tax. The vote was in favor.

**CITIZENS' INPUT**

No one signed up to speak.

**EXECUTIVE SESSION ITEMS**

=====  
**Council went into Executive Session at approximately 10:09 p.m. and came out at approximately 11:54.m.**  
=====

- a. **Lower Richland Sewer Extension Update** – No action was taken.
- b. **Columbia Venture vs. Richland County** – No action was taken.
- c. **Whitaker Container** – No action was taken.
- d. **Personnel Matter** – No action was taken.

**MOTION PERIOD**

**Sewer Extension Work Session** – This item was deferred to the October 20<sup>th</sup> Council meeting.

**Smoking Ban Work Session** – This item was deferred to the October 20<sup>th</sup> Council meeting.

**Economic Development Strategic Plan Work Session** – This item was deferred to the October 20<sup>th</sup> Council meeting.

**Comprehensive Plan Work Session** – This item was deferred to the October 20<sup>th</sup> Council meeting.

**Council directs staff to investigate and report the findings on what it would take for qualified fire engine drivers to be able to drive an EMS ambulance in an emergency situation. (NOTE: This motion is not in any way addressing providing EMS services in the back of the vehicle, it is narrowly focused on driving the vehicle.) [WASHINGTON, MANNING & MALINOWSKI]** – This item was referred to the D&S Committee.

**Move to direct the Administrator to bring back recommendations for additional cost overruns for Region 7 Sheriff's substation on Screaming Eagle Road [HUTCHINSON]** – This item is to be placed under the County Administrator's Report on the October 20<sup>th</sup> Council agenda.

**To Rename the Cedar Creek Bridge to include honoring of Deputy John Mark Dial [DICKERSON]** – This item was referred to D&S Committee.

**To authorize Richland County Staff: (1) to begin immediately negotiations and draft purchase/sale agreement with landowners with regard to the County's purchase of wetlands and adjacent uplands in Lower Richland County in and around Carolina Bay ("Hopkins Mistletoe Bay") and nearby Cabin Branch on condition that the acquired property be maintained in its open natural state, in perpetuity, for use as wetlands mitigation bank and light recreation park for environmental, educational and recreational purposes; and (2) to consummate purchase of said property no later than December 15, 2009 [WASHINGTON]**  
– This item was referred to the A&F Committee.

## ADJOURNMENT

The meeting adjourned at approximately 12:03 p.m.

\_\_\_\_\_  
Paul Livingston, Chair

\_\_\_\_\_  
Damon Jeter, Vice-Chair

\_\_\_\_\_  
Gwendolyn Davis Kennedy

\_\_\_\_\_  
Joyce Dickerson

\_\_\_\_\_  
Valerie Hutchinson

\_\_\_\_\_  
Norman Jackson

\_\_\_\_\_  
Bill Malinowski

\_\_\_\_\_  
Jim Manning

\_\_\_\_\_  
L. Gregory Pearce, Jr.

\_\_\_\_\_  
Kit Smith

\_\_\_\_\_  
Kelvin E. Washington, Sr.

The minutes were transcribed by Michelle M. Onley

# Richland County Council Request of Action

**Subject**

Zoning Public Hearing: October 27, 2009 [PAGES 25-27]

# MINUTES OF



## RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING TUESDAY, OCTOBER 27, 2009 7:00 p.m.

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

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### MEMBERS PRESENT:

Chair	Paul Livingston
Vice-Chair	Damon Jeter
Member	Gwendolyn Davis Kennedy
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Bill Malinowski
Member	Jim Manning
Member	L. Gregory Pearce, Jr.
Member	Kit Smith
Member	Kelvin E. Washington, Sr.

**OTHERS PRESENT:** Joseph Kocy, Amelia Linder, Suzie Haynes, Brian Cook, , Michelle Cannon-Finch, Milton Pope, Tamara King, Monique Walters, Michelle Onley

### CALL TO ORDER

The meeting was called to order at approximately 7:09 p.m.

### ADDITIONS/DELETIONS TO AGENDA

Ms. Almeida requested that the Text Amendment be withdrawn and stated that Case #09-13MA was administratively deferred until the November Zoning Public Hearing. Ms. Almeida also inquired if Council desired to hold the December Zoning Public Hearing.

## MAP AMENDMENTS

**09-11MA, ANY Associates, Inc., Abdalla Yaghy, RU to RC (4.19 Acres), 35206-02-06 & 35200-09-56, Corner of Garners Ferry Rd. & Pond Dr.**

Mr. Livingston opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Mr. Jackson moved, seconded by Mr. Malinowski, to refer this item back to the Planning Commission for reevaluation. A discussion took place.

Mr. Jackson withdrew his motion.

Mr. Jackson moved, seconded by Mr. Hutchinson, to defer action on this item until the November Zoning Public Hearing. The vote in favor was unanimous.

**09-13MA, Westinghouse, Brian Pasco, RU to HI (44.98 Acres), 18600-01-01(p), 5801 Bluff Rd.** –This item was administratively deferred until the November Zoning Public Hearing.

**09-14MA, Joe Jackson, Prayer & Faith Temple, RS-HD to RU (2.85 Acres), 24903-05-02, 1520 Lower Richland Blvd.**

Mr. Livingston opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Mr. Jackson moved, seconded by Mr. Malinowski, to give First Reading approval to this item. The vote in favor was unanimous.

**09-15MA, Larry M. Spivey, Majors Management/Tracy Billings, RU to GC (.341 Acres), 19716-02-20(p), Alpine Rd. & Old Percival Rd.**

Mr. Livingston opened the floor to the public hearing.

Mr. Tracy Billings spoke in favor of this item.

The floor to the public hearing was closed.

Mr. Washington moved, seconded by Mr. Jackson, to give First Reading approval to this item. The vote in favor was unanimous.



**09-16MA, Pallav R. Desai, RU to NC (.76 Acres), 14700-03-33, 9401 Wilson Blvd.**

Mr. Livingston opened the floor to the public hearing.

Ms. Susanne Sesara spoke against this item.

The floor to the public hearing was closed.

Ms. Kennedy moved, seconded by Ms. Dickerson, to deny this item. The vote in favor was unanimous.

**09-17MA, FSD, LLC, Fred Babae, HI to GC (2 Acres), 17200-03-23, 206 Business Park Blvd.**

Mr. Livingston opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Mr. Jeter moved, seconded by Ms. Smith, to give First Reading approval to this item. The vote in favor was unanimous.

**TEXT AMENDMENTS**

**Section 26-88, RS-LD Residential, Single-Family—Low Density District; and Section 26-89, RS-MD Residential, Single-Family—Medium Density District; and Section 26-90, RS-HD Residential, Single-Family—High Density District; so as to increase side setback requirements to five (5) feet for any one side** – Mr.

Washington moved, seconded by Ms. Smith, to withdraw this item. The vote in favor was unanimous.

**ADJOURNMENT**

The meeting adjourned at approximately 7:31 p.m.

Submitted respectfully by,

Paul Livingston  
Chair

The minutes were transcribed by Michelle M. Onley

# Richland County Council Request of Action

## **Subject**

- Columbia Venture Litigation
- Lobbyist Contract Award
- Employee Grievances
- HBA vs. Richland County

# Richland County Council Request of Action

## **Subject**

- Township Property Purchase
- Whitaker Container Update/West Pro Analysis
- Columbia Renaissance Redevelopment Update
- Screaming Eagle Substation: Cost Overruns
- Development Roundtable
- Lobbyist Contract Award
- Employee Grievances - 3
- State Museum MOU

# Richland County Council Request of Action

## **Subject**

- Monday, November 2, 2009, 10:30 a.m.-7:30 p.m. and Tuesday, November 3, 2009, 8 a.m-Noon - National Multi-Modal Transportation Steering Committee, Columbia Hilton Center; (Monday November 2, 2009, 5:30 - 7:30 p.m. - reception at Columbia Museum of Art)
- Tuesday, November 3, 2009, 5:30 p.m.-7:30 p.m. - Auntie Karen's Legends of ... 2010 Kick Off Party, AT&T Conference Center, 1600 Williams Street, RSVP Required
- Wednesday, November 4, 2009, 6-8 p.m., Midlands Technical College 4th Annual Oyster Roast & Shrimp Boil, MTC Center of Excellence for Technology Patio - North East Campus, RSVP Required
- Thursday, November 5, 2009, Columbia Urban League Equal Opportunity Day Dinner, Seawell's on Rosewood, Reception - 6:00 p.m.; Dinner - 7:00 p.m.
- Wednesday, November 11, 2009, 4:30-6:30 p.m., Tailgating on the Terrace - Clarion Hotel, RSVP Required
- Thursday, November 12, 2009, 5:00 p.m., Home Builders Association Third Annual Housing Stump Meeting, The Medallion Center, 7309 Garner's Ferry Road, RSVP Required

# Richland County Council Request of Action

## **Subject**

- a. Regional Sports Complex MCIP
- b. An Ordinance Amending the FY 2009-2010 Road Maintenance and Mass Transit Fee Fund Annual Budget to appropriate of undesignated Fund Balance for the Revised Transportation Study
- c. Authorizing the Execution and Delivery of a special source revenue credit agreement by and among Richland County, South Carolina, and South Pills, LLC, and South University of Carolina, Inc., their affiliates and assigns, to provide for a special source revenue credit; to provide for the inclusion of the project in a multi-county business or industrial park; and other matters thereto related

# Richland County Council Request of Action

**Subject**

09-12MA  
Robert Giles  
Jonathan Giles  
RM-HD to NC (0.32 Acres)  
11203-01-02  
Corner of Olympia Ave. and Bluff Rd. **[THIRD READING] [PAGE 33]**

**Notes**

First Reading: September 22, 2009  
Second Reading: October 6, 2009  
Public Hearing: September 22, 2009  
Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-09HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 11203-01-02 FROM RM-HD (RESIDENTIAL, MULTI-FAMILY – HIGH DENSITY DISTRICT) TO NC (NEIGHBORHOOD COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 11203-01-02 from RM-HD (Residential, Multi-Family – High Density District) zoning to NC (Neighborhood Commercial District) zoning.

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

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

Section IV. This ordinance shall be effective from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY’S OFFICE

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

Public Hearing: September 22, 2009 (tentative)  
First Reading: September 22, 2009 (tentative)  
Second Reading:  
Third Reading:

09-12 MA – corner of Olympia Ave and Bluff Road

# Richland County Council Request of Action

## **Subject**

An Ordinance Amending Section 26-181 regarding road signs/traffic control devices; so as to conform to the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated* **[THIRD READING] [PAGES 35-36]**

## **Notes**

First Reading: September 22, 2009  
Second Reading: October 6, 2009  
Public Hearing: September 22, 2009  
Third Reading:



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-181, ROAD STANDARDS; SUBSECTION (B), DESIGN STANDARDS FOR PUBLIC OR PRIVATE ROADS; PARAGRAPH (6), OTHER DESIGN STANDARDS; SUBPARAGRAPH K, ROAD SIGNS/TRAFFIC CONTROL DEVICES; SO AS TO CONFORM TO THE FEDERAL HIGHWAY ADMINISTRATION'S *MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES 2003 EDITION WITH REVISIONS 1 AND 2 INCORPORATED*.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-181, Road Standards; Subsection (b), Design Standards for Public or Private Roads; Paragraph (6), Other Design Standards; Subparagraph k., Road Signs/Traffic Control Devices; is hereby amended to read as follows:

k. *Road signs/traffic control devices.*

[1] Road signs, in conformance with the requirements of the *Federal Highway Administration's Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 incorporated* and with the addressing coordinating specialist, shall be located at all intersections in a manner approved by the county engineer. Any sign within a new development shall be installed by the developer at his/her own expense. Signs will be aluminum blanks on metal posts fabricated and mounted in a standard design established by the director of public works. Such signs shall have white reflective lettering a minimum of six (6) inches in height on a reflective background. Signs located on multi-lane roads with a speed limit of 40 mph or greater shall have lettering a minimum of eight (8) inches in height. A green background shall denote a public road and a blue background shall denote a private road.

[2] All traffic control devices required by the *Federal Highway Administration's Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 incorporated* *SC Manual on Uniform Traffic Control Devices for Roads and Highways* may shall be installed by the developer at his/her own the developer's expense. If the county purchases such devices on behalf of the developer, all costs shall be paid in full prior to approval of the final plat of a subdivision or a certificate of

~~zoning compliance for other developments.~~ All devices shall conform to the required size and reflectivity found in the *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 incorporated.*

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

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

SECTION IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_\_ DAY

OF \_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: September 22, 2009 (tentative)  
Public Hearing: September 22, 2009 (tentative)  
Second Reading:  
Third Reading:

# Richland County Council Request of Action

**Subject**

An Ordinance to Define and Permit "Bus Shelters & Benches" in all Zoning Districts, with special requirements  
**[THIRD READING] [PAGES 38-87]**

**Notes**

First Reading: September 22, 2009  
Second Reading: October 6, 2009  
Public Hearing: September 22, 2009  
Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; SO AS TO DEFINE AND PERMIT “BUS SHELTERS” AND “BUS BENCHES” IN ALL ZONING DISTRICTS, WITH SPECIAL REQUIREMENTS.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-22, Definitions; is hereby amended to include in the appropriate alphabetical order, the following definitions:

*Bus bench.* A seating area at a designated bus stop designed for the convenience of bus passengers.

*Bus shelter.* A small roofed structure, having three (3) transparent walls, located at designated bus stops for the protection and convenience of passengers of public transportation systems.

SECTION II. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (b), Permitted Uses with Special Requirements Listed by Zoning District; is hereby amended to read as follows:

- (b) *Permitted uses with special requirements listed by zoning district.*
- (1) Accessory Dwellings - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, M-1)
  - (2) Amusement or Water Parks, Fairgrounds - (GC, M-1, LI)
  - (3) Animal Shelters - (GC, M-1, LI)
  - (4) Antennas - (All Districts)
  - (5) Athletic Fields - (TROS, NC, RC)
  - (6) Banks, Finance, and Insurance Offices – (NC, RC)
  - (7) Barber Shops, Beauty Salons, and Related Services - (RU, RM-MD, RM-HD)
  - (8) Bars and other Drinking Places - (RC, GC, M-1, LI)



- (9) Batting Cages - (GC, M-1, LI)
- (10) Bed and Breakfast Homes/Inns - (RR, RM-MD, RM-HD, RC)
- (11) Beer/Wine/Distilled Alcoholic Beverages – (GC)
- (12) Body Piercing Facilities – (GC)
- (13) Buildings, High-Rise, Four (4) or Five (5) Stories – (RM-HD, OI, GC)
- (14) Bus Shelters/Bus Benches - (All Districts)
- ~~(15)~~ Car and Light Truck Washes - (RC)
- ~~(16)~~ Cemeteries and Mausoleums - (OI, NC, RC, GC, M-1, LI, HI)
- ~~(17)~~ Continued Care Retirement Communities - (RM-MD, RM-HD, OI, RC, GC)
- ~~(18)~~ Construction, Building, General Contracting, with Outside Storage - (M-1, LI)
- ~~(19)~~ Construction, Building, Heavy, with Outside Storage - (M-1, LI)
- ~~(20)~~ Construction, Special Trades, with Outside Storage - (M-1, LI)
- ~~(21)~~ Country Clubs with Golf Courses - (TROS, RU, GC, M-1, LI)
- ~~(22)~~ Day Care, Adult, Home Occupation (5 or fewer) – (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, GC)
- ~~(23)~~ Day Care Centers, Adult - (RU, OI, NC, RC, GC, M-1)
- ~~(24)~~ Day Care, Child, Family Day Care, Home Occupation (5 or fewer) - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, GC)
- ~~(25)~~ Day Care Centers, Child, Licensed Centers - (RU, OI, NC, RC, GC, M-1)
- ~~(26)~~ Drugs and Druggists' Sundries – (GC)
- ~~(27)~~ Durable Goods, Not Otherwise Listed – (GC)
- ~~(28)~~ Dwellings, Manufactured Homes on Individual Lots - (RU, MH)
- ~~(29)~~ Dwellings, Manufactured Homes on Individual Lots - (RR, RS-E)

- (~~29~~30) Dwellings, Single Family, Zero Lot Line, Common and Parallel -  
(Common: RM-MD, RM-HD, OI, GC, M-1; Parallel: RS-E, RS-LD, RS-MD, RS-HD, RM-MD, RM-HD, OI, M-1)
- (~~30~~31) Electrical Goods – (GC)
- (~~31~~32) Fuel Oil Sales (Non-Automotive) - (M-1, HI)
- (~~32~~33) Furniture and Home Furnishings – (GC)
- (~~33~~34) Golf Courses - (TROS, GC, M-1, LI)
- (~~34~~35) Golf Driving Ranges (Freestanding) - (TROS, RC, GC, M-1, LI)
- (~~35~~36) Go-Cart, Motorcycle, and Similar Small Vehicle Tracks - (GC)
- (~~36~~37) Group Homes (9 or Less) - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)
- (~~37~~38) Home Occupations - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, GC)
- (~~38~~39) Kennels - (RU, OI, RC, GC, M-1, LI)
- (~~39~~40) Libraries – (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)
- (~~40~~41) Lumber and Other Construction Materials – (GC)
- (~~41~~42) Machinery, Equipment and Supplies – (GC)
- (~~42~~43) Manufactured Home Sales – (GC, M-1)
- (~~43~~44) Manufactured Home Parks – (MH, M-1)
- (~~44~~45) Market Showrooms - (GC)
- (~~45~~46) Motor Vehicles, New Parts and Supplies – (GC)
- (~~46~~47) Motor Vehicles, Tires and Tubes – (GC)
- (~~47~~48) Nondurable Goods, Not Otherwise Listed – (GC)
- (~~48~~49) Paints and Varnishes – (GC)
- (~~49~~50) Pet Care Services – (NC, RC)

- (~~50~~51) Petroleum and Coal Products Manufacturing - (HI)
- (~~51~~52) Petroleum and Petroleum Products - (M-1, HI)
- (~~52~~53) Places of Worship – (RU, RR, RM-MD, RM-HD, RC)
- (~~53~~54) Plumbing and Heating Equipment and Supplies – (GC)
- (~~54~~55) Poultry Farms – (RU)
- (~~55~~56) Produce Stands – (RU)
- (~~56~~57) Public or Private Parks- (All Districts)
- (~~57~~58) Public Recreation Facilities- (All Districts)
- (~~58~~59) Radio, Television, and Other Similar Transmitting Towers – (M-1)
- (~~59~~60) Recreational Vehicle Parks and Recreation Camps – (RU)
- (~~60~~61) Rental Centers, With Outside Storage – (GC)
- (~~61~~62) Repair and Maintenance Service, Appliance and Electronics - (RC, GC, M-1, LI)
- (~~62~~63) Research and Development Services – (OI)
- (~~63~~64) Schools, Including Public and Private Schools, Having a Curriculum Similar to Those Given in Public Schools - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)
- (~~64~~65) Sexually Oriented Businesses - (GC, HI)
- (~~65~~66) Sporting Firearms and Ammunition – (GC)
- (~~66~~67) Swim and Tennis Clubs – (TROS)
- (~~67~~68) Swimming Pools - (TROS, RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, GC)
- (~~68~~69) Tobacco and Tobacco Products – (GC)
- (~~69~~70) Utility Substations - (All Districts)

- (~~7071~~) Veterinary Services (Non-Livestock, May Include Totally Enclosed Kennels Operated in Connection with Veterinary Services) - (OI, NC)
- (~~7172~~) Warehouses (General Storage, Enclosed, Not Including Storage of Any Hazardous Materials or Waste as Determined by Any Agency of the Federal, State, or Local Government) - (OI, NC, RC, GC)
- (~~7273~~) Warehouses (Self Storage) - (RC, GC, M-1, LI)
- (~~7374~~) Yard Sales - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, GC)
- (~~7475~~) Zoos and Botanical Gardens – (GC, M-1)

SECTION III. 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), Standards; is hereby amended to read as follows:

- (c) *Standards.* The development standards listed herein are additional to other requirements of this chapter. These development standards are use-specific and apply to those uses designated with an “SR” in the Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions (Table 26-V-2, Section 26-141).
  - (1) *Accessory dwellings.*
    - a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density, M-1 Light Industrial.
    - b. Accessory dwellings shall be located only on lots containing one single-family detached structure. (However, other conforming accessory structures may also be located on the lot).
    - c. Only one accessory dwelling shall be permitted per single-family dwelling.
    - d. If the accessory dwelling is located within the same structure as the principal dwelling, the principal dwelling shall not be altered in any way so as to appear from a public or private road to be multi-family housing.
    - e. A manufactured home may not be used as an accessory dwelling.
    - f. The gross floor area of the accessory dwelling shall not exceed five hundred (500) square feet or contain more than one-fourth of the



heated floor area of the principal single-family dwelling, whichever is greater.

(2) *Amusement or waterparks, fairgrounds.*

- a. Use districts: General Commercial; M-1 and LI Light Industrial.
- b. The minimum lot size for an amusement park, waterpark, or fairground shall be five (5) acres.
- c. No principal building or structure shall be located within fifty (50) feet of any property line.
- d. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of the park activities.
- e. No amusement equipment, machinery, or mechanical device of any kind may be operated within two hundred (200) feet of any residentially zoned property.

(3) *Animal shelters.*

- a. Use districts: General Commercial; M-1 and LI Light Industrial.
- b. Any building (which is part of an animal shelter) housing animals shall be located a minimum of one hundred and fifty (150) feet from any residentially zoned or developed property.
- c. Fenced outdoor runs are allowed for use during the hours of 6:00 am to 10:00 p.m.; however, no animal may be kept in the run for boarding purposes, and pens for the animals must be located indoors. Feeding of animals must be conducted indoors and is prohibited in the runs.
- d. All animal refuse and food must be kept in airtight containers and disposed of on a regular basis. Animal wastes shall not be stored any closer than fifty (50) feet from any property line or surface water.

(4) *Antennas.*

- a. Use districts: All Districts.
- b. In residential districts, no antenna shall be permitted between the front of a principal structure and any adjacent public road. In the case of corner lots, no antenna shall be permitted between the side

of a principal structure and the road. No dish type antenna more than eighteen (18) inches in diameter shall be placed on the roof or other portion of a building so as to be visible from any adjacent property.

- c. In nonresidential districts, antennas may be placed at any location that is not visible from any adjacent public road. Antennas may be placed on top of a principal structure less than thirty (30) feet in height, provided that screening is provided with materials compatible with the principal structure at least equal in height to the antenna. Antennas may be placed on top of a flat roofed structure that exceeds thirty (30) feet in height. Antennas erected on any pitched roof structure, regardless of height of the structure, must be screened with materials compatible with the principal structure. The screening shall not be less than the height of the antenna. In these districts, dish type antennas measuring less than three (3) feet in diameter may be placed at any location on a principal structure, except for the building façade or any road oriented side wall.

(5) *Athletic fields.*

- a. Use districts: Traditional Recreation Open Space; Neighborhood Commercial; Rural Commercial.
- b. All athletic fields shall have primary access to collector or thoroughfare roads.
- c. Lights shall be positioned and shielded so as not to shine onto adjacent properties.
- d. Loud speaker systems shall not be operated before 8:00 a.m. or after 10:00 p.m.

(6) *Banks, finance, and insurance offices.*

- a. Use districts: Neighborhood Commercial; Rural Commercial.
- b. No drive-thru service permitted.

(7) *Barber shops, beauty salons, and related services.*

- a. Use districts: Rural; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density.
- b. No more than four (4) workstations are permitted.

- c. Signage shall be limited to a single sign, not to exceed three (3) square feet and not containing internal lighting. Such signage shall be attached to the building.

(8) *Bars and other drinking places.*

- a. Use districts: Rural Commercial; General Commercial; M-1 and LI Light Industrial.
- b. Lots used for drinking places shall be located no closer than four hundred (400) feet from any other lot used as a drinking place, and shall be no closer than six hundred (600) feet to any lot which contains a school (public or private) or a place of worship.
- c. Bars and other drinking places shall provide adequate off-street parking at a rate of twelve (12) spaces for each one thousand (1,000) square feet of gross floor area.
- d. Parking areas related to the establishment of a bar or other drinking place shall be located no closer than thirty (30) feet to the property line of residentially zoned or used property.
- e. A minimum six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residentially zoned or used property.

(9) *Batting cages.*

- a. Use districts. General Commercial; M-1 and LI Light Industrial.
- b. No equipment, machinery, or mechanical device of any kind shall be operated within two hundred (200) feet of any residentially zoned property.
- c. Fencing, netting or other control measures shall be provided around the perimeter of the batting area to prevent balls from leaving the designated area.
- d. Lights shall be positioned and shielded so as not to shine onto adjacent properties.
- e. Loud speaker systems shall not be operated before 8:00 a.m. or after 10:00 p.m.

(10) *Bed and breakfast homes/inns.*



- a. Use districts: Rural Residential; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Rural Commercial.
- b. Bed and breakfast homes/inns shall be located a minimum of one thousand five hundred (1,500) feet from any other bed and breakfast home/inn
- c. The owner or manager of the home/inn shall reside on the property.
- d. The maximum number of guest rooms provided by the bed and breakfast home/inn shall be five (5).
- e. Activities and functions designed to accommodate the guests shall take place within the principal structure.
- f. Off-street parking for bed and breakfast homes/inns shall be provided as required in Section 26-173 of this chapter. Parking shall be provided on the same lot on which the bed and breakfast inn is located, at the rear of the lot, and screened (with vegetation) from adjacent properties and from the road.
- g. In the residential districts, signage shall be limited to a single sign, not to exceed three (3) square feet and not containing internal lighting. Such signage shall be attached to the building.
- h. Exterior lighting shall be residential in nature and shall not be directed toward adjacent properties.
- i. No meals may be served to anyone other than staff and guests registered at the inn.
- j. No exterior alterations, other than those necessary to ensure the safety and accessibility of the structure, shall be made to any building for the purpose of providing a bed and breakfast home/inn.

(11) *Beer/Wine/Distilled Alcoholic Beverages.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.

- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(12) *Body Piercing Facilities.*

- a. Use districts: General Commercial.
- b. The applicant must receive a license from the South Carolina Department of Health and Environmental Control (SCDHEC) to operate the facility.

(13) *Buildings, high-rise, four (4) or five (5) stories.*

- a. Use districts: Residential, Multi-Family, High Density; Office and Institutional; General Commercial.
- b. The minimum lot size to establish a high-rise building shall be one (1) acre.
- c. The minimum lot width to establish a high-rise building shall be one hundred and fifty (150) feet.
- d. A high-rise structure shall be set back a minimum of twenty-five (25) feet from all property lines.
- e. In the RM-HD District, the maximum lot coverage for a high-rise building shall be thirty-five percent (35%). In the GC and OI Districts, the maximum lot coverage for a high-rise building shall be forty-five percent (45%).
- f. Increase of allowable lot coverage:
  - 1. Additional lot coverage may be allowed on a foot for foot basis equal to the number of square feet provided on the structure above the first level in the form of landscaped roof gardens, solariums, recreational spaces and the like made available generally to tenants. In no case shall such an increase in coverage exceed an amount equal to ten

percent (10%) of the total lot area upon which the high-rise structure is located.

2. Parking lots or structures to accommodate required parking may be erected to cover not more than thirty percent (30%) of the total lot area in addition to the coverage listed in paragraph e. of this subsection.
- g. No portion of any high-rise building shall project through imaginary planes leaning inward over the lot from the exterior lot lines of the parcel at angles representing two (2) feet in height for each one (1) foot of horizontal distance from such lot line.
- h. Parking and loading facilities shall be provided as required by Section 26-173 and Section 26-174 of this chapter. No parking lots shall be permitted within any required setback.

(14) Bus shelters/bus benches.

- a. Use districts: All Districts.
- b. Any person wishing to erect and maintain a bus shelter or bus bench shall obtain a permit for each shelter from the Planning Department. Each permit for a bus shelter shall cost fifty (\$50.00) dollars and shall be valid for one (1) year. Each permit for a bus bench shall cost twenty-five (\$25.00) dollars and shall be valid for one (1) year. These permits may be renewed upon payment of the fifty (\$50.00) dollar renewal fee for a bus shelter or upon payment of the twenty-five (\$25.00) dollar renewal fee for a bus bench.
- c. A shelter or bench may only be located at a designated bus stop that is presently being served by a public transit authority, and only one (1) bus shelter shall be allowed per bus stop location.
- d. If the shelter or bench is proposed to be located within a SCDOT right-of-way, the location of the shelter must be approved by SCDOT prior to obtaining a permit from the Richland County Planning Department.
- e. Bus shelters must meet the following additional requirements:
  1. Design plans for the bus shelter shall be submitted for review and a building permit obtained. The bus shelter must be built to the current and future editions of the International Building Code for commercial structures, except that plumbing and mechanical elements are not required, and the bus shelter must be able to withstand sustained three (3) second wind gusts of up to 95 MPH. All



normal review and permit fees apply, along with normal inspections.

2. The shelter shall be designed so that it will present an attractive appearance and not detract from the adjacent surroundings. It shall be illuminated and provide protection from weather elements. The shelter design shall include the following:

[a] Each shelter shall consist of an aluminum or steel framework suitable for supporting transparent wall panels and opaque roof panels. The shelter must have a rear wall section, two (2) side panels, and a roof. The transparent wall section must be of tempered glass.

[b] At a minimum, each shelter must have a six (6) foot bench, a bus route and schedule holder, a trash receptacle, and be illuminated during hours of darkness. The shelter must be installed on and attached to a concrete foundation.

[c] Each bus shelter must be erected in accordance with ADA specifications and requirements. The permittee is responsible to meet the ADA standards and any complaints of nonconformance must be rectified by permittee at his/her expense within thirty (30) days of notification by the Planning department. Under this subsection, ADA compliance includes, but is not limited to, sidewalk on ramps, tactile warnings, and signage or directional arrows indicating handicap accessibility.

[d] Advertising on the shelter shall be limited to the outward side of the side wall panels, and may provide a lighting source contained within the panel cabinet. Only two (2) advertisements will be allowed per shelter, and each advertisement will be limited to a maximum poster dimension of 4' wide by 6' high.

[e] The general dimensions of a typical shelter will be at a minimum 9' long by 6' wide by 8' high.

3. The route number shall be displayed prominently on the bus shelter.

4. Each bus shelter shall make available printed bus schedules, and shall display a large regional map that includes the bus route.

5. Bus shelters shall be maintained in good repair and the person whose name is on the permit application shall be responsible for the cleaning, repairing or replacement of any part thereof, including advertising materials, sidewalks, walkways, curbs or foundations encompassed by the bus shelter. Such work as is necessary to relocate, alter or maintain the bus shelter will be done in such a manner that it will not in any way interfere with or endanger the safety of the general public in their use of the roads.

f. Bus benches must meet the following additional requirements:

1. The bench shall be designed so that it will present an attractive appearance and not detract from the adjacent surroundings.

2. Benches shall be constructed of durable material and shall be securely fastened to the ground.

3. Advertising on the bench shall be limited to the forward facing side of the back rest and shall not extend beyond the perimeters of the back rest.

~~(415)~~ *Car and light truck washes.*

- a. Use districts: Rural Commercial.
- b. Buildings shall not be less than seventy-five (75) feet from any interior side or rear property line that adjoins a residentially zoned or used property.
- c. The hours of operation shall be limited to the hours between 7:00 a.m. and 10:00 p.m.
- d. Adequate provisions shall be made for the safe and efficient disposal of waste products.

~~(416)~~ *Cemeteries and mausoleums.*

- a. Use districts: Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial; M-1 and LI Light Industrial; Heavy Industrial.



- b. A minimum of three (3) contiguous acres shall be required to establish a cemetery or a mausoleum not located on the same tract of land as a place of worship.
- c. Primary access to the facility shall be from a collector or thoroughfare road.

~~(1617)~~ *Continued care retirement communities.*

- a. Use districts: Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office Institutional; Rural Commercial; General Commercial.
- b. The minimum lot size to establish a continued care retirement community shall be one (1) acre.
- c. No parking space or driveway shall be located closer than twenty (20) feet to any other residence not a part of the community.
- d. The front setback shall be the same as permitted in the respective district, but shall not be less than the lesser setback of any existing homes on adjacent lots. The side and rear setbacks shall be twenty (25) feet.
- e. All facilities shall be solely for the use of the residents and their guests.

~~(1718)~~ *Construction, building, general contracting, with outside storage.*

- a. Use districts: M-1 and LI Light Industrial.
- b. All outside storage shall be completely screened from adjacent roads and residentially zoned or used properties.

~~(1819)~~ *Construction, building, heavy, with outside storage.*

- a. Use districts: M-1 and LI Light Industrial.
- b. All outside storage shall be completely screened from adjacent roads and residentially zoned or used properties.

~~(1920)~~ *Construction, special trades, with outside storage.*

- a. Use districts: M-1 and LI Light Industrial.
- b. All outside storage shall be completely screened from adjacent roads and residentially zoned or used properties.

~~(2021)~~ *Country clubs with golf courses.*

- a. Use districts: TROS, Rural; General Commercial; M-1 and LI Light Industrial.
- b. There shall be a minimum fifty (50) foot setback between clubhouses, swimming pools, lighted tennis courts, or athletic fields and adjacent residentially zoned or used property.
- c. In the Rural District, club facilities may not be used between 12:00 midnight and 7:00 a.m., Sunday through Thursday and between 1:00 a.m. and 7:00 a.m. on Friday and Saturday nights.

~~(2122)~~ *Day care, adult, home occupation (five or fewer).*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family – Estate; Residential, Single-Family - Low Density; Residential, Single-Family – Medium Density; Residential, Single-Family – High Density; Manufactured Home; Residential, Multi-Family – Medium Density; Residential, Multi-Family – High Density; Office and Institutional; General Commercial.
- b. An adult day care, home occupation, with five (5) or fewer attendees must be operated in an occupied residence.
- c. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
- d. All other state and federal regulations shall be met.

~~(2223)~~ *Day care centers, adult.*

- a. Use districts: Rural; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial; M-1 Light Industrial.
- b. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.

~~(2324)~~ *Day care, child, family day care, home occupation (five or fewer).*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family – Estate; Residential, Single-Family – Low Density; Residential, Single-Family – Medium Density; Residential, Single-Family – High Density; Manufactured Home; Residential, Multi-Family – Medium Density; Residential, Multi-Family – High Density; Office and Institutional; General Commercial.

- b. A child family day care home occupation must be operated in an occupied residence.
- c. Any outdoor play area shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas, or land otherwise unsuited for children's play space.
- d. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
- e. All other state and federal regulations shall be met.

*(2425) Day care centers, child, licensed centers.*

- a. Use districts: Rural; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial; M-1 Light Industrial.
- b. Any outdoor play area shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas, or land otherwise unsuited for children's play space.
- c. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
- d. All other state and federal regulations shall be met.

*(2526) Drugs and Druggists' Sundries.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.

- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

~~(2627)~~ *Durable Goods, Not Otherwise Listed.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

~~(2728)~~ *Dwellings, manufactured homes on individual lots.*

- a. Use districts: Rural, Manufactured Home Park.
- b. Manufactured homes must meet the standards set by the Federal Manufactured Housing Construction and Safety Standards Act of 1974 (which became effective June 15, 1976), as revised and in effect on the date the application is made for a land development permit.
- c. The tongue, axles, transporting lights, and removable towing apparatus must be removed subsequent to final placement.
- d. Manufactured home skirting or a continuous, permanent masonry foundation, unpierced except for openings required by the building code for ventilation, utilities and access, shall be installed under the manufactured home.

~~(2829)~~ *Dwellings, manufactured homes on individual lots.*

- a. Use districts: Rural Residential; Residential, Single-Family, Estate.



- b. Manufactured homes must meet the standards set by the Federal Manufactured Housing Construction and Safety Standards Act of 1974 (which became effective June 15, 1976), as revised and in effect on the date the application is made for a land development permit.
- c. The tongue, axles, transporting lights, and removable towing apparatus must be removed subsequent to final placement.
- d. The manufactured home shall be oriented so that the side containing the front entrance door shall be no more than twenty (20) degrees from parallel to the front property line, except on corner lots. The front of the manufactured home is that side which has an entrance door leading to a living room, foyer, or hall.
- e. The exterior siding shall consist predominately of vinyl or aluminum horizontal lap siding (that does not exceed the reflectivity of gloss white paint), wood, or hardboard, comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.
- f. A continuous, permanent masonry foundation, unpierced except for openings required by the building code for ventilation, utilities and access, shall be installed under the manufactured home. The foundation shall be excavated and shall be exposed no more than twelve (12) inches above grade.
- g. The pitch of the manufactured home's roof shall have a minimum vertical rise of three feet for each twelve feet of horizontal run (3:12) and the roof shall be finished with a type of roof that is commonly used in standard residential construction.
- h. The manufactured home shall have a length not exceeding four (4) times its width, excluding additions.
- i. There shall be a porch, at the main entrance to the manufactured home, which is a minimum of six (6) feet by six (6) feet in size.

*(2930) Dwellings, single family, zero lot line, common and parallel.*

- a. Use districts, Common: Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional; General Commercial.

Use districts: Parallel: Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-

Family, Medium Density; Residential, Single-Family, High Density; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional.

- b. The lot proposed for zero lot line development must be under the same ownership as the adjacent lot at the time of initial construction, or the owner of adjacent properties must record an agreement or deed restriction, in writing, consenting to the development of zero setback. The maintenance and drainage easement required in subsection e. below must be provided as part of this agreement and deed restriction.
- c. For common lot line dwellings, the dwelling unit shall be placed on one interior side property line with a zero setback, and the dwelling unit setback on the other interior side property line shall be a minimum of twelve (12) feet. Patios, pools, garden features, and other similar elements shall be permitted within the twelve (12) foot setback area; provided, however, no structure shall be placed within easements required by subsection e. below.
- d. The wall of a dwelling located on the lot line shall have no windows, doors, air conditioning units, or any other type of openings. An atrium or court shall be permitted on the zero lot line side when such court or atrium is enclosed by two (2) walls of the dwelling unit, and a solid wall of at least six (6) feet in height is provided on the zero lot line extending to the front and/or rear of the dwelling unit. Said wall shall be constructed of the same materials as exterior walls of the unit.
- e. A perpetual five (5) foot maintenance easement shall be provided on the lot adjacent to the zero lot line property, which shall be kept clear of structures. This easement shall be shown on the plat and incorporated into each deed transferring title to the property. Roof overhangs and footings may penetrate the easement on the adjacent lot a maximum of twenty-four (24) inches, but the roof shall be so designed that water runoff from the dwelling placed on the lot line is controlled by gutters or other approved methods.

~~(3031)~~ *Electrical Goods.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.

- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

~~(3132)~~ *Fuel oil sales, non-automotive.*

- a. Use districts: M-1 Light Industrial; Heavy Industrial.
- b. Gravel or paved roadways shall be provided to all storage tanks.
- c. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.
- d. Storage tanks protected by either an attached extinguishing system approved by the fire marshal, or an approved floating roof, shall not be located closer to an exterior property line than a distance of either the diameter or the height of the tank, whichever is greater. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred twenty (120) feet. Storage tanks not equipped as indicated above shall not be located closer to an exterior property line than a distance equal to one and one half (1½) times of either the diameter or the height of the tank, whichever is greater. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred seventy-five (175) feet. Storage tanks and loading facilities shall be located a minimum of five hundred (500) feet from any existing residence or residentially zoned property.
- e. All storage facilities shall comply with the latest regulations of the National Fire Protection Association.
- f. All other federal, state, and local laws shall be met.

~~(3233)~~ *Furniture and Home Furnishings.*



- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

~~(3334)~~ *Golf courses.*

- a. Use districts: Traditional Recreation Open Space; General Commercial; M-1 and LI Light Industrial.
- b. There shall be a minimum fifty (50) foot setback between clubhouses or other non-course facilities and adjacent residentially zoned or used property.

~~(3435)~~ *Golf driving ranges (freestanding).*

- a. Use districts: Traditional Recreation Open Space; Rural Commercial; General Commercial; M-1 and LI Light Industrial.
- b. Fencing, netting, or other control measures shall be provided around the perimeter of the driving area to prevent balls from leaving the property.
- c. No equipment, machinery, or mechanical device of any kind shall be operated within two hundred (200) feet of any residentially zoned or used property.
- d. Operations shall not begin before 9:00 a.m. nor continue after 10:00 p.m.

~~(3536)~~ *Go-cart, motorcycle, and similar small vehicle tracks.*



- a. Use districts: General Commercial.
- b. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of the track activities.
- c. No equipment, machinery, or mechanical device of any kind shall be operated within two hundred (200) feet of any residentially zoned or used property.
- d. Hours of operation shall be limited to 9:00 a.m. to 10:00 p.m.

~~(3637)~~ *Group homes (nine persons or less).*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density.
- b. Location approval is subject to Section 6-29-770 of the South Carolina Code of Laws, as amended.

~~(3738)~~ *Home occupations.*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- b. Home occupations shall be conducted entirely within the principal dwelling or an accessory structure, if such accessory structure meets all setback requirements for a principal structure in the district in which it is located. Home occupations shall be clearly incidental and secondary to the use of the dwelling unit for residential purposes, and shall not change the outward appearance of the structure.
- c. An area equal to not more than twenty-five percent (25%) of the floor area of the principal dwelling may be utilized for the home occupation. If the home occupation is housed in an accessory structure, the accessory structure can be no larger than twenty-five percent (25%) the gross floor area of the principal dwelling.

- d. Only persons residing on the premises may be employed by the home occupation.
- e. The home occupation shall not involve the retail sale of merchandise manufactured off the premises. No display of goods, products, services, merchandise, or any form of advertising shall be visible from outside the dwelling.
- f. No outside storage shall be allowed in connection with any home occupation.
- g. Instruction in music, dance, art or similar subjects shall be limited to four (4) students at a time.
- h. No traffic shall be generated by the home occupation in greater volumes than would normally be expected in a residential neighborhood, and any parking need generated by the home occupation shall be provided for off street and other than in the front yard.
- i. Signage for the home occupation shall be regulated in accordance with Section 26-180 of this chapter.

~~(3839)~~ *Kennels.*

- a. Use districts: Rural; Office and Institutional; Rural Commercial; General Commercial, M-1 and LI Light Industrial.
- b. Any building (which is part of a kennel) housing animals shall be located a minimum of one hundred and fifty (150) feet from any residentially zoned or used property.
- c. Fenced outdoor runs are allowed for use only during the hours of 6:00 a.m. to 10:00 p.m.; however, no animal may be kept in the run for boarding purposes, and pens for the animals must be located indoors. Feeding of animals must be conducted indoors and is prohibited in the runs.
- d. All animal refuse and food must be kept in airtight containers and disposed of on a regular basis. Animal wastes shall not be stored any closer than fifty (50) feet from any property line or surface waters.

~~(3940)~~ *Libraries.*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density.
- b. No parking shall be allowed in the required front yard.

(~~4041~~) *Lumber and Other Construction Materials.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(~~4142~~) *Machinery, Equipment and Supplies.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.



- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(~~4243~~) *Manufactured home sales.*

- a. Use districts: General Commercial; M-1 Light Industrial.
- b. Sales and storage areas shall be screened from adjacent residentially zoned or used properties.

(~~4344~~) *Manufactured home parks.*

- a. Use districts: Manufactured Home; M-1 Light Industrial.
- b. All manufactured home park development plans must be approved by DHEC.
- c. Uses permitted within any manufactured home park shall be regulated in accordance with the underlying zoning district. See Article V. of this chapter. Unless otherwise, specified, all minimum development standards for the underlying zoning district apply.
- d. All manufactured home parks must provide water and sanitary sewer to each manufactured home site, subject to DHEC requirements. All manufactured homes within the site are required to connect to water, sanitary sewers, and electricity.
- e. The minimum area required for the development of a manufactured home park shall be five (5) acres.
- f. The maximum density of a manufactured home park shall not exceed six (6) units per acre.
- g. A minimum of seven thousand two hundred sixty (7,260) square feet is required for each manufactured home site within the manufactured home park development.
- h. A minimum width of sixty (60) feet is required for each manufactured home site within the manufactured home park development.
- i. All manufactured homes shall be set back from exterior road rights-of-way a minimum of thirty-five (35) feet, and shall be set

back a minimum of fifteen (15) feet from all other exterior property lines.

If the landscape and buffer yard standards require additional setbacks, the most restrictive shall apply. See Section 26-176 of this chapter.

- j. All manufactured homes shall be set back from interior road rights-of-way a minimum of fifteen (15) feet. Additionally, the following minimum spacing between manufactured home structures shall apply:
  - 1. Front to front: 35 feet.
  - 2. Front to side: 25 feet.
  - 3. Front to rear: 35 feet.
  - 4. Rear to rear: 25 feet.
  - 5. Rear to side: 25 feet.
  - 6. Side to side: 25 feet.
- k. Common area open space (meeting the requirements set forth in Sections 26-184(b)(2)&(3) of this chapter) shall be provided for each manufactured home park. A minimum of twenty percent (20%) of the total development area shall be reserved for open space. However, in no event shall the required open space within a manufactured home development be less than three hundred (300) square feet. In order to expand an existing manufactured home park development, the minimum open space requirements must be met.

(4445) *Market showrooms.*

- a. Use districts: General Commercial.
- b. Display areas shall exist within permanent buildings only.

(4546) *Motor Vehicles, New Parts and Supplies.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.

- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(4647) *Motor Vehicles, Tires and Tubes.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(4748) *Nondurable Goods, Not Otherwise Listed.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.

- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(~~4849~~) *Paints and Varnishes.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(~~4950~~) *Pet Care Services.*

- a. Use districts: Neighborhood Commercial, Rural Commercial.
- b. All pet care services shall be conducted inside an enclosed structure.

(~~5051~~) *Petroleum and coal products manufacturing.*

- a. Use districts: Heavy Industrial.
- b. Gravel or paved roadways shall be provided to all storage tanks.



- c. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.
- d. Storage tanks protected by either an attached extinguishing system approved by the fire marshal, or an approved floating roof, shall not be located closer to an exterior property line than a distance of either the diameter or the height of the tank, whichever is greater. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred twenty (120) feet. Storage tanks not equipped as indicated above shall not be located closer to an exterior property line than a distance equal to one and one half (1½) times the greater dimension of either the diameter or the height of the tank. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred seventy-five (175) feet. Storage tanks and loading facilities shall be located a minimum of five hundred (500) feet from any existing residence or residentially zoned property.
- e. All storage facilities shall comply with the latest regulations of the National Fire Protection Association.
- f. All other federal, state, and local laws shall be met.

(5152) *Petroleum and petroleum products.*

- a. Use districts: Heavy Industrial; M-1 Light Industrial.
- b. Gravel or paved roadways shall be provided to all storage tanks.
- c. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.
- d. Storage tanks protected by either an attached extinguishing system approved by the fire marshal, or an approved floating roof, shall not be located closer to an exterior property line than a distance of either the diameter or the height of the tank, whichever is greater. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred twenty (120) feet. Storage tanks not equipped as indicated above shall not be located closer to an exterior property line than a distance equal to one and one half (1½) times the greater dimension of either the diameter or the height of the tank. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred seventy-five (175) feet. Storage tanks and loading facilities shall be



located a minimum of five hundred (500) feet from any existing residence or residentially zoned property.

- e. All storage facilities shall comply with the latest regulations of the National Fire Protection Association.
- f. All other federal, state, and local laws shall be met.

~~(5253)~~ *Places of worship.*

- a. Use districts: Rural; Rural Residential; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Rural Commercial.
- b. Facilities for a place of worship located on a site of three (3) acres or more shall have primary access to the facility from a collector or thoroughfare road.
- c. No parking space or drive shall be located closer than twenty (20) feet to a residence not associated with the place of worship. No parking area may be located in the front setback.
- d. The front setback shall be the same as permitted in the respective district, but shall not be less than the lesser setback of any existing homes on adjacent lots. The side and rear setbacks shall be thirty (30) feet.

~~(5354)~~ *Plumbing and Heating Equipment and Supplies.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.

- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

~~(5455)~~ *Poultry farms.*

- a. Use districts: Rural.
- b. Not more than one (1) animal unit shall be kept per six thousand (6,000) square feet of land.
- c. All areas containing poultry shall be located no closer than one hundred and fifty (150) feet from any abutting residentially zoned or used property.

~~(5556)~~ *Produce stands.*

- a. Use districts: Rural.
- b. Produce stands operating year-round must be located on the property on which the crops for sale are produced.
- c. Produce stands operating seasonally (i.e. for no more than six (6) months in any one calendar year) shall be located no closer than five (5) feet from a road right-of-way. Adequate off-street parking shall be provided.

~~(5657)~~ *Public or private parks.*

- a. Use districts: All Districts.
- b. Overflow parking shall be designated on the site plan and shall be kept available to handle all traffic from special events.
- c. All parks greater than ten (10) acres shall have primary access to a collector or thoroughfare road.

~~(5758)~~ *Public recreation facilities.*

- a. Use districts: All Districts.
- b. Overflow parking shall be designated on the site plan and shall be kept available to handle all traffic from special events.
- c. All recreation facilities greater than ten (10) acres shall have primary access to a collector or thoroughfare road.

- d. Lights shall be positioned and shielded so as not to shine onto adjacent properties.
- e. Loud speaker systems shall not be operated before 8:00 a.m. or after 10:00 p.m.

(~~5859~~) Radio, Television, and Other Similar Transmitting Towers.

- a. Use districts: M-1 Light Industrial.
- b. Communication towers shall have a maximum height of three hundred (300) feet. For towers on buildings, the maximum height shall be twenty (20) feet above the roofline of buildings forty (40) feet or four stories in height or less. For buildings greater than four stories or forty-one (41) feet in height, the maximum height of communication towers shall be forty feet above the roofline.
- c. The minimum setbacks for communication towers from certain uses shall be as follows:
  - 1. In no case shall a communication tower be located within fifty (50) feet of a residential zoning district or an inhabited residential dwelling.
  - 2. For towers in excess of fifty (50) feet, the setback shall increase one (1) foot for each foot of height of the tower as measured from the base of the tower. The maximum required separation being two hundred and fifty (250) feet.
- d. The proposed user must show proof of an attempt to collocate on existing communication towers, and must be willing to allow other users to collocate on the proposed tower in the future subject to engineering capabilities of the structure. Evidence of an attempt to collocate must show that alternative towers, buildings, or other structures are not available for use within the applicant's tower site search area that are structurally capable of supporting the intended antenna or meeting the applicant's necessary height criteria, or provide a location free of interference from other communication towers.
- e. Towers shall be illuminated as required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agencies. However, no nighttime strobe lighting shall be incorporated unless required by the Federal Communications Commission, the Federal Aviation Administration, or other regulatory agency.



- f. Each communication tower and associated buildings shall be enclosed within a fence at least seven (7) feet in height.
- g. Each communication tower site shall be landscaped in accordance with the requirements of Section 26-176 of this chapter.
- h. No signage may be attached to any portion of a communications tower. Signs for the purpose of identification, warning, emergency function or contact or other as required by applicable state or federal rule, law, or regulation may be placed as required by standard industry practice.
- i. A communications tower which is no longer used for communications purposes must be dismantled and removed within one hundred twenty (120) days of the date the tower is taken out of service.

*(5960) Recreational vehicle parks and recreation camps.*

- a. Use districts: Rural.
- b. Uses permitted within a recreational vehicle park and recreation camp shall include: recreational vehicle sites, camp sites, recreation facilities, common buildings and facilities (laundry, dining, etc.), and management offices (which may include living quarters for the operator or manager of the park/camp).
- c. A minimum of five (5) acres is required for a recreational vehicle park or recreation camp.
- d. For recreational vehicle parks, there shall be a minimum net space of six hundred ninety (690) square feet for each RV space. A distance of at least ten (10) feet shall be maintained between trailers and/or structures. Any accessory structures or attachments shall, for the purpose of this requirement, be considered a part of the trailer or recreational vehicle.
- e. For recreational vehicle parks, each travel trailer or recreational vehicle area shall be connected to an approved water supply system that provides an accessible, adequate, safe, and potable supply of water. An adequate and safe sewer system, approved by DHEC, shall be provided in all travel trailer/recreational vehicle parking areas.

- f. In recreational vehicle parks, neither any person nor any travel trailer/recreational vehicle shall occupy a trailer space or travel trailer parking space for a period in excess of thirty (30) days. A registry of all occupants, the space occupied, the time of arrival, and time of departure shall be maintained by the owner or operator of the travel trailer/recreational vehicle parking facility.
- g. Adequate off-street parking and maneuvering space shall be provided on site. The use of any public road, sidewalk, or right-of-way for the purpose of parking or maneuvering vehicles is prohibited.

~~(6061)~~ *Rental centers, with outside storage.*

- a. Use districts: General Commercial.
- b. All storage areas shall be screened from adjacent residentially zoned or used properties.
- c. Lighting shall be directed and shielded so as not to shine across to adjacent properties.

~~(6162)~~ *Repair and maintenance service, appliance and electronics.*

- a. Use districts: Rural Commercial; General Commercial; M-1 and LI Light Industrial.
- b. No outside storage of appliances, equipment, or parts shall be permitted.

~~(6263)~~ *Research and development services.*

- a. Use districts: Office and Institutional.
- b. Research using dangerous hazardous materials is prohibited.
- c. All research and development operations must be conducted indoors.

~~(6364)~~ *Schools, including public and private schools, having a curriculum similar to those given in public schools.*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High

Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density.

- b. The minimum lot size for a school shall be two (2) acres.
- c. Parking and active recreation areas shall not be located within any required setback.
- d. Primary access shall be provided from a collector or a thoroughfare road.

(6465) *Sexually oriented businesses.*

- a. Use districts: General Commercial, Heavy Industrial.

- b. *Purpose and Findings:*

- 1. The purpose of this subsection is to regulate sexually oriented businesses in order to promote the health, safety, morals, and general welfare of the citizens of Richland County, and to establish reasonable and uniform regulations to prevent or reduce to any extent the secondary effects of sexually oriented businesses within the County. The provisions of this subsection have neither the purpose nor effect of imposing a limitation or restriction on the content of or reasonable access to any communicative materials or expression. Similarly, it is neither the intent nor effect of these regulations to restrict or deny access by adults to sexually oriented materials or expression protected by the First Amendment of the United States Constitution, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this subsection to condone or legitimize the distribution or exhibition of obscenity.
- 2. Based on evidence of the adverse secondary effects of sexually oriented businesses presented in hearings and reports made available to the Richland County Council, and on the findings, interpretations, and narrowing constructions incorporated in the cases of *City of Littleton v. Z.J. Gifts D-4, LLC*, 124 S. Ct. 2219 (2003); *City of Los Angeles v. Alameda Books, Inc.*, 535 U.S. 425 (2002); *Pap's A.M. v. City of Erie*, 529 U.S. 277 (2000); *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41 (1986); *Young v. American Mini Theatres*, 427 U.S. 50 (1976);



*Barnes v. Glen Theatre, Inc.*, 501 U.S. 560 (1991); *California v. LaRue*, 409 U.S. 109 (1972); *Chesapeake B & M, Inc. v. Harford County*, 58 F.3d 1005 (4<sup>th</sup> Cir. 1995); *Giovani Carandola, Ltd. v. Fox*, 470 F.3d 1074 (4<sup>th</sup> Cir. 2006); *Centaur v. Richland County*, 392 S.E.2d 165 (S.C. 1990); and other cases; and on reports of secondary effects occurring in and around sexually oriented businesses, including, but not limited to, Phoenix, Arizona (1979); Minneapolis, Minnesota (1980); Houston, Texas (1987); Indianapolis, Indiana (1984); Amarillo, Texas (1977); Garden Grove, California (1991); Los Angeles, California (1977); Whittier, California (1978); Austin, Texas (1986); Seattle, Washington (1989); Oklahoma City, Oklahoma (1986); El Paso, Texas (1986); New York City, New York (1994); Dallas, Texas (1997); Newport News, Virginia (1996); New York Times Square Study (1994); Phoenix, Arizona (1995-1998); Greensboro, North Carolina (2003); Toledo, Ohio (2002); Centralia, Washington (2004); and also from the reports of “Sexually Oriented Businesses: An Insider’s View,” by David Sherman, presented to the Michigan House Committee on Ethics and Constitutional Law, January 12, 2000; “Survey of Appraisers Fort Worth & Dallas, Effects of Land Uses on Surrounding Property Values, by Duncan Associates, September 2004; and the Report of the Attorney General’s Working Group on the Regulation of Sexually Oriented Businesses, (June 6, 1989, State of Minnesota), the Richland County Council finds:

- (a) Sexually oriented businesses, as a category of commercial uses, are associated with a wide variety of adverse secondary effects including, but not limited to, personal and property crimes, public safety risks, prostitution, potential spread of disease, lewdness, public indecency, illicit sexual activity, illicit drug use and drug trafficking, negative impacts on surrounding properties, litter, and sexual assault and exploitation.
- (b) Each of the foregoing negative secondary effects constitutes a harm which the County has a substantial government interest in preventing and/or abating in the future. This substantial government interest in preventing secondary effects, which is the County’s rationale for this ordinance, exists independent of any comparative analysis between sexually oriented and non-sexually oriented

businesses. Additionally, the County's interest in regulating sexually oriented businesses extends to future secondary effects that could occur in the County related to current sexually oriented businesses in the future as well as sexually oriented businesses that may locate in the County in the future. The County Council finds that the cases and secondary effects documentation relied on in this ordinance are reasonably believed to be relevant to said secondary effects.

c. *Classification.* Sexually oriented businesses are classified as follows:

1. Adult arcades;
2. Adult bookstores or adult video stores;
3. Adult cabarets;
4. Adult motels;
5. Adult motion picture theaters;
6. Sexual device shops; and
7. Sexual encounter centers.

d. *Location of Sexually Oriented Businesses:*

1. A sexually oriented business currently in operation or established subsequent to the enactment of this Ordinance shall comply with the provisions herein.
2. All sexually oriented businesses shall be located within a General Commercial or Heavy Industrial District.
3. A sexually oriented business shall not be located within one thousand (1,000) feet of any place of worship, a public or private elementary or secondary school, a child care center or kindergarten, orphanage, a boundary of any residential district, a boundary of a parcel designated and assessed as residential use by the Richland County Assessor's Office; or a public park.

4. A sexually oriented business shall not be located within one thousand (1,000) feet of another sexually oriented business.
  5. The operation, establishment, or maintenance of more than one (1) sexually oriented business is prohibited in the same building, structure, or portion thereof, or the increase of floor areas of any sexually oriented business in any building, structure, or portion thereof containing another sexually oriented business.
  6. For the purpose of this subparagraph d. 3., above, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a place of worship, or public or private elementary or secondary school, daycare facility, kindergarten, orphanage, a boundary of any residential district, a boundary of a parcel designated and assessed as residential use by the Richland County Assessor's Office, or a public park. Presence of a city or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this section.
  7. For the purpose of subparagraph d. 4. above, the distance between any two (2) sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects, from the nearest property line of the premises where a sexually oriented business is conducted to the nearest property line of another premises where a sexually oriented business is conducted.
- e. *Regulations pertaining to Sexually Oriented Businesses that offer Viewing Room(s).*

A person who operates or causes to be operated a sexually oriented business, other than an adult motel, which exhibits on the premises in a viewing room of less than one hundred fifty (150) square feet of floor space, adult media, or live entertainment characterized by emphasis on exposure or display of specified sexual activities or specified anatomical areas, shall comply with the following requirements:

1. A diagram of the premises showing a plan thereof specifying the location of one or more manager's stations



and the location of all overhead lighting fixtures and designating any portion of the premises in which patrons will not be permitted must be provided to the Zoning Administrator. A manager's station may not exceed thirty-two (32) square feet of floor area. A professionally prepared diagram in the nature of an engineer's or architect's blueprint shall not be required; however, each diagram should be oriented to the north or to some designated street or object and should be drawn to a designated scale or with marked dimensions sufficient to show the various internal dimensions of all areas of the interior of the premises to an accuracy of plus or minus six (6) inches.

2. The diagram shall be sworn to be true and correct by the applicant.
3. No alteration in the configuration or location of a manager's station may be made without the prior approval of the zoning administrator.
4. It is the duty of the owner(s) and operator(s) of the premises to ensure that at least one (1) employee is on duty and situated in each manager's station at all times that any patron is present inside the premises.
5. The interior of the premises shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the premises to which any patron is permitted access for any purpose, excluding restrooms. Restrooms may not contain video reproduction equipment. If the premises has two (2) or more manager's stations designated, then the interior of the premises shall be configured in such a manner that there is an unobstructed view of each area of the premises to which any patron is permitted access for any purpose from at least one (1) of the manager's stations. The view required in this subparagraph must be by direct line of sight from the manager's station.
6. It shall be the duty of the owner(s) and operator(s), and it shall also be the duty of any agents and employees present in the premises, to ensure that the view area specified in subparagraph (5) above remains unobstructed by any doors, walls, merchandise, display racks, or other materials at all times and to ensure that no patron is permitted access to

any area of the premises that has been designated as an area in which patrons will not be permitted in the diagram submitted pursuant to subparagraph (1) above.

7. No viewing room may be occupied by more than one (1) patron or customer at any time.
  8. The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illuminations of not less than one (1) foot-candle as measured at the floor level.
  9. It shall be the duty of the owner(s) and operator(s), and it shall also be the duty of any agents and employees present in the premises, to ensure that the illuminations described above, is maintained at all times that any patron is present in the premises.
  10. No owner or operator shall allow openings of any kind to exist between viewing rooms.
  11. The operator or owner shall, during each business day, regularly inspect the walls between the viewing booths to determine if any openings or holes exist.
  12. The owner or operator shall cause all floor coverings in viewing booths to be nonporous, easily cleanable surfaces with no rugs or carpets.
  13. The owner or operator shall cause all wall surfaces and ceiling surfaces in viewing booths to be constructed of, or permanently covered by, nonporous, easily cleanable material.
- f. *Regulations pertaining to adult cabarets and sexual encounter centers.* It shall be a violation of this chapter for an employee, independent contractor, or person under a similar arrangement with any owner, operator, manager, agent, shareholder of an adult cabaret or sexual encounter center, while located within an adult cabaret or sexual encounter center, to appear in a manner that does not conform to the definition of semi-nude.
- g. *Exemptions.* The following activities or businesses are exempt from the requirements of section 26-151(c)(64):

1. A business or organization in which a person serves as a model for a drawing, painting, sketching, sculpture or other similar art studio class operated:
  - (a) By a university or college or other institution of higher education; or
  - (b) By a non-profit arts organization, such as a museum, gallery, artist association or arts cooperative.
2. A professional or community theater, or a theater affiliated with an institution of higher education, that produces works of dramatic arts in which actors or actresses occasionally appear on stage in a state of semi-nudity, nudity, or in any state of undress as part of his or her dramatic role.

h. *Administrative Decision-making Process; Appeals.*

1. Under no circumstances shall staff review and decision-making of an application of a sexually oriented business for a permitted use with special requirements, including determination of completeness, extend beyond fifteen business (15) days from the date of receipt of an application. In the event that a County official is required to take an act or do a thing pursuant to section 26-55 of the Richland County Code of Ordinances and any other section referenced therein, and fails to take such an act or do such a thing within the time prescribed, such failure shall not prevent the exercise of constitutional rights of an applicant. If the County fails to inform an applicant, by any reasonable means, of a decision by the County by the close of business on the fifteenth (15) business day from receipt of application, the application shall be deemed granted and the applicant allowed to commence or continue operation the day after the deadline for action has passed.
2. Under no circumstances shall an appeal of an administrative decision pursuant to section 26-58 of the Richland County Code of Ordinances concerning an application by a sexually oriented business for a permitted use with special requirements exceed a time period of seventy-five (75) business days from the date of receipt of an appeal to the Board of Zoning Appeals. In the event that a County official, including the Board of Zoning Appeals, is required to take an act or do a thing pursuant to section



26-58 of the Richland County Code of Ordinances and any other section referenced therein, and fails to take such an act or do such a thing within the time prescribed, such failure shall not prevent the exercise of constitutional rights of an applicant. If the County fails to inform an applicant, by any reasonable means, of a decision by the Board of Zoning Appeals by the close of business on the sixtieth (60<sup>th</sup>) business day from receipt of an appeal, the application shall be deemed granted and the applicant allowed to commence or continue operation the day after the deadline for action has passed.

- i. Amortization; Conforming Use.
  1. Any sexually oriented business in operation before the effective date of this ordinance that does not comply with the location restrictions found in subsection (d) above is permitted to continue its operation for a period not to exceed three years from the effective date of this ordinance. During this period of non-compliance, such continued operation shall not be increased, enlarged, extended, or altered.
  2. A sexually oriented business lawfully operating as a conforming use is not rendered a nonconforming use by the subsequent location, of a place of worship, a public or private elementary or secondary school, a child care facility or kindergarten, orphanage, a boundary of any residential district, a boundary of a parcel designated and assessed as residential use by the Richland County Assessor's Office, or a public park within one thousand (1,000) feet of the sexually oriented business.

*(6566) Sporting Firearms and Ammunition.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.

- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

~~(6667)~~ *Swim and Tennis Clubs.*

- a. Use Districts. Traditional Recreation Open Space.
- b. There shall be a minimum fifty (50) foot setback between clubhouses, swimming pools, lighted tennis courts, or athletic fields and adjacent residentially zoned or used property.
- c. Lights shall be positioned so as not to shine onto adjacent properties.

~~(6768)~~ *Swimming pools.*

- a. Use districts: Traditional Recreation Open Space; Neighborhood Mixed Use; Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- b. Swimming pools shall be protected by a fence or equal enclosure, a minimum of four (4) feet in height, and equipped with a self-closing gate provided with hardware for permanent locking.
- c. No private residential swimming pool that is located in a residential district shall be operated as, or in conjunction with, a business, day care operation, bed and breakfast, or a home occupation.
- d. Pools shall be located so as to comply with the minimum setback requirements for accessory buildings.

~~(6869)~~ *Tobacco and Tobacco Products.*

- a. Use districts: General Commercial.

- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(6970) *Utility substations.*

- a. Use districts: All Districts.
- b. All buildings shall observe accessory building setbacks. Transformer stations shall observe the principal building setback regulations.
- c. Equipment that produces noise or sound in excess of seventy (70) decibels shall be located no closer than one hundred (100) feet to the nearest residence.
- d. Transformer stations shall be screened from adjacent properties and from roads with a vegetative screen that, at a minimum, meets the standards listed in Section 26-176(h).

(7071) *Veterinary services (non-livestock, may include a totally enclosed kennel operated in connection with veterinary services).*

- a. Use districts: Office and Institutional; Neighborhood Commercial.
- b. Veterinary services shall not include provisions for kennels or boarding of animals not undergoing treatment.
- c. All buildings used in the operation shall be soundproofed and air-conditioned.
- d. Outside activity shall be limited to six (6) hours per day or fewer.



- e. Where the lot is adjacent to a residential zoning district or residential use, a side yard of not less than ten (10) feet shall be maintained.
- f. All animal refuse and food must be kept in airtight containers and disposed of on a regular basis.

~~(7172)~~ *Warehouses (general storage, enclosed, not including storage of any hazardous materials or waste as determined by any agency of the federal, state, or local government).*

- a. Use districts: Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- b. Warehouses (enclosed, general storage, non-hazardous) are allowed in the various districts listed above as follows:
  - 1. In the Office and Institutional and the Neighborhood Commercial districts, warehousing is permitted as an accessory use not involving over two thousand (2,000) square feet of floor area.
  - 2. In the Rural Commercial and the General Commercial districts, warehousing is permitted as an accessory use not involving over twelve thousand (12,000) square feet of gross floor area.

~~(7273)~~ *Warehouses (self-storage).*

- a. Use districts: Rural Commercial, General Commercial, M-1 and LI Light Industrial.
- b. Any side of the building providing doorways to storage areas shall be set back from the property line not less than an additional twenty-five (25) feet of the required setback.
- c. Off-street parking shall be as follows:
  - 1. One space for each ten (10) storage cubicles. This parking requirement may be satisfied with parking lanes as established below.
  - 2. Two parking spaces for any manager's quarters.

3. In addition to subsection 1. above, one (1) space for every fifty (50) storage cubicles, to be located adjacent to the project office for the use of prospective clients.
- d. On-site driveway widths shall be required as follows:
    1. All one-way driveways shall provide for one ten (10) feet parking lane and one fifteen (15) feet travel lane. Traffic direction and parking shall be designated by signage or painting.
    2. All two-way driveways shall provide for one ten (10) feet parking lane and two twelve (12) feet travel lanes.
    3. The parking lanes may be eliminated when the driveway does not directly serve any storage cubicles.
  - e. Retail and wholesale uses, and the storage of hazardous materials, shall be prohibited in self storage warehouses. Notice of such prohibition shall be given to customers by a conspicuous sign posted at the entrance to the property, or by provisions in the lease agreement, or both.
  - f. Any outside storage area for vehicles, trailers, campers, boats, or the like shall be separate from any structures and located to one side or to the rear of the development. Spaces shall be located a minimum of twenty-five (25) feet from any adjacent property line, and in no case shall these spaces be counted towards meeting the parking requirements of this subsection c. above.
  - g. All lights shall be shielded so as to direct light onto the uses established, and away from adjacent property; but lighting may be of sufficient intensity to discourage vandalism and theft.

~~(7374)~~ *Yard Sales.*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- b. Yard sales shall be limited to two (2) occurrences within a twelve (12) month period.

- c. Each occurrence shall be no longer than two (2) days and only during the daylight hours.

(7475) *Zoos and Botanical Gardens.*

- a. Use districts: General Commercial; M-1 Light Industrial.
- b. There shall be a minimum one hundred (100) foot setback between all activities associated with the use and any adjacent residential property.
- c. All zoos and botanical gardens shall have primary access to collector or thoroughfare roads.

SECTION III. The Richland County Code of Ordinances; Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; “Institutional, Educational and Civic Uses” of Table 26-V-2.; is hereby amended to read as follows:

(ORDINANCE CONTINUES ON NEXT PAGE)



USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
<u>Institutional, Educational and Civic Uses</u>																	
Ambulance Services, Emergency		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Ambulance Services, Transport																	
Animal Shelters																	
Auditoriums, Coliseums, Stadiums																	
<u>Bus Shelters/Bus Benches</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>
Cemeteries, Mausoleums																	
Colleges and Universities																	
Community Food Services																	
Correctional Institutions		SE														SE	SE
Courts																	
Day Care, Adult, Home Occupation (5 or Fewer)		SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Day Care Centers, Adult		SR															
Day Care, Child, Family Day Care, Home Occupation (5 or Fewer)		SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Day Care, Child, Licensed Center		SR															
Fire Stations																	
Government Offices		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Hospitals																	
Individual and Family Services, Not Otherwise Listed																	
Libraries		SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Museums and Galleries																	
Nursing and Convalescent Homes		SE	SE														
Orphanages		SE	SE														
Places of Worship		SR	SR	SE	SE	SE	SE	SE	SR	SR	P	P	SR	P	P	P	P
Police Stations, Neighborhood		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Post Offices																	
Postal Service Processing & Distribution																	
Schools, Administrative Facilities																	
Schools, Business, Computer and Management Training																	
Schools, Fine Arts Instruction																	
Schools, Junior Colleges																	

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
Schools, Including Public and Private, Having a Curriculum Similar to Those Given in Public Schools)		SR	SR	SR	SR	SR	SR	SR	SR	SR	P	P	P	P	SE		
Schools, Technical and Trade (Except Truck Driving)											P	P	P	P	P	P	
Schools, Truck Driving															P	P	P
Zoos and Botanical Gardens		SE									SE		SE	SR	SR		

SECTION IV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General development, Site, and Performance Standards; Section 26-180, Signs; Subsection (e), Prohibited Signs; Paragraph (9), Signs Located in the Right-of-Way; is hereby amended to read as follows:

- (9) *Signs located in the right-of-way.* All signs located in the right-of-way, unless specifically allowed elsewhere in this chapter.

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

SECTION VII. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2009

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: September 22, 2009 (tentative)  
First Reading: September 22, 2009 (tentative)  
Second Reading:  
Third Reading:

# Richland County Council Request of Action

**Subject**

An Ordinance Amending Section V, Zoning Districts and District Standards; and Article VI, Supplemental Use Standards; so as to provide for a parks and recreation district **[THIRD READING] [PAGES 89-96]**

**Notes**

First Reading: September 22, 2009  
Second Reading: October 6, 2009  
Public Hearing: September 22, 2009  
Third Reading:



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE II, RULES OF CONSTRUCTION/DEFINITIONS; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; AND ARTICLE VI, SUPPLEMENTAL USE STANDARDS; SO AS TO PROVIDE FOR A PARKS AND RECREATION DISTRICT.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-83, Establishment of Zoning Districts; Subsection (b), General Use Districts; is hereby amended to read as follows:

- (b) *General use districts.* General use districts are those in which a variety of uses are permitted. For the purpose of this chapter, the zoning jurisdiction of Richland County, South Carolina, is hereby divided into the following general use zoning districts:

<u>PR</u>	<u>Parks and Recreation District</u>
TROS	Traditional Recreation Open Space District
RU	Rural District
RR	Rural Residential District
RS-E	Residential, Single-Family – Estate District
RS-LD	Residential, Single-Family - Low Density District
RS-MD	Residential, Single-Family - Medium Density District
RS-HD	Residential, Single-Family - High Density District
MH	Manufactured Home District
RM-MD	Residential, Multi-Family - Medium Density District
RM-HD	Residential, Multi-Family - High Density District
OI	Office and Institutional District
NC	Neighborhood Commercial District
RC	Rural Commercial District
GC	General Commercial District
M-1	Light Industrial District
LI	Light Industrial District
HI	Heavy Industrial District

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-84. TROS Traditional Recreation Open Space District” is hereby amended to read as follows:

**Sec. 26-8485. TROS Traditional Recreation Open Space District.**

SECTION III. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-85. RU Rural District” is hereby amended to read as follows:

**Sec. 26-~~85~~86. RU Rural District.**

SECTION IV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-86. RR Rural Residential District” is hereby amended to read as follows:

**Sec. 26-~~86~~87. RR Rural Residential District.**

SECTION V. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-87. RS-E Residential, Single-Family Estate District” is hereby amended to read as follows:

**Sec. 26-~~87~~88. RS-E Residential, Single-Family Estate District.**

SECTION VI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-88. RS-LD Residential, Single-Family Low Density District” is hereby amended to read as follows:

**Sec. 26-~~88~~89. RS-LD Residential, Single-Family Low Density District.**

SECTION VII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-89. RS-MD Residential, Single-Family Medium Density District” is hereby amended to read as follows:

**Sec. 26-~~89~~90. RS-MD Residential, Single-Family Medium Density District.**

SECTION VIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-90. RS-HD Residential, Single-Family High Density District” is hereby amended to read as follows:

**Sec. 26-~~90~~91. RS-HD Residential, Single-Family High Density District.**

SECTION IX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-91. MH Manufactured Home Residential District” is hereby amended to read as follows:

**Sec. 26-~~91~~92. MH Manufactured Home Residential District.**

SECTION X. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-92. RM-MD Residential, Multi-Family Medium Density District” is hereby amended to read as follows:



**Sec. 26-~~92~~93. RM-MD Residential, Multi-Family Medium Density District.**

SECTION XI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-93. RM-HD Residential, Multi-Family High Density District” is hereby amended to read as follows:

**Sec. 26-~~93~~94. RM-HD Residential, Multi-Family High Density District.**

SECTION XII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-94. OI Office and Institutional District” is hereby amended to read as follows:

**Sec. 26-~~94~~95. OI Office and Institutional District.**

SECTION XIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-95. NC Neighborhood Commercial District” is hereby amended to read as follows:

**Sec. 26-~~95~~96. NC Neighborhood Commercial District.**

SECTION XIV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-96. RC Rural Commercial District” is hereby amended to read as follows:

**Sec. 26-~~96~~97. RC Rural Commercial District.**

SECTION XV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-97. GC General Commercial District” is hereby amended to read as follows:

**Sec. 26-~~97~~98. GC General Commercial District.**

SECTION XVI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-98. M-1 Light Industrial District” is hereby amended to read as follows:

**Sec. 26-~~98~~99. M-1 Light Industrial District.**

SECTION XVII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-99. LI Light Industrial District” is hereby amended to read as follows:

**Sec. 26-~~99~~100. LI Light Industrial District.**

SECTION XVIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-100. HI Heavy Industrial District” is hereby amended to read as follows:

**Sec. 26-~~100~~101. HI Heavy Industrial District.**

SECTION XIX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-101. PDD Planned Development District” is hereby amended to read as follows:

**Sec. 26-~~101~~102. PDD Planned Development District.**

SECTION XX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-102. TC Town and Country District” is hereby amended to read as follows:

**Sec. 26-~~102~~103. TC Town and Country District.**

SECTION XXI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-103. AP Airport Height Restrictive Overlay District” is hereby amended to read as follows:

**Sec. 26-~~103~~104. AP Airport Height Restrictive Overlay District.**

SECTION XXII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-104. C Conservation Overlay District” is hereby amended to read as follows:

**Sec. 26-~~104~~105. C Conservation Overlay District.**

SECTION XXIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-105. FP Floodplain Overlay District” is hereby amended to read as follows:

**Sec. 26-~~105~~106. FP Floodplain Overlay District.**

SECTION XXIV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-106. RD Redevelopment Overlay District” is hereby amended to read as follows:

**Sec. 26-~~106~~107. RD Redevelopment Overlay District.**

SECTION XXV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-107. CRD Corridor Redevelopment Overlay District” is hereby amended to read as follows:



**Sec. 26-107108. CRD Corridor Redevelopment Overlay District. Reserved.**

SECTION XXVI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-108. Reserved.” is hereby amended to read as follows:

**Sec. 26-108109. Reserved. CRD Corridor Redevelopment Overlay District.**

SECTION XXVII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-109. DBWP Decker Boulevard/Woodfield Park Neighborhood Redevelopment Overlay District.” is hereby amended to read as follows:

**Sec. 26-109110. DBWP Decker Boulevard/Woodfield Park Neighborhood Redevelopment Overlay District.**

SECTION XXVIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Sections 26-110 – 26-130. Reserved.” is hereby amended to read as follows:

**Secs. 26-110111 – 26-130. Reserved.**

SECTION XXIX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; is hereby amended by the creation of a new section, to read as follows:

**Sec. 26-84. PR Parks and Recreation District.**

- (a) Purpose. In order to ensure the preservation of substantial green areas devoted to passive and/or active recreational uses.
- (b) Permitted uses. The following passive and/or active recreational uses are permitted within the “PR” Parks and Recreation zoning classification:
  - (1) Golf courses, driving ranges, and appurtenances.
  - (2) Indoor and/or outdoor recreational courts and appurtenances, including, but not limited to, those devoted to tennis, volleyball, basketball, or bocce.
  - (3) Recreational fields and appurtenances, including, but not limited to, those devoted to football, soccer, baseball, or lacrosse, and to include sports lighting systems.
  - (3) Clubhouses, gyms, fitness centers, and meeting rooms.
  - (4) Community meeting and security sub station space, including Sheriff Department satellite locations.

- (5) Recreational, health, and educational classes.
  - (4) Swimming, wading, splash pools, and appurtenances.
  - (5) Picnic areas, trails, tracks, amphitheaters, and appurtenances.
  - (6) Playgrounds.
  - (7) Museums and historic displays.
  - (8) Any other recreational or community service use substantially similar to those specifically listed above.
  - (9) A State Park and all facilities associated with the operation and maintenance of the park to provide public recreation.
- (c) Accessory uses. The following accessory uses are permitted in association with the “permitted uses” listed above:
- (1) Pavilions.
  - (2) Restroom facilities.
  - (3) Parking areas.
  - (4) Bleachers and other seating areas intended for public viewing of recreational activities.
  - (5) Concession stands, press boxes, dugouts, and associated athletic facility support structures.
  - (6) Batting cages, and athletic field and security fencing.
  - (7) Administrative and park operation offices and storage buildings.
  - (8) Any other accessory use substantially similar to those specifically listed above.
- (d) Development standards. See also Article V., Section 26-131. Table of Area, Yard, and Height Requirements.
- (1) Minimum lot area/maximum density: Minimum lot area: no minimum lot area except as required by DHEC. Maximum density standard: no maximum density standard.

- (2) Minimum lot width: None.
- (3) Structure size standards: None.
- (4) Setback standards: The following minimum setbacks shall be required for principal uses in the PR District:
- a. Front: 25 feet.
  - b. Side: 20 feet.
  - c. Rear: 20 feet.
- The minimum side and rear setback requirement for accessory buildings/structures, such as club houses, rest room and locker facilities, snack bars, and parking areas, in the PR District is ten (10) feet.
- The landscape and bufferyard standards of Section 26-176 may require setback distances; if so, the most restrictive requirements shall apply.
- (5) Height standards: The maximum height of structures in the PR District shall be 45 feet.
- (6) Landscaping/bufferyard standards: Landscaping and bufferyards shall be provided in accordance with Section 26-176 of this chapter; provided, however, there shall be no landscaping requirements for “golf courses” and “golf course with country clubs”.
- (7) Parking/loading standards: Parking and loading facilities shall be provided as required by Section 26-173 and Section 26-174 of this chapter. No parking lots shall be permitted within any required setback.
- (8) Sidewalk and pedestrian amenities: Sidewalks and other pedestrian amenities shall be provided as required by Section 26-179 of this chapter; provided, however, there shall be no sidewalk or pedestrian amenities required for “golf courses” and “golf course with country clubs”.
- (9) Signs: Signs shall be regulated by the requirements of Section 26-180 of this chapter.
- (10) Recreation/open space standards: None.
- (11) Design and operation standards: None.



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

SECTION XXXII. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_ DAY  
OF \_\_\_\_\_, 2009

\_\_\_\_\_  
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:  
Public Hearing:  
Second Reading:  
Third Reading:

# Richland County Council Request of Action

## **Subject**

An Ordinance Amending Section 26-105, FP Floodplain Overlay District; Subsection (B), Applicability/Establishment; so as to require delineation of flood lines on plats and to delete reference to areas along the Congaree River **[THIRD READING] [PAGES 98-100]**

## **Notes**

First Reading: September 22, 2009

Second Reading:

Public Hearing: September 22, 2009

Third Reading:

# AMENDED

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; SECTION 26-54, SUBDIVISION REVIEW AND APPROVAL; SO AS TO REQUIRE THE DELINEATION OF ANY AND/OR ALL FLOOD LINES ON PLATS THAT ARE SUBMITTED PURSUANT TO THIS SECTION; AND TO AMEND SECTION 26-105, FP FLOODPLAIN OVERLAY DISTRICT; SUBSECTION (B), APPLICABILITY/ESTABLISHMENT; SO AS TO DELETE SPECIFIC REFERENCE TO AREAS ALONG THE CONGAREE RIVER.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-54, Subdivision Review and Approval; Subsection (b), Processes; is hereby reordered to read as Subsection (c), Processes; and a new subsection (b) shall read as follows:

~~(b) Sketch plans and plats to show contour lines of flood areas.~~

~~(1) All sketch plans submitted for approval pursuant to this section shall be prepared by a registered architect, engineer, landscape architect, or licensed surveyor and shall contain a contour delineation of any and/or all flood boundaries, as shown on the County's Flood Insurance Rate maps [see Section 26-105 (b)] for each lot indicated on such plat.~~

~~(2) All plats submitted for approval pursuant to this section shall be prepared by a licensed surveyor and shall contain a contour delineation of any and/or all flood boundaries, as shown on the County's Flood Insurance Rate maps [see Section 26-105 (b)] for each lot indicated on such plat.~~

(b) *Sketch (site) plans and plats to show flood limit lines as depicted on the current FIRM panel.* All sketch (site) plans for subdivisions and plats submitted for approval pursuant to this section shall be prepared by a registered engineer or licensed surveyor and shall contain a delineation of all flood lines and floodway boundary lines, as shown on the County's Flood Insurance Rate Map as adopted in Section 26-105 (b).

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-105, FP Floodplain Overlay District; Subsection (b), Applicability/Establishment; is hereby amended to read as follows:

(b) *Applicability/establishment.* The FP Overlay District shall function as an overlay district providing additional requirements to the regulations

# AMENDED

of the underlying general use zoning classification(s). It shall be applied to those areas designated on the Federal Emergency Management Agency's Flood Insurance Study, dated February 20, 2002, with accompanying Flood Insurance Rate Maps (FIRM), dated February 20, 2002, as areas of special flood hazard. ~~Provided, however, those base flood elevation determinations that were included in the Federal Emergency Management Agency's Flood Insurance Study, dated July 17, 1995, shall apply along the Congaree River only. Floodplain and floodway boundary determinations along the Congaree River will be based on those boundaries depicted in the FIRM dated February 20, 2002, derived from the Federal Emergency Management Agency's Flood Insurance Study, dated February 20, 2002.~~ In addition to other required development approvals, development applicants subject to the FP Overlay District must also receive a floodplain development permit from the county's flood coordinator. Review of developments subject to these requirements shall be conducted as part of the review for a grading or land development permit, whichever is applicable.

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 effective from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_\_ DAY

OF \_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

# AMENDED

First Reading: July 7, 2009  
Public Hearing: September 22, 2009  
Second Reading: September 22, 2009  
Third Reading: November 3, 2009 (tentative)



# Richland County Council Request of Action

**Subject**

Section 26-180, Signs; so as to create a new section that would allow digital display devices under certain conditions  
**[THIRD READING][PAGES 102-105]**

**Notes**

First Reading: September 22, 2009  
Second Reading: October 6, 2009  
Public Hearing: September 22, 2009  
Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-180, SIGNS; SO AS TO CREATE A NEW SECTION THAT WOULD ALLOW DIGITAL DISPLAY DEVICES UNDER CERTAIN CONDITIONS.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-22, Definitions; is hereby amended to include in the appropriate alphabetical order, the following definition:

*Sign, electronic changeable copy.* A sign or portion thereof that displays electronic, non-pictorial, text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays.

*Sign, electronic graphic display.* A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.

*Sign, multi-vision.* Any sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one of two or more images.

*Sign, video display.* A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames that give the illusion of motion, including, but not limited to, the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects.

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General development, Site, and Performance Standards; Section 26-180, Signs; Subsection (e); is hereby amended to read as follows:

- (e) *Prohibited signs.* The following signs are prohibited in the unincorporated areas of Richland County:
- (1) *Off-premises signs.* All off-premises signs, unless specifically allowed elsewhere in this chapter.
  - (2) *Roof signs.* Roof signs; provided, however, that signs on the surfaces of a mansard roof or on parapets shall not be prohibited if the signs do not extend above the mansard roof or parapet to which they are attached.
  - (3) *Animated/flushing signs and signs of illusion.* Signs displaying blinking, flashing, or intermittent lights, or animation, moving parts, or signs giving the illusion of movement, unless specifically allowed elsewhere in this chapter.
  - (4) *Signs resembling traffic signals.* Signs that approximate official highway signs, warning signs, or regulatory devices.
  - (5) *Signs on roadside appurtenances.* Signs attached to or painted on utility poles, trees, parking meters, bridges, overpasses, rocks, other signs, benches, refuse containers, etc., unless specifically allowed elsewhere in this chapter.
  - (6) *Abandoned signs and sign structures.* Signs that advertise an activity or business that is no longer conducted on the property on which the sign is located. Such signs or sign structures must be removed within thirty (30) days of becoming an abandoned sign or sign structure.
  - (7) *Pennants, streamers, balloons, etc.* Signs containing or consisting of pennants, ribbons, streamers, balloons, or spinners.
  - (8) *Signs obstructing access.* Signs that obstruct free ingress or egress from a driveway, or a required door, window, fire escape, or other required exitway.
  - (9) *Signs located in the right-of-way.* All signs located in the right-of-way, unless specifically allowed elsewhere in this chapter.
  - (10) *Inflatable signs or balloons.*
  - (11) *Electronic graphic display signs.*
  - (12) *Multi-vision signs.*
  - (13) *Video display signs.*

SECTION III. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General development, Site, and Performance Standards; Section 26-180, Signs; is hereby amended to create a new subsection to read as follows:

(p) *Electronic changeable copy signs.* Electronic changeable on-premise copy signs are permitted in all zoning districts.

(1) Time and temperature displays are allowed, but must not exceed twenty (20) square feet of the sign face.

(2) All other changeable copy signs shall only be permitted with the following restrictions:

a. Such signs shall remain static at all times – scrolling and/or movement of any kind is prohibited.

b. The electronic area shall not exceed forty percent (40%) of the allowed/permitted sign face, but in no case shall it exceed a maximum of forty (40) square feet.

c. The message must not change more than once every six (6) seconds.

d. Illumination should be no greater than 7,500 nits during daylight hours and no greater than 500 nits during evening hours.

e. Signs shall not display flashing lights.

f. Audio speakers or any form of pyrotechnics are prohibited in association with an electronic changeable copy sign.

g. The bottom of the sign shall be at least ten (10) feet from the ground in those zoning districts that allow such height; otherwise the electronic changeable portion of the sign shall be limited to the upper twenty-five percent (25%) of the sign face.

h. The leading edge of the sign must be a minimum distance of one hundred (100) feet from an abutting residential district boundary.

i. Signs shall only be used or displayed between the hours of 6:00 a.m and 11:00 p.m. or during the hours that the business remains open to the public, whichever is greater.

j. Digital signs shall not be permitted inside the boundaries of any Historic District as defined by the National Historic Register, nor shall they be permitted inside the boundaries of any Neighborhood Master Plan Overlay District.

k. Subparagraphs b., g. and h. do not apply to any digital sign that is legally in existence as of *October 20, 2009*.

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

SECTION VI. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2009, and shall automatically expire on January 3, 2010.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2009

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: September 22, 2009  
First Reading: September 22, 2009  
Second Reading: October 6, 2009 (tentative)  
Third Reading:



# Richland County Council Request of Action

## **Subject**

Authorizing the Execution and Delivery of a special source revenue credit agreement by and among Richland County, South Carolina, and South Pills, LLC, and South University of Carolina, Inc., their affiliates and assigns, to provide for a special source revenue credit; to provide for the inclusion of the project in a multi-county business or industrial park; and other matters thereto related **[THIRD READING] [PAGES 107-124]**

## **Notes**

First Reading: September 15, 2009

Second Reading:

Public Hearing:

Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_\_

AUTHORIZING THE EXECUTION AND DELIVERY OF A SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND AMONG RICHLAND COUNTY, SOUTH CAROLINA, AND SOUTH PILLS, LLC, AND SOUTH UNIVERSITY OF CAROLINA, INC., THEIR AFFILIATES AND ASSIGNS, TO PROVIDE FOR A SPECIAL SOURCE REVENUE CREDIT; TO PROVIDE FOR THE INCLUSION OF THE PROJECT IN A MULTI-COUNTY BUSINESS OR INDUSTRIAL PARK; AND OTHER MATTERS THERETO RELATED.

WHEREAS, Richland County, South Carolina (“County”), acting by and through its County Council (“County Council”) is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended (“Act”) (i) to enter into agreements with qualifying industry to encourage investment in projects constituting economic development property through which the industrial development of the State of South Carolina will be promoted by inducing new and existing manufacturing and commercial enterprises to locate and remain in the State and thus utilize and employ manpower and other resources of the State; and (ii) to covenant with industry to accept certain fee payments in lieu of ad valorem taxes (“FILOT”) with respect to investments; and (iii) under Sections 4-1-175, 4-29-68 and 12-44-70 of the Code of Laws of South Carolina 1976, as amended (“Infrastructure Credit Act”), to provide credits to qualifying companies to offset qualifying related expenditures; and (iv) under Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended (“MCIP Act”), to create joint, county industrial parks with one or more contiguous counties, and, in its discretion, include within the boundaries of these parks the property of qualifying industries; and

WHEREAS, under the authority provided in the MCIP Act, the County has created previously a multi-county park with Fairfield County (“Park”); and

WHEREAS, South Pills, LLC, a South Carolina limited liability company (“South Pills”) and South University of Carolina, Inc., and one or more of its affiliates and assigns (collectively, “Company”), are planning to establish and operate a pharmacy school (“Facility”);

WHEREAS, the Company has requested Richland and Fairfield to authorize the expansion of the Park’s boundaries to include the Facility, to be located in Richland County, as described on Exhibit A (“Project”); and

WHEREAS, the County seeks by this Ordinance to identify the Project as a “project”; and

WHEREAS, the County has determined to offer the Company a special source revenue credit, as described in the Agreement, attached in substantially final form as Exhibit B (“Agreement”); and

WHEREAS, the County has determined to include the Company’s Project within the boundaries of the Park; and

WHEREAS, the terms of each of these incentives are more fully described in the Agreement.

NOW THEREFORE, BE IT ORDAINED, by the County Council:

**Section 1. Findings.** The County finds: (i) the Project qualifies as a “project”; (ii) the Project will benefit the general public welfare of the County by providing service, employment, recreation or other

public benefits not otherwise provided locally; (iii) the Project gives rise to no pecuniary liability of the County or incorporated municipality or to no charge against its general credit or taxing power; (iv) the purposes to be accomplished by the Project are proper governmental and public purposes; and (v) the benefits of the Project to the public are greater than the costs to the public.

**Section 2. Authorization to Execute and Deliver Necessary Agreements.** The Chair of County Council, or the Vice Chair in the event the Chair is absent, and the County Administrator are authorized and directed to execute the Agreement with any minor modifications and revisions as may be approved by the Chair of County Council, or the Vice Chair in the event the Chair is absent, and the County Administrator, in the name of and on behalf of the County, and the Clerk to County Council is authorized and directed to attest the same; and the Chair of County Council, or the Vice Chair in the event the Chair is absent, and the County Administrator are further authorized and directed to deliver the executed Agreement to the Company.

**Section 3. Expansion of Park Boundaries.** There is hereby authorized an expansion of the Park boundaries to include the Project. The County Council Chair, or the Vice Chair in the event the Chair is absent, the County Administrator and the Clerk to the County Council are hereby authorized to execute such documents and take such further actions as may be necessary to complete the expansion of the Park boundaries. Pursuant to the terms of the Master Agreement, the expansion shall be complete upon the adoption of this Ordinance by the Richland County Council and a companion ordinance by the Fairfield County Council.

**Section 4. Savings Clause.** If any portion of this Ordinance shall be deemed unlawful, unconstitutional or otherwise invalid, the validity and binding effect of the remaining portions shall not be affected thereby.

**Section 5. General Repealer.** Any prior Ordinance, the terms of which are in conflict herewith, is, only to the extent of such conflict, hereby repealed.

**Section 6. Effectiveness.** This Ordinance shall be effective after third and final reading.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

(SEAL)

Attest this \_\_\_\_\_ day of

\_\_\_\_\_, 2009

\_\_\_\_\_  
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:  
Third Reading:

**EXHIBIT A**  
**LEGAL DESCRIPTION OF PROJECT**

ALL that certain piece, parcel, lot or tract of land, with any improvements thereon, situate, lying and being near the City of Columbia, County of Richland, State of South Carolina, being shown and delineated as containing **9.003 acres** on a plat prepared for SCT Utilities Systems of Columbia for Power Engineering Company, Inc., dated November 19, 1998 and recorded in Richland County ROD Record Book 280 at page 2381 and having such boundaries and measurements as shown on the plat described herein, which is specifically incorporated by reference.



**EXHIBIT B**  
**SPECIAL SOURCE REVENUE CREDIT AGREEMENT**

INFRASTRUCTURE CREDIT AGREEMENT

among

RICHLAND COUNTY, SOUTH CAROLINA

and

SOUTH PILLS, LLC

and

SOUTH UNIVERSITY OF CAROLINA, INC.

November \_\_\_\_, 2009

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## INFRASTRUCTURE CREDIT AGREEMENT

This INFRASTRUCTURE CREDIT AGREEMENT, effective as of November \_\_, 2009 (as the same may be amended, modified or supplemented in accordance with the terms hereof, the “Agreement”), among RICHLAND COUNTY, SOUTH CAROLINA, a body politic and corporate, and a political subdivision of the State of South Carolina (“County”), SOUTH PILLS, LLC, a South Carolina limited liability company (“South Pills”) and SOUTH UNIVERSITY OF CAROLINA, INC., a South Carolina corporation (“South University”) (collectively, South Pills and South University, “Company,” except in certain contexts, as used in the Agreement, in which “Company” means South Pills and South University individually).

### WITNESSETH:

WHEREAS, the County, acting by and through its County Council (“County Council”) is authorized by Sections 4-1-175 and 4-29-68 of the Code of Laws of South Carolina 1976, as amended (“Act”), to provide special source revenue credits for the purpose of defraying the cost of designing, acquiring, constructing, improving, or expanding the infrastructure serving the County or the project and for improved and unimproved real estate used in the operation of a manufacturing facility or commercial enterprise in order to enhance the economic development of the County (“SSRC” or “Credit”); and

WHEREAS, South University proposes to lease a facility to be acquired, constructed or developed by South Pills on the campus of the South Carolina Research Authority for the purpose of establishing and operating a pharmacy school (“Facility”); and

WHEREAS, South Pills’ proposed investment will consist of investment in land and improvements to the land (“Real Property”); and

WHEREAS, South University’s proposed investment will consist of investment in certain personal property consisting of, among other things, furniture, fixtures and equipment (“Personal Property”) (collectively, the investments by South Pills and South University are referred to as the “Project”); and

WHEREAS, the County and Fairfield County established a joint industrial and business park (“Park”) by entering into a Master Agreement Governing the I-77 Corridor Regional Industrial Park, dated April 15, 2003, pursuant to the provisions of Article VIII, Section 13 of the South Carolina Constitution (“Park Agreement”); and

WHEREAS, the Project will be located on land included in the Park, more specifically at a location being identified as Tax Map No. 17200-02-24; and

WHEREAS, pursuant to the provisions of the Park Agreement, real and personal property having a *situs* in the Park is exempt from all *ad valorem* taxation, however, the owners or lessees of the real and personal property are obligated to make or cause to be made payments in lieu of taxes in the total amount equivalent to the *ad valorem* property taxes that would have been due and payable but for the location of the Project within the Park and the monies received from the payments in lieu of taxes are distributed pursuant to the Park Agreement to Fairfield County and to Richland County (each, a “Richland Fee Payment”); and

WHEREAS, the County has agreed to provide special source revenue credits against the Richland Fee Payments attributable to the Company's investment in real and personal property and the credit will equal 20% of each Richland Fee Payment for a period of 1 year, renewable annually as provided herein for up to a total of 5 years, beginning with property tax year 2011, subject to the terms and conditions below; and

WHEREAS, the County Council has authorized the execution and delivery of this Agreement, and the inclusion of the Project within the Park, by Ordinance No. \_\_\_\_\_ enacted by the County Council on November 3, 2009 ("Ordinance"); and

WHEREAS, the Fairfield County Council has authorized the inclusion of the Project within the Park, by Ordinance adopted by the Fairfield County Council on November \_\_\_\_\_, 2009.

NOW, THEREFORE, in consideration of the respective representations and agreements hereinafter contained, the County and the Company agree as follows:

## ARTICLE I

### ADDITIONAL DEFINITIONS

The defined terms in this Agreement shall for all purposes of this Agreement have the meanings specified, unless the context clearly otherwise requires. Except where the context otherwise requires, words importing the singular number shall include the plural number and *vice versa*.

"Cost" or "*Cost of the Infrastructure*" means the cost of acquiring, by construction and purchase, the Infrastructure and shall be deemed to include, whether incurred prior to or after the date of this Agreement: (a) obligations incurred for labor, materials, and other expenses to builders and materialmen in connection with the acquisition, construction, and installation of the Infrastructure; (b) the cost of construction bonds and of insurance of all kinds that may be required or necessary during the course of construction and installation of the Infrastructure, which is not paid by the contractor or contractors or otherwise provided for; (c) the expenses for test borings, surveys, test and pilot operations, estimates, plans and specifications and preliminary investigations therefore, and for supervising construction, as well as for the performance of all other duties required by or reasonably necessary in connection with the acquisition, construction, and installation of the Infrastructure; and (d) all other costs which shall be required under the terms of any contract for the acquisition, construction, and installation of the Infrastructure.

"Infrastructure" means the Company's infrastructure (whether located at or away from the Facility, but only so long as the Infrastructure is located on the Real Property), the Facility and all improvements thereon including the Real Property and Personal Property, all as defined and permitted under the Act.

"Person" means an individual, a corporation, a partnership, an association, a joint stock company, a trust, any unincorporated organization, or a government or political subdivision.

## ARTICLE II

### REPRESENTATIONS

SECTION 2.01. Representations by the County. The County makes the following representations:

- (a) The County is a body politic and corporate and a political subdivision of the State of South Carolina;
- (b) The County is authorized and empowered by the provisions of the Act to enter into, and carry out its obligations under, this Agreement;
- (c) The County has approved this Agreement by adoption of the Ordinance in accordance with the procedural requirements of the Act and any other applicable state law; and
- (d) The County enters into this Agreement for the purpose of promoting the economic development of the County.

SECTION 2.02. Representations by the Company. The Company makes the following representations:

- (a) South Pills is a limited liability company duly organized, validly existing, and in good standing, under the laws of the State of South Carolina, has power to enter into this Agreement, and by proper company action has authorized the officials signing this Agreement to execute and deliver it;
- (b) South University is a corporation duly organized, validly existing, and in good standing, under the laws of the State of South Carolina, has power to enter into this Agreement, and by proper company action has authorized the officials signing this Agreement to execute and deliver it; and
- (c) The Credits provided by the County in the manner set forth in this Agreement have been instrumental in inducing them to invest in the Facility and Project in the County.

## ARTICLE III

### SPECIAL SOURCE REVENUE CREDITS

SECTION 3.01. Payment of Costs of Infrastructure. The Company agrees to pay, or cause to be paid, all costs of the Infrastructure, as and when due.

SECTION 3.02. Certification of Infrastructure. The Company agrees that, as of any date during the term of this Agreement, the cumulative dollar amount expended by the Company on Infrastructure shall equal or exceed the cumulative dollar amount of all the Credits received by the Company. Prior to the first year's Credit to be credited against the Richland Fee Payment, the Company shall certify the cumulative total amount of Infrastructure as of December 31 of the year to which the fee in lieu of tax payment relates. For example, should the Company apply a Credit against the 2010 Richland Fee Payment (which would be due and payable no later than January 15, 2011, the Company would certify the cumulative total amount of Infrastructure as of December 31, 2010. The certificate shall be in



substantially the form of the certificate attached to this Agreement as Exhibit A. The Company must re-certify the cumulative amount of Infrastructure in any year in which the Company seeks a Credit.

SECTION 3.03. Special Source Revenue Credits.

(a) Commencing in the year of the Company's initial Richland Fee Payment, the County shall provide a credit equal to 20% of the Richland Fee Payment for such term as provided in Section 3.04. The Credits shall be applied against the amount due from the Company to the County by deducting the amount from the property or fee in lieu of tax bill to the Company.

(b) If subsection 3.03(a) is found to be invalid by a court of competent jurisdiction, the County agrees to provide the Company with a credit in an amount and for a term that is valid pursuant to such court ruling, but in no event may the value of the valid benefit exceed the value of the invalid benefit offered to the Company under this Agreement.

(c) THIS AGREEMENT AND THE SPECIAL SOURCE REVENUE CREDITS BECOMING DUE HEREON ARE LIMITED OBLIGATIONS OF THE COUNTY PAYABLE BY THE COUNTY SOLELY FROM THE RICHLAND FEE PAYMENTS DERIVED BY THE COUNTY FROM THE COMPANY PURSUANT TO THE PARK AGREEMENT, AND DO NOT AND SHALL NOT CONSTITUTE A GENERAL OBLIGATION OF THE COUNTY OR ANY MUNICIPALITY WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY LIMITATION AND DO NOT AND SHALL NOT CONSTITUTE OR GIVE RISE TO A PECUNIARY LIABILITY OF THE COUNTY OR ANY MUNICIPALITY OR A CHARGE AGAINST THE GENERAL CREDIT OR TAXING POWER. THE FULL FAITH, CREDIT, AND TAXING POWER OF NEITHER THE COUNTY NOR ANY MUNICIPALITY ARE PLEDGED FOR THE SPECIAL SOURCE REVENUE CREDITS.

(d) No breach by the County of this Agreement shall result in the imposition of any pecuniary liability upon the County or any charge upon its general credit or against its taxing power. The liability of the County under this Agreement or for any breach or default by the County of any of the foregoing shall be limited solely and exclusively to the Richland Fee Payments received from the Company. The County shall not be required to provide the Credits except with respect to the Richland Fee Payments received from the Company.

SECTION 3.04. Minimum Investment and New Job Requirements.

(a) The Company anticipates an investment of at least \$5,200,000 in the first 2 years of the Project (in all cases to be calculated without regard to depreciation, "Investment Commitment"). South University anticipates the creation of at least 18 new jobs in the first 2 years of the Project ("Job Commitment").

(b) The County agrees that in the first property tax year following the year in which the Company has achieved its Investment Commitment and Job Commitment, the Company is entitled to claim a Credit against the Richland Fee Payment. If, during the next property tax year, the Company has maintained its Investment Commitment and Job Commitment, then the Company is entitled to the Credit for the corresponding property tax year. The County shall be entitled to claim a Credit in each succeeding year for a total of five years ("Credit Period") so long as it maintains its Investment Commitment and Job Commitment, each of which shall be certified as provided below. Thus, for example, if in 2010 the above

referenced investment and job requirements are achieved, the Company would become entitled to claim the Credit against the Richland Fee Payment for property tax year 2011.

(c) The parties agree that the Investment Commitment to be achieved by the Company under this Section shall be calculated to include taxable personal property that is leased and used by the Company in connection with the Project and located at the Facility. The parties further agree that the minimum number of jobs to be created by the Company under this Section shall include direct employees of the Company, contract and leased employees, employees of companies with which the Company contracts to perform certain duties or activities, so long as the jobs are located at the Facility.

(d) Utilizing the form attached as Exhibit A, the Company shall annually certify to the County Auditor, with a copy to the County Administrator, on or before June 1 of each year, commencing with the year identified in subsection (b) that the Company has met and maintained its Investment Commitment and Job Commitment. Using the example in subsection (b) above, the Company would be required to certify to the County Auditor on or before June 1, 2011 that the Company had met and maintained in 2010, the Investment Commitment and the Job Commitment. After the initial certification, the Company shall certify to the County Auditor in each year in which the Company intends to claim a Credit. If the Company fails to certify Investment Commitment and Job Commitment on or before June 1 of the applicable year, then the County is not required to grant the Credit for the applicable property tax year. If the Company fails to maintain the Investment Commitment and Job Commitment, the Credit Period shall immediately terminate.

## ARTICLE IV

### TITLE TO INFRASTRUCTURE

#### SECTION 4.01. Transfers of Project; Use as Pharmacy School.

(a) So long as neither any Event of Default has occurred and is continuing nor has the Facility ceased to be used as a pharmacy school, the County acknowledges and agrees that South Pills and South University each may from time to time and in accordance with applicable law, sell, transfer, lease, convey, or grant its respective interest in the Project to another entity and that the sale, transfer, lease, conveyance or grant does not relieve the County of the County's obligation to provide Special Source Revenue Credits to South Pills and South University.

(b) If, during the term of this Agreement, the Company ceases for any reason and for a period of at least ninety consecutive calendar days to use the Facility for a pharmacy school, then this Agreement and the County's grant of the Credits to the Company terminate automatically.

## ARTICLE V

### DEFAULTS AND REMEDIES

SECTION 5.01. Events of Default. If any party shall fail duly and punctually to perform any material covenant, condition, agreement or provision contained in this Agreement on the part of such party to be performed, which, except as otherwise provided in this Agreement, failure shall continue for a period of thirty (30) days after written notice by the other party specifying the failure and requesting that

it be remedied is given to the defaulting party by first-class mail, then such party shall be in default under this Agreement (an “Event of Default”).

SECTION 5.02. Legal Proceedings by Company and County. Upon the happening of any Event of Default by a party, then and in every such case the other party in its discretion may:

- (1) by mandamus, or other suit, action, or proceeding at law or in equity, enforce all of its rights and require the defaulting party to carry out any agreements with or for its benefit and to perform its or their duties under the Act and this Agreement;
- (2) bring suit upon this Agreement;
- (3) exercise any or all rights and remedies in effect in the State of South Carolina, or other applicable law, as well as all other rights and remedies possessed by the Company; or
- (4) by action or suit in equity enjoin any acts or things which may be unlawful or in violation of its rights.

SECTION 5.03. Remedies Not Exclusive. No remedy in this Agreement conferred upon or reserved either to the Company or County is intended to be exclusive of any other remedy or remedies, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity or by statute.

SECTION 5.04. Nonwaiver. No delay or omission of the Company or County to exercise any right or power accruing upon any default or Event of Default shall impair any such right or power or shall be construed to be a waiver of any such default or Event of Default, or an acquiescence therein; and every power and remedy given by this Article V to the Company or County may be exercised from time to time and as often as may be deemed expedient.

## ARTICLE VI

### MISCELLANEOUS

SECTION 6.01. Examination of Records; Confidentiality.

(a) The Company agrees that the County and its authorized agents shall have the right at all reasonable times and upon prior reasonable notice to enter upon and examine and inspect the Project and to have access to and examine and inspect all the Company’s books and records pertaining to the Project. The aforesaid right of examination and inspection shall be exercised only upon such reasonable and necessary terms and conditions as the Company shall prescribe, which conditions shall be deemed to include, but not be limited to, those necessary to protect the Company’s confidentiality and proprietary rights.

(b) The County, and County Council, acknowledges and understands that the Company may have and maintain at the Facility certain confidential and proprietary information, including but not limited to financial, sales or other information concerning the Company’s operations (“Confidential Information”) and that any disclosure of the Confidential Information would result in substantial harm to the Company

and could thereby have a significant detrimental impact on the Company's employees and also upon the County. Therefore, except as required by law, the County, and County Council, agrees to keep confidential, and to cause employees, agents and representatives of the County to keep confidential, the Confidential Information which may be obtained from the Company, its agents or representatives. The County, and County Council, shall not disclose and shall cause all employees, agents and representatives of the County not to disclose the Confidential Information to any person other than in accordance with the terms of this Agreement.

SECTION 6.02. Successors and Assigns. All covenants, stipulations, promises, and agreements contained in this Agreement, by or on behalf of, or for the benefit of, the County, shall bind or inure to the benefit of the successors of the County from time to time and any officer, board, commission, agency, or instrumentality to whom or to which any power or duty of the County, shall be transferred.

SECTION 6.03. Provisions of Agreement for Sole Benefit of County and Company. Except as in this Agreement otherwise specifically provided, nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person other than the County and the Company any right, remedy, or claim under or by reason of this Agreement, this Agreement being intended to be for the sole and exclusive benefit of the County and the Company.

SECTION 6.04. Severability. In case any one or more of the provisions of this Agreement shall, for any reason, be held to be illegal or invalid, the illegality or invalidity shall not affect any other provision of this Agreement, and this Agreement and the Credits shall be construed and enforced as if the illegal or invalid provisions had not been contained herein or therein.

SECTION 6.05. No Liability for Personnel of County or Company. No covenant or agreement contained in this Agreement is deemed to be a covenant or agreement of any member, agent, or employee of the County or its governing body or the Company or any of its officers, employees, or agents in an individual capacity, and neither the members of the governing body of the County nor any official executing this Agreement is liable personally on the Credits or the Agreement or subject to any personal liability or accountability by reason of the issuance thereof.

SECTION 6.06. Indemnification Covenant.

(a) The Company shall and agrees to hold the County and its County Council members, officers, agents and employees harmless from all pecuniary liability in connection with those reasons set forth in subsection (b). Such indemnification obligation shall survive any termination of this Agreement.

(b) Notwithstanding the fact that it is the intention of the parties that neither the County nor any of its members, officers, agents and employees shall incur any pecuniary liability to any third-party by reason of any claim or loss or damage to property or any injury or death of any person occurring in connection with the planning, design, acquisition, construction and carrying out of the Project or the operation of the Facility, if the County or any of its members, officers, agents or employees should incur any such claim, loss or damage, then, in that event the Company shall indemnify and hold harmless the County and its members, officers, agents and employees against any such claim, loss or damage and all costs and expenses incurred in connection with any such claim, and upon notice and request from the County, the Company at its own expense shall defend the County and its officers, agents and employees in any such action or proceeding.





SECTION 6.08. Administrative Fees.

(a) South Pills shall reimburse the County for reasonable expenses, including, reasonable attorneys' fees, related to (i) review and negotiation of this Agreement, (ii) review and negotiation of any other documents related to the Project or the Facility, or (iii) the Project itself or Facility itself (collectively, the "Transaction"), in an amount not to exceed \$5,000.

(b) Further, to the extent that the Company takes future actions in connection with this Agreement that require work by the County legal counsel, the Company shall reimburse the County for its attorneys' fees within 45 days after the County's request therefore. Such request must contain a statement of all expenses incurred with a general description of the nature of the expenses. In no event shall the Company be required to reimburse the County for any attorneys' fees (1) incurred by the County in the ordinary course of its operation, including with respect to tax- and fee-payers or (2) incurred by the County in defending suits brought by the Company based on a default by the County under this Agreement.

SECTION 6.09. Merger. This Agreement constitutes the entire agreement among the parties to it with respect to the matters contemplated in it, and it is understood and agreed that all undertakings, negotiations, representations, promises, inducements and agreements heretofore had among these parties are merged herein.

SECTION 6.10 Agreement to Sign Other Documents. The County agrees that it will from time to time and at the expense of the Company execute and deliver such further instruments and take such further action as may be reasonable and as may be required to carry out the purpose of this Agreement; provided, however, that such instruments or actions shall never create or constitute an indebtedness of the County within the meaning of any state constitutional provision (other than the provisions of Article X, Section 14(10) of the South Carolina Constitution) or statutory limitation and shall never constitute or give rise to a pecuniary liability of the County or a charge against its general credit or taxing power or pledge the credit or taxing power of the State, or any other political subdivision of the State.

SECTION 6.11. Construction of Agreement. The parties agree that each party and its counsel have reviewed and revised this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party does not apply in the interpretation of this Agreement or any amendments or exhibits to this Agreement.

SECTION 6.12. Applicable Law. The laws of the State of South Carolina govern the construction of this Agreement.

SECTION 6.13. Counterparts. This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original; but such counterparts shall together constitute but one and the same instrument.

SECTION 6.14. Amendments. This Agreement may be amended only by written agreement of the parties hereto.

SECTION 6.15. Waiver. Either party may waive compliance by the other party with any term or condition of this Agreement but the waiver is valid only if it is in a writing signed by the waiving party.

SECTION 6.16. Termination. This Agreement ends after the earlier of the: (i) the Company's claiming the fifth and final Credit and (ii) the end of the seventh property tax year following the year in which this Agreement is executed.

SIGNATURES FOLLOW ON NEXT PAGE.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

IN WITNESS WHEREOF, Richland County, South Carolina, has caused this Agreement to be executed by the appropriate officials of the County and its corporate seal to be hereunto affixed and attested and South Pills, LLC and South University of Carolina, Inc. have caused this Agreement to be executed by its respective authorized officer, effective the day and year first above written.

RICHLAND COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Name: J. Milton Pope  
Its: Administrator  
Date: \_\_\_\_\_

SOUTH PILLS, LLC,  
a South Carolina limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

SOUTH UNIVERSITY OF CAROLINA, INC.,  
a South Carolina corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

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**EXHIBIT A**

**FORM OF INFRASTRUCTURE CERTIFICATE**

**CERTIFICATE AS TO INVESTMENT AND  
MAINTENANCE OF EMPLOYMENT AND INVESTMENT**

[TO COME]

I, \_\_\_\_\_, the \_\_\_\_\_ of South Pills, LLC, and I, \_\_\_\_\_, the \_\_\_\_\_ of South University of Carolina, Inc. (collectively, the "Company"), do hereby certify that as of \_\_\_\_\_, \_\_\_\_\_, the Company has invested at least \$ \_\_\_\_\_ in Infrastructure at the Project, as such terms are defined in the Infrastructure Credit Agreement between Richland County, South Carolina and the Company dated as of \_\_\_\_\_, 2009.

IN WITNESS WHEREOF, we have hereunto set our hands, this Certificate to be dated the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

SOUTH PILLS, LLC,  
a South Carolina limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

SOUTH UNIVERSITY OF CAROLINA, INC.,  
a South Carolina corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

# Richland County Council Request of Action

**Subject**

Regional Sports Complex MCIP [**SECOND READING**] [**PAGES 126-130**]





STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_\_

AUTHORIZING AN AMENDMENT TO THE MASTER AGREEMENT GOVERNING THE I-77 CORRIDOR REGIONAL INDUSTRIAL PARK BY AND BETWEEN RICHLAND COUNTY, SOUTH CAROLINA, AND FAIRFIELD COUNTY, SOUTH CAROLINA, TO EXPAND THE BOUNDARIES OF THE PARK TO INCLUDE CERTAIN REAL PROPERTY LOCATED IN RICHLAND COUNTY, AND OTHER RELATED MATTERS.

WHEREAS, Richland County, South Carolina (“Richland”), and Fairfield County, South Carolina (“Fairfield”) (collectively, “Counties”), as authorized under Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended (“Act”), have jointly developed the I-77 Corridor Regional Industrial Park (“Park”); and

WHEREAS, the Counties have entered into separate agreements to reflect each new phase of expansion of the Park (“Phase Agreements”); and

WHEREAS, on April 15, 2003, the Counties entered into an agreement entitled “Master Agreement Governing the I-77 Corridor Regional Industrial Park” (“Master Agreement”), the provisions of which replaced all existing Phase Agreements and now govern the operation of the Park; and

WHEREAS, Richland now desires to expand the boundaries of the Park to include property located in Richland and described on the attached **Exhibit A** (collectively, “Property”); and

NOW, THEREFORE, BE IT ORDAINED BY THE RICHLAND COUNTY COUNCIL:

**Section 1. Expansion of Park Boundaries.** There is hereby authorized an expansion of the Park boundaries to include the Property. The County Council Chair, or the Vice Chair in the event the Chair is absent, the County Administrator and the Clerk to the County Council are hereby authorized to execute such documents and take such further actions as may be necessary to complete the expansion of the Park boundaries. Pursuant to the terms of the Master Agreement, the expansion shall be complete upon the adoption of this Ordinance by the Richland County Council and a companion ordinance by the Fairfield County Council.

**Section 2. Savings Clause.** If any portion of this Ordinance shall be deemed unlawful, unconstitutional or otherwise invalid, the validity and binding effect of the remaining portions shall not be affected thereby.

**Section 3. General Repealer.** Any prior Ordinance, the terms of which are in conflict herewith, is, only to the extent of such conflict, hereby repealed.

**Section 4. Effectiveness.** This Ordinance shall be effective after third and final reading.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

(SEAL)

Attest this \_\_\_\_\_ day of

\_\_\_\_\_, 2009

\_\_\_\_\_  
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:  
Third Reading:

**EXHIBIT A**  
**LEGAL DESCRIPTION OF PROPERTY**

(Approximately 206 +/- Acres)

All that certain piece, parcel or tract of land, together with improvements thereon, containing 121.831 acres, more or less, situate, lying and being on the northwestern side of Farrow Road, in the County of Richland, State of South Carolina, being shown and designated as Tract A on a Boundary Survey prepared for South Capital Group, Inc. by B. P. Barber & Associates, Inc. dated May 16, 2005, and recorded in the Office of the Register of Deeds for Richland County in Record Book 1055 at page 3524. Reference is made to said plat for a more complete and accurate description.

AND all that certain piece, parcel or tract of land, together with improvements thereon, containing 84.82 acres, more or less, situate, lying and being in the County of Richland, State of South Carolina, being shown and delineated on a plat prepared for Bi-Lo, Inc. by Cox and Dinkins, Inc. dated August 19, 1994, and recorded in the Office of the Register of Deeds for Richland County in Plat Book 55 at page 4681. Reference is made to said plat for a more complete and accurate description.

The above parcels are also shown together as a 206.63 acre tract on a plat prepared for Richland County by B.P. Barber & Associates, Inc. dated November 9, 2006, last revised November 16, 2006, and recorded or to be recorded in the Office of the Register of Deeds for Richland County, being an update of the Boundary Plat prepared by B.P. Barber & Associates, Inc. for South Capital Group, Inc. dated May 31, 2006, and recorded in Book R-1203 at page 2515.

The property is bounded by the right-of-way for Farrow Road; property now or formerly of Ferguson Enterprises, Inc.; property now or formerly of Mad Jack, LLC; property now or formerly of Washington Heights Subdivision; property now or formerly of Charles P. Watson; the centerline of Crane Creek dividing the 206.630 acres from property now or formerly of James and Estelle S. Lassiter; property now or formerly of Edward Rose Development Co., LLC; property now or formerly of Accent Development Co.; and property now or formerly of Susan M. Brown.

TOGETHER WITH all easements, rights and privileges conveyed to Bi-Lo, LLC in Easement of SPS Limited Liability Company dated May 15, 2001, recorded May 26, 2001, in Record Rook 534 at page 2154.

Tax Map Numbers: 17300-02-10 and 17300-02-33

Derivation: This being the same property conveyed to South Capital Group, Inc. by (i) deed from SPS Limited Liability Company dated May 20, 2005, and recorded on May 26, 2005, in Book 1057 at page 107, and (ii) deed from Bi-Lo, LLC dated March 17, 2005, and recorded on March 18, 2005, in Book 1034 at page 1075.

# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, In General; Section 21-10, Street Name Signs; Subsection (A); so as to conform to the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated*  
**[SECOND READING] [PAGES 132-135]**

## **Notes**

9/22/09 - The committee unanimously recommended 1st reading approval of an ordinance amendment regarding Sec. 21-10(a) of Ch. 21 (Roads, Highways and Bridges) so as to be in conformance with the Federal Highway Administration's *Manual of Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated*, and to require land developers to conform to the federal regulations.

First Reading: October 6, 2009

Second Reading:

Public Hearing:

Third Reading:

# Richland County Council Request of Action

Subject: Amending Section 21-10 (a) regarding street name signs.

## A. Purpose

To amend Section 21-10 (a) of Chapter 21 (Roads, Highways and Bridges) so as to be in conformance with the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 incorporated*, and to require land developers to conform to the federal regulations.

## B. Background/Discussion

The *Manual on Uniform Traffic Control Devices*, or MUTCD defines the standards used by road managers nationwide to install and maintain traffic control devices on all streets and highways. The MUTCD is published by the Federal Highway Administration (FHWA) under 23 Code of Federal Regulations (CFR), Part 655, Subpart F. The *MUTCD 2003 Edition with Revisions 1 and 2 incorporated* is the most current edition and is the official FHWA publication. These regulations affect the reflectivity and size of signs and mandates that the condition and reflectivity will be managed by local governing bodies. A management program must be in effect by January 2012, traffic control signs must be in conformance by January 2015, and street name signs must be in conformance by January 2018. Per the County's Land Development Regulations (Chapter 26 of the Richland County Code of Ordinances), it is the responsibility of land developers to install all signs within a new development.

## C. Financial Impact

By requiring developers to conform to the *MUTCD 2003 Edition with Revisions 1 and 2 incorporated* now, it will avoid the cost of updating and replacing signs later in order to meet the federal deadlines.

## D. Alternatives

1. To approve the amendment to Section 21-10 (a) (attached) of the Richland Council Code of Ordinances, which will result in signs more easily observed by motorists, thereby improving traffic safety.
2. To deny the amendment to Section 21-10 (a) (attached) of the Richland Council Code of Ordinances will result in continued use of signs not in conformance with the MUTCD, which could leave the County in a liable position relative to traffic accidents on public roads.

## E. Recommendation

It is recommended that County Council amend Section 21-10 (a) to be in conformance with the *MUTCD 2003 Edition with Revisions 1 and 2 incorporated*, published by the Federal Highway Administration.

Recommended by: David Hoops

Department: Public Works

Date: 8/12/09

## F. Approvals

### Finance

Reviewed by: Daniel Driggers  
✓ Recommend Council approval  
Comments regarding recommendation:

Date: 9/09/09  
 Recommend Council denial

### Legal

Reviewed by: Larry Smith  
✓ Recommend Council approval  
Comments regarding recommendation:

Date: 9-9-09  
 Recommend Council denial

### Administration

Reviewed by: Sparty Hammett  
✓ Recommend Council approval  
Comments regarding recommendation:

Date: 9/09/09  
 Recommend Council denial



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 21, ROADS, HIGHWAYS AND BRIDGES; ARTICLE I, IN GENERAL; SECTION 21-10, STREET NAME SIGNS; SUBSECTION (A); SO AS TO CONFORM TO THE FEDERAL HIGHWAY ADMINISTRATION'S *MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES 2003 EDITION WITH REVISIONS 1 AND 2 INCORPORATED*.

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

SECTION I. The Richland County Code of Ordinances, Chapter 21, Roads, Highways and Bridges; Article I, In General; Section 21-10, Street Name Signs; Subsection (a); is hereby amended to read as follows:

(a) Any sign within a new development shall be installed by the developer at his/her own expense. ~~The department of public works shall erect and maintain street name signs on all public streets within the jurisdiction and authority of the county.~~ Signs will be metal aluminum blanks on metal posts fabricated and mounted in a standard design established by the ~~director of public works~~ County Engineer. They will have white reflective lettering a minimum of ~~four (4)~~ six (6) inches high in height on a reflective background. Signs located on multi-lane roads with a speed limit of 40 mph or greater shall have lettering a minimum of eight (8) inches in height. A green background will denote a public road and a blue background will denote a private road. Street name signs shall conform to the Federal Highway Administration's Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 incorporated. The department of public works shall maintain street name signs on all public streets within the jurisdiction and authority of the county.

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

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

SECTION IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_\_ DAY

OF \_\_\_\_\_, 2009.

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***Michielle R. Cannon-Finch***

Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

# Richland County Council Request of Action

## **Subject**

An Ordinance Authorizing a quit-claim deed to EHP Development, LLC for five parcels of land totaling Five Thousand Three Hundred Sixteen (5316) square feet located along Hastings Alley and Hamrick Street, Richland County, South Carolina, and being portions of TMS # 11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, and 11203-03-27  
**[SECOND READING] [PAGES 137-139]**

## **Notes**

9/22/09 - The committee unanimously recommended that council give 1st reading approval to the quit claim.

First Reading: October 6, 2009

Second Reading:

Public Hearing:

Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-09HR

AN ORDINANCE AUTHORIZING A QUIT-CLAIM DEED TO EHP DEVELOPMENT, LLC FOR FIVE PARCELS OF LAND TOTALING FIVE THOUSAND THREE HUNDRED SIXTEEN (5316) SQUARE FEET LOCATED ALONG HASTINGS ALLEY AND HAMRICK STREET, RICHLAND COUNTY, SOUTH CAROLINA, AND BEING PORTIONS OF TMS # 11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, AND 11203-03-27.

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. For and in consideration of the sum of \$1.00, the County of Richland and its employees and agents are hereby authorized to grant a quit-claim deed for certain portions of land totaling five thousand three hundred sixteen (5316) square feet located along Hastings Alley and Hamrick Street, Richland County, South Carolina, and being a portion of TMS# 11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, AND 11203-03-27, to **EHP Development, LLC**, as specifically described in the attached quit claim deed, which is incorporated herein.

SECTION II. Severability. If any section, subsection, or clause of this ordinance 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 ordinance shall be enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

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

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

QUIT CLAIM DEED

THIS QUIT-CLAIM DEED, executed this \_\_\_\_\_ day of \_\_\_\_\_, 2009 by Richland County, (hereinafter "Grantor"), to **EHP Development, LLC, 313 Lanham Springs Way, Lexington, SC 29072** (hereinafter "Grantee"). (Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, successors, assigns, legal representatives and corporations wherever the context so permits or requires).

WITNESSETH, that the said Grantor, for and in consideration of the sum of One Dollar (\$1.00), in hand paid by the grantee, the receipt of which is hereby acknowledge, does hereby remise, release, and quit-claim unto the Grantee, their heirs, successors, and assigns, forever, all their right, title, interest, claim and demand which Grantor has in and to the following described lot, piece, or parcel of land, situate, lying and being in the County of Richland, State of South Carolina, to wit:

See Attached "Exhibit A"

This being the same property which was previously deeded to Richland County by EHP Development, LLC, filed on September 2, 2005, in the Richland County ROD in deed book 1094 at page 1423.

Portion of TMS# 11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, 11203-03-27

Derivation: Deed Book 1094 at page 1423.

Grantee's Address: 313 Lanham Springs Way, Lexington, SC 29072

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the remises before mentioned unto the said Grantee, their heirs, successors and assigns forever so that neither the said Grantors nor their heirs successors, or assigns nor any other person or persons, claiming under their heirs, successors, or assigns, predecessors, or them, shall at any time hereafter, by any way or means, have claim or demand any right or title to the aforesaid premises or appurtenances, or any part of parcel thereof, forever.





## EXHIBIT "A"

**DESCRIPTION:** A portion of that tract identified on the Richland County Tax Map as TMS 11203-03-02 (also known as 1203 Hamrick Street) and lying within **10** feet left of the centerline of a newly aligned Hastings Alley and running from approximate survey station 3+45 to 5+30.

Total right of way to be obtained is 1863 square feet.

This being a portion of the property which was previously deeded to Richland County by EHP Development, LLC, filed on September 2, 2005, in the Richland County ROD in deed book 1094 at page 1423.

**ALSO:** A portion of that tract identified on the Richland County Tax Map as TMS 11203-03-16 (also known as 910 Hastings Alley) and lying within 10 feet right of the centerline of a newly aligned Hastings Alley and running from approximate survey station 1-i-54 to 2+74.

Total right of way to be obtained is 1203 square feet.

This being a portion of the property which was previously deeded to Richland County by EHP Development, LLC, filed on September 2, 2005, in the Richland County ROD in deed book 1094 at page 1423.

**ALSO:** A portion of that tract identified on the Richland County Tax Map as TMS 1 1203-03-17(also known as NX 908 Hastings Alley) and lying within 10 feet right of the centerline of a newly aligned Hastings Alley and running from approximate survey station 0+74 to 1+54. Total right of way to be obtained is 792 square feet.

This being a portion of the property which was previously deeded to Richland County by EHP Development, LLC, filed on September 2, 2005, in the Richland County ROD in deed book 1094 at page 1423.

**ALSO:** A portion of that tract identified on the Richland County Tax Map as TMS 11203-03-23 (also known as 907 Hastings Alley) and lying within 10 feet left of the centerline of a newly aligned Hastings Alley and running from approximate survey station 1+54th 2\*33.

Total right of way to be obtained is 782 square feet.

This being a portion of the property which was previously deeded to Richland County by EHP Development, LLC, filed on September 2, 2005, in the Richland County ROD in deed book 1094 at page 1423.

**ALSO:** A portion of that tract identified on the Richland County Tax Map as TMS 11203-03-27 (also known as NW/S Hastings alley) and lying within 10 feet left of the centerline of a newly aligned Hastings Alley and running from approximate survey station 2+94 to approximate survey station 3+53.

Total right of way to be obtained is 676 square feet.

This being a portion of the property which was previously deeded to Richland County by EHP Development, LLC, filed on September 2, 2005, in the Richland County ROD in deed book 1094 at page 1423.

# Richland County Council Request of Action

## **Subject**

An Ordinance Authorizing a quit-claim deed to Smallwood Village Phase III Homeowner's Association, Inc. for a certain parcel of land totaling .76 Acres located along White Branch Circle, Richland County, South Carolina, known as TMS # 22710-08-30 **[SECOND READING] [PAGE 141]**

## **Notes**

9/22/09 - The committee unanimously recommended that Council give 1st reading approval to the ordinance allowing the transfer of ownership of Smallwood Village Pond to the Board of Smallwood Village Phase III Homeowner's Association.

First Reading: October 6, 2009

Second Reading:

Public Hearing:

Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-09HR

AN ORDINANCE AUTHORIZING A QUIT-CLAIM DEED TO SMALLWOOD VILLAGE PHASE III HOMEOWNER'S ASSOCIATION, INC. FOR A CERTAIN PARCEL OF LAND TOTALING .76 ACRES LOCATED ALONG WHITE BRANCH CIRCLE, RICHLAND COUNTY, SOUTH CAROLINA, KNOWN AS TMS # 22710-08-30.

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. For and in consideration of the sum of \$1.00, the County of Richland and its employees and agents are hereby authorized to grant a quit-claim deed for a certain parcel of land totaling .76 acres located along White Branch Circle, Richland County, South Carolina, known as TMS# 22710-08-30, to **Smallwood Village Phase III Homeowner's Association, Inc.**, as specifically described in the attached quit claim deed, which is incorporated herein.

SECTION II. Severability. If any section, subsection, or clause of this ordinance 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 ordinance shall be enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

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

# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$90,157 of General Fund Undesignated Fund Balance to the Court Administration Budget, Magistrates Budget and Central Services Budget **[SECOND READING] [PAGES 143-144]**

## **Notes**

9/22/09 - The committee unanimously recommended that Council give 1st reading approval to a budget amendment to add an additional \$72,213 to Court Administration's FY10 budget; and additional \$10,644 to the Magistrate's FY10 budget; and an additional \$7,300 to the Central Services' FY10 budget for the purpose of complying with the Uniform Expungement of Criminal Records Act.

First Reading: October 6, 2009

Second Reading:

Public Hearing:

Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_-10HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2009-2010 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$90,157 OF GENERAL FUND UNDESIGNATED FUND BALANCE TO THE COURT ADMINISTRATION BUDGET, MAGISTRATES BUDGET, AND CENTRAL SERVICES BUDGET FOR ADDITIONAL COSTS ASSOCIATED WITH THE UNIFORM EXPUNGEMENT OF CRIMINAL RECORDS ACT.

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

SECTION I. That the amount of ninety thousand one hundred fifty seven dollars (\$90,157) be appropriated to the Fiscal Year 2009-2010 Court Administration, Magistrates, and Central Services budgets. Therefore, the Fiscal Year 2009-2010 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2009 as amended:	\$ 135,082,777
Appropriation of General Fund undesignated fund balance:	\$ <u>90,157</u>
Total General Fund Revenue as Amended:	\$ 135,172,934

EXPENDITURES

Expenditures appropriated July 1, 2009 as amended:	\$ 135,082,777
Increase to Court Administration Budget:	\$ 72,213
Increase to Magistrates' Budget:	\$ 10,644
Increase to Central Services Budget:	\$ <u>7,300</u>
Total General Fund Expenditures as Amended:	\$ 135,172,934

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_\_ DAY

OF \_\_\_\_\_, 2009

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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



# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Fiscal Year 2009-2010 Hospitality Tax Fund Annual Budget Amendment to appropriate \$100,000 of Hospitality Tax Fund Designated Fund Balance for the next steps in the design-development phase of the Regional Sports Complex **[SECOND READING] [PAGES 146-151]**

## **Notes**

9/22/09 - The committee unanimously recommended that Council give 1st reading approval to a budget amendment in the amount of \$100,000 for the next steps in the Design-Development Phase of the Regional Sports Complex.

First Reading: October 6, 2009

Second Reading:

Public Hearing:

Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_-10HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2009-2010 HOSPITALITY TAX FUND ANNUAL BUDGET TO APPROPRIATE \$100,000 OF HOSPITALITY TAX FUND RESERVED FUND BALANCE FOR THE DESIGN-DEVELOPMENT PHASE OF A REGIONAL SPORTS COMPLEX.

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

SECTION I. That the amount of one hundred thousand (\$100,000) be appropriated to the Fiscal Year 2009-2010 Hospitality Tax Fund Budget for the design-development phase of a Regional Sports Complex. Therefore, the Fiscal Year 2009-2010 Hospitality Tax Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2009 as amended:	\$ 4,879,545
Appropriation of Hospitality Tax reserved fund balance	\$ <u>100,000</u>
Total Hospitality Fund Revenue as Amended:	\$ 4,979,545

EXPENDITURES

Expenditures appropriated July 1, 2009 as amended:	\$ 4,879,545
Increase to Hospitality Tax:	\$ <u>100,000</u>
Total Hospitality Tax Fund Expenditures as Amended:	\$ 4,979,545

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2009

\_\_\_\_\_  
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:



**KAHN**

Since 1927

CONSTRUCTION  
MANAGEMENT  
DIVISION

# M.B. Kahn Construction Co., Inc.

P.O. BOX 1179 / COLUMBIA, SC 29202 / (803) 736-2950 / FAX (803) 736-9501 / www.mbkahn.com

October 16, 2009

Ms. Roxanne Ancheta  
Assistant to the County Administrator  
Richland County  
P.O. Box 192  
Columbia, South Carolina 29202

**RE: Richland County Recreation/Entertainment Complex**

Ms. Ancheta;

M. B. Kahn is pleased to submit the enclosed proposal for your consideration. In accordance with our recent conversations we have included a more detailed description of the various activities as well as identifying the cost associated with each activity.

We would like to meet with you after you have had a chance to review the enclosed information so that we may respond to any questions you may have relative to the scope and cost. Please let us know a convenient time to meet.

Sincerely,

**M. B. KAHN CONSTRUCTION CO., INC.**

Construction Management Division

William W. Cram  
Executive Vice President

Enc: Scope of work; Fee Proposal Breakdown

CC: R. Brax

Item# 20

Attachment number 2  
Page 1 of 4

# M.B. Kahn Construction Co., Inc.

## **RICHLAND COUNTY RECREATION COMPLEX**

### **SCOPE OF WORK**

#### **Feasibility Study, Ideation, and Program of Elements**

The Feasibility Study, Ideation, and Program of Elements will include selection of the components within the recreation complex that reflect the demands of the market as well as an analysis of potential complementary uses for the associated commercial development parcels. Several factors will be considered in preparing a program for the sports and entertainment complex including:

- South Carolina Sports Travel Trends
- Richland County - South Carolina Tourism Trends
- Participation Rates in Youth Sports
- The profiles of the marketplace;
- The size of the marketplace;
- The targeted market(s);
- Comparable Facilities
- Facility Utilization Rates by Sport
- Economic Impact
- Other activities or attractions in the area that would complement the proposed project; and,
- The projected viability of a development with the mix of activities proposed.

Work necessary to conduct this phase includes:

- Gather and review prior studies related to the sports complex
- Gather information on comparable facilities (maximum 3 site visits)
- Gather site information, visit and review
- Prepare a complete demographic and sports participation rate study
- Prepare a complete facility utilization rate study based on comparable facilities
- Select a rough mix of project features including athletic, retail, food and beverage and entertainment facilities and their general capacities
- Prepare design studies (sketch plans)
- Create a strategy for the coordination of facility design and production-construction phases
- Review and revise the construction cost estimate for the facility
- Prepare the draft economic feasibility study

The end product will be a definition of "Concept Design Goals and Parameters" and "Program of Elements" that will include both the proposed core recreation complex facilities as well as concepts for development of the commercial parcels.

# M.B. Kahn Construction Co., Inc.

## RICHLAND COUNTY RECREATION COMPLEX

### SCOPE OF WORK

#### Financial Analysis

This phase will include development of financial models for the operational aspects of the recreation complex based on the draft feasibility study. Our team will prepare an operating financial pro-forma to show potential Return on Investment (ROI) as a percentage of gross revenues plus anticipated economic impact. This analysis will allow Richland County to satisfy itself that the project costs and returns on investment are consistent with their overall project goals.

Work necessary to conduct this phase will be based on the draft feasibility study and includes:

- Develop a preliminary facility operations plan
- Gather operating cost information on comparable facilities
- Develop preliminary tournament and facility rental schedules
- Forecast attendance by week and month
- Develop sponsorship sales forecasts
- Develop preliminary per capita spending forecasts for all revenue centers
- Develop detailed operating expense forecast
- Develop forecasted depreciation schedules
- Analyze funding sources and forecast financing costs
- Develop a five to ten year cash flow analysis
- Prepare draft financial analysis



# M.B. Kahn Construction Co., Inc.



## RICHLAND COUNTY RECREATION COMPLEX

Richland County, SC

### FEE PROPOSAL BREAKDOWN

Feasibility Study, Ideation and Program of Elements	\$75,560
Financial Analysis	\$41,210
<b>Total</b>	<b>\$116,770</b>

#### Optional Site Engineering Studies & Reports

<i>SC&amp;G Gas Line Relocation</i>	\$2,750
<i>Wetlands Jurisdictional Determination</i>	\$3,850
<i>Traffic Study</i>	\$9,900
<i>Phase I Environmental Assessment</i>	\$3,300
<i>Phase II Environmental Assessment</i>	\$9,900
<i>Threatened &amp; Endangered Species Assessment</i>	\$3,300
<i>Cultural Resources Reconnaissance Survey</i>	\$4,400
<i>Geotechnical Exploration</i>	\$30,800

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<i>Total</i>	<b>\$68,200</b>
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# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Richland County Code of Ordinances; Chapter 25, Vehicles for Hire; Article II, Towing and Wrecker Services; Section 25-20, Wrecker and Storage Charges, so as to increase the fees charged for towing and wrecker services **[SECOND READING] [PAGES 153-154]**

## **Notes**

9/22/09 - The committee unanimously recommended that Council give First Reading approval to the recommended amendments to Sec. 25-20, Wrecker and Storage charges.

First Reading: October 6, 2009

Second Reading:

Public Hearing:

Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_\_-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 25, VEHICLES FOR HIRE; ARTICLE II, TOWING AND WRECKER SERVICES; SECTION 25-20, WRECKER AND STORAGE CHARGES, SO AS TO INCREASE THE FEES CHARGED FOR TOWING AND WRECKER SERVICES.

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

SECTION I. The Richland County Code of Ordinances; Chapter 25, Vehicles for Hire; Article II, Towing and Wrecker Services; Section 25-20, Wrecker and storage charges; is hereby amended to read as follows:

**Section 25-20. Wrecker and storage charges.**

(a) A basic tow charge of ~~\$75~~ \$125 shall be made for the use of a wrecker (other than a large wrecker) called to tow a vehicle pursuant to the provisions of this article. An additional charge of ~~\$50~~ \$75 per hour shall be made if there are special circumstances (e.g. vehicle in water, vehicle in woods) or if special equipment (e.g. a dolly assembly) is required in order to appropriately move the vehicle. If the tow is being used for a collision, the charge will be \$150 and will not be combined with the basic tow fee. If a large wrecker is needed in order to move an 18-wheel vehicle, a tow charge of ~~\$150~~ \$250 shall be made, plus an additional charge of ~~\$150~~ \$200 per hour if there are special circumstances (e.g. overturned cab/trailer) or if special equipment is required. In instances where a vehicle is to be towed for parking violations or abandonment and the owner of the vehicle appears and makes claim to the vehicle before the vehicle is towed away, but after the wrecker is called, the vehicle shall be released to the owner upon immediate payment of ~~\$25~~ \$50 to the wrecker operator if a basic tow truck was called or upon payment of ~~\$50~~ \$85 to the wrecker if a large tow truck was called.

(b) Storage charges on stored or impounded vehicles shall be \$10 per day.

(c) No stored or impounded vehicle shall be released until proper evidence of ownership is exhibited and all towing and storage charges have been collected by the wrecker service as provided by law.

(d) All towing and storage charges shall be itemized on an invoice or receipt when charges are paid. No charges other than towing and storage will be made on any vehicle without prior written approval from the owner or his or her agent.

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

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

SECTION IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2009

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Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Fiscal Year 2009-2010 Title IV-D Sheriff's Fund Budget to appropriate \$10,000 of additional revenue due to revised revenue projections [**SECOND READING**] [**PAGES 156-157**]

## **Notes**

9/22/09 - The committee unanimously recommended Council give First Reading approval to a \$10,000 budget amendment for the FY10 budget for the Title IV funds based on updated revenue numbers.

First Reading: October 6, 2009

Second Reading:

Public Hearing:

Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_-10HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2009-2010 TITLE IV-D  
SHERIFF'S FUND BUDGET TO APPROPRIATE \$10,000 OF ADDITIONAL  
REVENUE DUE TO REVISED REVENUE PROJECTIONS.

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

SECTION I. That the amount of ten thousand (\$10,000) be appropriated to the Fiscal Year 2009-2010 Title IV-D Sheriff's Fund budget due to revised revenue projections. Therefore, the Fiscal Year 2009-2010 Title IV-D Sheriff's Fund Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2009 as amended:	\$	55,000
Appropriation of additional Title IV-D Sheriff's revenue:	\$	<u>10,000</u>
Total Title IV-D Sheriff's Fund Budget as amended:	\$	65,000

EXPENDITURES

Expenditures appropriated July 1, 2009 as amended:	\$	55,000
Increase to Title IV-D Sheriff's Fund budget:	\$	<u>10,000</u>
Total Title IV-D Sheriff's Fund Expenditures:	\$	65,000

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair



ATTEST THIS THE \_\_\_\_\_ DAY

OF \_\_\_\_\_, 2009

---

Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

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

# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$81,000 of General Fund Undesignated Fund Balance to the Election Commission Budget for the mandated purpose of replacing batteries in electronic voting machines **[SECOND READING] [PAGES 159-160]**

## **Notes**

9/22/09 - The committee unanimously recommended that Council give First Reading approval to an \$81,000 budget amendment for the FY 10 budget for the Election Commission for the State Election Commission mandated purpose of replacing the motherboard batteries in the iVotronic electronic voting machines and the batteries in the PEB's (Personal Electronic Ballot cartridge that activates the machine for voting).

First Reading: October 6, 2009

Second Reading:

Public Hearing:

Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_-10HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2009-2010 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$81,000 OF GENERAL FUND UNDESIGNATED FUND BALANCE TO THE ELECTION COMMISSION BUDGET FOR THE PURPOSE OF REPLACING BATTERIES IN ELECTRONIC VOTING MACHINES.

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

SECTION I. That the amount of eighty one thousand dollars (\$81,000) be appropriated to the Fiscal Year 2009-2010 Election Commission budget. Therefore, the Fiscal Year 2009-2010 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2009 as amended:	\$ 135,001,777
Appropriation of General Fund undesignated fund balance:	\$ <u>81,000</u>
Total General Fund Revenue as Amended:	\$ 135,082,777

EXPENDITURES

Expenditures appropriated July 1, 2009 as amended:	\$ 135,001,777
Increase to Election Commission Budget:	\$ <u>81,000</u>
Total General Fund Expenditures as Amended:	\$ 135,082,777

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2009

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

# Richland County Council Request of Action

## **Subject**

Deed of Water and Sewer Lines (Bookert Heights, Ridgewood, BRRWWTP) [**SECOND READING**] [**PAGES 162-178**]

## **Notes**

9/22/09 - The committee unanimously forwarded the item to Council without a recommendation. Further, staff is to clarify the language in the deed(s) by the October 6, 2009 Council meeting.

First Reading: October 6, 2009

Second Reading:

Third Reading:

Public Hearing:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_\_-09HR

AN ORDINANCE AUTHORIZING DEED TO THE CITY OF COLUMBIA FOR SANITARY SEWER LINES TO SERVE THE BOOKER HEIGHTS COMMUNITY; RICHLAND COUNTY TMS #09503-01-08, 09504-03-04, 05, 06, 07, 11, 12, 16, 18, 19, 20, 31, 32, 09504-04-01, 02, 03, 04, 09508-03-01, 06, 07, 08, 09508-02-01, 09605-01-02, 05, 07, 08, 09, 12, 13, 14, 15, 16, 09605-02-01, 07, 08, 09, 10, 11, 12, 09600-01-38, 09600-01-53 & 67.

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 County of Richland and its employees and agents are hereby authorized to grant a deed to sanitary sewer lines to The City of Columbia, as specifically described in the attached Deed to Sanitary Sewer Lines for Booker Heights Community; Richland County TMS #09503-01-08, 09504-03-04, 05, 06, 07, 11, 12, 16, 18, 19, 20, 31, 32, 09504-04-01, 02, 03, 04, 09508-03-01, 06, 07, 08, 09508-02-01, 09605-01-02, 05, 07, 08, 09, 12, 13, 14, 15, 16, 09605-02-01, 07, 08, 09, 10, 11, 12, 09600-01-38, 09600-01-53 & 67; CF#295-19, which is attached hereto and incorporated herein.

SECTION II. Severability. If any section, subsection, or clause of this ordinance 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 ordinance shall be enforced from and after \_\_\_\_\_.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

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

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_\_-09HR

AN ORDINANCE AUTHORIZING DEED TO THE CITY OF COLUMBIA  
FOR SANITARY SEWER LINES TO SERVE THE RIDGEWOOD  
COMMUNITY; RICHLAND COUNTY TMS #09309, 09310, 09310-01-21, 23,  
24, 25 & 26.

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 County of Richland and its employees and agents are hereby authorized to grant a deed to sanitary sewer lines to The City of Columbia, as specifically described in the attached Deed to Sanitary Sewer Lines for the Ridgewood Community; Richland County TMS #09309, 09310, 09310-01-21, 23, 24, 25 & 26; CF#294-07, which is attached hereto and incorporated herein.

SECTION II. Severability. If any section, subsection, or clause of this ordinance 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 ordinance shall be enforced from and after \_\_\_\_\_.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

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



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_\_-09HR

AN ORDINANCE AUTHORIZING DEED TO THE CITY OF COLUMBIA  
FOR CERTAIN WATER LINES TO SERVE THE RIDGEWOOD  
COMMUNITY; RICHLAND COUNTY TMS #09313-13 & 09313-14 (P).

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 County of Richland and its employees and agents are hereby authorized to grant a deed to certain water lines to The City of Columbia, as specifically described in the attached Deed to Water Lines for Ridgewood Community Water Improvements; Richland County TMS #09313-13 & TMS#09313-14 (portion); CF#294-07, which is attached hereto and incorporated herein.

SECTION II. Severability. If any section, subsection, or clause of this ordinance 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 ordinance shall be enforced from and after \_\_\_\_\_.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

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

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_\_-09HR

AN ORDINANCE AUTHORIZING DEED TO THE CITY OF COLUMBIA  
FOR CERTAIN WATER LINES TO SERVE THE BROAD RIVER  
WASTEWATER TREATMENT PLANT, PHASE 2; RICHLAND COUNTY  
TMS #05300-01-11 (P).

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 County of Richland and its employees and agents are hereby authorized to grant a deed to certain water lines to The City of Columbia, as specifically described in the attached Deed to Water Lines for Broad River Wastewater Treatment Plant, Phase 2; Richland County TMS #05300-01-11 (portion); CF#266-05, which is attached hereto and incorporated herein.

SECTION II. Severability. If any section, subsection, or clause of this ordinance 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 ordinance shall be enforced from and after \_\_\_\_\_.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

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

**ATTORNEY CERTIFICATION**

I, \_\_\_\_\_, an attorney licensed to practice in the State of \_\_\_\_\_ do hereby certify that I supervised the execution of the attached Deed to Sanitary Sewer Lines for Booker Heights Community with Richland County as Grantor and the City of Columbia, as Grantee, this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_.

\_\_\_\_\_  
State Bar Number: \_\_\_\_\_

STATE OF SOUTH CAROLINA)  
RICHLAND COUNTY )

DEED TO SANITARY SEWER LINES FOR  
BOOKER HEIGHTS COMMUNITY; RICHLAND  
COUNTY TMS#09503-01-08, 09504-03-04, 05,  
06, 07, 11, 12, 16, 18, 19, 20, 31, 32, 09504-04-  
01, 02, 03, 04, 09508-03-01, 06, 07, 08, 09508-  
02-01, 09605-01-02, 05, 07, 08, 09, 12, 13, 14,  
15, 16, 09605-02-01, 07, 08, 09, 10, 11, 12,  
09600-01-38, 09600-01-53 & 67; CF#295-19

RICHLAND COUNTY

to

CITY OF COLUMBIA

FOR VALUE RECEIVED, Richland County (also hereinafter referred to as  
"Grantor") of Columbia, South Carolina, does hereby bargain, sell, transfer and convey  
unto the City of Columbia (also hereinafter referred to as "Grantee"), its successors and  
assigns, all of Grantor's rights, title and interests in and to the below described sanitary  
sewer lines, sanitary sewer force mains and sanitary sewer lift station:

All those 8" certain sanitary sewer lines and 4" sanitary sewer force mains,  
including manholes, manhole castings, service lines from main line to cleanouts, service  
lines to easement boundaries, sanitary sewer lift station (including wet well, control  
panels, and all equipment appurtenances, site improvements) and all components to  
complete the system.

All metes, courses, bounds and measured distances described herein are  
approximate. The precise metes, courses, bounds and measured distances are more  
particularly described and shown on City File #295-19 which is incorporated herein by  
specific reference thereto.

Sanitary Sewer Line A: An 8" sanitary sewer main beginning at a tie to an existing City of  
Columbia sanitary sewer main (CF#64-73) at an existing sanitary sewer manhole, located  
on the southeastern property line of TMS#09503-01-08, n/f Temple Zion Baptist Church,  
approximately twenty-five (25) feet northeast of the northwestern property corner of  
TMS#09507-01-16, n/f LaCroix Construction Company; thence extending therefrom in a  
northwesterly direction along said TMS#09503-01-08, for a distance of two hundred  
seventy-one (271) feet to manhole A1, located on said TMS#09503-01-08, approximately  
two hundred sixty-five (265) feet northwest of the northwestern property corner of said  
TMS#09507-01-16; thence turning and extending therefrom in a northeasterly direction  
crossing said TMS#09508-01-08 and Blue Ridge Terrace, for a distance of seven hundred  
nine (709) feet to manhole A3, located in the outer perimeter of the northeastern right-of-  
way of Blue Ridge Terrace, approximately six hundred seventeen (617) feet northeast of  
the northwestern property corner of TMS#09507-01-17, n/f Witherspoon; thence turning  
and extending therefrom in a northwesterly direction along the outer perimeter of the  
northeastern right-of-way of Blue Ridge Terrace and crossing Dakota Street, for a  
distance of one thousand two hundred thirty (1,230) feet to manhole A8, located in the  
outer perimeter of the northeastern right-of-way of Blue Ridge Terrace, approximately ten  
(10) feet northwest of the southernmost property corner of TMS#9504-04-01, n/f  
Duckworth; thence turning and extending therefrom in a northeasterly direction crossing  
TMS#09504-04-01, 02 (n/f Duckworth), 03 (n/f Moore & Gadson), 04 (n/f Shealy), 09508-  
03-06 (n/f Lewis), 07 (n/f Morris), 01 (n/f Morris), 09508-02-01 (n/f Robinson), 09605-02-  
07 (n/f Smith), 08 (n/f Dantzler & Davis), 09 (n/f Bookert), 10 (n/f Mitchell), 11 (n/f  
Livingston), 12 (n/f Glenn), and 01 (n/f Glenn), and crossing Porter Street, for a distance  
of one thousand six hundred eighty-three (1,683) feet to manhole A16, located in the outer  
perimeter of the southwestern right-of-way of Hattie Road, approximately ten (10) feet  
northwest of the eastern property corner of said TMS#09605-02-01; thence turning and

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CITY OF COLUMBIA

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Item# 24

Attachment number 5  
Page 2 of 5

extending therefrom in a northeasterly/more easterly direction crossing Hattie Road, for a distance of forty-two (42) feet to manhole A17, located in the outer perimeter of the northeastern right-of-way of Hattie Road, approximately nine (9) feet southwest of the western property corner of TMS#09605-01-09, n/f Wages; thence turning and extending therefrom in a generally northeasterly/more northerly direction crossing said TMS#09605-01-09, 08 (n/f Wages), 07 (n/f Wages), 12 (n/f Yeadon), 13 (n/f Pearson), 14 (n/f Pearson), 15 (n/f Hammond), 16 (n/f Way of Faith Tabernacle), 05 (n/f Outing), and 02 (n/f Washington), for a distance of nine hundred twenty-six (926) feet to manhole A24, located on said TMS#09605-01-02, approximately eighty-three (83) feet northeast of the eastern property corner of TMS#09605-01-16, n/f Way of Faith Tabernacle; thence terminating.

Sanitary Sewer Line B: An 8" sanitary sewer line beginning at manhole A7, located in the outer perimeter of the intersection of the northeastern right-of-way of Blue Ridge Terrace and the northwestern right-of-way of Dakota Street, approximately six (6) feet south of the southernmost property corner of TMS#09504-04-06, n/f Harris; thence turning and extending therefrom in a southwesterly direction crossing Blue Ridge Terrace and along the outer perimeter of the northwestern right-of-way of Dakota Street, for a distance of nine hundred fifty-nine (959) feet to manhole B2, located in the intersection of the outer perimeter of the northwestern right-of-way of Dakota Street and the northeastern right-of-way of Welland Street, approximately five (5) feet south of the southern property corner of TMS#09504-05-21, n/f Black; thence turning and extending therefrom in a northwesterly direction along the outer perimeter of the northeastern right-of-way of Welland Street, for a distance of four hundred (400) feet to manhole B3, located in the outer perimeter of the intersection of the northeastern right-of-way of Welland Street and the southeastern right-of-way of Heyward Brockington Road, approximately six (6) feet west of the westernmost property corner of TMS#09504-05-01, n/ f Black; thence turning and extending therefrom in a northeasterly direction along the outer perimeter of the southeastern right-of-way of Heyward Brockington Road, for a distance of six hundred seventeen (617) feet to manhole B5, located in the outer perimeter of the southeastern right-of-way of Heyward Brockington Road, approximately six (6) feet north of the northernmost property corner of TMS#09504-05-06, n/f Cooper; thence terminating.

Sanitary Sewer Line C: An 8" sanitary sewer line beginning at a wet well located on TMS#09600-01-67, n/f City of Columbia, approximately thirty-two (32) feet northwest of the southeastern property corner of said TMS#09600-01-67; thence extending therefrom in a southeasterly direction crossing said TMS#09600-01-67 and along the outer perimeter of the southwestern right-of-way of Welland Street, for a distance of five hundred seventy (570) feet to manhole C3, located in the outer perimeter of the southwestern right-of-way of Welland Street, approximately six (6) feet northeast of the easternmost property corner of TMS#09504-01-07, n/f Waldo & Hargrave; thence terminating.

Sanitary Sewer Force Main: A 4" sanitary sewer force main beginning at the aforesaid wet well on TMS#09600-01-67, n/f City of Columbia, approximately thirty-two (32) feet northwest of the southeastern property corner of said TMS#09600-01-67; thence extending therefrom in a southeasterly direction crossing said TMS#09600-01-67, along the outer perimeter of the southwestern right-of-way of Welland Street, and crossing Heyward Brockington Road, for a distance of one thousand six hundred five (1,605) feet to manhole B4 and tie to the aforesaid 8" sanitary sewer line (Line B), located in the outer perimeter of the southeastern right-of-way of Heyward Brockington Road, approximately thirty-seven (37) feet northeast of the northern property corner of TMS#09504-05-02, n/f Grady & Carrie; thence terminating.

Sanitary Sewer Line D: An 8" sanitary sewer line beginning at manhole C2, located in the outer perimeter of the southwestern right-of-way of Welland Street, approximately eighteen (18) feet southeast of TMS#09504-01-05, n/f Meeks; thence extending therefrom in a northeasterly direction crossing Welland Street and along the outer perimeter of the northwestern right-of-way of Redridge Terrace, for a distance of one thousand three hundred sixty-seven (1,367) feet to manhole D6, located in the outer perimeter of the intersection of the northwestern right-of-way of Redridge Terrace and the southwestern right-of-way of Porter Road, approximately seven (7) feet southeast of the southeastern

property corner of TMS#09504-02-12, n/f Goodwill; thence turning and extending therefrom in a northwesterly direction along the outer perimeter of the southwestern right-of-way of Porter Road, for a distance of one hundred fifty-two (152) feet to manhole D7, located along the southeastern property boundary of TMS#09600-01-53, n/f Boyles, approximately five (5) feet northeast of the northeastern property corner of said TMS# 09504-02-12; thence terminating.

Sanitary Sewer Line E: An 8" sanitary sewer line beginning at manhole D2 located in the outer perimeter of the northwestern right-of-way of Red Ridge Terrace, approximately thirty-one (31) feet southwest of the southeastern property corner of TMS#09504-02-04, n/f Kelly; thence extending therefrom in a southeasterly direction crossing Red Ridge Terrace and along TMS#09504-03-04, n/f Roberts, for a distance of one hundred thirty-nine (139) feet to manhole E1, located on said TMS#09504-03-04; thence turning and extending therefrom in an easterly direction crossing said TMS#09504-03-04, 05 (n/f Bates), 06 (n/f Jacobs), and 07 (n/f Johnson), for a distance of two hundred sixty-four (264) feet to manhole E2, located on TMS#09504-03-20 (n/f Green), approximately twenty-five (25) feet northeast of the southern property corner of said TMS#09504-03-07; thence turning and extending therefrom in a northeasterly/more easterly direction crossing said TMS#09504-03-20, 19 (n/f Kershaw), and 18 (n/f We Rent Pretty Houses, LLC), for a distance of two hundred sixty-three (263) feet to manhole E3, located on TMS#09504-03-31 (n/f Brown), approximately fifteen (15) feet southwest of the northern property corner of said TMS#09504-03-31; thence turning and extending therefrom in an easterly direction crossing TMS#09504-03-32 (n/f Culbreth), and 16 (n/f Goodwin), for a distance of one hundred twenty-three (123) feet to manhole E4, located along the northeastern property boundary of said TMS#09504-03-16; thence turning and extending therefrom in a northeasterly/more easterly direction crossing TMS#09504-03-11 (n/f Johnson), for a distance of one hundred twenty (120) feet to manhole E5, located on TMS#09504-03-12 (n/f Geter), approximately nine (9) feet northwest of the eastern property corner of said TMS#09504-03-11; thence terminating.

Sanitary Sewer Line F: An 8" sanitary sewer beginning at manhole A23 located on said TMS#09605-01-02, approximately ten (10) feet southeast of the northeastern property corner of said TMS#09605-01-16; thence extending therefrom in a northeasterly direction along said TMS#09605-01-02, for a distance of seventy-six (76) feet to manhole F1, located on said TMS#09605-01-02, approximately three (3) feet southwest of the northwestern property corner of TMS#09605-04-01, n/f Gridine; thence terminating.

Be all measurements a little more or less.

This conveyance also includes an exclusive easement on all sanitary sewer lines and appurtenances heretofore described for the purpose of ingress, egress, operation and maintenance of said sanitary sewer lines. Also granted herein is an easement across all private roadways and driveways, common areas, and parking areas for access, ingress and egress for operation, maintenance and repair of all sanitary sewer lines for this development. The Grantor hereby agrees that no construction (including, but not limited to, buildings, paving, pipe lines or other utilities) will be allowed within the limits of this easement without prior approval of the City Engineer.

This conveyance also includes all sanitary sewer line easements shown on a set of record drawings prepared for Booker Heights Community Sanitary Sewer, near the City of Columbia, South Carolina, dated June 23, 2008, prepared for Richland County, by Jordan Jones & Goulding, William R. Westfall, S.C.P.E. #9259 and being on file in the office of the Department of Utilities and Engineering, City of Columbia, South Carolina under file reference #295-19.

These sanitary sewer lines are more clearly delineated on a set of record drawings prepared for Booker Heights Community Sanitary Sewer, near the City of Columbia, South Carolina, dated June 23, 2008, prepared for Richland County, by Jordan Jones & Goulding, William R. Westfall, S.C.P.E. #9259 and being on file in the office of the Department of Utilities and Engineering, City of Columbia, South Carolina under file reference #295-19.

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TO HAVE AND TO HOLD the aforesaid rights to the Grantee, its successors and assigns, as aforesaid, forever.

And the Grantor does hereby bind the Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the said premises unto the Grantee, its successors and assigns against the Grantor and Grantor's successors and assigns and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

And Grantor warrants that Grantor is the lawful owner of said property and has the right to convey same; and that the property is free and clear of any and all liens and encumbrances of whatsoever kind or nature, except those set forth hereinabove.

WITNESS the hand and seal of the Grantor by the undersigned this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

RICHLAND COUNTY

By: \_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_  
(Print Name)

Title: \_\_\_\_\_

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND )

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2009 by \_\_\_\_\_ of \_\_\_\_\_ on behalf of the within-named Grantor.  
(Name of Officer and Title) (City and State)

\_\_\_\_\_  
NOTARY PUBLIC FOR \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_



**ATTORNEY CERTIFICATION**

I, \_\_\_\_\_, an attorney licensed to practice in the  
State of \_\_\_\_\_ do hereby certify that I supervised  
the execution of the attached Deed to Water Lines for Broad River Wastewater Treatment  
Plant from Richland County, Grantor, to the City of Columbia, Grantee, this \_\_\_\_\_  
day of \_\_\_\_\_, 200\_\_\_\_.

\_\_\_\_\_  
State Bar or License Number \_\_\_\_\_

STATE OF SOUTH CAROLINA ) DEED TO WATER LINES FOR BROAD RIVER  
WASTEWATER TREATMENT PLANT;  
COUNTY OF RICHLAND ) RICHLAND COUNTY TMS# 05306-07-01 AND  
TMS#05300-01-11 (PORTION); CF#266-05

**RICHLAND COUNTY**

to

**CITY OF COLUMBIA**

FOR VALUE RECEIVED, RICHLAND COUNTY (also hereinafter referred to as "Grantor") of Columbia, South Carolina does hereby bargain, sell, transfer and convey unto the CITY OF COLUMBIA (also hereinafter referred to as "Grantee"), its successors and assigns, all of Grantor's rights, title and interests in and to the below described water lines:

All those certain water lines, the same being 6", 8" and 12" in diameter including valves, valve boxes, fire hydrants, meter boxes, service lines to easement boundaries, (including 6" DIP) lead lines to fire hydrants and all components to complete the system.

All metes, courses, bounds and measured distances described herein are approximate. The precise metes, courses, bounds and measured distances are more particularly described and shown on CF#266-05, which is incorporated herein by specific reference thereto.

An 8" water line beginning at an 8" tapping sleeve and tie to an existing 8" City of Columbia water line (CF#236-18D), located in the outer perimeter of the intersection of the eastern right-of-way of Tangleworth Road and the southwestern right-of-way of River Bottom Road, thirty-six and three hundredths (36.03) feet southwest of the northernmost/northwestern property corner of Richland County TMS#05306-07-01, n/f Williams; thence extending therefrom in a northerly direction along the outer perimeter of the intersection of the eastern right-of-way of Tangleworth Road and the southwestern right-of-way of River Bottom Road, for a distance of four (4) feet to a 45° bend located in the outer perimeter of the intersection of the eastern right-of-way of Tangleworth Road and the outer perimeter of the southwestern right-of-way of River Bottom Road, thirty-four and fifty-two hundredths (34.52) feet southwest of the northernmost/northwestern property corner of Richland County TMS#05306-07-01, n/f Williams; thence turning and extending therefrom in a northeasterly direction along the outer perimeter of the intersection of the eastern right-of-way of Tangleworth Road and the southwestern right-of-way of River Bottom Road, for a distance of ten (10) feet to an 8" x 12" increaser, located in the outer perimeter of the intersection of the eastern right-of-way of Tangleworth Road and the southwestern right-of-way of River Bottom Road, twenty-five and eighty-five hundredths (25.85) feet southwest of the northernmost/northwestern property corner of said TMS#05306-07-01; thence a **12" water line** continuing therefrom in a northeasterly direction along the outer perimeter of the intersection of the eastern right-of-way of Tangleworth Road and the southwestern right-of-way of River Bottom Road, for a distance of eleven (11) feet to a 45° bend located in the outer perimeter of the southwestern right-of-way of River Bottom Road, sixteen and eighty-nine hundredths (16.89) feet west of the northernmost/northwestern property corner of said TMS#05306-07-01; thence turning and extending therefrom in a southeasterly/more easterly direction along the outer perimeter of the southwestern right-of-way of River Bottom Road, for a distance of one hundred four (104) feet to a 45° bend, located in the outer perimeter of the southwestern right-of-way of River Bottom Road, four and sixty-four hundredths (4.64) feet northeast of the northeastern property corner of said TMS#05306-07-01; thence turning and extending therefrom in a southeasterly to southerly to southeasterly direction along Shady Wood Lane, for a distance of five hundred fifty-nine (559) feet to a 45° bend located in Shady

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CITY OF COLUMBIA Item# 24

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Wood Lane, forty-three and ninety-three hundredths (43.93) feet northwest of the eastern property corner of Richland County TMS# 05306-07-10, n/f Hembree; thence turning and extending therefrom in a northeasterly direction crossing Shady Wood Lane, for a distance of forty-five (45) feet to a 45° bend located in Shady Wood Lane, thirty-seven and eleven hundredths (37.11) feet northeast of the eastern property corner of said TMS#05306-07-10; thence turning and extending therefrom in a southeasterly direction along Shady Wood Lane and crossing Richland County TMS#05300-01-11, n/f Richland County, for a distance of sixteen hundred thirty-seven (1637) feet to a 12" x 6" reducer, located on the subject property, one hundred sixteen and seven tenths (116.7) feet northwest of the northern building corner of "alkaline system building"; thence a 6" water line continuing therefrom in a southeasterly direction along the subject property, for a distance of fourteen (14) feet to a 6" x 6" tee located on the subject property, one hundred two and forty-six hundredths (102.46) feet northwest of the northern building corner of "alkaline system building"; thence turning and extending therefrom in a southwesterly direction along the subject property, for a distance of eleven (11) feet to a meter pit, located on the subject property, one hundred seven and sixteen hundredths (107.16) feet northwest of the northern building corner of "alkaline system building"; thence terminating.

Also, a 6" water line beginning at the aforesaid 6" x 6" tee located on the subject property, one hundred two and forty-six hundredths (102.46) feet northwest of the northern building corner of "alkaline system building"; thence extending therefrom in a northeasterly direction along the subject property, for a distance of ten (10) feet to a 6" plug, located on the subject property, ninety-eight and eighty-nine hundredths (98.89) feet northwest of the northern building corner of "alkaline system building"; thence terminating.

Be all measurements a little more or less.

This conveyance also includes an exclusive easement on all water lines and appurtenances heretofore described for the purpose of ingress, egress, operation and maintenance of said water lines. Also granted herein is a 10' exclusive water main easement from the main line to meter boxes for services off the water mains. Also granted herein is a non-exclusive easement for access, ingress and egress over all private roadways, common areas, and parking areas for operation, maintenance, and repair of all water lines for this development. The Grantor hereby agrees that no construction (including, but not limited to, buildings, paving, pipe lines or other utilities) will be allowed within the limits of this easement without prior approval of the City Engineer.

This conveyance also includes all water line easements shown on a set of record drawings for Broad River Wastewater Treatment Plant, in Richland County, near the City of Columbia, South Carolina, dated October 29, 2007 last revised April 30, 2008, prepared for Richland County, by Power Engineering Company, Inc., Gerald Allen Lee, S.C.P.E. #21629 and being on file in the Office of the Department of Utilities and Engineering, City of Columbia, South Carolina under file reference #266-05.

These water lines are more clearly delineated on a set of record drawings for Broad River Wastewater Treatment Plant, in Richland County, near the City of Columbia, South Carolina, dated October 29, 2007 last revised April 30, 2008, prepared for Richland County, by Power Engineering Company, Inc., Gerald Allen Lee, S.C.P.E. #21629 and being on file in the Office of the Department of Utilities and Engineering, City of Columbia, South Carolina under file reference #266-05.

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CITY OF COLUMBIA  
LEGAL DEPT.  


TO HAVE AND TO HOLD the aforesaid rights to the Grantee, its successors and assigns, as aforesaid, forever.

And the Grantor does hereby bind the Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the said premises unto the Grantee, its successors and assigns against the Grantor and Grantor's successors and assigns and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

And Grantor warrants that Grantor is the lawful owner of said property and has the right to convey same; and that the property is free and clear of any and all liens and encumbrances of whatsoever kind or nature, except those set-forth hereinabove.

WITNESS the hand and seal of the Grantor by the undersigned this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

WITNESSES:

**RICHLAND COUNTY**

\_\_\_\_\_  
(1<sup>st</sup> witness signature)

By: \_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(2<sup>nd</sup> witness signature)

Title: \_\_\_\_\_  
(Print Title)

STATE OF SOUTH CAROLINA )

COUNTY OF RICHLAND )

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2009 by \_\_\_\_\_ of \_\_\_\_\_  
(Name of Officer and Title) (City and State)  
on behalf of the within-named Grantor.

\_\_\_\_\_  
NOTARY PUBLIC FOR THE STATE OF SOUTH CAROLINA

MY COMMISSION EXPIRES \_\_\_\_\_

**ATTORNEY CERTIFICATION**

I, \_\_\_\_\_, an attorney licensed to practice in the State of \_\_\_\_\_, do hereby certify that I supervised the execution of the attached Deed to Water Lines for Broad River Wastewater Treatment Plant, Phase 2 with Richland County as Grantor and the City of Columbia, as Grantee, this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_\_.

\_\_\_\_\_  
State Bar or License Number: \_\_\_\_\_

STATE OF SOUTH CAROLINA ) DEED TO WATER LINES FOR BROAD RIVER  
WASTEWATER TREATMENT PLANT, PHASE  
2; RICHLAND COUNTY TMS# 05300-01-11  
RICHLAND COUNTY ) (PORTION); CF#266-05

**RICHLAND COUNTY**

to

**CITY OF COLUMBIA**

FOR VALUE RECEIVED, RICHLAND COUNTY (also hereinafter referred to as "Grantor") of Columbia, South Carolina does hereby bargain, sell, transfer and convey unto the CITY OF COLUMBIA (also hereinafter referred to as "Grantee"), its successors and assigns, all of Grantor's rights, title and interests in and to the below described water lines:

All those certain water lines, the same being 6" in diameter including valves, valve boxes, fire hydrants, meter boxes, service lines to easement boundaries, (including 6" DIP) lead lines to fire hydrants and all components to complete the system.

All metes, courses, bounds and measured distances described herein are approximate. The precise metes, courses, bounds and measured distances are more particularly described and shown on CF#266-05, which is incorporated herein by specific reference thereto.

A 6" water line beginning at a tapping sleeve and tie to an existing 6" City of Columbia water line (CF#266-05), located on the subject property, ninety-eight and eighty-eight hundredths (98.88) feet northwest of the northern corner of "Alkaline System Building"; thence extending therefrom in a northeasterly direction along the subject property, for a distance of six (6) feet to a 45° bend located on the subject property, ninety-seven and forty-six hundredths (97.46) feet northwest of the northern corner of said "Alkaline System Building"; thence turning and extending therefrom in a generally easterly direction along the subject property for a distance one hundred seventy-three (173) feet to a 45° bend, located on the subject property one hundred twelve and six tenths (112.6) feet northeast of the northern corner of said "Alkaline System Building"; thence turning and extending therefrom in a southeasterly direction along the subject property, for a distance of four hundred thirty-four (434) feet to a 45° bend, located on the subject property, one hundred seventy-six and twelve hundredths (176.12) feet east of the eastern corner of "SBR Basin"; thence turning and extending therefrom in a southeasterly direction along the subject property, for a distance of eighty-six (86) feet to a 45° bend located on the subject property, two hundred nine and twenty-eight hundredths (209.28) feet southeast of the eastern corner of "SBR Basin"; thence turning and extending therefrom in a southwesterly direction along the subject property, for a distance of sixty (60) feet to a 45° bend, located on the subject property, two hundred ten and thirty-nine hundredths (210.39) feet southeast of the eastern corner of "SBR Basin"; thence turning and extending therefrom in a southwesterly direction along the subject property, for a distance of forty-five (45) feet to a fire hydrant assembly, located on the subject property, one hundred ninety-nine and twenty-seven hundredths (199.27) feet southeast of southern corner of "SBR Basin"; thence terminating.

Be all measurements a little more or less.

This conveyance also includes an exclusive easement on all water lines and appurtenances heretofore described for the purpose of ingress, egress, operation and maintenance of said water lines. Also granted herein is a 10' exclusive water main easement from the main line to meter boxes for services off the water mains. Also granted herein is a non-exclusive easement for access, ingress and egress over all private

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CITY OF COLUMBIA Item# 24

 LEGAL DEPT.

roadways, common areas, and parking areas for operation, maintenance, and repair of all water lines for this development. The Grantor hereby agrees that no construction (including, but not limited to, buildings, paving, pipe lines or other utilities) will be allowed within the limits of this easement without prior approval of the City Engineer.

This conveyance also includes all water line easements shown on a set of record drawings for Broad River Wastewater Treatment Plant, Phase 2, in Richland County, near the City of Columbia, South Carolina, dated January 30, 2009, last revised March 11, 2009, prepared for Richland County, by Power Engineering Company, Inc., Gerald Allen Lee, S.C.P.E. #21629 and being on file in the Office of the Department of Utilities and Engineering, City of Columbia, South Carolina under file reference #266-05.

These water lines are more clearly delineated on a set of record drawings for Broad River Wastewater Treatment Plant, Phase 2, in Richland County, near the City of Columbia, South Carolina, dated January 30, 2009, last revised March 11, 2009, prepared for Richland County, by Power Engineering Company, Inc., Gerald Allen Lee, S.C.P.E. #21629 and being on file in the Office of the Department of Utilities and Engineering, City of Columbia, South Carolina under file reference #266-05.

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TO HAVE AND TO HOLD the aforesaid rights to the Grantee, its successors and assigns, as aforesaid, forever.

And the Grantor does hereby bind the Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the said premises unto the Grantee, its successors and assigns against the Grantor and Grantor's successors and assigns and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

And Grantor warrants that Grantor is the lawful owner of said property and has the right to convey same; and that the property is free and clear of any and all liens and encumbrances of whatsoever kind or nature, except those set-forth hereinabove.

WITNESS the hand and seal of the Grantor by the undersigned this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

WITNESSES:

**RICHLAND COUNTY**

\_\_\_\_\_  
(1<sup>st</sup> witness signature)

By: \_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(2<sup>nd</sup> witness signature)

Title: \_\_\_\_\_  
(Print Title)

STATE OF SOUTH CAROLINA )

COUNTY OF RICHLAND )

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2009 by \_\_\_\_\_ of \_\_\_\_\_  
(Name of Officer and Title) (City and State)  
on behalf of the within-named Grantor.

\_\_\_\_\_  
NOTARY PUBLIC FOR THE STATE OF SOUTH CAROLINA

MY COMMISSION EXPIRES \_\_\_\_\_

# Richland County Council Request of Action

**Subject**

09-14MA

Joe Jackson

Prayer & Faith Temple

RS-HD to RU (2.85 Acres)

24903-05-02

1520 Lower Richland Blvd. **[SECOND READING] [PAGE 180]**

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-09HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 24903-05-02 FROM RS-HD (RESIDENTIAL, SINGLE-FAMILY – HIGH DENSITY DISTRICT) TO RU (RURAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 24903-05-02 from RS-HD (Residential, Single-Family – High Density District) to RU (Rural 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 \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

Public Hearing:       October 27, 2009  
First Reading:       October 27, 2009  
Second Reading:     November 3, 2009 (tentative)  
Third Reading:

# Richland County Council Request of Action

**Subject**

09-15MA

Larry M. Spivey

Major Management/Tracy Billings

RU to GC (.341 Acres)

19716-02-20(p)

Alpine Rd. & Old Percival Rd. **[SECOND READING] [PAGES 182-183]**

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-09HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS A PORTION OF TMS # 19716-02-20 FROM RU (RURAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as a portion of TMS # 19716-02-20 (described in Exhibit A, which is attached hereto), from RU (Rural District) zoning to GC (General Commercial District) zoning.

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

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

Section IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

Public Hearing:       October 27, 2009  
First Reading:       October 27, 2009  
Second Reading:     November 3, 2009 (tentative)  
Third Reading:

Exhibit A

# Richland County Council Request of Action

**Subject**

09-17MA

FSD, LLC

Fred Babae

HI to GC (2 Acres)

17200-03-23

206 Business Park Blvd. **[SECOND READING] [PAGE 185]**



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-09HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 17200-03-23 FROM HI (HEAVY INDUSTRIAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 17200-03-23 from HI (Heavy Industrial District) zoning to GC (General Commercial District) zoning.

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

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

Section IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

Public Hearing:       October 27, 2009  
First Reading:       October 27, 2009  
Second Reading:     November 3, 2009 (tentative)  
Third Reading:

# Richland County Council Request of Action

**Subject**

Bridge Renaming [**PAGES 186-190**]

**Notes**

10/27/09 - The Committee recommended that Council approve the request of renaming the bridge on Monticello Road that travels over Cedar Creek in honor of the late Deputy John Mark Dial. The vote was unanimous.

# Richland County Council Request of Action

**Subject:** Bridge Renaming

## **A. Purpose**

County Council is requested to approve a resolution to support the renaming of a bridge on Monticello Road that travels over Cedar Creek in memory of the late Deputy John Mark Dial.

## **B. Background / Discussion**

During the motion period on October 6, 2009, Councilperson Joyce Dickerson made the following motion, which was referred to the D&S Committee for consideration.

John Mark Dial was a young deputy who was tragically killed by a drunk driver. The Cedar Creek Community would like to honor his memory by renaming the Cedar Creek Bridge after him. The family and community would like this to be a ceremonial affair.

In June 2009, Council approved a resolution to support the renaming of a bridge to honor Candacy Wyanaica and Darcel Sanders, who lost their lives while traveling in the Lower Richland Community.

The resolution for this item is attached, as well as a locator map.

## **C. Financial Impact**

There is no financial impact associated with this request.

## **D. Alternatives**

1. Approve the request and support the renaming of the bridge.
2. Do not approve the request in support of renaming the bridge.

## **E. Recommendation**

This request is at council's discretion.

Recommended by:  
Joyce Dickerson

Department:  
County Council

Date:  
October 6, 2009

## **F. Reviews**

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

### **Finance**

Reviewed by: Daniel Driggers

Date: 10/16/09

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation

**Legal**

Reviewed by: Larry Smith

✓ Recommend Council approval

Comments regarding recommendation:

Date:

Recommend Council denial

**Administration**

Reviewed by: Tony McDonald

✓ Recommend Council approval

Comments regarding recommendation:

Date: 10/16/09

Recommend Council denial



# CEDAR CREEK BRIDGE

R06800-02-31

R06700-02-01

**9800 Blk  
Monticello Road**

R06800-04-02

R06700-02-02

Monticello Rd

R06700-01-01

R06700-01-02

DISCLAIMER: This is a product of the Richland County GIS Department. The data depicted here have been developed with extensive cooperation from other county departments, as well as other federal, state and local government agencies. Reasonable efforts have been made to ensure the accuracy of this map. Richland County expressly disclaims responsibility for damages or liability that may arise from the use of this map.

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Richland County Government  
2020 Hampton Street  
Columbia, SC 29204  
Prepared by Betty A. Etheredge, GISP



**Item# 28**

Attachment number 1  
Page 5 of 5



# Richland County Council Request of Action

**Subject**

Conservation Donation of 175 acres off Long Creek Parkway [PAGES 192-194]

**Notes**

10/27/09 - The Committee recommended that Council accept the conservation donation on 175 Acres (est.) owned by Mungo Company. The vote in favor was unanimous.

# Richland County Council Request of Action

**Subject:** Conservation Donation

## **A. Purpose**

County Council is requested by the Conservation Commission to accept a conservation donation on 175 acres in Northeast Richland County in order to protect valuable natural resources, wetlands, floodplains, water quality, and preserve valuable open space.

## **B. Background / Discussion**

Mr. Bill Dixon, representing Mungo Company, has made a formal application to the Conservation Commission to help protect this valuable property for conservation purposes, natural resources, wildlife, and maintain the rural integrity of the landscape. This land is currently managed for forestry, wildlife, and scenic open space. The property is a critical segment of the Crane Creek Watershed floodplain and buffer corridor. The property buffers development in a planned community. The property is located in County Council District #7 off Long Green Parkway where extensive development has occurred. The Mungo Company would like to contribute to a new conservation image for their community. We salute their donation and conservation values.

## **C. Financial Impact- None/Donation**

The Conservation Commission voted unanimously to make this request to County Council as a private donation for tax benefits only. No Commission funds are being used for easement acquisition. The landowner is donating the property as fee simple deed transfer. We consider this agreement to be beneficial to both parties and it meets the goals of Richland County in a true volunteer partnership. The indirect benefits and cost to Richland County will be less storm water issues, improved water quality, and preserving wetlands, floodplains, wildlife, and valuable green space.

## **D. Alternatives**

1. **Approve the request** to accept the conservation donation in perpetuity which will protect valuable natural resources and preserve green space for all citizens. Accepting this easement benefits our communities and sets an example of volunteer partnership with landowners.
2. Do not approve will allow high density development, reduce green space, remove wildlife habitat, and change our rural landscape character forever.

**E. Recommendation**

***"It is recommended that Council approve the request to accept this conservation donation on 175 acres (est.) owned by Mungo Company.***

Recommended by:	Department:	Date:
Carol Kososki, Chair Jim Wilson, Program Manager	Conservation Commission Richland County	9-28-2009

**F. Reviews**

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

**Finance**

Reviewed by (Daniel Drigger): Date: 10/15/09

✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

**Procurement**

Reviewed by: (Rodolfo Callwood): Date: 10/15/09

<input checked="" type="checkbox"/> Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

**Grants**

Reviewed by: (Sara Salley): Date: 10.15.09

✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

**Legal**

Reviewed by: (Larry Smith): Date:

✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

**Administration**

Reviewed by: (Sparty Hammett): Date: 10/16/09

✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	
Conservation Donation of 175 acres off Long Creek Parkway	



# Richland County Council Request of Action

**Subject**

Conservation Donation off Sloan Road [**PAGES 196-198**]

**Notes**

10/27/09 - The Committee recommended that Council approve the request to accept this conservation donation on 4 Acres (est.) owned by South Capitol Group. The vote in favor was unanimous.

# Richland County Council Request of Action

**Subject:** Conservation Donation

## **A. Purpose**

County Council is requested by the Conservation Commission to accept a conservation donation on 4 acres in Northeast Richland County off Sloan Road in order to protect valuable natural resources, forest land, water quality, and preserve valuable open space.

## **B. Background / Discussion**

Mr. David Hilburn, representing South Capitol Group, has made a formal application to the Conservation Commission to help protect this valuable property back of Flora Springs Park for conservation purposes, natural resources, wildlife, forestry, and maintain the rural integrity of the landscape. This land is currently managed for forestry, wildlife, and scenic open space. The property is a critical segment of the Gills Creek Watershed. The property buffers development in a planned community. The property is located in County Council District #7 where extensive development has occurred. The South Capitol Group would like to contribute to a conservation image for their community. We salute their donation and conservation values.

## **C. Financial Impact- None/Donation**

The Conservation Commission voted unanimously to make this easement request to County Council as a private donation for tax benefits only. No Commission funds are being used for land acquisition. The landowner is donating the property as fee simple deed transfer. We consider this agreement to be beneficial to both parties and it meets the goals of Richland County in a true volunteer partnership. The indirect benefits and cost to Richland County will be less storm water issues, improved water quality, and preserving wildlife, and valuable green space.

## **D. Alternatives**

1. **Approve the request** to accept the conservation land in perpetuity will protect valuable natural resources and preserve green space for all citizens. Accepting this donation will benefit our communities and sets an example of volunteer partnership with landowners.
2. Do not approve will allow high density development, reduce green space, remove wildlife habitat, and change our rural landscape character forever.

## **E. Recommendation**

***"It is recommended that Council approve the request to accept this conservation donation on 4 acres (est.) owned by South Capitol Group.***

Recommended by: Carol Kososki, Chair  
Jim Wilson, Program Manager

Department: Conservation Commission  
Richland County

Date: 9-28-2009

**F. Reviews**

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

**Finance**

Reviewed by (Finance Director):  
✓ Recommend Council approval  
Comments regarding recommendation:

Date: 10/16/09  
 Recommend Council denial

**Procurement**

Reviewed by: Procurement Director  
 Recommend Council approval  
Comments regarding recommendation:

Date: 10/16/09  
 Recommend Council denial

**Grants**

Reviewed by: Sara Salley  
 Recommend Council approval  
Comments regarding recommendation: Council Discretion

Date: 10/16/09  
 Recommend Council denial

**Legal**

Reviewed by:  
✓ Recommend Council approval  
Comments regarding recommendation:

Date:  
 Recommend Council denial

**Administration**

Reviewed by: Sparty Hammett  
✓ Recommend Council approval  
Comments regarding recommendation:

Date: 10/16/09  
 Recommend Council denial





# Richland County Council Request of Action

## **Subject**

Lower Richland County Agricultural Center **[DENIAL]**[PAGES 200-203]

## **Notes**

10/27/09 - The Committee recommended that Council **DENY** this request. The vote in favor was unanimous.

## Richland County Council Request of Action

**Subject:** Lower Richland County Agricultural Center

### **A. Purpose:**

Council is requested to provide clarification and direction to staff with regards to the Lower Richland County Agricultural Center proposal.

### **B. Background/Discussion:**

The following action occurred during the October 6, 2009 Council meeting:

**To Negotiate the purchase of 1400 Atlas (Boozer Lumber Site) property for the purpose of maintaining a local Farmers' Market:** This item was deferred to the A&F Committee. The Administrator stated that another proposal (Lower Richland County Agricultural Center) had been received. This proposal was forwarded to the D&S Committee.

The Lower Richland County Agricultural Center synopsis is attached. A complete, hard copy of the proposal was left in Council members' mailboxes.

There are currently three farmers' market related items in the D&S and A&F Committees this month. They are as follows:

1. This item.
2. To Negotiate the purchase of 1400 Atlas (Boozer Lumber Site) property for the purpose of maintaining a local Farmers' Market
3. Since Richland County already has several acres of land at the site where a farmers market was to be built in conjunction with the state, I would like staff to look into the feasibility of Richland County utilizing this land for the same purpose in the future. This will be a tremendous cost savings in the event Richland County describes to build such a market.

It appears as though there are different actions being requested for the same, or similar, project: that of a Richland County Farmers' Market.

It is at this time that staff is requesting clarification and direction to staff with regards to the Lower Richland County Agricultural Center proposal.

### **C. Financial Impact:**

Not known at this time, as clarification and direction are requested.

### **D. Alternatives:**

1. Provide clarification and direction on the Lower Richland County Agricultural Center.

2. Do not provide clarification or direction on this item.

**E. Reviews**

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

**Finance**

Reviewed by: Daniel Driggers

Date:

Recommend Approval

Recommend Denial

✓ No Recommendation

Comments: Request for clarification

**Legal**

Reviewed by: Larry Smith

Date:

Recommend Approval

Recommend Denial

✓ No Recommendation

Comments: Council discretion

**Administration**

Reviewed by: J. Milton Pope

Date:

Recommend Approval

Recommend Denial

✓ No Recommendation

Comments: Committee recommendation and Council discretion



PO Box 1837  
Columbia, SC 29202

October 1, 2009

Mr. Milton Pope  
County Administrator, Richland County  
2020 Hampton Street  
Columbia, South Carolina 29201

RE: Lower Richland County Agricultural Center

Dear Mr. Pope:

In response to Richland County's interest to provide a local outlet for vendors currently in the State Farmers Market, its desire to keep jobs in Richland County, and to provide a clean, friendly and accessible location for residents of the County and surrounding areas to shop, Shop Road Holdings, LLC is pleased to offer a site for its consideration.

As owners of nearly 130 acres on Shop Rd, Shop Road Holdings, LLC is able to offer the County several options that would allow for an economical entry to market. This site would allow the County to develop to the specifications of the Vendors, rather than incurring the costs associated with retro-fitting the existing structures. Since we are working with a blank canvas, this proposal serves as a template which can be adapted to fit the economic needs of both the Vendors and the County.

This proposal represents approximately 21 acres and over 200,000 sf of Vendor space, including a retail component as well as a nursery area that capitalizes on and maximizes the natural aesthetics of the area. Noteworthy is the fact that all utilities are on site, the site is relatively flat, and all detention is offsite, thereby making the entire 21 acres usable. The site is less than 1 mile from the Shop Road exit (Exit 5) on Interstate 77.

Following this letter is a conceptual site plan that demonstrates not only the efficiency that can be achieved when starting with a blank canvas, but the amount of Vendor space that can be provided.

We understand that the County may not currently have cash available to purchase the property however, we remain interested in exploring potential transactions that may be mutually beneficial. We believe that the current fair market value of the property for purposes of an as-is sale (based on \$40,000 per acre) is \$840,000.



We are interested in discussing with you various alternatives with regard to the property, including:


1. As-Is direct land purchase of the 21 acres with County responsible for all infrastructure improvements. These infrastructure improvements are estimated to be approximately 1.1million dollars. Our estimates to construct sheds, retail and provide all paving necessary is \$50.00 per sf of building. Therefore, if the County was to provide, with input from the Vendors, 100,000 sf of vendor specific space; the total cash outlay by the County is less than 7 million dollars, and it would still have over half of the property available for expansion;
2. Partial seller financing of a purchase of the property by the County;
3. Long-term ground lease of the property to the County with an option to purchase;
4. A joint venture arrangement between Shop Road Holdings, LLC, and the County, in which we (Shop Road Holdings, LLC) would contribute the property to a newly formed entity with the County in exchange for a preferred, guaranteed return, and the County would provide the necessary infrastructure and improvements;
5. Shop Road Holdings, LLC, with Richland County endorsement, develops site to the specific needs of the vendors and negotiates an agreement with those Vendors. Important in this option is that the Vendors acknowledge that they have the full support of the County to move forward on this location and that the County will not divert support to another site in the future;
6. County Purchase approximately 65 acres as-is and develop as desired. Purchase price (based on \$35,000 per acre) would be \$2,275,000.

Thank you, again, for your interest in the property.

CC: Member of Richland County Council

Very truly yours,

SHOP ROAD HOLDINGS, LLC

BY:   
Benjamin E. Brantley, Manager

# Richland County Council Request of Action

**Subject**

Accounting for the Last Two Years of the Richland County Neighborhood Council [**PAGES 205-206**]

**Notes**

10/27/09 - The Committee recommended that Council refer this item to Council's Internal Audit Committee. The recommendation is for the Internal Audit Committee to look into expenditure of County funds on non-council sanctioned entities without prior Council authorization. The vote in favor was unanimous.





# MEMORANDUM

**TO:** Richland County Development & Services Committee  
**THROUGH:** Joe Kocy, Planning Director  
**FROM:** Julie Wilkie, Comprehensive Planning Manager  
**DATE:** October 13, 2009  
**RE:** Update: Richland County Neighborhood Commission Financial

At the September 22, 2009 County Council meeting, the Development & Services Committee made a motion requesting an accounting of the last two years of the Richland County Neighborhood Council (RCNC).

Based on the above referenced motion, the Planning Department offers the following memo regarding money spent on the RCNC since July 1, 2007. This accounting covers FY 2008, FY 2009, and July – September of FY 2010.

In years past, the Neighborhood Improvement Program (NIP) has funded mailings for the RCNC, as well as other organizations and neighborhood groups throughout the County. However, NIP does not account for the costs of these mailings, nor are these mailings documented. Mass mailings for RCNC were eliminated in 2008 as the Department moved toward a more electronic form of communicating with neighborhoods throughout the County.

In August 2009, a mass mailing was initiated and funded by NIP to garner support for and attendance at meetings focused on adoption of the new bylaws, vision, and mission statement of the RCNC. Again, NIP does not keep records of the cost of paper, ink, and envelopes as it relates to mass mailings. Additionally, postage is a part of the Richland County Business Service Center's budget. They do not maintain records regarding the amount of postage or mailings per Department. Therefore, NIP cannot determine exactly how much postage has been used for mailings in the past. The table below offers miscellaneous expenditures, as well as an approximate on mailings for RCNC, based on *estimated* costs of paper, envelopes, and postage.

VENDOR/EXPENDITURE	AMOUNT	DATE
Ft. Jackson NWR (Banner)	\$59.00	6/5/2008
Joe Henry Company (pencils)	\$181.68	7/21/2008
Jimmy Johns (food)	\$37.29	8/18/2009
Food Lion (food)	\$8.45	8/18/2009
<b>TOTAL MISC EXPENDITURES</b>	<b>\$286.42</b>	<b>N/A</b>
6 Mailings (2,100 letters)	\$936.16*	July 2007 – June 2008
4 Mailings (1,400 letters)	\$624.11*	July 2008 – June 2009
1 Mailing (350 letters, 1,050 sheets)	\$160.78*	July 2009 – September 2009
<b>TOTAL MAILING EXPENDITURES</b>	<b>\$1,721.05*</b>	<b>N/A</b>
<b>GRAND TOTAL</b>	<b>\$2,007.47</b>	<b>July 2007 – September 2009</b>

\*Amount for mailings includes paper, envelopes, & postage

RE: Richland County Neighborhood Council Members

Hi Randy,

Mr. Kocy, Planning Director, forwarded your question about the Neighborhood Council members to my attention. Based on my investigation of the organization, I have found no records of a formal membership for the Neighborhood Council. On average, they have about 10-15 citizens at their meetings. In fact, they have not recorded or implemented any formal procedures for distinguishing members of the organization for the past few years. The organization is currently working on this issue and will be adopting formal procedures to determine and distinguish membership and voting rights by January 2010.

Please let me know if you need additional information. Thanks!

Best regards,

**Erica L. Hink**

Neighborhood Improvement Program  
Richland County Government  
2020 Hampton Street  
PO Box 192  
Columbia SC 29202  
(o.) 803-576-1340  
(f.) 803-576-1345

# Richland County Council Request of Action

## **Subject**

Hospitality Taxes and Businesses Straddling Jurisdictional Lines [**PAGES 208-212**]

## **Notes**

10/27/09 - The Committee recommended that Council approve a policy such that, any time a business is physically located within Richland County and some other jurisdiction, and more than 50% of the business' physical structure is located within the Richland County jurisdiction, the business will be treated as if the entire business is physically located within the Richland County jurisdiction, for fees and taxes purposes, excluding real estate property taxes, and conversely, if less than 50% of the business' physical structure is located within the Richland County jurisdiction, the business will be treated as if no part of the business is physically located within Richland County. The vote in favor was unanimous.

## Richland County Council Request of Action

**Subject:** Hospitality Taxes and Businesses Straddling Jurisdiction Lines

### **A. Purpose**

Council is requested to approve a policy on how to levy Hospitality Taxes when a business is physically located within Richland County and another jurisdiction.

### **B. Background / Discussion**

In early October, Business Service Center inspectors drove through the Town of Irmo inspecting businesses for compliance with Richland County's Hospitality Tax ordinance. As a result of these inspections, one business was found to be located in Richland County AND in Lexington County – the County line runs through, not just the property, but *also* through the actual structure of this business. Two examples are attached for your convenience.

This policy decision being currently requested of Council would not include how *real estate property taxes* are assessed, however, in cases when a County and municipal boundary divides a single parcel of property. The County Assessor's Office handles these situations, when the property itself on which a business is located straddles a County and/or municipal boundary.

When a *property* straddles a County or municipal boundary, but the *business' physical structure* is completely located within a single jurisdiction, the Assessor is able to resolve the situation, because the boundary affects only how the *real estate property taxes* for the property will be assessed. When the boundary lies *only* on the property and not on the business itself, the boundary has no impact on the business, and, consequently, no impact on Hospitality Taxes, Tourism Development Fees, and other fees/taxes.

However, a County or municipal boundary dividing a *business' physical structure* into two jurisdictions *does* impact if and/or how business licenses, Hospitality Taxes, Tourism Development Fees, and other business fees/taxes are calculated for a business, since these fees/taxes are based upon where the actual activity of the business takes place, i.e., within the physical structure of the business.

The Business Service Center staff has completed an e-survey of the County line. The results are as follows. There are 76 structures that are split by the county line. It appears that 55 of these are residences, based solely on the structure being located in a subdivision style area. There are 23 structures that appear to be commercial in nature. It is those 23 structures that may be affected by the policy being requested of Council.

The question that needs considered and answered by Council, then, is: when a *business* itself (ie, it's physical structure) is divided by a County or municipal boundary, how should applicable fees and taxes (including business licenses, Hospitality Taxes, Tourism Development Fees, or any other fee/tax) be charged, if at all?

### C. Financial Impact

The financial impact will be dependent upon whether a business is charged a fee or tax based upon its physical location. If Richland County charges fees or taxes to the business, a positive financial impact to the County will result; if not, a negative financial impact.

### D. Alternatives

1. If more than 50.000% of the physical structure of a business is physically located within Richland County, then the entire business shall be considered as being within Richland County and the business shall be responsible for all applicable fee or taxes, as if the entire structure was located within Richland County.

The reverse would also be true: if less than 50.000% of the physical structure of a business is physically located within Richland County, then none of the business shall be considered as being within Richland County and the business shall not be responsible for any Richland County fee or taxes, as if no part of the physical structure was located within Richland County.

This option is beneficial for its simplicity and is easily understood by the businesses and governments involved.

2. If less than 50.000% of the physical structure of a business is physically located in Richland County, that same percentage shall be charged to that business for each applicable fee or tax.

However, this option may be difficult to implement logistically. Business and government accounting programs alike are designed around paying 100% of an applicable fee or tax, rather than some percentage of it. This also lends to complexity in calculating (and mutually agreeing to) what percent of the physical structure is actually located within Richland County. There may also result in additional complexity in determining what should actually be paid, and how the “partial payment” should be processed.

3. If any part (whether greater or less than 50%) of the physical structure of the business is located in Richland County, the business will be treated, by both jurisdictions, as if *no part* of the business is located within Richland County.

This would essentially mean that any time a business is divided into two jurisdictions, Richland County would favor the business such that the business would not be responsible for any otherwise applicable Richland County fees/taxes. However, this option would have a greater negative financial impact to the County, although the amount is not known, since it is unknown how many businesses are divided into two jurisdictions.

4. Another alternative, as determined by Council.

### E. Recommendation

It is recommended that Council approve a policy such that, any time a business is physically located within Richland County and some other jurisdiction, and more than 50.000% of the business’ physical structure is located within the Richland County jurisdiction, the business will be treated as if the entire business is physically located within the Richland County jurisdiction, for fees and taxes purposes, excluding real estate property taxes, and conversely, if less than 50.000% of the business’ physical structure is located within the Richland County jurisdiction, the business will be treated as if no part of the business is physically located within Richland County.

Recommended by: Pam Davis Department: Business Service Center Date: 10/15/09

## F. Reviews

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

### Finance

Reviewed by: Daniel Driggers

Date: 10/20/09

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation

### Legal

Reviewed by: Larry Smith

Date: 10/20/09

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Council discretion; no recommendation

### Administration

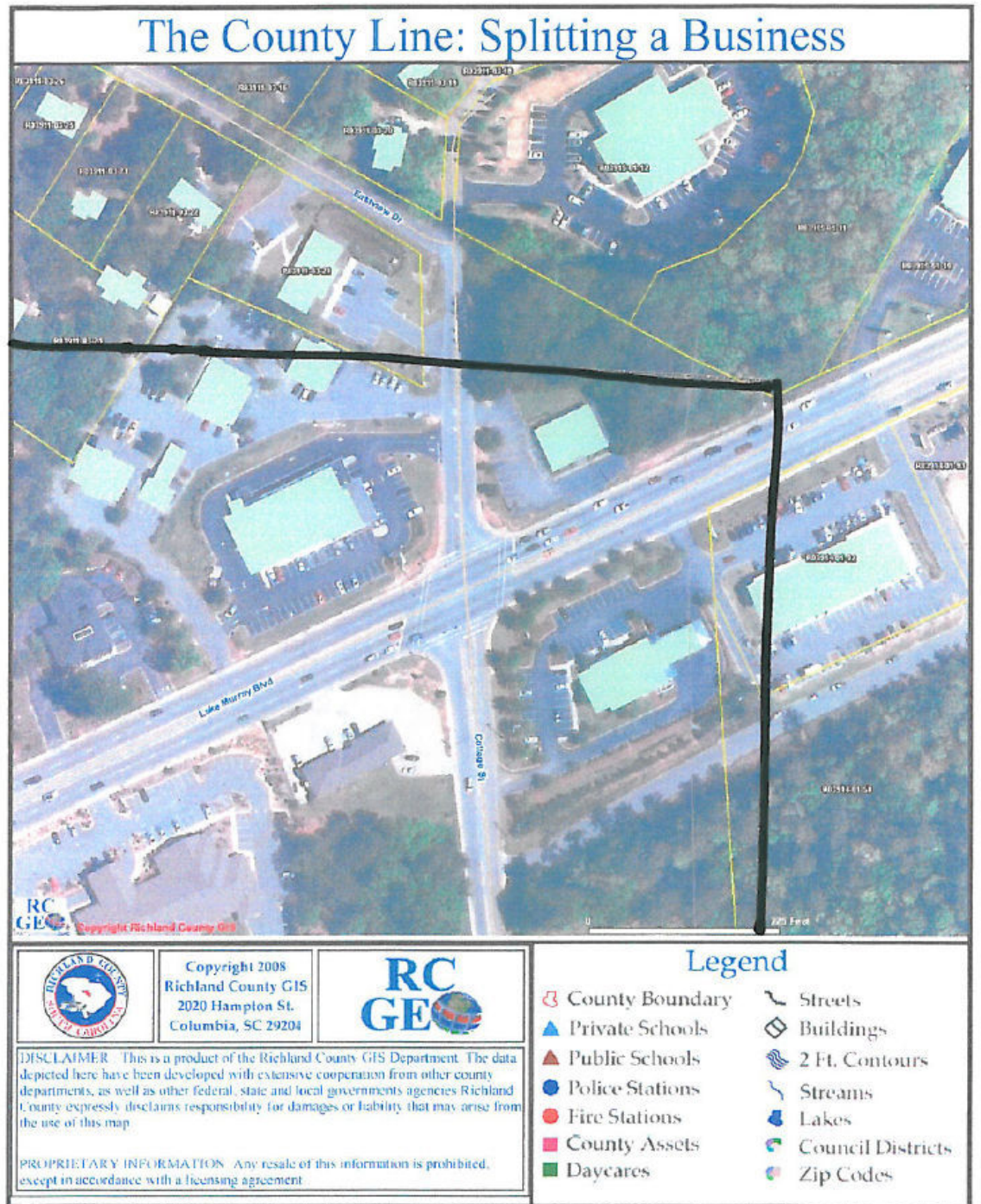
Reviewed by: Roxanne Ancheta

Date: 10-20-09

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation: This item is at Council's discretion. However, if Council chooses to hold a business straddling jurisdictional lines responsible for all applicable fees and taxes, it is recommended that Council approve a policy such that, any time a business is physically located within Richland County and some other jurisdiction, and more than 50.000% of the business' physical structure is located within the Richland County jurisdiction, the business will be treated as if the entire business is physically located within the Richland County jurisdiction, for fees and taxes purposes, excluding real estate property taxes. Conversely, if less than 50.000% of the business' physical structure is located within the Richland County jurisdiction, the business will be treated as if no part of the business is physically located within Richland County. This option is beneficial for its simplicity and is easily understood by the businesses and governments involved.







# Richland County Council Request of Action

**Subject**

School District Tax Info/Carry Over Funds [PAGES 214-216]

**Notes**

10/27/09 - The Committee recommended that Council have staff develop proposals for Council's consideration. The vote in favor was unanimous.

## Richland County Council Request of Action

**Subject:** Policy to Address the Handling of Carryover Funds

### **A. Purpose**

The purpose of this report is to request the County Council's consideration of a policy revision for the handling of carryover funds from one fiscal year to the next.

### **B. Background / Discussion**

In June of this year, during the adoption of the FY 2010 budget, Council Member Jim Manning made the following motion relating to the budgets of School Districts One and Two:

I move to amend the budget allocation for Richland School District Two to the sum of \$115,741,891, and for Richland School District One to the sum of \$179,424,022, which is the amount the County Auditor has represented as the amount equal to the millage cap for the upcoming year. This motion is made with the following provisos:

1. That council will amend the budget for Richland 1 and Richland 2 to reflect its stated policy of providing each of these school districts with the maximum funding provided by Act 388. This has been the policy intent of the Council throughout the budget process this year and this motion reaffirms our intent.
2. That the council requests that the Richland County Auditor, Treasurer, and other elected or appointed officials provide the Administrator with the following information and that the Administrator cause his staff to review this information to confirm that the calculations and estimates are appropriate to Council's lawful authority. The Council further instructs the Administrator to confirm that this information has been delivered to him before July 1, 2009. The information is as follows:
  - a. The re-assessment values for the coming tax year; and
  - b. The millage calculations for 2007, 2008 and 2009, including the worksheets utilized to derive those millage numbers.
  - c. The past 4 years of assessment values.

This information to be broken out by year in the following manner:

    - i. Vehicles
    - ii. Business Personal Property
    - iii. Manufacturing (please note if there are any special levies)
    - iv. Joint Industrial Park (please note if there are any special levies)
    - v. Transport Equipment
    - vi. Utilities
    - vii. Water craft
    - viii. Aircraft
    - ix. Real Property – Owner Occupied 4%
    - x. Other Real Property – Non-owner occupied
  - d. Also list the following by year:

- i. Fee in lieu (list any new fee agreements)
  - ii. Motor Carrier
  - iii. Merchants Inventory
- e. Additionally, the following information (from the Treasurer): the tax collections for tax years 2007, 2008, and 2009 (include estimates to the year end) by property type:
- a. Vehicles
  - b. Business Personal Property
  - c. Manufacturing (please note if there are any special levies)
  - d. Joint Industrial Park (please note if there are any special levies)
  - e. Transport Equipment
  - f. Utilities
  - g. Water craft
  - h. Aircraft
  - i. Real Property – Owner Occupied 4%
  - j. Other Real Property – Non-owner occupied
- f. Also, the data for revenue from the following sources:
- a. Fee in Lieu (list any new fee agreements)
  - b. Motor Carrier
  - c. Merchants Inventory

The total information should be provided Countywide, and separately for Richland School District 1 and for Richland School District 2. Council authorizes the Administrator to take any statutorily available action to ensure that this information is timely obtained.

3. That the amendment of the Budget for the School Districts to these ends be placed on the agenda for our regularly scheduled meeting on September 1, 2009, or at the first regularly scheduled meeting thereafter if the meeting does not take place on that date. The Agenda item will read: **A Budget Amendment to adjust the budgets for Richland County School District 1 and Richland County School District 2 to the amount which will be yielded by an assessment of the millage cap pursuant to Act 388.** This item may be taken up by title only if information necessary to complete the amendment to a precise number is unavailable.
4. That the Council also refer a policy adjustment on the handling of carry over funds to the Administration and Finance Committee for study and authorize the staff to consult with or engage experts (including the Department of Revenue) to assist in developing a proposal to modify the budget process so that Council can better manage millage agencies and the school districts as they are affected by Act 388.

Items 1 through 3 were addressed when the millage was set by the Council on October 6. Item 4, however, which calls for the establishment of a policy on how the carryover funds are to be handled in the future, still needs consideration by the Council.



# Richland County Council Request of Action

**Subject**

Waste Tire Grant [PAGES 218-219]

**Notes**

10/27/09 - The Committee recommended that Council accept the DHEC grant and allow the County Administrator to sign the grant agreement. The vote in favor was unanimous.

# Richland County Council Request of Action

**Subject:** DHEC Solid Waste tire grant

**A. Purpose**

*County Council is requested to approve acceptance of the 2009-2010 DHEC \$1,000 tire grant and authorize the County administrator to sign the grant agreement*

**B. Background / Discussion**

- This is the yearly grant that DHEC makes available to assist municipalities with recycling of tires and can be used to assist with public education or professional development.
- Grant applications are made available yearly by DHEC and must be submitted in March. All applications undergo a evaluation process an are award to numerous municipalities statewide
- Council as accepted and approved these grants over the past years.
- DHEC makes grant funds available to all municipalities and governmental agencies in SC for these purposes as well as other types of environmental projects.

**C. Financial Impact**

*There is no financial impact to the budget associated with this request.*

**D. Alternatives**

1. Approve request
2. Do not approve ..... do not accept funds

**E. Recommendation**

*It is recommended that Council approve the request to accept the DHEC grant and allow the County Administrator to sign the grant agreement.*

Recommended by: Paul Alcantar Department: Solid Waste Department Date: 10/14/09

**F. Reviews**

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

**Finance**

Reviewed by (Finance Director): Daniel Driggers Date: 10/15/09  
✓ Recommend Council approval  Recommend Council denial  
Comments regarding recommendation:



**Procurement**

Reviewed by: (Procurement Director) Rodolfo Callwood Date: 10/15/09

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

**Grants**

Reviewed by:

Date: 10/15/09

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

**Legal**

Reviewed by:

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

**Administration**

Reviewed by: Tony McDonald

Date: 10/16/09

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

# Richland County Council Request of Action

**Subject**

Hospitality Tax Round Two Funding Recommendations [**PAGES 221-224**]

**Notes**

10/27/09 - The Committee recommended that Council approve the funding recommendations as submitted by the Hospitality Tax Advisory Committee, leaving \$0 unallocated. The vote in favor was unanimous.

## Richland County Council Request of Action

**Subject:** Hospitality Tax - Round Two Funding Recommendations

### A. Purpose

County Council is requested to review the attached funding recommendations by the Hospitality Tax Advisory Committee for organizations eligible to receive funding in the Round Two promotions funding process for FY10.

### B. Background / Discussion

During FY08, County Council voted to split the funding round for the Hospitality Tax promotions grants into two cycles each fiscal year and made this effective for the FY09 budget year onward.

Round One Hospitality Tax Advisory Committee recommendations were evaluated and approved by Council during the FY10 budget process. Council approved \$73,203 of promotions funding be appropriated and available for Round Two. Available funding for projects located within unincorporated Richland County and Regional marketing is **\$54,902**. Available Funding for projects located within City limits is **\$18,301**. Round Two applications were due to the County in August 2009. Thirteen applications were submitted and eligible; committee members reviewed, scored, and prepared recommendations during September and October 2009.

On September 30<sup>th</sup>, three of the five Hospitality Tax Advisory Committee members met to finalize recommendations for Round Two. On Monday, October 5<sup>th</sup>, it was brought to the committee's attention that the Lower Richland Sweet Potato Festival was not eligible for Round Two funding. This event was included in a July 2009 Memorandum of Understanding between the County and South East Rural Community Outreach, which provided for funding for this festival. The Committee met on October 7<sup>th</sup> to adjust their recommendations. As a result, the Hospitality Tax Advisory Committee has submitted the following funding recommendations to county council. (See attachment for a breakdown of projects, scoring, and funding recommendations.)

Benedict College	\$3,660.00
City Center Partnership	\$3,660.00
Columbia Township Auditorium Foundation	\$3,661.00
Greater Columbia Chamber of Commerce	\$3,660.00
Greater Blythewood Chamber of Commerce	\$15,006.00
Riverbanks Zoo and Garden	\$3,660.00
SCALE, Inc.	\$20,498.00
SC Archives and History Foundation	\$19,398.00
<b>Total</b>	<b>\$73,203.00</b>

**C. Financial Impact**

No financial impact. The funding for Round Two was appropriated during the FY10 budget process.

**D. Alternatives**

1. Approve the funding recommendations as submitted by the Hospitality Tax Advisory Committee, leaving \$0 unallocated.
2. Do not approve the Committee recommendations and recommend an alternative funding plan.

**E. Recommendation**

It is recommended that County Council approve alternative (1).

**Recommended by:** Hospitality Tax Advisory Committee      **Date:** October 7, 2009

**F. Reviews**

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

**Grants Manager**

Reviewed by: <u>Sara Salley</u>	Date: <u>10.14.09</u>
✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

**Finance**

Reviewed by: <u>Daniel Driggers</u>	Date: <u>10/14/09</u>
✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

**Legal**

Reviewed by: <u>Larry Smith</u>	Date: <u>10-14-09</u>
<input type="checkbox"/> Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation: <u>Council discretion</u>	

**Administration**

Reviewed by: <u>Roxanne Ancheta</u>	Date: <u>October 15, 2009</u>
✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation: <u>Recommend approving the funding recommendations as submitted by the Hospitality Tax Advisory Committee, leaving \$0 unallocated.</u>	

FY10 Hospitality Tax Fund  
Committee Recommendations Round Two - REVISED 10.28.09

Applicant Name	Project Name	Held Over From Round 1	Appropriated FY09	Project Cost	Request FY10	Request % of Project Total Cost	Committee Recommendations FY10 RD II	
Auntie Karen Foundation	Legends of...2010	No	5,000	218,243	32,800	15%	\$ -	
Benedict College	Harambee	No	0	80,000	25,000	31%	\$ 3,660.00	
Carolina Scholarships Inc.	"Apollo Night" at the Township	Yes	5,000	11,498	8,000	70%	\$ -	
City Center Partnership	City Center Special Events	No	5,000	185,000	90,000	49%	\$ 3,660.00	
Columbia Film Society/Nickelodeon Theatre	SC Center for Film and Media	No	2,500	3,000,000	50,000	2%	\$ -	
Columbia International Festival	Columbia International Festival	Yes	10,000	162,500	25,000	15%	\$ -	
Columbia Township Auditorium Foundation	Grand Re-Opening Events	Yes	20,000	200,000	100,000	50%	\$ 3,661.00	
Greater Blythewood Chamber of Commerce	2009-10 Community Events & Projects	No	0	165,000	70,000	42%	\$ 15,006.00	
Greater Columbia Chamber of Commerce	Friends of Our Forces/The Welcome Guide	No	0	151,000	35,000	23%	\$ 3,660.00	
Lower Richland Sweet Potato Festival	Lower Richland Sweet Potato Festival	Yes	5,000	50,000	50,000	100%	\$ -	
Riverbanks Zoo and Garden	General Advertising Campaign	No	30,000	300,000	100,000	33%	\$ 3,660.00	
SC Archives and History Foundation	Community Outreach & Education Programming	No	0	162,900	79,000	48%	\$ 19,398.00	
SCALE, INC.	Siloam School and Horrell Hill Community Activity Day	No	0	100,000	80,000	80%	\$ 20,498.00	
			82,500	4,786,141	744,800		\$ 73,203.00	
			Total recommended dollars to appropriate:					\$ 73,203.00
			Total funds available to appropriate:					\$ 73,203.00
			Remaining balance of funds unappropriated:					\$ -

Applicant Name	Project Name	Committee Member Scores			Average	Clarification
		Green	McCarthy	Sims		
Auntie Karen Foundation	Legends of...2010	93	48	95	65	75.25 incorporated
Benedict College	Harambee	92	53	100	85	82.5 incorporated
Carolina Scholarships Inc.	"Apollo Night" at the Township	62	22	85	100	67.25 unincorporated
City Center Partnership	City Center Special Events	96	57	85	85	80.75 incorporated
Columbia Film Society/Nickelodeon Theatre	SC Center for Film and Media	88	60	80	85	78.25 incorporated
Columbia International Festival	Columbia International Festival	85	49	95	90	79.75 incorporated
Columbia Township Auditorium Foundation	Grand Re-Opening Events	95	51	100	100	86.5 incorporated
Greater Blythewood Chamber of Commerce	2009-10 Community Events & Projects	81	48	70	52	62.75 incorporated
Greater Columbia Chamber of Commerce	Friends of Our Forces/The Welcome Guide	95	55	80	100	82.5 incorporated
Lower Richland Sweet Potato Festival	Lower Richland Sweet Potato Festival	85	56	400	98	84.75 unincorporated
Riverbanks Zoo and Garden	General Advertising Campaign	99	62	100	100	90.25 incorporated
SC Archives and History Foundation	Community Outreach & Education Programming	93	53	80	85	77.75 incorporated
SCALE, INC.	Siloam School and Horrell Hill Community Activity Day	82	53	100	85	80 unincorporated
		Threshold Average			79.1	

FY10 Hospitality Tax Fund  
 Committee Recommendations Round Two - REVISED 10.28.09

1 (10.28.09)
Program Location
incorporated
incorporated
incorporated
incorporated
incorporated
incorporated
incorporated
unincorporated
incorporated
incorporated
unincorporated

Item# 36

# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Fiscal Year 2009-2010 Road Maintenance Fund Annual Budget to appropriate \$40,000 of Undesignated Fund Balance for the revised transportation study [**SECOND READING**] [**PAGES 226-228**]

## **Notes**

First Reading: October 6, 2009

Second Reading:

Third Reading:

Public Hearing:



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**Scope of Services  
Revised Project Cost and Revenue Forecast for  
Richland County Transportation Study**

In October 2006, the Richland County Council established by ordinance the Richland County Transportation Study Commission. By ordinance, the Commission's mission was to study the long range multimodal transportation needs of Richland County through the development of a Long Range Transportation Plan (LRTP). As part of this process, "Richland County Transportation Study" began in March, 2007 and was completed in May, 2008.

In October 2009, the Central Midlands Regional Transit Authority (CMRTA) began a Three Part Analysis and Planning Effort. This Comprehensive Study, scheduled for completion by February 2010, will result in a detailed analysis of the existing CMRTA system and a full complement of recommended improvements to improve efficiency, modernize the bus route network and identify the need for additional financial resources.

This Scope of Services (SOS) is to update project cost and revenue forecast information presented in the Richland County Transportation Study in light of current economic conditions. PB proposes the following steps in order to update the information provided in the 2007-2008 report:

- PB will review the original project cost and revenue forecasts as presented in the Richland County Transportation Study. This will include review of existing funding sources and also the study-recommended "local options transportation sales tax".
- PB will work with Richland County and SCDOT to obtain latest sales tax information and local construction cost information to update the cost and revenue estimates.
- PB will estimate revenue stream over a twenty-five (25) year period (2010 – 2035). PB will work with Richland County to develop a reasonable revenue forecast by developing a range of low-medium-high forecasts through sensitivity analysis of tax rates.
- PB will update and provide project cost information in 2009 Dollars. Project estimates will be developed for individual funding categories including roadway, transit, and greenways/ bike.
- PB will assist Richland County to develop project timelines to match revenue forecasts over the 25-year period.

**Work Schedule:**

Work will be completed within 60 work-days of receiving Notice to Proceed or by no later than February 2010 to coincide with completion of the CMRTA study.

**Budget:**

Lump sum cost to complete this SOS will not exceed forty thousand dollars (\$40,000.00). Any additional or out-of-scope work will require written authorization from Richland County. This includes a maximum of four meetings with Richland County but does not include any public meetings/ presentations.

**Work Deliverable:**

Technical Memorandum will document Revised Project Cost and Revenue Forecast for Richland County Transportation study.

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_-10HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2009-2010 ROAD MAINTENANCE FUND ANNUAL BUDGET TO APPROPRIATE \$40,000 OF UNDESIGNATED FUND BALANCE FOR THE REVISED TRANSPORTATION STUDY.

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

SECTION I. That the amount of forty thousand (\$40,000) be appropriated to the Fiscal Year 2009-2010 Road Maintenance Fund for the revised transportation study. Therefore, the Fiscal Year 2009-2010 Road Maintenance Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2009 as amended:	\$ 10,558,319
Appropriation of Road Maintenance undesignated fund balance:	<u>40,000</u>
Total Road Maintenance Fund Revenue as Amended:	\$ 10,598,319

EXPENDITURES

Expenditures appropriated July 1, 2009 as amended:	\$ 10,558,319
Increase to Road Maintenance Fund budget:	<u>40,000</u>
Total Road Maintenance Fund Expenditures as Amended:	\$ 10,598,319

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_\_ DAY

OF \_\_\_\_\_, 2009

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Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

# Richland County Council Request of Action

**Subject**

Negotiate Purchase of 1400 Atlas Road for Farmers Market [**PAGES 230-261**]

## Richland County Council Request of Action

**Subject:** Purchase of 1400 Atlas Road for the Purpose of Maintaining a Local Farmers' Market

### A. Purpose:

Council is requested to provide clarification and direction to staff with regards to the purchase of 1400 Atlas Road for the purpose of maintaining a local Farmers' Market.

### B. Background/Discussion:

The following action was taken at the September 22, 2009 A&F Committee:

To negotiate the purchase of the 1400 Atlas (Boozer Lumber site) property for the purpose of maintaining a local Farmer's market – This item was forwarded to the October 6, 2009 Council meeting without a recommendation.

The following action was taken at the October 6, 2009 Council Meeting:

To Negotiate the purchase of 1400 Atlas (Boozer Lumber Site) property for the purpose of maintaining a local Farmers' Market: This item was deferred to the A&F Committee. The Administrator stated that another proposal had been received. This proposal was forwarded to the D&S Committee.

Therefore, this item is before the A&F Committee, pursuant to the action taken by Council at the October 6 Council Meeting.

Backup materials received from Jeremy Wilson and George McCutchen with regards to this item are attached. (This information was previously emailed to Council from the Administrator on September 2, 2009.)

There are currently three farmers' market related items in the D&S and A&F Committees this month. They are as follows:

1. This item.
2. Councilman Malinowski's motion from the September 15, 2009 Council Meeting: **Since Richland County already has several acres of land at the site where a farmers market was to be built in conjunction with the state, I would like staff to look into the feasibility of Richland County utilizing this land for the same purpose in the future. This will be a tremendous cost savings in the event Richland County describes to build such a market:** Referred to the October D&S Committee.
3. The alternate proposal received by the Administrator, which was forwarded to the D&S Committee.

It appears as though there are different actions being requested for the same, or similar, project: that of a Richland County Farmers' Market.

It is at this time that staff is requesting clarification and direction regarding the purchase of 1400 Atlas Road.

**C. Financial Impact:**

Not known at this time, as clarification and direction are requested.

**D. Alternatives:**

1. Provide clarification and direction on the motion by Councilman Washington.
2. Do not provide clarification or direction on this item.

**E. Reviews**

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

**Finance**

Reviewed by: Daniel Driggers

Date: 10/12/09

Recommend Approval

Recommend Denial

No Recommendation

Comments:

**Legal**

Reviewed by: Larry Smith

Date: 10/12/09

Recommend Approval

Recommend Denial

No Recommendation

Comments:

**Administration**

Reviewed by: J. Milton Pope

Date: 10/12/09

Recommend Approval

Recommend Denial

No Recommendation

Comments: Staff seeks Committee/Council direction on the motions regarding a Richland County Farmers Market.



**POTENTIAL DEAL STRUCTURES**  
**RE: 1400 ATLAS PROPERTIES, LLC**  
**AND RICHLAND COUNTY**

1. Sale of property from 1400 Atlas Properties, LLC to Richland County:
  - a. Sales price - \$6,995,000.
  - b. Closing date – On or before October 31, 2009.

OR

2. "Joint Venture" between 1400 Atlas Properties, LLC and Richland County:
  - a. Richland County (through its development corporation) would contribute \$4,000,000 cash in exchange for a 49% interest in the property.
  - b. Joint Venture entity would then enter into multiple leases with Farmers Market tenants or a master lease with a single Farmers Market tenant who then subleases to end users.
  - c. Estimated annual gross rental income to new entity - \$687,000.
  - d. 1400 Atlas Properties, LLC would be guaranteed annual rental income of at least \$320,000 on a triple net basis in year one, with annual CPI increases.
  - e. Taxes would be abated in order to keep rents low (not passed on to tenants).
  - f. At the end of lease term (presumably 20 years), Richland County would have the right to acquire the property or the interest of 1400 Atlas Properties, LLC in the entity based on a fair market value at that time.
  - g. If Richland County fails to exercise such option, 1400 Atlas Properties would have a reciprocal option.

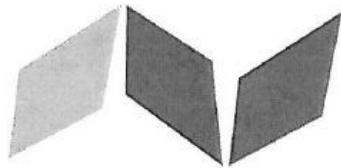
OR

3. Landlord/Tenant arrangement between 1400 Atlas Properties, LLC and Richland County:
  - a. Lease would be triple net from 1400 Atlas Properties, LLC as landlord for a 20 year term for \$650,000 with CPI increases (basically passed through from rents).
  - b. Lease would provide that 24% ownership would be given to the County and another 25% be purchased at the end of the 7<sup>th</sup> year for \$4,500,000 provided that the New Markets Tax Credit Loan is approved & put in place.
  - c. Taxes would be abated in order to keep rents low (not passed on to tenants).

Thank you for your interest and we look forward to working with you on this great project.

Respectfully,  
Jeremy Wilson &  
George McCutchen  
1400 Atlas Properties, LLC  
803-779-8600





**GRANT  
BUSINESS  
STRATEGIES**

Grant Business Strategies, Inc  
BB&T Bank Building  
8910 Two Notch Road  
Suite 201  
Columbia, South Carolina 29223

803-419-8500 (Office)  
803-419-3186 (Fax)  
866-886-0251 (Toll Free)  
[www.grantbsi.com](http://www.grantbsi.com)

**New Market Tax Credits**

*Leveraging Capital From Investors to  
Spur Economic Development In Urban  
and Rural Low-Income Communities*

## I. What Is the New Markets Tax Credit Program?

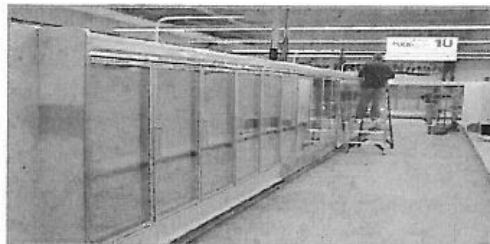
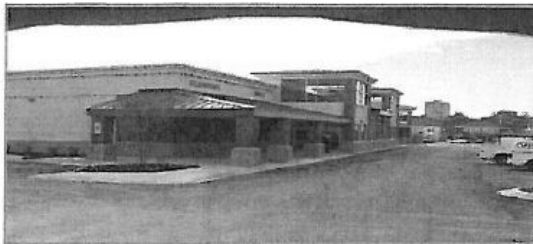
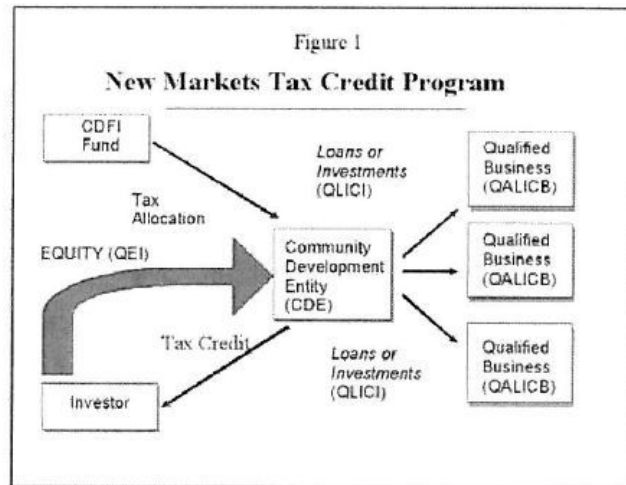
The New Markets Tax Credit (NMTC) Program was created in December 2000 by the Community Renewal Tax Relief Act of 2000.<sup>1</sup> The program seeks to leverage capital from investors to spur economic development in urban and rural low-income communities.

Within the Treasury Department, the Community Development Financial Institutions Fund (CDFI Fund) and the Internal Revenue Service (through Section 45D of the Internal Revenue Code)<sup>2</sup> jointly administer the program. A prospective recipient of new markets tax credits must be certified

by the CDFI Fund as a qualified community development entity (CDE) before submitting an application for a tax credit allocation. An NMTC application is evaluated by the CDFI Fund on the basis of the CDE's business strategy, capitalization strategy, management capacity, and projected community impacts.

The NMTC process works as follows: The CDFI Fund allocates NMTCs to CDEs, which, in turn, offer them to investors in return for equity capital. The proceeds from investors are referred to as Qualified Equity Investments (QEIs). CDE allocatees and other parties, such as equity fund managers, market the availability of NMTCs to prospective investors at the institutional and individual level.

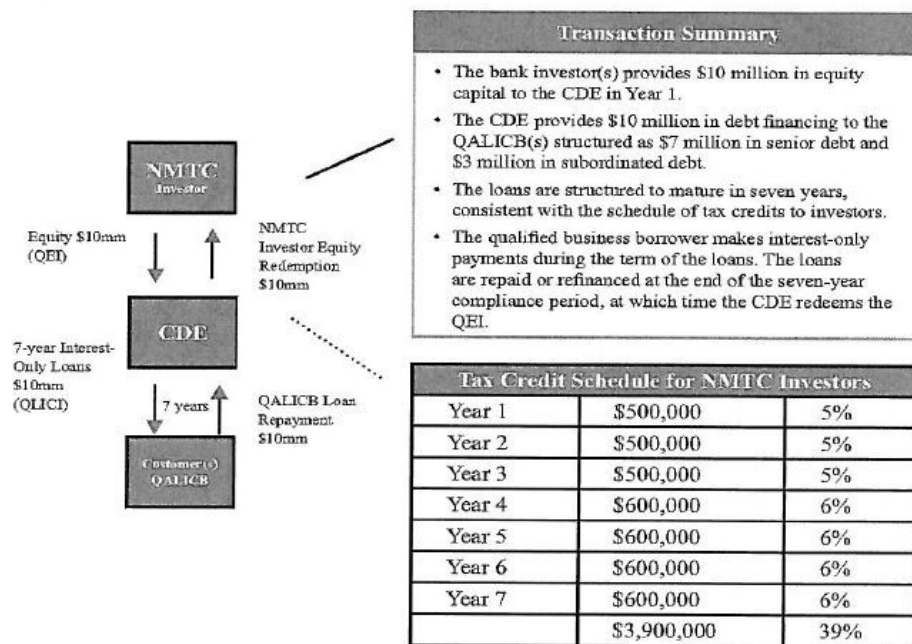
A CDE must place the credits with investors within five years of receiving the allocation.<sup>3</sup> The term of the credit is seven years. Investors claim a tax credit of 5 percent of the amount of the QEI for each of the first three years, and a credit of 6 percent for each of the last four years, amounting to a 39 percent credit over the term of the QEI (see Figure 1).<sup>4</sup>



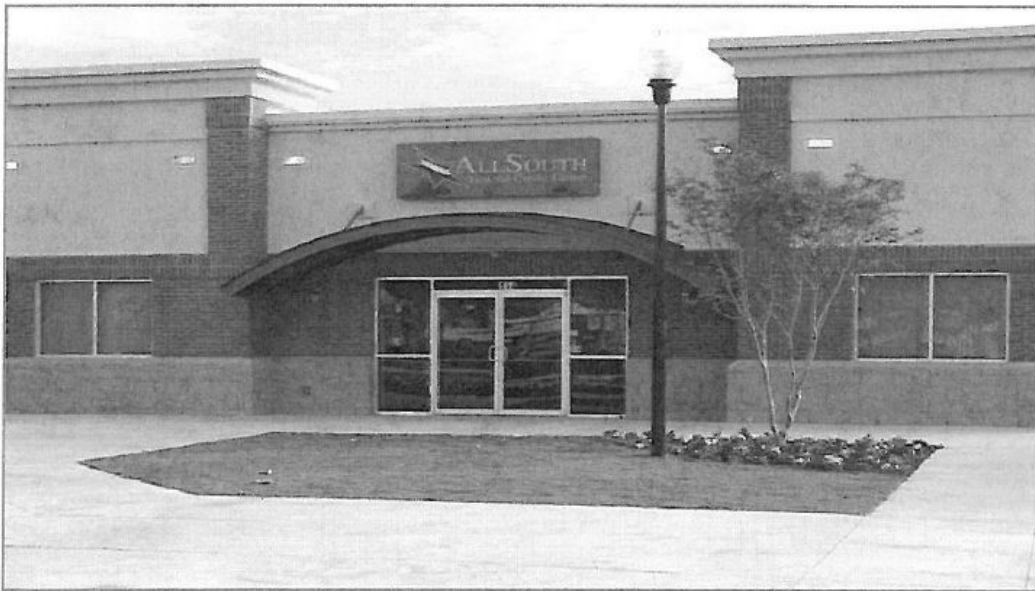
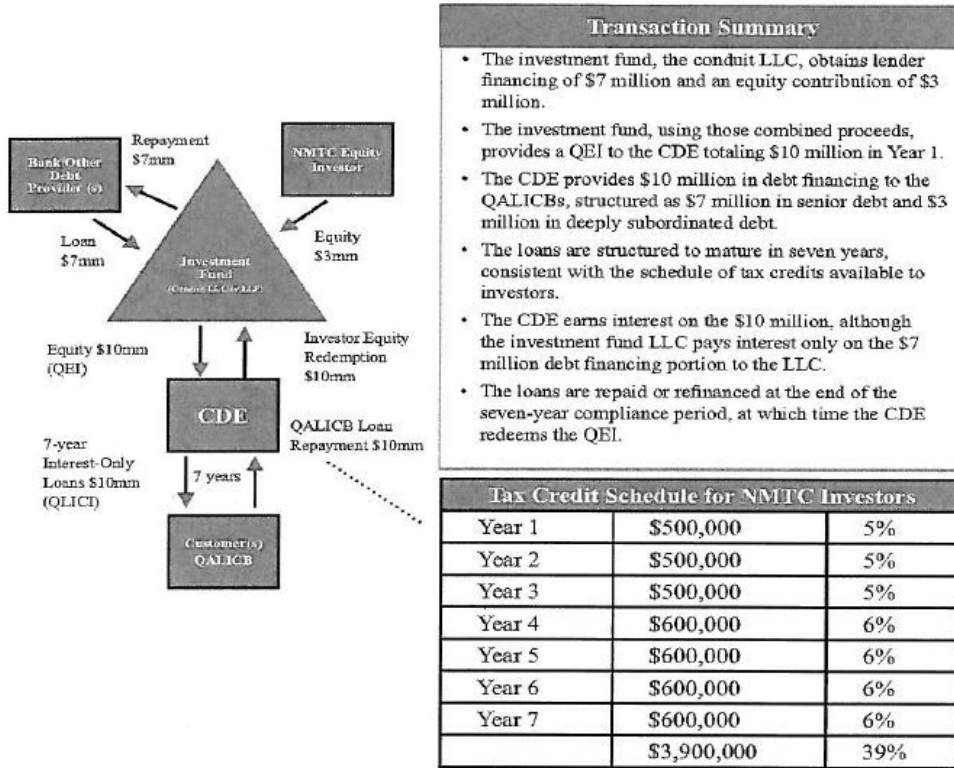
**Leveraged structure**

An alternative NMTC financing structure, known as the leveraged structure, can accommodate bank investors who are comfortable using debt as an additional source of financing. In the leveraged structure (see Figure 3), the funding provided to the CDE is split between both debt and equity sources. Both the equity and debt capital provided are treated as an equity investment in the CDE, as a result of an Internal Revenue Service (IRS) Ruling issued in December 2003.<sup>17</sup> The use of debt financing does not interfere with the equity investor(s) receiving the full stream of tax credit benefits.

**Figure 2**  
**Example of NMTC Non-Leveraged Transaction**



**Figure 3**  
**Example of NMTC Leveraged Transaction**



**Figure 4**  
**Example of NMTC Return on Equity Calculation**

\$10,000,000	Assumes all capital invested at closing
\$7,000,000	Interest-only @ (monthly) Libor + 300 bps senior loan. 7-year maturity/25-year amortization
\$3,000,000	Subordinated loan for 40 years (principal & accrued interest due at maturity) at 0.5% annual simple interest
39.0%	Gross NMTC credits over 7 years
\$7,000,000	Senior loan principal redemption
\$4,081,700	Interest-only payments on senior loan (7,000,000 x .08330 x 7 yrs) Interest rate of (monthly) Libor = 5.83% + 300 bps = 8.330%
\$3,900,000	Gross NMTC credits over 7 years
\$14,981,700	Gross proceeds at redemption
-\$10,000,000	Less original investment amount
\$ 4,981,700	Net proceeds at redemption
+ 7 years	Investment term
\$711,671	Average annual net proceeds
÷\$10,000,000	Original investment amount
7.12%	Estimated average annual ROE

Year	Amount	Rate
Year 1	\$500,000	5%
Year 2	\$500,000	5%
Year 3	\$500,000	5%
Year 4	\$600,000	6%
Year 5	\$600,000	6%
Year 6	\$600,000	6%
Year 7	\$600,000	6%
	<b>\$3,900,000</b>	<b>39%</b>

Figure 4 uses the same equity amount, \$10 million, illustrated in Figure 2. The \$10 million of equity passing through the CDE to the QALICB(s) is split into a senior loan of \$7 million and a subordinated loan of \$3 million. The interest rate on the senior loan is fixed at a rate of (monthly) Libor plus 300 basis points (bps). The subordinated loan is structured with minimal interest: one-half of one percent annual simple interest, deferred and accrued over a 40-year amortization period. In this example, the estimated average annual ROE is 7.12 percent.



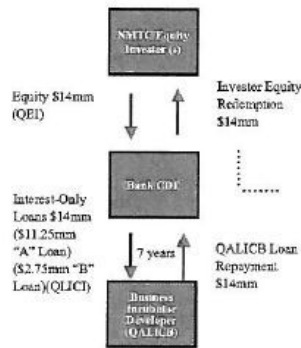
## Appendix A

### Case Study One: Non-leveraged Structure

**Project size:** Total project development cost of \$17,000,000.

**Tax credit project financing:** A national bank-owned CDE used its NMTC allocation to provide \$14,000,000 in financing to the QALICB, a nonprofit developer. The financing consists of an \$11,250,000 senior loan (A) and a subordinated loan of \$2,750,000 (B). There is developer cash equity of \$1,500,000 plus a municipal grant of \$1,500,000 to purchase the existing building. The CDE, using the NMTC-enhanced non-leveraged financing structure, was the only private lender involved.

**Project overview:** The project consists of the renovation of a former department store, vacant for more than 20 years, which is located in a downtown commercial district. The approximately 140,000 sq. ft. building will be renovated as a business incubator that will include space for a biotechnology/life sciences incubator. This project will add laboratory and custom-designed space to accommodate high-tech, biotechnology, and biomedical business start-ups and ultimately house as many as 65 start-up companies at one time. The tenants and incubator "graduates" have combined annual sales of \$127,000,000 as of 2004 (the most recent year for which data are available). The businesses are projected to create direct employment opportunities for 775 persons by 2007.



Sources of Funds:	
Equity/Senior (A)	\$11,250,000
Equity/Sub (B)	\$2,750,000
Developer Equity	\$1,500,000
City Grant	\$1,500,000
<b>Total Sources</b>	<b>\$17,000,000</b>
Uses of Funds:	
Construction	\$14,000,000
Soft Costs	\$2,500,000
Transaction Fees	\$500,000
<b>Total Uses</b>	<b>\$17,000,000</b>

Tax Credit Schedule for NMTC Investors		
Year 1	\$700,000	5%
Year 2	\$700,000	5%
Year 3	\$700,000	5%
Year 4	\$840,000	6%
Year 5	\$840,000	6%
Year 6	\$840,000	6%
Year 7	\$840,000	6%
	<b>\$5,460,000<sup>1</sup></b>	<b>39%</b>

<sup>1</sup>Tax credits of \$5.46mm (.39x \$14mm)



## Appendix A

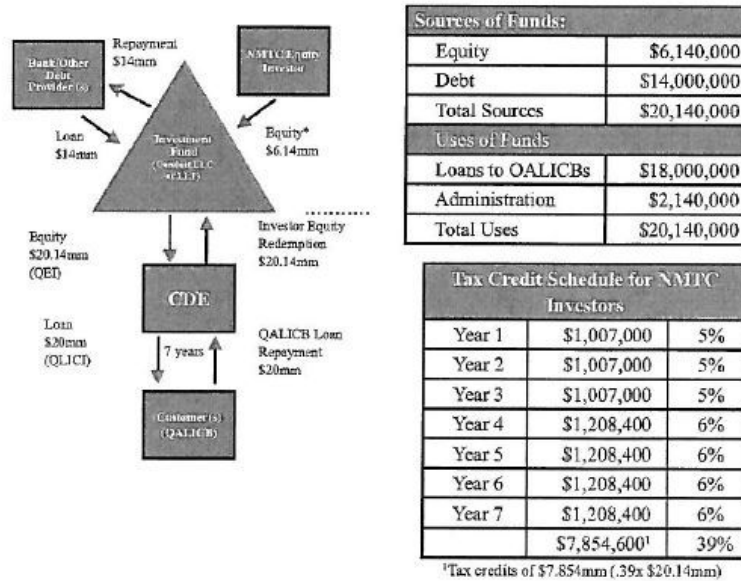
### Case Study Two: Leveraged Structure

**Project overview:** The CDE will use the proceeds of the Fund's capitalization to make senior loans, secured by commercial real estate, to qualifying businesses (QALICBs).

**Tax credit project financing:** A CDE that received an NMTC allocation has obtained financial commitments from several banks and other institutional investors that are providing both equity and debt capital to the investment fund ("Fund"), which is a limited liability corporation. A national bank is serving as the lead bank. The bank has made its NMTC-enhanced equity investment under the Part 24 authority. Equity investments in the Fund will be made by the equity providers on a pro-rata basis as the qualified term loans to businesses are made. Each loan to the Fund made by the debt providers also will be funded on a pro-rata basis as the qualified loans are made. Debt capital to the Fund is structured for seven years, based on a 25-year amortization schedule.

The loans to qualifying businesses also have seven-year terms, with 25-year amortization periods.

#### Project Structure





## Appendix B

### Glossary of Terms

**Allocation Agreement** - Executed by the CDFI Fund and the allocatee, and the subsidiary allocatee, as applicable. The agreement contains terms and conditions governing the uses of the NMTC allocation, including, but not limited to, delineating service area(s) and targeted population(s) that the allocatee will serve and the favorable underwriting terms and conditions that will be used in providing financial assistance. The agreement also specifies events of default and recapture and the remedies available to the CDFI Fund, including reporting to the IRS, which would make the determination as to whether an event of recapture has occurred.

**Community Development Entity (CDE)** - Any domestic corporation or partnership, for federal tax purposes, certified as a CDE by the Community Development Financial Institutions (CDFI) Fund pursuant to Internal Revenue Code (IRC) § 45D(c).

**Gulf Opportunity (GO) Zone** - That portion of the Hurricane Katrina disaster area determined to warrant assistance from the federal government resulting from Hurricane Katrina. The Hurricane Katrina disaster area is an area that has been declared a major disaster area before September 14, 2005, under section 401 of the Gulf Opportunity Zone Act of 2005 (Public L. 109-135), by reason of Hurricane Katrina.

**NMTC Allocation** - An allocation of tax credit authority pursuant to the NMTC Program. A CDE that receives an NMTC allocation is an allocatee. If applicable, an allocatee may transfer all or part of its NMTC allocation to a subsidiary allocatee(s).

**Qualified Active Low-Income Community Business (QALICB)** - Any corporation (including a nonprofit corporation), partnership, or other business that meets the requirements set forth in IRC § 45D(d)(2) and 26 CFR 1.45D-1(d)(4).

**Qualified Equity Investment (QEI)** - An equity investment in a CDE that meets the requirements of IRC § 45D(b) and 26 CFR 1.45D-1(c).

**Qualified Low-Income Community Investment (QLICI)** - This term has the same meaning as set forth in IRC § 45D(d) and 26 CFR 1.45D-1(d). Generally, QLICIs comprise loans to, or investments in, QALICBs and other CDEs; additionally, they may include loan purchases and the provision of financial counseling and other services.

**Non-leveraged Model** - The basic financing structure, in which the NMTC investor provides a QEI to a CDE which, in turn, makes QLICIs to QALICBs.

**Leveraged Model** - A more complex financing structure - resulting from the Internal Revenue Service (IRS) Revenue Ruling 2003-20 - that permits the QEI from an NMTC partnership entity, or investment fund, to include cash from a nonrecourse loan (debt) in addition to equity capital, thereby "leveraging" the NMTC investment.

**Service Area** - The geographic area that encompasses the low-income communities in which the allocatee is authorized to make QLICIs using the proceeds of QEIs.

**Targeted Population** - As defined in 12 USC 4702(20) and related CDFI Fund and IRS guidance documents. Refers to individuals, or an identifiable group of individuals, including an Indian tribe, who (A) are low-income persons; or (B) otherwise lack adequate access to loans or equity investments.





Comptroller of the Currency  
Administrator of National Banks  
US Department of the Treasury

# Community Developments

February 2007

*Insights*

Community Affairs  
Department

## New Markets Tax Credits: Unlocking Investment Potential

### Abstract:

This edition of Insights describes the New Markets Tax Credit (NMTC) Program and the major considerations that confront bank investors when using the tax credits to develop and support community and economic development activities. The report examines the primary risks associated with use of NMTCs and discusses the methods that bank investors have used to structure and manage these credits effectively.

The information presented in this report was obtained from a variety of sources including national bankers, non-supervised financial intermediaries, investment fund advisers, and other parties who are actively using NMTCs to finance a diverse range of activities. This information represents our understanding of United States federal income tax laws and regulations, but does not constitute tax advice. Institutions should consult their own tax advisers about the tax treatments described in this report and the consequences that may apply to their own transactions.

Project summaries of two NMTC transactions are included in a case study appendix (Appendix A). A glossary of terms (Appendix B) will provide the reader with more details about the various elements of the NMTC program. The Resource Directory (Appendix C) contains sources of additional information on the NMTC program. A listing of bank and bank holding companies that have received NMTC allocations also is provided (Appendix D).

All Information  
provided herein was  
sourced from this  
circular

### I. What Is the New Markets Tax Credit Program?

The New Markets Tax Credit (NMTC) Program was created in December 2000 by the Community Renewal Tax Relief Act of 2000.<sup>1</sup> The program seeks to leverage capital from investors to spur economic development in urban and rural low-income communities.

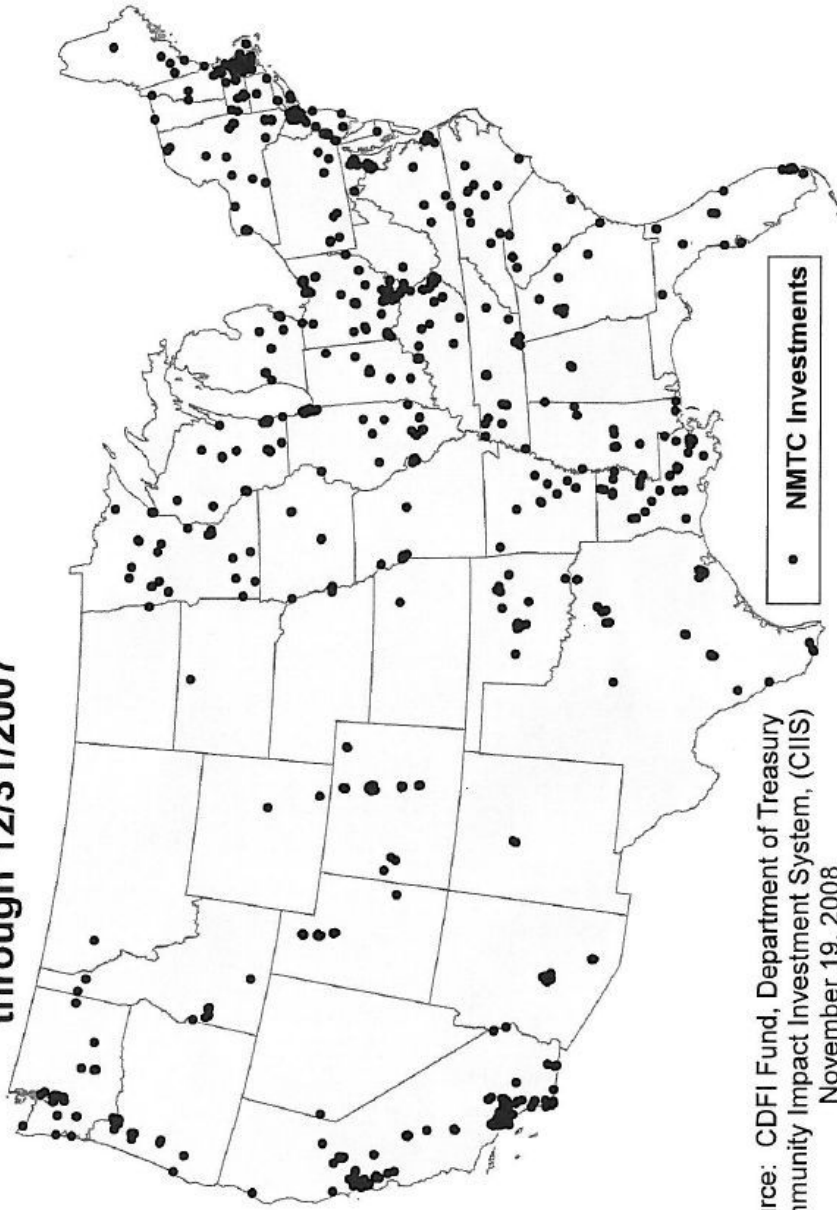
Within the Treasury Department, the Community Development Financial Institutions Fund (CDFI Fund) and the Internal Revenue Service (through Section 45D of the Internal Revenue Code)<sup>2</sup> jointly administer the program. A prospective recipient of new markets tax credits must be certified

<sup>1</sup> Congress authorized \$15 billion in NMTC allocations effective fiscal year 2002 through fiscal year 2007. In December 2005, Congress made a special allocation of an additional \$1 billion in NMTCs under the Gulf Opportunity Zone Act. Allocations for each of the previous four rounds are: Round I, \$2.5 billion, allocated 2003; Round II, \$3.5 billion, allocated 2004; Round III, \$2 billion, allocated 2005; Round IV, \$4.1 billion, allocated 2006; and Round V, \$3.9 billion, to be allocated 2007. The last two rounds include the special allocation of \$1 billion - \$600 million and \$400 million, respectively - earmarked for the Gulf Coast areas affected by Hurricane Katrina. The CDFI Fund announced the Notice of Allocation Availability for the fifth round on December 4, 2006.

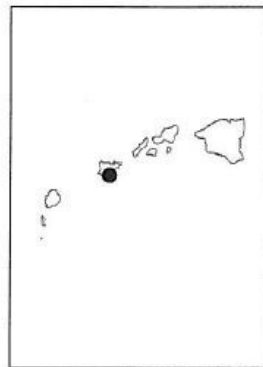
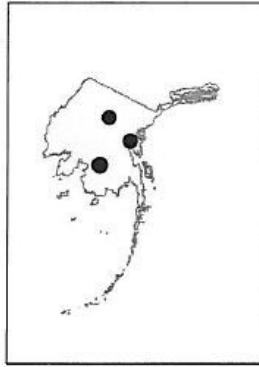
<sup>2</sup> The IRS has published "NMTC Program Income Tax Regulations" at 26 CFR 1.45D-1, and interpretative guidance to assist taxpayers claiming the tax credit(s) under IRC § 45D.



**New Markets Tax Credit Investments:  
Locations of Qualified Active Low Income Community Businesses (QALICBs)  
through 12/31/2007**

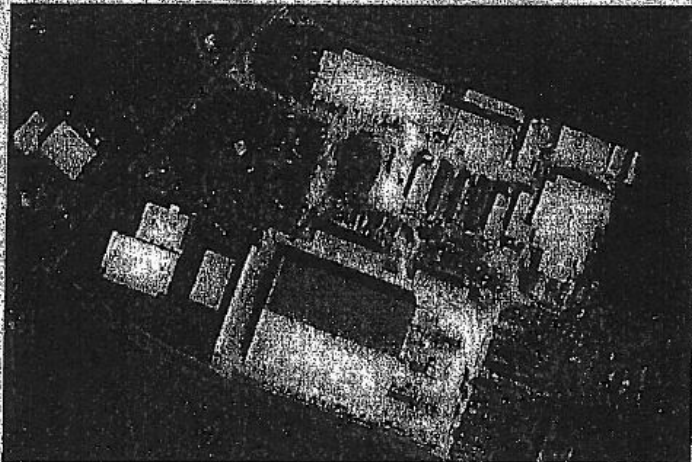


Source: CDFI Fund, Department of Treasury  
Community Impact Investment System, (CIIS)  
November 19, 2008



70100984

APPRAISAL REPORT  
BOOZER LUMBER  
1400 ATLAS ROAD  
COLUMBIA, SOUTH CAROLINA



FOR:  
MR. WILLIAM C. CROSBY  
CAROLINA FIRST BANK

AS OF:  
MAY 21, 2007

BY:  
DEBORAH L. TRIPP, MAI, SRA  
Property Solutions, LLC



# Property Solutions, LLC

- Real Estate Analysis
- Appraising
- Consulting
- Appraisal Review
- Litigation
- Condemnation
- Litigation Support
- Expert Witness Services
- Real Estate Brokerage
- Senior Housing
- Nursing Homes
- Assisted Living Facilities
- Congregate Care Facilities
- Market Studies
- Partial Interests
- Contaminated Properties
- Shopping Centers
- Retail Stores
- Office Buildings
- Apartments
- Industrial Properties
- Restaurants
- Convenience Stores
- Historic Properties
- Highest and Best Use Studies
- Feasibility Studies
- Hotels/Motels
- Rental Studies
- Special Purpose Properties
- Residences
- Stigmatized Properties
- Cinemas
- Due Diligence
- Complex Properties
- Mixed-Use Properties
- Subdivisions
- Acreage & Land
- Quick Lubes
- Car Washes
- Churches
- Warehouses
- Manufacturing Facilities
- Office Parks
- School Buildings
- Truck Terminals
- Vehicle Dealerships
- Health Care Enterprises

5721 BUSH RIVER ROAD  
 COLUMBIA, SC29212-2609  
 Phone 803.407.3000  
 Fax 803.731-5435  
 E-mail: ditripp@bellsouth.net

June 20, 2007

File #07-121

Mr. William C. Crosby  
 Carolina First Bank  
 1501 Main Street  
 Columbia, South Carolina 29201

Re: Your Reference Number 07-SC-0984

Dear Mr. Crosby:

Enclosed please find my report on the appraisal of the Boozer Lumber Facility located at 1400 Atlas Road, within the City of Columbia, S.C., 29209, in Richland County, which you commissioned on May 10, 2007. This appraisal is of the fee simple interest.

This **Summary Appraisal Report**, based upon a **Complete Appraisal Analysis**, has been prepared in strict conformance with the Uniform Standards of Professional Appraisal Practice and the code of Professional Ethics of the Appraisal Institute, as well as SouthTrust's supplemental appraisal guidelines. As such, it presents only summary discussions of the data, reasoning and analysis that were used in the appraisal process to develop the value estimate. Supporting documentation is retained in my file, and the depth of discussion is specific to your needs and for the intended use. I am not responsible for unauthorized use of this report.

The purpose of this appraisal is to provide a supportable estimate of the market value of the fee simple interest of the subject property. The report will be used for rendering a decision relative to a financial transaction.

Please note the following Special Assumptions and Limiting Conditions, which are noted in the body of the attached appraisal report of 63 pages plus Addenda.

- We did not have the benefit of a survey showing the various buildings 'as built'. Our allocation of values is based on the Richland County Tax Assessor's data and other information provided to us.
- Please consult the City of Columbia Planning department for clarification that the existing showroom and office uses of the subject are legally permissible as incidental uses to the subject property. This appraisal is specifically contingent on the assumption that all existing and proposed uses are legally permissible in the M-2 zoning district.


*"Excellence and integrity in real estate analysis, valuation and consulting"*

I hope you are satisfied with the results of my efforts and I appreciate the opportunity to be of service to you. Please contact me if you have any questions or comments regarding this report or wish to retain me for future appraisal assignments.

Once again, thank you for the opportunity. I look forward to working with you in the near future.

Sincerely,

PROPERTY SOLUTIONS, LLC

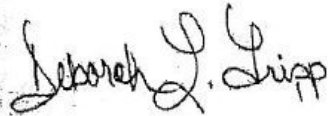


Deborah L. Tripp, MAI, SRA  
SC State Certified General Real Estate Appraiser #CG1132

## CERTIFICATION

I certify that, to the best of my knowledge and belief:

1. The statements of facts contained in the report, upon which the analyses, opinions, and conclusions expressed herein are based, are true and correct, and no pertinent facts affecting marketability have been knowingly withheld.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial and unbiased professional analyses, opinions and conclusions.
3. I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
4. I have no bias with respect to the property that is the subject of this report or to the parties involved with the assignment.
5. My engagement in this assignment was not contingent upon the development or reporting of a pre-determined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
6. My analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation and the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
7. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
8. I have not made a personal inspection of the property that is the subject of this report.
9. Robin Biro provided significant professional assistance to the person signing this report.
10. As of the date of this report, I have completed the requirements of the continuing education program of the Appraisal Institute.
11. This appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.



Deborah L. Tripp, MAI, SRA  
S.C. State Certified General Real Estate Appraiser #CG1132

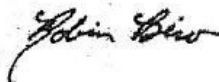
May 21, 2007  
Date



## CERTIFICATION

I certify that, to the best of my knowledge and belief:

1. The statements of facts contained in the report, upon which the analyses, opinions, and conclusions expressed herein are based, are true and correct, and no pertinent facts affecting marketability have been knowingly withheld.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial and unbiased professional analyses, opinions and conclusions.
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7. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
8. I have made a personal inspection of the property that is the subject of this report.
9. Deborah L. Tripp, MAI, SRA provided significant professional assistance to the person signing this report.
10. This appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.



\_\_\_\_\_  
Robin Biro  
SC Licensed Real Estate Appraiser L655

May 21, 2007  
Date

**EXECUTIVE SUMMARY**

Property Name:	Boozer Lumber Company
Carolina First Reference Number:	07-SC-0984
Property Location:	1400 Atlas Road, Columbia, SC 29209
Property Owner:	Boozer Lumber Company and Boozer Lumber, LLC
Date of Report:	June 20, 2007
Effective Date of Appraisal:	'As Is' - May 21, 2007
Purpose of Appraisal:	Provide opinion Market Value "As Is" with allocation of value to ownership entities
Property Rights Appraised:	Fee Simple Estate
Zoning:	M-2, Heavy Industrial
Tax Map Reference:	Map 16305, Block 2, Lots 1, 2, 5, 7, 8, 9 & 10
Land Area:	Improved Land Area: 27,321 Acres Excess Land Area: 10.46 Acres
Improvements:	358,722 Square Feet
Present Use:	Builder's Supply, including showroom, office, truss and wood product manufacturing and lumber sheds.
Highest and Best Use:	As Vacant: Industrial Development As Presently Improved: Present Use
Appraisal Procedures:	Cost Approach Sales Comparison
<b>Value Indications 'As Is'</b>	
Opinion of Value by Cost Approach	\$12,780,000
Opinion of Value by Sales Comparison Approach:	\$13,685,000
<b>FINAL OPINION OF MARKET VALUE 'AS IS' - May 21, 2007</b>	<b>\$13,500,000</b>
<b>ALLOCATION OF VALUES</b>	
Boozer Lumber Company	\$6,830,000
Boozer Lumber, LLC	\$6,670,000



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**ADDENDA**

STATE MAP

CITY MAP

NEIGHBORHOOD MAP

SUBJECT DEED

SURVEYS

FLOOD MAP

PHOTOGRAPHS OF THE SUBJECT PROPERTY

COMPARABLE SALES PHOTOGRAPHS

DHEC LETTER REGARDING UNDERGROUND STORAGE TANKS

TAX MAP

ENGAGEMENT LETTER

QUALIFICATIONS OF THE APPRAISERS

## Farmer's Market Cash Flows

### 1. Purchase

	<u>\$ Amount</u>
Annual Rental Income	929,000
Expenses	
Vacancy (10%)	92,900
Insurance	62,000
Maintenance	30,000
Lease fees	46,450
Administrator	52,000
Misc.	20,000
Principal & Interest of bond	<u>532,414</u>
(\$7MM+\$1MM improvements @ 3% for 20 years)	835,764
<b>NET INCOME</b>	<b>93,236</b>

### 2. NNN Lease

	<u>\$ Amount</u>
Annual Rental Income	929,000
Expenses	
Vacancy (10%)	92,900
Administrator	52,000
Misc.	20,000
Lease Payment	<u>650,000</u>
	814,900
<b>NET INCOME</b>	<b>114,100</b>

Note - the rental income of \$929,000 is the 2008 rent from the Bluff Road site less the revenues from football and the few vendors going to the Lexington site

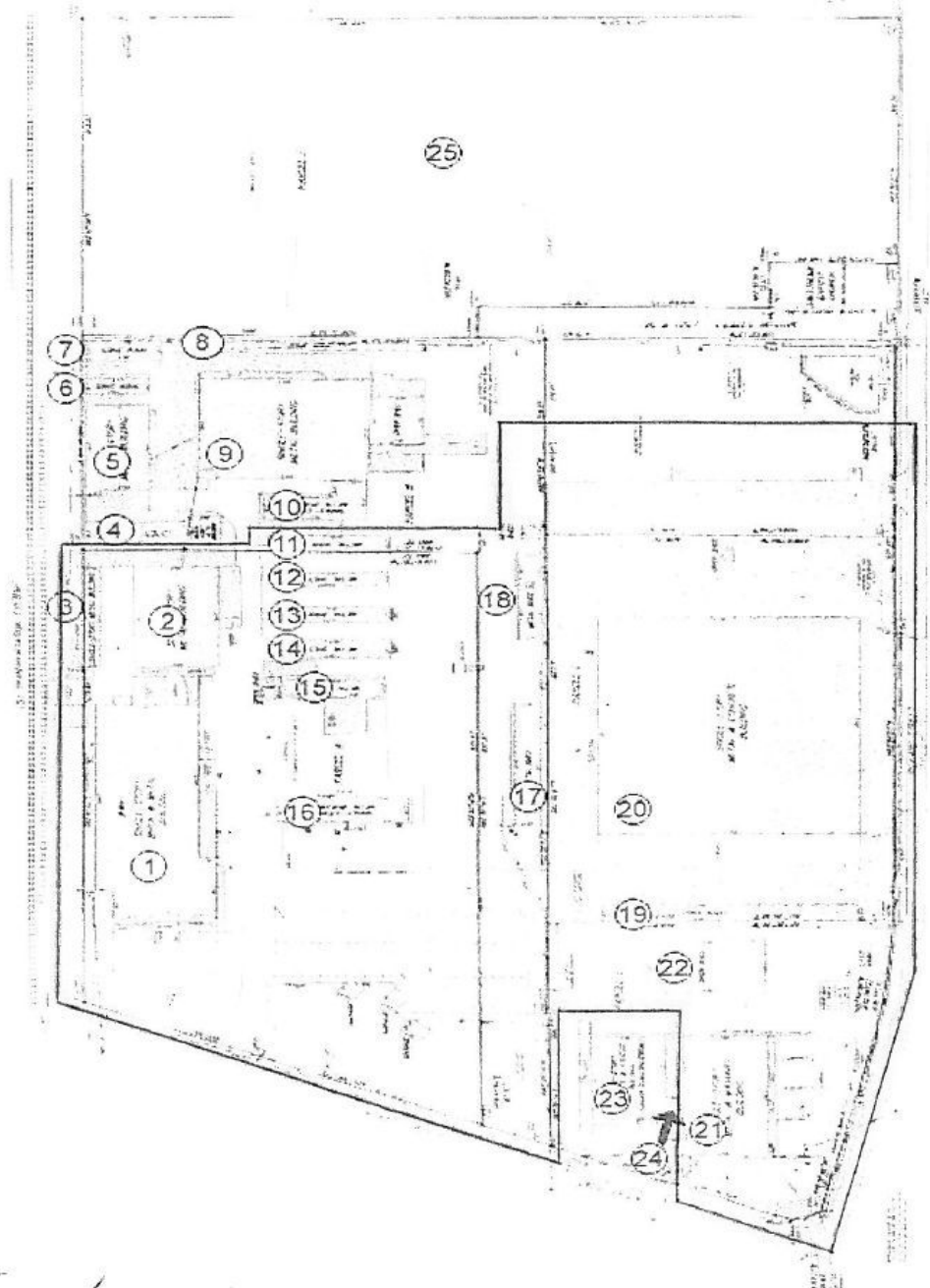
These figures are estimates. All information furnished with respect to the subject matter has been obtained from sources deemed reliable. No representation or warranty as to accuracy thereof is made and all information submitted is subject to change in price, omissions, errors, prior sale, or withdrawal without notice.

**COLUMBIA FARMERS MARKET  
REVENUE HISTORY  
1998-2008**

1998	\$1,018,018	
1999	\$992,733	
2000	\$1,084,850	
2001	\$981,945	NEW DIRECTOR
2002	\$1,261,762	
2003	\$1,278,688	
2004	\$1,198,781	
2005	\$1,282,107	
2006	\$1,277,127	
2007	\$1,293,729	
2008	\$1,289,037	

200,000 to 210,000  
a year  
Football rev

Seventy Hook, Lewis      \$150,000  
-----  
\$929K



25 parts





**1400 Atlas Values in 7 Years at 3%**

<u>Year</u>	<u>\$10,000,000</u>	<u>\$13,500,000</u>
1	\$10,300,000	\$13,905,000
2	\$10,609,000	\$14,322,150
3	\$10,927,270	\$14,751,815
4	\$11,255,088	\$15,194,369
5	\$11,592,741	\$15,650,200
6	\$11,940,523	\$16,119,706
7	\$12,298,739	\$16,603,297

All information furnished with respect to the subject matter has been obtained from sources deemed reliable. No representation or warranty as to accuracy thereof is made and all information submitted is subject to change in price, omissions, errors, prior sale, or withdrawal without notice.

## 1400 Atlas Values

<u>Building</u>	<u>Square Feet</u>	<u>\$/sf</u>	<u>Total</u>	<u>Lease rate</u>	<u>Annual Included Rent</u>	<u>LLC's Rent</u>
1 - Original Office & Warehouse	28,313	50	\$1,415,650	\$5.00	141,565	
2 - Warehouse	27,306	25	\$682,650	\$3.50	95,571	
3 - Shed	17,673	25	\$441,825	\$3.00	53,019	
4 - Partially Enclosed Shed	3,224	10	\$32,240	\$2.00	6,448	
5 - Metal Bldg	7,560	15	\$113,400	\$2.50		18,900
6 - Shed	10,296	20	\$205,920	\$2.50		25,740
7 - Shed	1,840	10	\$18,400	\$2.00		3,680
8 - Shed	3,006	10	\$30,060	\$2.00		6,012
9 - Old Truss	3,278	10	\$32,780	\$2.00		6,556
10 - Metal Bldg	37,416	25	\$935,400	\$2.50		93,540
11 - Shed	5,546	15	\$83,190	\$2.00	11,092	
12 - Shed	3,667	10	\$36,670	\$2.00	7,334	
13 - Shed	3,175	10	\$31,750	\$2.00	6,350	
14 - Shed	3,220	10	\$32,200	\$2.00	6,440	
15 - Shed	4,037	10	\$40,370	\$2.00	8,074	
16 - Truck Facility	3,440	10	\$34,400	\$2.00	6,880	
17 - Covered Shed 1	10,000	90	\$900,000	\$8.00	80,000	
18 - Covered Shed 2	6,083	15	\$91,245	\$2.50	15,208	
19 - Covered Shed 3	3,928	15	\$58,920	\$2.50	9,820	
20 - New Truss Plant	8,100	15	\$121,500	\$2.50	20,250	
21 - Metal Dist.	120,000	45	\$5,400,000	\$3.00	360,000	
22 - Covered Shed	19,297	25	\$482,425	\$4.00	77,188	
23 - New Showroom	11,900	15	\$178,500	\$3.00	35,700	
24 - Computer Room	11,637	100	\$1,163,700	\$8.00		93,096
25 - 10.46 acres	400	150	\$60,000	\$4.00		1,600
	455,637	1.50	\$683,456	\$0.10		45,564
<b>Total</b>			<b>\$13,306,651</b>		<b>\$940,939</b>	<b>\$294,688</b>
						<b>\$1,235,626 (Total Rent)</b>

(Plus the front 3 acres)

All information furnished with respect to the subject matter has been obtained from sources deemed reliable. No representation or warranty as to accuracy thereof is made and all information submitted is subject to change in price, omissions, errors, prior sale, or withdrawal without notice.



Hugh E. Weathers, Commissioner

State of South Carolina  
Department of Agriculture

Wade Hampton Office Building  
PO Box 11280  
Columbia, SC 29211  
TL: (803) 734-2210  
FX: (803) 734-2192

[www.scdas.state.sc.us](http://www.scdas.state.sc.us)

August 13, 2009

The Honorable Jimmy C. Bales  
House of Representatives  
District No. 80 – Richland County  
1515 Crossing Creek Road  
Eastover, SC 29044

Dear Representative Bales,

Earlier this year, in late January/early February, all tenants at the Columbia State Farmers Market were sent a new lease that extended their occupancy until February 28, 2010. Tenants who entered into the new lease are assured that their occupancy will not terminate before that date.

A number of tenants have not signed the new lease agreement. These tenants are now operating on a month-to-month basis and are subject to receiving a notice to vacate at an earlier date. At this point in time, no tenant has been asked to vacate the premises earlier than February 28, 2010. All tenants will soon be asked to present a specific schedule for vacating their leased facilities and/or properties by February 28, 2010.

Attached is the list of vendors you requested in your letter of July 29, 2009.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne E. Crocker".

Anne E. Crocker  
General Counsel

/ml  
Enclosure

Columbia State Farmers Market

Annual Lease Holders until February 28, 2010:

Senn Brothers, Inc.  
PO Box 13472  
Columbia, SC 29201  
(803) 799-6210 or (803) 771-7590  
Contact: Jimmy Senn, Greg Senn, or Gary Prince

Southern Produce  
PO Box 7783  
Columbia, SC 29202  
(803) 771-7625  
Contact: Nate Crocker or Judy Allman  
(Note: Southern subleases from Senn Brothers)

V. B. Hook & Co., Inc.  
PO Box 13503  
Columbia, SC 29201  
(803) 799-0504  
Contact: Marty Hook, Don Hill, or Wally Gantt

Severt & Sons Produce Co.  
PO Box 13395  
Columbia, SC 29201  
(803) 799-4304  
Contact: Mike Severt or Shange Crenshaw

Super Sod  
PO Box 13551  
Columbia, SC 29201  
(803) 254-4982  
Contact: Lee Williams

Tenants without long-term leases—Month to Month Status:

Ayer & Price Fruit Co., Inc.  
PO Box 13483  
Columbia, SC 29201  
(803) 799-4811  
Contact: Pat Vella

Carolina Veg  
PO Box 13581  
Columbia, SC 29201  
(803) 765-2902  
Contact: James Brittain

Clayton Rawl Farms, Inc.  
747 Calks Ferry Rd.  
Lexington, SC 29072  
(803) 799-6727 or (803) 359-4415  
Contact: Clayton Rawl, Spanky Rawl, or Chris Rawl

Franklin Produce, Inc.  
PO Box 13455  
Columbia, SC 29201  
(803) 254-9948  
Contact: Alan Franklin or Barbara Franklin

F & C Arellano  
PO Box 1885  
Cayce, SC 29033  
(803) 771-9099  
Contact: Fermin Arellano or Sergio Arellano

C. Arellano & Sons  
207 Ashewood Lake Dr.  
Columbia, SC 29207  
(803) 447-1309  
Contact: Carlos Arellano

Hamper House  
PO Box 13443  
Columbia, SC 29201  
(803) 771-6800  
Contact: Russell Slice

Jenkins Produce, Inc.  
PO Box 13504  
Columbia, SC 29201  
(803) 799-8702  
Contact: Charles Jenkins

Joel Cirmella Tomatoes  
PO Box 13434  
Columbia, SC 29201  
(803) 799-3647  
Contact: Joel Cirmella, Jr.

L & N Produce Co., Inc.  
PO Box 61157  
Columbia, SC 29260  
(803) 254-9395  
Contact: Bill Lawrence, David Nidiffer, or Mark Nidiffer

Martinez Produce  
PO Box 1922  
Cayce, SC 29033  
(803) 556-3496 or (904) 219-5585  
Contact: Federico Martinez

Nino's Produce Co.  
743 Woodtrail Dr.  
Columbia, SC 29053  
(803) 600-7287  
Contact: Tonatiah Nino

Raybon Tomato  
PO Box 13423  
Columbia, SC 29201  
(803) 799-7185  
Contact: Doug Raybon

Ronnie Renew  
415 Deer Run Rd.  
Williston, SC 29853  
(803) 252-9550  
Contact: Ronnie Renew

Sanders Farm, Inc.  
2604 Hwy. 147  
Lyons, GA 30436  
(803) 779-6639  
Contact: Buddy Williams



Homer's Produce  
9373 Bells Hwy  
Ruffin, SC 29475  
(803) 799-5777  
Contact: Homer Beltram

Phillip Jones Produce  
P. O. Box 13581  
Columbia, SC 29201  
(803) 765-2902  
Contact: Phillip Jones

Williams Farms  
7622 Ashton Road  
Islandton, SC 29929  
(803) 931-8335  
Contact: Chad James or Jim Williams

Becky's Plants  
3414 Kaiser Ave.  
Columbia, SC 29204  
(803) 252-0007  
Contact: Becky Phillips

Doris' Plants  
109 Polo Hill Rd.  
Columbia, SC 29223  
(803) 254-5990  
Contact: Mike Wolfe

Rebekah's Garden  
660 Old Leesburg Rd  
Eastover, SC 29044  
(803) 799-0660  
Contact: Rebekah Cline

# Richland County Council Request of Action

**Subject**

SC Economic Development Ambassador Award Nomination for Richland County **[PAGES 263-268]**

Name

Dear Economic Development Professional:

Thank you for your continuing support of business and industry in South Carolina. I want to take this opportunity to bring you up to date on plans for Industry Appreciation Week. In order to affect a broader, state-wide business focus Industry Appreciation Week is being moved to the week of January 25, 2010, and will include three days of activities. This change of venue and time allows the opportunity to include members of the SC General Assembly and further increase the profile of local business in South Carolina. The change also allows us to better educate the public on the importance of existing industry to all South Carolinians.

Many of you have already made plans for the local events this fall, and you are encouraged to continue those plans. While there will be no state level industry appreciation week in the fall of 2009, your various local celebrations of industry are critical, and we will continue to support those efforts.

The Ambassadors for Economic Development Awards will continue, with the presentation ceremony taking place on the State House grounds on Tuesday, January 26, 2010. The Governor will again present the Ambassador awards, and all state legislators will be invited to the event. Ambassadors, their guests, economic development professionals, and various allies will be invited as usual. There will be a reception immediately following the afternoon ceremony.

In addition to Tuesday's Ambassadors ceremony, on Wednesday there will be a panel of nationally recognized industry leaders invited to speak to state business and legislative leaders, where they will discuss their experience doing business in South Carolina, and what is needed to continue being successful. On Thursday morning there will be a breakfast focused on the state's entrepreneurial efforts and featuring South Carolina entrepreneurial success stories.

Other business and economic development partners, including the SC Economic Developers' Association and SC Chamber of Commerce, are hosting separate events during this week. Further communication on those events will come directly from the individual groups. If there are other state-wide organizations that you think may be interested in participating, please let me know.

The Ambassadors selection process will take place this summer, just as it has in past years. The nomination form is attached to this correspondence. We are asking that all nominations be in by August 28, 2009, and official approval should occur within one day of receipt. You should include recognition of your Ambassador in any of your events planned for the fall, recognizing them as Ambassador for 2009. They will be presented their official framed Ambassador designation at the state ceremony on January 26, 2010.

More information on collateral material will follow. If you are already planning print material for a fall 2009 event, please use last year's general graphics. There will be new graphics designed for the January 2010 event, and they will be distributed prior to the state-wide event.

Commerce continues to encourage you to recognize business and industry in your local industry appreciation efforts, and we are excited about this new state-level opportunity. If you have any questions, please contact me ([cbundy@sccommerce.com](mailto:cbundy@sccommerce.com)), or Ted Campbell ([tcampbell@sccommerce.com](mailto:tcampbell@sccommerce.com)).

Best regards,

Charles A. Bundy, Jr., CEcD  
Manager, Business Services

**AMBASSADORS FOR ECONOMIC DEVELOPMENT  
2009 NOMINATION GUIDELINES**

Nomination Criteria *(Please read carefully)*

Nominees originate from the field of private sector executives who have made exceptional contributions to community and state development during 2009. **Only one individual will be selected per county (no groups or organizations). Public sector employees or employees who receive direct compensation for performing economic development work are not eligible for this award. (Those not eligible include elected officials, public university or technical college employees, and government employees.)** Nominees who have previously been selected as an Ambassador will not be accepted. If you are unsure whether a nominee might qualify, please call Chuck Bundy at (803)-737-0440 or email Chuck at [cbundy@scommerce.com](mailto:cbundy@scommerce.com). Nominees should have participated in one or more of the following activities during the year:

1. Met with prospects to share positive information about South Carolina in an effort to sell a location in the state, including the recruitment and support of high-tech and international companies;
2. Encouraged decision makers within their corporation to make capital investments at an existing South Carolina site;
3. Assisted with the planning or implementation of infrastructure critical to economic development such as education, health care, water, sewer or other infrastructure;
4. Assisted South Carolina's economic development efforts through supportive services such as engineering or site location; or,
5. Encouraged international trade, promoting South Carolina products globally.

**Nomination Procedures**

Nominations should be submitted by completing the attached Nomination Form and providing a summary of the work done by the nominee and the resulting impact on the county's economic development efforts. Summary text should be no longer than one page. It would also be helpful in the summary information to include the nominee's educational background and civic associations. **Please do not notify the person you are nominating as Ambassador until you have received confirmation that the nomination has been approved by South Carolina Department of Commerce staff.**

The nomination forms can be emailed directly to Ted Campbell at [tcampbell@scommerce.com](mailto:tcampbell@scommerce.com). Please send electronically.

The Marketing and Communications Division of the Department of Commerce will help publicize the event. Please let us know where you want news stories sent.

**Email Nominations To:**

Ted Campbell

Telephone: 803-737-2329

E-mail: [tcampbell@scommerce.com](mailto:tcampbell@scommerce.com)

**Nomination Deadlines and Notification**

Nominations are **due by August 28, 2009**. Letters of notification will be sent to nominees and county developers by September 4, 2009. If you have any questions concerning nominations, please call, Ted Campbell at 803-737-2329.

***Ambassador Nominee for 2009***

*\*To Be Completed By The County Economic Development Professional\**

<b>County:</b>			
<b>Local Economic Developer:</b>		<b>Phone:</b>	

**Nominee Information**

<b>Name:</b>	
<b>Title:</b>	
<b>Company:</b>	
<b>Address:</b>	
<b>Phone:</b>	

**Please use this space to provide a brief explanation of how the nominee has contributed to economic development within your county (or attach additional sheet).**

--

**Please attach the following:**

- |   |   |
|---|---|
| 1 | As available, general education background, as well as civic associations             |
| 2 | Any supplemental information, e.g. news articles, which you feel would be of interest |

**Send to:**

Ted Campbell  
Telephone: 803-737-2329  
Email: [tcampbell@sccommerce.com](mailto:tcampbell@sccommerce.com)

**Nominations are due by August 28, 2009. Please send form electronically.**

<b>Richland County</b>
Mr. Carl T. Hoefel, Jr., General Manager, Southeastern Operations, Bose Corporation - 2008
<i>James Nash</i> , National Bank of South Carolina '07
<i>George Bullwinkel Jr.</i> , SCANA Energy Marketing '06
<i>Daniel Ellzey</i> , Fisher & Phillips, LLP
<i>Charles T. Cole, Jr.</i> , Central SC Alliance
<i>Dr. Gerhard Schmid</i> , Siemens Deisel Systems Technology LLC
<i>James T. Breznay</i> , S.C. Pipeline Corp.
<i>Ferol B. Vernon</i> , Siemens Diesel Systems Technology LLC
<i>John (Jack) L. Skolds</i> , SCE&G
<i>Joe M. Anderson Jr.</i> , Bell South Corp.
<i>Kenneth J. Firtko</i> , Select Comfort S.C.
<i>Walt Hussey</i> , BOSE Corp.
<i>Bob Raines</i> , Whirlpool Corp.
<i>Jack S. Hupp</i>
<i>Donald Jackson</i> , Whirlpool Corp.
<i>Jimmy K. Duncan</i> , FN Manufacturing
<i>Maj. Gen. R. S. Siegfried</i>
<i>Walter Alessandrini</i> , Union Switch & Signal
<i>Bruce D. Kenyon</i> , SCE&G



# Richland County Council Request of Action

**Subject**

Lexington/Richland Alcohol and Drug Abuse Council-2 [Paul Bouknight\*, Roosevelt Garrick, Jr.\*]

# Richland County Council Request of Action

**Subject**

Midlands Regional Convention Center Authority-1 [Randy Fowler]

# Richland County Council Request of Action

**Subject**

Richland Memorial Hospital Board-3 [Bill Bradshaw\*, Jerry Odom\*, Ann Pringle Washington]

# Richland County Council Request of Action

**Subject**

Riverbanks Park Commission-1 [Tracey S. Waring\*]

# Richland County Council Request of Action

**Subject**

Board of Zoning Appeals-1 [Sheldon L. Cooke Sr.\*] [**PAGES 274-275**]



**APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION**

Name: Sheldon L. Cooke Sr.

Home Address: 1606 Sandra Dr.

Telephone: (home) 803-783-8410 (work) 803-513-3049

Office Address: \_\_\_\_\_

Educational Background: MA/Management.

Professional Background: Management/Retail

Male  Female  Age: 18-25  26-50  Over 50

Name of Committee in which interested: BOZA

Reason for interest: To serve my community and County

Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:

Board of zoning Appeals for past year

Presently serve on any County Board/Commission/Committee? NO

Any other information you wish to give? N/A

Recommended by Council Member(s): \_\_\_\_\_

Hours willing to commit each month: 14 hours

**CONFLICT OF INTEREST POLICY**

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the board for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all boards shall be required to abstain from voting or influencing through discussion or debate or any other way, decisions of the board affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Board or Commission, as the County Council, by majority vote of the council, shall elect.

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes \_\_\_\_\_

No  \_\_\_\_\_

If so, describe: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

S. Cooke Sr  
Applicant's Signature

10/7/09  
Date

**Return to:**  
**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**  
**For information, call 576-2060.**

**One form must be submitted for each committee on which you wish to serve.**

**Applications are current for one year.**

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file

# Richland County Council Request of Action

**Subject**

Business Service Center Appeals Board-1 [Vincent K. Bartley, Pierre E. Brunache] **[PAGES 277-286]**





**APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION**

**Applicant must reside in Richland County.**

Name: Piere E. Brunache  
Home Address: 330 Bombing Range Road, Columbia, SC 29229  
Telephone: (home) 803-609-2090 (work) 803-217-8518  
Office Address: 111 Research Dr. Columbia, SC 29203  
Email Address: djPiere@sc.rv.com  
Educational Background: MA-HR Management, BA-HC Administration  
Professional Background (Must be one): CPA  Attorney  Business person   
Male  Female  Age: 18-25  26-50  Over 50   
Name of Committee in which interested: Business Service Center Appeals Board  
Reason for interest: I own Pro music and sound, as a practicing business person I want to offer my knowledge, skills + abilities.  
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:  
(resume is also requested) Organizational, oral, written skills; Employee Training Design + implementation, Trainer, Many more Talents, Good business ethics.  
Presently serve on any County Board/Commission/Committee? NO  
Any other information you wish to give? Believe in hardwork and entrepreneurial spirit  
Recommended by Council Member(s), if any: \_\_\_\_\_  
Hours willing to commit each month: would like to know the standard first

**CONFLICT OF INTEREST POLICY**

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the board for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all boards shall be required to abstain from voting or influencing through discussion or debate or any other way, decisions of the board affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Board or Commission, as the County Council, by majority vote of the council, shall elect.

### STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board? Yes  No

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
Applicant's Signature

10/30/08  
\_\_\_\_\_  
Date

For more information about the Business Service Center Appeals Board, please e-mail [bsc@rcgov.us](mailto:bsc@rcgov.us) or call 576-2287.

Applications are current for one year.

**Please return applications to:**  
**Richland County**  
**Clerk of Council's Office**  
**Post Office Box 192**  
**Columbia, SC 29202**

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file



**Pierre E. Brunache**  
**P.O. Box 291274, Columbia, SC 29229**  
**Phone: 803-609-2090; Email address: djpierre@sc.rr.com**

#### **PROFESSIONAL EXPERIENCE SUMMARY**

- An experienced and established small business owner in Northeast Columbia
- Over 13 years of exempt-level multifaceted Human Resources Management experience in areas of staffing and recruitment, employee and labor relations, compensation and benefits, human resource development, and workforce planning and employment, risk management and total rewards
- Excellent oral, written, organizational and time management skills
- Proficient in Microsoft applications to include Word, Outlook, Excel, Access, PowerPoint; to include PeopleSoft 8, Business Objects XI Release 2

#### **EDUCATION**

- M.A., Human Resources Management – Webster University, St. Louis, MO., 10/13/2007
- B.A., Human Resources Administration – Saint Leo University, Saint Leo, FL., 09/01/2001
- A.A., Liberal Arts - Saint Leo University, Saint Leo, FL., 01-01-1999
- High School Diploma – Dr. Phillips High School, Orlando, FL., 06/02/1990

#### **RELEVANT SKILLS AND ACCOMPLISHMENTS**

Owner & Operator 2003 – present

Pro Music and Sound; Columbia, SC; [www.djpromusicandsound.com](http://www.djpromusicandsound.com)

- Successfully manage day-to-day operations of a Professional Disc Jockey Services Company
- Responsible for marketing, market research, customer service, advertising, targeting, packaging, pricing, and e-marketing

HR Generalist II Apr 2002 - present

SCANA/South Carolina Electric & Gas Company, Columbia, South Carolina

- Provide day-to-day human resources support and counsel to the SCE&G Fossil Hydro Business Unit covering many and most of the following areas: employee relations, recruiting, compensation, benefits, training, employee communications, safety and employment documentation
- Ensures consistent application of organizational policies and procedures in accordance with local, state, and federal laws
- Serves as liaison with internal departments/divisions and/or outside organizations
- Coordinate and administer employment - including the recruitment/selection/hiring process, classification and compensation, employee relations, disciplinary actions, dispute resolution, and other human resources functions

Senior Trainer Mar 2000-2002

United States Army, Fort Jackson, South Carolina

- Evaluated and conducted all training requirements of a 300 personnel student detachment division of administrative assistants in an institution of higher learning
- Conducted in-depth inquiries of the level of training and reported to top-management all training needs
- Assessed, developed, and facilitated department wide training solutions.
- Prepared reports on strength levels and statuses of all 300-student personnel of top chief executives in the organization
- Conducted frequent cross training sessions amongst staff members allowing knowledge to be equally shared and increasing section productivity
- Developed an employee orientation program resulting in highly motivated employees

**Item# 45**



## Human Resources Manager

Sep 1997-Mar 2000

United States Army, Fort Lee, Virginia

- Restructured Human Resources Department to strategically meet the organizational goals of the unit as it relates to the overall goal of the Army
- Interpreted, advised and counseled top-level management on all human Resources policies concerning employee counseling, performance appraisals, employee advancement, compensation/finance, and employee rewards program, and accurate employee accountability
- Served in the capacity of principal advisor for senior-level management in all aspects of the Army's Equal Opportunity Program
- Recognized and assessed indicators of the Equal Opportunity climate, prepared reports of findings for management, and advised management on suitable actions. Specialized in the management of manpower resources
- Trained diverse groups of employees, managers and top executives concerning all equal opportunity issues to include discriminatory and nondiscriminatory employment practices and sexual harassment; and prepared reports of disparities

## Assistant Human Resources Manager

Feb 1996-Sep 1997

United States Army, Camp Humphries, Korea

- Provided customer service while managing over 1,000 personnel records of entry, mid, and executive level professionals working in four different career fields and conducted job placement according to staffing needs
- Recruited, supervised, counseled, and mentored an eight-member team of highly qualified administrative/human Resources assistants to increase productivity in the human Resources department
- Revised and implemented new operating procedures of the personnel benefit programs to include the Servicemember's Group Life Insurance (SGLI) and the Veteran's Group Life Insurance (VGLI) programs

## Administrative Assistant

Sep 1993-Feb 1996

United States Army, Fort Bragg, North Carolina

- Provided technical guidance on all administrative matters to include controlling, reviewing, routing and ensuring all staff actions were administratively correct. Maintained over 100 confidential employee files
- Provided counsel and advice to employees/supervisors and top-level management on all employee relations' matters
- Prepared, implemented and conducted Equal Opportunity training focusing on areas such as Sexual Harassment, Affirmative Actions and other EO related issues

## Professional Memberships

- Society for Human Resources Management; [www.shrm.org](http://www.shrm.org)
- Columbia Chapter of the Society of Human Resource Management; <http://columbiashrm.shrm.org>
- Columbia Bridal Associates; [www.columbiabride.com/](http://www.columbiabride.com/)

## Community Services

- Habitat for Humanity; The Columbia Junior Chamber of Commerce (Jaycees); Sistercare
- American Red Cross; Harvest Hope Food Bank; March of Dimes
- Juvenile Diabetes Research Foundation (JDRF)

## Awards

- Meritorious Service Medal; Army Accommodation Medal; Army Achievement Medal 05/19/1995;
- Delta Epsilon Sigma National Scholastic Honor Society

Item# 45

Attachment number 1  
Page 4 of 4



**APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION**

**Applicant must reside in Richland County.**

Name: VINCENT KARL BARTLEY  
Home Address: 8216 HUNT CLUB ROAD, COLUMBIA SC 29223  
Telephone: (home) 803-807-7004 (work) 803-776-1422  
Office Address: 7356 GARNERS FERRY Rd, Suite #228, COLUMBIA SC 29209  
Email Address: VBARTLEY@BARTLEYTAX.COM  
Educational Background: BS degree in ACCOUNTING  
Professional Background (Must be one): CPA  Attorney  Business person   
Male  Female  Age: 18-25  26-50  Over 50   
Name of Committee in which interested: Business Service Center Appeals Board  
Reason for interest: MY EDUCATION, SKILLS, EXPERIENCE AND TAX KNOWLEDGE WILL BE USEFUL TO THE BUSINESS SERVICE CENTER APPEALS BOARD.  
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:  
(A resume is also requested.) SEE ATTACHED RESUME!  
Presently serve on any County Board/Commission/Committee? NO  
Any other information you wish to give? \_\_\_\_\_  
Recommended by Council Member(s), if any: \_\_\_\_\_  
Hours willing to commit each month: 8:00 AM - 6:00 PM, MONDAY - FRIDAY

**CONFLICT OF INTEREST POLICY**

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the board for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all boards shall be required to abstain from voting or influencing through discussion or debate or any other way, decisions of the board affecting those personal and financial interests.



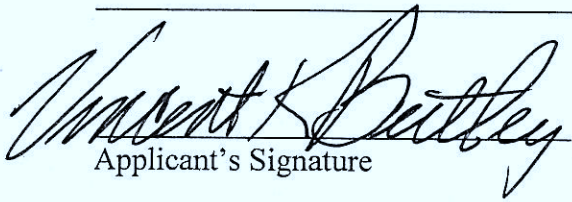
All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Board or Commission, as the County Council, by majority vote of the council, shall elect.

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board? Yes  No

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Applicant's Signature

10-7-2009  
Date

For more information about the Business Service Center Appeals Board, please e-mail [bsc@regov.us](mailto:bsc@regov.us) or call 576-2287.

Applications are current for one year.

**Please return applications to:**  
**Richland County**  
**Clerk of Council's Office**  
**Post Office Box 192**  
**Columbia, SC 29202**

<b>Staff Use Only</b>	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file

**VINCENT KARL BARTLEY, CPM**

Post Office Box 1115

Columbia, SC 29202-1115

Home: (803) 807-7004      Work: (803)776-1422

E-mail Address – vbartley@bartleytax.com

**OBJECTIVE:**

---

To continue my career in Accounting with emphasis on tax administration, auditing and/or budgeting.

**EXPERIENCE:**

---

**July 2009 – Present**                      **V. K. Bartley Bookkeeping and Tax Services**                      **Columbia, SC**  
**Self-employed Business Owner-**

Self-employed business owner who provides bookkeeping and tax services to individual and business owners in the areas of corporate, withholding, income, sales and use taxes. Attention is given to providing services for new business formations, account receivable and payables control; tax relief assistance to distressed business owners, tax planning, charitable and non-profit organizations.

**July 1999 –June 2009**                      **South Carolina Department of Revenue**                      **Columbia, SC**  
**Revenue Manager B -**

- Provides direction and leadership to establish a culture that allows for the improvement of systems, processes and the use of personal initiatives to resolve problems.
- Monitors Division/Agency processes and initiates changes to improve the efficiency and effectiveness of the agency's operations.
- Reviews technical issues and conducts conferences to resolve controversial issues relating tax laws, regulations, and processing procedures.
- Makes recommendations concerning the Division to the Division Administrator on matters of selection, placement, and transferring of division personnel.
- Assists in budgetary matters and provide input on system technology improvements and upgrades.
- Manages three Supervisors and three Research Tax Analysts in the areas of Tax Research and Review, Corporate Tax, Records, Problem Resolution, Tax Compliance, Internal Revenue Service reports and Return Deposit Recovery.
- Manages a staff of 25 people - Research and Review (4), Corporate (6), Problem Resolution Office (6) and Records Section (13), Supervisors (3).
- Develops budget, procedures, policies, performance measurements, and strategic plans for the following areas: Records Management and Retention; Disclosure; Corporate Tax Error Correction, Tax Research and Legislation Impact.

**May 1997 – Jan 2001**                      **South Carolina Student Loan Corporation**                      **Columbia, SC**  
**Collector (Part-time temporary employee) -**

- Provide repayment services to customers with federal student loans.
- Provide payment arrangements for borrowers in pre-default status.
- Make determination of borrower's qualifications for forbearance and deferments

**Nov 1990 – July 1999**                      **South Carolina Department of Revenue**                      **Columbia, SC**  
***Problem Resolution Officer -***

- Supervised a staff of five employees.
- Provided expedite service to taxpayers whose problems had not been resolved through normal agency channels.
- Identified and assisted in resolution of procedural and systemic problems.
- Reviewed and monitored Problem Resolution cases and legislative correspondence to identify problem trends.
- Briefed the Agency Director on the most sensitive problem cases and the status of major studies.
- Assisted the Taxpayer Advocate with administering the Taxpayer's Bill of Rights.
- Conducted meeting with taxpayers and their representative to explain the Agency's policies and procedures.

**Nov 1985 – Oct 1990**                      **South Carolina Department of Revenue**                      **Columbia, SC**  
***Tax Supervisor II –***

- Supervised a staff of five Tax Auditors in the Special Projects Section
- Submitted proposed legislation
- Prepared annual budget for the section
- Submitted written recommendations for Division's Audit programs
- Wrote descriptive narratives for computer tape match programs
- Maintained statistical data for management
- Planned, administered and directed revenue enhancing programs in all taxes administered by the agency.

**April 1983 – Oct 1985**                      **South Carolina Department of Revenue**                      **Columbia, SC**  
***Tax Auditor II (Conferee)***

- Assisted Tax Auditor I with tax problems and technical questions
- Authorized the issuance of additional refunds and abatement of penalties.
- Adjusted notice of assessments and warrant for distraints.
- Responded to taxpayer's questions and telephone calls.
- Prepared written correspondences to taxpayer's technical questions.
- Assisted Supervisor with special assignments.

**Jan 1980 – March 1983**                      **South Carolina Department of Revenue**                      **Columbia, SC**  
***Tax Auditor II –***

- Contacted employees about their delinquent withholding reports and payments.
- Submitted written reports.
- Examined individual, partnership and corporate payroll records.
- Determined compliance with South Carolina Withholding Tax Laws.
- Audited individual income tax returns.
- Assisted the public with preparing returns and answering tax questions.



**EDUCATION:**

---

**B.S., Accounting, Clemson University**

- Certified Public Manager Program
- Governor's EXCEL Program
- Professional Minority Development Program (Columbia Urban League)
- Instructor for Employee Performance Management System (EPMS) training

Manner of Speaking

Drug Free Workshop

Training the Trainers

Affirmative Action/EEO

Quality Customer Service

Employee Privacy Rights

Coping with the Hostile Client

Why do Managers Mismanage

Dealing with Difficult People

Leadership Skills for Tomorrow

Supervisor Development Training

Fraud and Criminal Investigations

Interviewing Skills for Managers/Supervisors

The Organizational Side of Prof. Development

The Cultural Side of Professional Development

The Power and Politics of Career Development

Quality and Productivity Improvement Process

The Professional Side of Professional Development

**SPECIAL SKILLS AND ABILITIES:**

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- Proficient in Microsoft Office, Excel, Access, PowerPoint, WordPerfect and Project Management.
- Proficient in organizing presentations, strategies, meetings and activities to meet the specific goals of the organization.

**AFFILIATIONS:**

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- National Association of Tax Preparers
- South Carolina Public Records Administrators (SCPRA)
- Association of Records Management Administrators (ARMA)
- Certified Public Manager's Association
- Agency Emergency Disaster Recovery Plan Team
- Volunteer Services for South Carolina Department of Juvenile Justice
- Mentor for Project GOAL at Keenan High School

## REFERENCES

**Dr. Eddie M. Robinson, DMV**

124 Stonemark Lane  
Columbia, SC 29210  
803-750-7387

**Lynette Moses**

P O Box 1742  
Camden, SC 29020  
803-896-1163

**Erica Smalls**

320 Legend Oaks Drive  
Columbia, SC 29229  
803-234-6698

**Fredia Cunningham**

3540 Lynhaven Drive  
Columbia, SC 29204  
803-896-1981

**Darold Ratliff**

South Carolina Department of Revenue  
P O Box 125  
Columbia, SC 29214  
803-898-5438

# Richland County Council Request of Action

**Subject**

Community Relations Council-1 [Kimberly A. Kennedy-Gooden, Carol A. Lewis] [**PAGES 288-293**]



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Kimberly A. Kennedy - Gooden

Home Address: 508 Oak Cove Dr

Telephone: (home) 803-661-7400 (Cell/Work) 803 238-4856

Office Address: None

Email Address: Kennedygooden@yahoo.com

Educational Background: BA Sociology, MA Counseling, MA Human Resource Management

Professional Background: SC Dept of Social Services, Board of Director member LRA/DAC SC Dept of Mental Health

Male r Female r Age: 18-25 r 26-50 r Over 50 r

Name of Committee in which interested: Community Relations Council

Reason for interest: The desire to serve in the area of Human service has always been my goal. In addition to assisting in the Economic Growth and development of Richland County.

Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:

I possess strong leadership and organizational abilities. I also have the ability to collaborate with a diverse group of people.

Presently serve on any County Board/Commission/Committee? None

Any other information you wish to give? Past experience as a county Board member

Recommended by Council Member(s): Bwendolyn D. Kennedy

Hours willing to commit each month: As needed by the board while working around family time.

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the board for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all boards shall be required to abstain from voting or influencing through discussion or debate or any other way, decisions of the board affecting those personal and financial interests.



All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete.

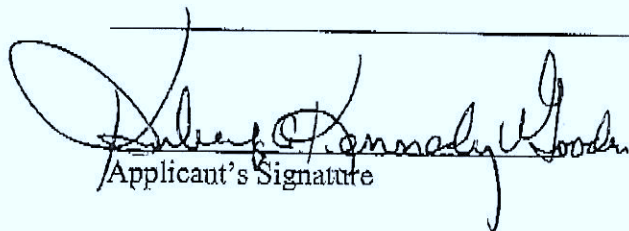
Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Board or Commission, as the County Council, by majority vote of the council, shall elect.

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes \_\_\_\_\_ No  \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Applicant's Signature

8-3-09  
Date

**Return to:**  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.

**One form must be submitted for each committee on which you wish to serve.**

**Applications are current for one year.**

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	

## Kimberly A. Kennedy-Gooden

508 Oak Cove Drive  
Columbia, SC 29229  
Phone (803) 661-7400 hm.  
(803) 238-4886 cell  
Email: [kennedygooden@yahoo.com](mailto:kennedygooden@yahoo.com)

### Objective

Seeking employment in the Human Service Field where I can utilize my education and experience while growing personally and professionally.

### Education

2002 – 2004	Webster University	Saint Louis, MO
	Master of Art in Human Resources Development	
2000 – 2001	Webster University	Saint Louis, MO
	Master of Art in Counseling	
1989 - 1993	South Carolina State University	Orangeburg, SC
	Bachelor of Art in Sociology	

### Professional Experience

2007- Current – **Stay at Home Mom**

2004 – 2007 **SC Department of Mental Health** **Rock Hill, SC & Chester, SC**  
Human Services Coordinator I/Mental Health Counselor III / Liaison for Department of Mental Health & Department of Social Services

Supervise the daily operation of program unit with keeping record of daily earnings and weekly deposits. Provide assessments, referrals and counseling services, group and individual. Developed documentation form for three counties, Assisted in development of curriculum for the Day Treatment Program. Plan and implement activities. Supervise clients in clinical setting.

1998 - 2004 **Lexington/Richland Alcohol and Other Drugs Board Member** **Columbia, SC**  
Served while planning and implementing policies and procedures. This assured that the agency manage and function in its best capacity. Attend board meetings as well as subcommittee meetings to follow up with agency status and progress. Participated in community activities, as related to the clients served by the agency.

1998 – 2004 **SC Department of Social Services** **Columbia, SC**  
Interstate Compact Worker

Collaborated with other state agencies for the purpose of moving children legally from state to state through the adoption system. Managed and monitored assigned caseload.

1995- 1998 **SC Department of Social Services** **Columbia, SC**  
Child Protective Service Worker

Provide case management with continued assessment of medical, educational and social needs of the assigned children in my caseload.

1994 – 1995 **SC Department of Social Services** **Columbia, SC**

Youth Counselor Counseled children and families enrolled in the Teen Companion Program. Provided assessments for the needs of children and their families I served. The families were at risk of experiencing, premature pregnancies and alcohol and drug abuse problems.

**Summary of Qualifications**

2001- Current SC Department of Social Services Columbia, SC  
Certified Home Investigator  
Certified to conduct home studies for families waiting to adopted children  
Mental Health Professional 2004-2007

**Professional Memberships**

Delta Sigma Theta Sorority Incorporated/Richland County Alumni Chapter  
Lexington/Richland Alcohol and Other Drugs Board Member (1998-2004)  
Brookland Baptist Church Member since 1995  
Central Baptist Church 2008  
National Council of Negro Women

**REFERENCES AVAILABLE UPON REQUEST**





576-2136

APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Carol Andrews Lewis

Home Address: 200 Sugar Mill Road, Columbia, SC 29229

Telephone: (home) 803.788.0371 (work) 803.733.1390

Office Address: LRADAC, 1800 St. Julian Place, Columbia, SC 29204

Email Address: clewis@lradac.org

Educational Background: BS, Business Administration/Management, Limestone College

Professional Background: Alcohol & Drug Administration, 13 years, Human Resources Manager (2 years) EA to President (6 years)

Male [ ] Female [x] Age: 18-25 [ ] 26-50 [ ] Over 50 [ ] x

Name of Committee in which interested: Community Relations Council

Reason for interest: Interested in continuing to help the citizens of Richland County realize and appreciate that the Midlands is an awesome place to live and to make them more knowledgeable about the resources available for employment, housing, education, etc. Interested in improving the communication of residents with businesses, government and citizens. Wanting to help improve the racial and social problems within the Midlands.

Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission: Have a knack for engaging people in positive conversations. No matter where we live we should be proud of our community and if improvements are needed we should engage our communities to do something positive to improve our circumstances

Presently serve on any County Board/Commission/Committee? SisterCare

Any other information you wish to give? No.

Recommended by Council Member(s): Greg Pearce

Hours willing to commit each month: 20-30

## CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the board for which any citizen applies for membership.

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All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete.

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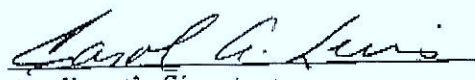
## STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

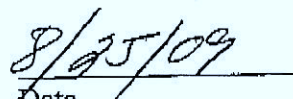
Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes \_\_\_\_\_

No  \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Applicant's Signature

  
Date

Return to:  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.

One form must be submitted for each committee on which you wish to serve.

Applications are current for one year.

# Richland County Council Request of Action

**Subject**

Employee Grievance Committee-2 [Staci Pritchard, IT\*] [**PAGES 295-296**]



**APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION**

Name: Staci Pritchard

Home Address: 125 Berry Drive, West Columbia, SC 29170

Telephone: (home) 803-808-2976 (work) 803-576-2017

Office Address: 2020 Hampton Street, Suite 3030, Columbia, SC 29204

Email Address: stacip@rcgov.us

Educational Background: Some College – Still enrolled

Professional Background: Computer / Network Technician

Male  Female  Age: 18-25  26-50  Over 50

Name of Committee in which interested: Grievance

Reason for interest: Re-enroll as alternate. I love being on the committee

Your characteristics/qualifications, which would be an asset to Committee, Board or

Commission: I've been on the committee for 3 years already and I've been able to help out with the recordings, as time keeper and I've gotten documents needed when necessary from my laptop

Presently serve on any County Committee, Board or Commission? No, time expired

Any other information you wish to give? \_\_\_\_\_

Recommended by Council Member(s): \_\_\_\_\_

Hours willing to commit each month: As much as needed for the hearings

**CONFLICT OF INTEREST POLICY**

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Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No \_\_\_\_\_

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No \_\_\_\_\_

If so, describe: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Staci Pritchard  
Applicant's Signature

10/20/09  
Date

**Return to:  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.**

**One form must be submitted for each Committee, Board or Commission on which you wish to serve.**

**Applications are current for one year.**

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file

# Richland County Council Request of Action

**Subject**

Midlands Workforce Board-1 [Randy Cherry, RC Research Manager] **[PAGE 298]**





APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION

Name: Randy Cherry

Home Address: \_\_\_\_\_

Telephone: (home) 803-408-2971 (work) 803-576-2066

Office Address: 2020 Hampton Street, PO Box 192, Columbia, SC 29202

Educational Background: M.A. Public Policy

Professional Background: Researcher, Internal Auditor

Male  Female  Age: 18-25  26-50  Over 50

Name of Committee in which interested: Midlands Workforce Development Board

Reason for interest: Research Manager for Richland County.

Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:

Presently serve on any County Board/Commission/Committee? No

Any other information you wish to give? No

Recommended by Council Member(s): \_\_\_\_\_

Hours willing to commit each month: \_\_\_\_\_

Randy Cherry  
Applicant's Signature

10-12-2009  
Date



# Richland County Council Request of Action

**Subject**

Planning Commission-2 [Christopher Anderson\*, William Cantwell, Preston C. Carter, Jr., William DuBard, Sr., Lewis Frederich, Charles F. Gwinn, Shelvy L. Ham, Kenneth C. Hanson, Michael P. Herrmann, Franklin D. Hertz, Joel Marshall Hoefler, Pamela E. Jones, Mark Paul Kays, David E. Letts, Donna J. Mahoney, Kathleen M. McDaniel, Frank E. Mitchell, Olin D. Westbrook, Vivian Wilkes, Christopher Yonke] **[PAGES 300-350]**



**APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION**

Name: Christopher Anderson Dist 6

Home Address: 4611 Pine Grove Ct.

Telephone: (home) 803-361-7664 (work) 803-251-1275

Office Address: 508 Hampton St. STE 203

Educational Background: Bachelor Degree

Professional Background: Banking

Male  Female  Age: 18-25  26-50  Over 50

Name of Committee in which interested: Planning Com.

Reason for interest: \_\_\_\_\_

Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:

Current Chairperson of PC

Presently serve on any County Board/Commission/Committee? Planning Com.

Any other information you wish to give? \_\_\_\_\_

Recommended by Council Member(s): Greg Prew

Hours willing to commit each month: As much as possible

**CONFLICT OF INTEREST POLICY**

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**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes \_\_\_\_\_ No  \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
Applicant's Signature

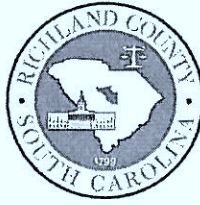
9/3/09  
\_\_\_\_\_  
Date

**Return to:**  
**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**  
**For information, call 576-2060.**

**One form must be submitted for each committee on which you wish to serve.**

**Applications are current for one year.**

<b>Staff Use Only</b>	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file



**APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION**

**Applicant must reside in Richland County.**

Name: WILLIAM CANTWELL

Home Address: 416 VALLEY SPRINGS RD COLUMBIA 29223 Dist 9

Telephone: (home) 803 736-3920 (work) 803 413 2963

Office Address: 10607 Two NOTCH RD ELGIN SC 29045

Email Address: bcantwell@russellandjeffcoat.com

Educational Background: BSBA FINANCE + BANKING

Professional Background: VP PMSC

Male  Female  Age: 18-25  26-50  Over 50

Name of Committee in which interested: PLANNING COMM.

Reason for interest: COMMUNITY SERVICE, KNOWLEDGE OF  
COUNTY ISSUES

Your characteristics/qualifications, which would be an asset to Committee, Board or  
Commission:

MULTIPLE YEARS OF MGMT EXPERIENCE DEALING  
WITH CUSTOMERS AND STAFF ISSUES

Presently serve on any County Committee, Board or Commission? NO

Any other information you wish to give? SEE ATTACHED

Recommended by Council Member(s): \_\_\_\_\_

Hours willing to commit each month: 20

**CONFLICT OF INTEREST POLICY**

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*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No  \_\_\_\_\_

### STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes  \_\_\_\_\_ No \_\_\_\_\_

If so, describe: AUSSIE STYLE SALON - HAIR SALON  
RUSSELL & JEFF COAT REALTOR - BROKER/AGENT

  
Applicant's Signature

10/27/09  
Date

**Return to:**  
**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**  
**For information, call 576-2060.**

**One form must be submitted for each Committee, Board or Commission on which you wish to serve.**

**Applications are current for one year.**

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	

Item# 49

# RESUME

## PERSONAL DETAILS

NAME: William Cantwell

POSTAL ADDRESS: 416 Valley Springs Road  
Columbia, SC 29223

PHONE NUMBERS: (803) 736 3920 Home  
(803) 413 2963 Cell

EMAIL: bill.cantwell@netzero.net

## PROFESSIONAL EXPERIENCE SUMMARY

Seven plus years in the Real Estate industry as a Broker/Agent for Russell and Jeffcoat Realtors. I also have an Accredited Buyers Representative accreditation and my E-Pro accreditation. I have been certified by Russell and Jeffcoat as a Relocation Specialist. I have some commercial expertise (currently hold three listings) and have taken a short course in commercial real estate practices.

28 years experience in Data Processing in various management, staff, and line positions. Experience includes systems programming, computer operations, product account management, marketing, Audit, Acquisitions, program management, customer support, and sales support. Capable of managing and motivating large teams of professionals. Outstanding track record for completing projects on time and under budget. Consistently acknowledged by peers, subordinates, upper management, and customers for both management and interpersonal skills.







## EDUCATION

Bachelor of Science – Business Administration  
Major – Banking and Finance

Suffolk University Boston, Massachusetts 1968

## REFERENCES

Available upon request



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Name: JOEL MARSHALL HOEFER
Home Address: 133 SPRING LAKE ROAD Dist 8
Telephone: (home) 787-6650 (work) 787-2575
Office Address: 3908 ROSEWOOD DRIVE, COLUMBIA, SC 29206
Educational Background: B.S. - CLEMSON, MBA - U.S.C.
Professional Background: 8 YRS COMMERCIAL BANKING; 28 YRS COMMERCIAL REAL ESTATE
Male [X] Female [ ] Age: 18-25 [ ] 26-50 [ ] Over 50 [X]
Name of Committee in which interested: PLANNING COMMISSION
Reason for interest: THIS IS AN AREA OF EXPERIENCE AND EXPERTISE
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission: 36 YRS BUSINESS EXPERIENCE; 5 YRS PLANNING COMMISSION (CITY OF COLUMBIA); 6 YRS CENTRAL MICHIGAN CO-BOARD; VARIOUS CIVIL BOARDS
Presently serve on any County Board/Commission/Committee? CMCOB - REAL TRAFFIC COMM - CHAIR
Any other information you wish to give?
Recommended by Council Member(s):
Hours willing to commit each month: 6-10

CONFLICT OF INTEREST POLICY

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### STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes ✓ No \_\_\_\_\_

If so, describe: I HAVE OWNERSHIP INTERESTS IN VARIOUS PROPERTIES IN RICHMOND COUNTY, ALSO, I AM A LICENSED REAL ESTATE BROKER -

*V. Marshall Hoop*  
Applicant's Signature

10/23/07  
Date

Return to:  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.

One form must be submitted for each committee on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file



**APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION**

Name: Pamela E. Jones (Pam)

Home Address: 490 Old Congaree Run • Eastover, SC 29044 Dist 11

Telephone: (home) 803-647-1047 (Cell:) 803-840-6716

Office Address: Currently unemployed Previous Employer Semaphore, Inc Advertising Agency

Educational Background: BFA 1973 Univ. of North Texas • MAT 1989 Univ. of South Carolina

Professional Background: Graphic Designer • Art Instructor

Male  Female  Age: 18-25  26-50  Over 50

Name of Committee in which interested: Planning Commission

Reason for interest: Committed community member of Lower Richland. Recently purchased 30 acres and built a home on our property. Plan on living here for many years to come.

Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:  
I have lived in many cities in the U.S.; Dallas, TX; Boston, MA; Ft Lauderdale, FL and Columbus, GA. I have experienced and understand how the results of zoning make a community either liveable or stressful.

Presently serve on any County Board/Commission/Committee? No

Any other information you wish to give? Richland County is a great place, there is room for development and green spaces. Proper planning is essential.

Recommended by Council Member(s): No

Hours willing to commit each month: 10

**CONFLICT OF INTEREST POLICY**

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**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes \_\_\_\_\_ No X \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Pamela E Jones  
Applicant's Signature

October 28, 2009  
Date

**Return to:**  
**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**  
**For information, call 576-2060.**

**One form must be submitted for each committee on which you wish to serve.**

**Applications are current for one year.**

<b>Staff Use Only</b>	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file





APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: MARK PAUL KAYS
Home Address: 1675 POULTRY LN. Gadsden, SC 29052 Dist 10
Telephone: (home) 353-0334 (work) 353-2741
Office Address: Same
Email Address: Kaysforestry@aol.com
Educational Background: BS Forest Management / Clemson University
Professional Background: SC Registered Forester # 911, ACF, CF
Male [checked] Female [ ] Age: 18-25 [ ] 26-50 [ ] Over 50 [checked]
Name of Committee in which interested: Planning Commission
Reason for interest: Concerned about continued growth and loss of property rights.
Your characteristics/qualifications, which would be an asset to Committee, Board or Commission: As a forester, I am familiar with long range vision of management and conservation of resources.
Presently serve on any County Committee, Board or Commission? No
Any other information you wish to give? SC Real Estate Broker, Prescribed Fire Manag.
Recommended by Council Member(s):
Hours willing to commit each month: 4 hours

CONFLICT OF INTEREST POLICY

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*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No  \_\_\_\_\_

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No  \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Mark Palzays  
Applicant's Signature

10/27/09  
Date

**Return to:**  
**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**  
**For information, call 576-2060.**

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**Applications are current for one year.**

<b>Staff Use Only</b>		
Date Received: _____	Received by: _____	
Date Sent to Council: _____		
Status of Application:	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file

2



APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: David E. Letts  
Home Address: 6107 Poplar Ridge Rd. Coler SC 29206 Dist 8  
Telephone: (home) 803-782-2536 (work) 803-699-2800 ext. 79795  
Office Address: \_\_\_\_\_  
Email Address: dletts1@sc.rc.com  
Educational Background: B.A. Univ. of San Francisco / M.A. UNC-CH  
Professional Background: \_\_\_\_\_  
Male  Female  Age: 18-25  26-50  Over 50   
Name of Committee in which interested: Planning Commission  
Reason for interest: To be actively involved in the future of Richland County, i.e., how we use our resources.  
Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:  
I am reasonably well-informed and am willing to learn and investigate existing problems facing Richland County.  
Presently serve on any County Committee, Board or Commission? no  
Any other information you wish to give? \_\_\_\_\_  
Recommended by Council Member(s): \_\_\_\_\_  
Hours willing to commit each month: 8-10 hrs. plus one mtg per month

CONFLICT OF INTEREST POLICY

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*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No ✓

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No ✓

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Oil 3  
Applicant's Signature

10/26/09  
Date

**Return to:**  
**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**  
**For information, call 576-2060.**

**One form must be submitted for each Committee, Board or Commission on which you wish to serve.**

**Applications are current for one year.**

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file

2





APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Kathleen M. McDaniel

Home Address: 3103 Lakewood Avenue, Columbia, SC 29201

*Dist 4*

Telephone: (home) 843-345-8865 (work) 803-256-2371

Office Address: 1812 Lincoln Street, Columbia, SC 29201

Email Address: KathleenMcDaniel@ctrllawfirm.com

Educational Background:

**J.D., USC School of Law, May 2007**

**M.S., Fisheries, University of Georgia, May 1999**

**B.S., Aquaculture, Fisheries and Wildlife Biology, Clemson Univ., 1996**

Professional Background:

- (1) Attorney with the law firm of Callison Tighe & Robinson, LLC, practicing in the area of land use planning.**
- (2) Law Clerk for the City of Columbia Board of Zoning Appeals.**
- (3) Law Clerk for the South Carolina Senate Judiciary Committee.**
- (4) Clean City Coordinator for the City of Charleston.**

*Please see attached resume for additional information.*

Male      Female X      Age: 18-25      26-50 X      Over 50

Name of Committee in which interested: **Richland County Planning Commission**

Reason for interest:

**I believe that Richland County has a unique opportunity for economic development. I would welcome the opportunity to help insure that land use in Richland County is accomplished in a manner that is in accordance with the applicable statutes, rules, and regulations such that this growth provides long-term benefits for the economy, the environment, and the community at large.**

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

**I am an attorney in downtown Columbia with a portion of my practice devoted to land use planning. I, along with my firm, represent not only landowners but also local government entities. I, therefore, have a balanced perspective of the potential tension between an individual's right to use his or her property and the government's role in regulating that use. Having worked in the land use field as attorney and as an employee of the City of Columbia Board of Zoning Appeals, I already possess an understanding of the procedures, processes, and responsibilities of the Richland County Planning Commission.**

Presently serve on any County Committee, Board or Commission? **No**

Any other information you wish to give?

**During my work for the City of Charleston I developed a respect for the ability of local government to have a positive influence on the life of a community. I view appointment to the Richland County Planning Commission as a way to serve my community in an area in which I have a demonstrated interest and expertise.**

Recommended by Council Member(s): Paul Livingston

Hours willing to commit each month:

**I am willing to commit any amount of time required to fully review the matters before the Planning Commission and to have a complete and open discussion of these matters with all other members of the Planning Commission and the Department of Planning and Development Services, whether at the monthly meetings or outside of these meetings.**

**CONFLICT OF INTEREST POLICY**

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*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No X \_\_\_\_\_

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No X \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Kathleen M. McDaniel  
Applicant's Signature

October 28, 2009  
Date

**Return to:**  
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<b>Staff Use Only</b>		
Date Received: _____	Received by: _____	
Date Sent to Council: _____		
Status of Application:	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file



# KATHLEEN MCCOLL MCDANIEL

3103 Lakewood Avenue  
Columbia, South Carolina 29201  
803-256-2371 (phone)  
[KathleenMcDaniel@ctrlawfirm.com](mailto:KathleenMcDaniel@ctrlawfirm.com)

## Work Experience

### **Attorney**, Callison Tighe & Robinson, LLC

- Areas of practice include land use and zoning, government law, title insurance litigation, and general litigation
- Admitted to practice in the State of South Carolina, the District of South Carolina, and the United States Court of Appeals for the Fourth Circuit Court
- Member of the Richland County Bar Association, South Carolina Bar Association, American Bar Association, and South Carolina Women Lawyers Association

### **Senate Law Clerk**, South Carolina Senate Judiciary Committee

Columbia, SC

January 2006-June 2007

- Drafted and analyzed legislation for use by members of the Senate Judiciary Committee
- Assisted Judicial Merit Committee in screening judicial nominees

### **Writing Assistant**, USC School of Law Legal Writing Center

Columbia, SC

August 2005-May 2007

- Assisted first year law students with legal writing assignments and reinforced legal writing principles

### **Law Clerk**, City of Columbia, Board of Zoning Appeals

Columbia, SC

Summer 2006

- Worked with City of Columbia Zoning Administrator to clear a three-year backlog of pending Final Orders for zoning variances and special exceptions
- Reviewed hearing notes, recordings, and transcripts to complete over 100 Final Orders of the Columbia Board of Zoning Appeals
- Insured that all statutory requirements were met in granting or denying variances and special exceptions

**Coordinator**, City of Charleston Department of Parks  
Charleston, SC  
January 2001-July 2004

- Coordinated Keep Charleston Beautiful campaign focusing on litter prevention through education, awareness, and enforcement of litter laws
- Worked closely with Mayor and City Council to initiate litter-prevention programs and recognize outstanding community volunteers
- Organized over 7,000 volunteers to clean up more than 500,000 pounds of litter
- Increased annual budget by 130% through grants and solicited donations

**Integrated Protected Areas Community Educator**, Peace Corps  
Philippines  
April 1999-May 2001

- Co-wrote legislation for conservation of marine resources in San Miguel Bay that was ratified by municipal council in December 2000
- Conducted ecological and market research on *Placuna placenta*, a marine bivalve, with the Haribon Foundation for the Conservation of Natural Resources
- Assisted with community organizing to promote community-based marine resources management
- Trained 7 Local Research Partners in ecology and field techniques in local dialect so that they could continue marine research

## Education

J.D.  
University of South Carolina, School of Law  
May 2007

- Order of the Coif
- Order of the Wig and Robe
- South Carolina Law Review, Editorial Board member, Vol. 58

M.S., Fisheries  
University of Georgia, Athens, GA  
May 1999

B.S. Aquaculture, Fisheries, and Wildlife Biology  
Clemson University, Clemson, SC  
May 1996



**APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION**

Name: FRANK E. MITCHELL  
Home Address: 1421 HANDSCRABBLERD DIST 7  
Telephone: (home) 803-786-6518 (work) 803-252-1634  
Office Address: 1428 CHEVOKEE STREET  
Educational Background: B.S. SOCIAL SCIENCE EDWARD WOODS COLLEGE  
Professional Background: GENERAL CONTRACTOR AND REAL ESTATE BROKER  
Male  Female  Age: 18-25  26-50  Over 50   
Name of Committee in which interested: PLANNING COMMISSION  
Reason for interest: TO PARTICIPATE IN DECISION MAKING POLICY IN MY COMMUNITY  
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission: KNOWLEDGE AND EXPERIENCE IN BUILDING CODES, ZONING AND COUNTY OPERATION  
Presently serve on any County Board/Commission/Committee? YES  
Any other information you wish to give? ATTACHED  
Recommended by Council Member(s): \_\_\_\_\_  
Hours willing to commit each month: AS NEEDED

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**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes \_\_\_\_\_ No  \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Jack Mitchell*  
Applicant's Signature

10/26/09  
Date

**Return to:  
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Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file

**FRANK E. MITCHELL**  
**1421 Hardscrabble Road**  
**Columbia South Carolina 29203**  
**803-622-8695-cell [fjcjmitch@aol.com](mailto:fjcjmitch@aol.com)**

**Frank Earl Mitchell**, born in Charleston County, South Carolina is President and Owner of Orion Construction Company Inc. and Mitchell Properties and Development Since 1985. Licensed with South Carolina Residential Home Builder Commission, South Carolina General Contractors Licensing Board and the Real Estate Commission of South Carolina as a Broker –In- Charge. U.S. army veteran Viet Nam Era

My education consists of a High School Diploma from Charleston County Public School. A Bachelor of Science degree from Edward Waters College, Jacksonville, Florida. Advance Business Certification from Tuck School Business at Dartmouth College, and several courses from Technical and Business Colleges.

My community involvement is membership at Bethel AME Church, Trustee's Board and President of the Men's Club. Life member of Phi Beta Sigma Fraternity Inc. Board member Bethel, Bishop, Chappelle Memorial Apartments. Past Master of Capital City Lodge # 47 and member of C.C. Johnson Consistory #136 (33rd) PHA. Past Member of Richland County Building and Housing Appeal Board, past Chairman of City of Columbia Housing Board and Appeal. Past Director of Lake Elizabeth Homeowners Association.



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Name: OLIN D. WESTBROOK

Home Address: 104 HICKORY HALL LANE, IRMO, SC 29063 Dist 1

Telephone: (home) 803-781-4272 (work) Retired

Office Address: HOME BASED BUSINESS

Educational Background: B.S. MANAGEMENT

Professional Background: HOUSING - LOAN GUARANTY OFFICER

Male  Female  Age: 18-25  26-50  Over 50

Name of Committee in which interested: I WILL serve when needed. Planning Comm

Reason for interest: I would like to help in the development of Richland County.

Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission: I feel my management, Real Estate, HOUSING, and LOAN GUARANTY background WILL BE an asset.

Presently serve on any County Board/Commission/Committee? NO

Any other information you wish to give? Served on IRMO PLANNING Commission.

Recommended by Council Member(s): N/A

Hours willing to commit each month: SIX TO 10 hours EACH MONTH

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**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes \_\_\_\_\_ No  \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Olin D. Westbrook Oct. 27, 2009  
Applicant's Signature Date

**Return to:**  
**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**  
**For information, call 576-2060.**

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**Applications are current for one year.**

<b>Staff Use Only</b>	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	





APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Name: David C. Wylie Dist 1
Home Address: 213 Lake Front Drive, Columbia, SC 29212
Telephone: (home) 803-407-9899 (work) 803-936-4267
Office Address: 724 Knox Abbott Drive, Cayce, SC 29033
Educational Background: 1973 grad Clemson University, B.A. Political Science; 1969 Chester (SC) High
Professional Background: Since 1981, Farm Bureau Insurance - Products, Underwriting, Agency positions over
Male [x] Female [ ] Age: 18-25 [ ] 26-50 [ ] Over 50 [x]

Name of Committee in which interested: Planning Commission
Reason for interest: Local government has always interested me. An opportunity to serve and hopefully influence orderly growth of land is appealing. Interested in land use due to property ownership and property insurance background.
Your characteristics/qualifications, which would be an asset to Committee/Board/Commission:

Knowledge of local and state government law-making gained from lobbying activities at state House for employer for 12 years; Knowledge of home, farm and business insurance

Presently serve on any County Board/Commission/Committee? NO
Any other information you wish to give?
Recommended by Council Member(s):
Hours willing to commit each month: 8-10 hours monthly

CONFLICT OF INTEREST POLICY

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**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes \_\_\_\_\_ No ✓ \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

David M. Mc  
Applicant's Signature

22 June 2009  
Date

**Return to:**  
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**For information, call 576-2060.**

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APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Christopher Yonke
Home Address: 1624 Deborah Drive, Columbia SC Dist 11
Telephone: (home) (216) 235-9129 (work) (803) 806-2434
Office Address: TAG-DSO-FM, 1 National Guard Rd, Columbia SC
Email Address: Yonke.C@tag.scmd.state.sc.us
Educational Background: Masters Degree Geography - Urban Planning (Univ. of Akron)
Professional Background: GIS Manager SC Army National Guard FMO-GIS Master Planner
Male [X] Female [ ] Age: 18-25 [X] 26-50 [ ] Over 50 [ ]
Name of Committee in which interested: Planning Commission
Reason for interest: I've always been interested in Community Planning, I went to graduate school to become a city planner. Now I find myself in a GIS position not using my Planning degree as much as I'd like.
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission: Masters in Urban Planning, Internship with Munroe Falls, Ohio & Aurora, Ohio = Attended & Participated in Planning Commission Meetings
Presently serve on any County Board/Commission/Committee? No
Any other information you wish to give? Please see my attached Resume
Recommended by Council Member(s): Norman Jackson
Hours willing to commit each month: I'm very flexible. 4+ hours (As much time that is needed)

CONFLICT OF INTEREST POLICY

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**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes \_\_\_\_\_ No ✓

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Christopher Gondre  
Applicant's Signature

10-8-09  
Date

**Return to:**  
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Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	



**C H R I S T O P H E R Y O N K E**

1624 Deborah Drive • Columbia • South Carolina 29209 • Ph: 216 235 9129

E-mail: YonkeC@tag.scmd.state.sc.us / cyonke@kent.edu

**E d u c a t i o n**

Graduate studies : **M.A. in Geography & Planning**  
*The University of Akron, Ohio, August 2006- May 2008*  
**Graduate Certificate in Geographic Information Systems (GIS)**  
*The University of Akron, Ohio, August 2006- May 2008*

Under graduate studies : **B.A. in Political Science (Concentration in American Politics)**  
**Minor in Geography, Minor in Pre-Law**  
*Kent State University, Ohio, August 2002 – May 2006*

**R e l e v a n t S k i l l s & C o u r s e w o r k**

Relevant Graduate Coursework includes: Facilities Planning, Research Methods, Advanced GIS, Planning Analysis & Projection Methods, Seminar: Urban Information System, Cartographic Design and Theory, Advanced Remote Sensing, Planning Methods, Planning Law, Field Research Methods, GIS Programming & Customization, Spatial Analysis

Relevant Under-graduate Coursework: Urban & Regional Planning, Seminar in American Politics: Social Equity & Welfare, Political Economy

Proficiency in: ArcGIS v9 x; Geoprocessing concepts; Python Scripting v2.5; SPSS v15.0; Erdas Imagine, Microsoft Office Suite including Word, Excel, and PowerPoint, Trimble GPS

Implemented Small-Area Plan for the Boston Township Corridor, December 2007

Seven Semesters studying Spanish; reading, writing, and speaking 1999 – 2004

**E m p l o y m e n t H i s t o r y**

**GIS Manager** : **South Carolina Army National Guard** *May 2008 - Present*

**Graduate Assistant / Teaching Assistant** : *Department of Geography and Planning, University of Akron, Ohio January 2007– May 2008*

Introduction to Cartography: Primarily responsible for assisting faculty in strengthening concepts presented in lectures and laboratories. Instructed Cartographic labs and Exercises using ArcGIS v9.2. Graded exercises and exams. Developed Generalization Lab teaching students new GIS tools for simplifying line work.

Maps and Map Reading: Instructed Friday labs and exams. Graded exercises and exams.

Career Assessment Seminar: Organized career database.

Field Research Methods: Administered course evaluation, transported students to field assignments

Aided faculty in initiating a GIS project for future academic journal publications

**GIS / Planning Intern** : **City of Aurora, Ohio May 2007- July 2007**

Assisted planning staff in updating the communities Master Plan. Developed Maps using ArcGIS v9.1 for zoning, utility (waterline; hydrants and water valves), environmental (wetlands, areas with environmental constrains), and parks (bike/hike trails). Gathered GIS data including hydrants, water valves and light posts using a Trimble GPS unit. Assisted in developing population projections. Gathered legal (codified ordinances) and parcel information regarding future zoning appeal meetings.

**Planning Intern** : **City of Munroe Falls, Ohio January 2007- April 2007**

Analyzed site maps, studied zoning code, and attended city meetings. Worked side-by-side with the building director in managing the development of the Dollar General, a senior living facility, and community signage issues. Researched GIS programs and opportunities. By the end of the internship I implemented a GIS program for the city officials.

**O t h e r W o r k E x p e r i e n c e**

2005-2007 Parasson's Italian Restaurant, Tony Parasson 330-724-9303

1999-2005 Reddi's Pizza Parlor, Tom Manzo 216- 663-6654

**S c h o l a s t i c a w a r d s a n d a c h i e v e m e n t s**

Full tuition scholarship & stipend for graduate/ teaching assistant position, The University of Akron 2007- 2008

**P r o f e s s i o n a l a f f i l i a t i o n s**

Registered member of the American Planning Association (APA)

**R e f e r e n c e s**

Tara Plewa, Geographic Information Officer, South Carolina Army National Guard, 803-806-4407

Deborah King, Department Instructor and Undergraduate Advisor of Geography and Planning, 330-972-2394

Denise Januska, City Planner, City of Aurora, Ohio 330-562-9564

Courtney Schumm, GIS Coordinator / City Arborist, City of Aurora, Ohio 330-995-8867

Mayor Frank Larson, City of Munroe Falls, Ohio 330-688-7491





**APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION**

**Applicant must reside in Richland County.**

Name: Donna J Mahoney Dist 11  
Home Address: 1404 Chain Gang Rd Eastover, SC 29044  
Telephone: (home) 803-353-3582 (work) same as home  
Office Address: same as above  
Email Address: CMTfarms@bellsouth.net  
Educational Background: attended Coastal Carolina and USC Columbia  
Professional Background: Certified Surgical Technician  
Male  Female  Age: 18-25  26-50  Over 50   
Name of Committee in which interested: Richland County Planning Commission  
Reason for interest: To serve my community as called to do,

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission: Strong work ethics. Strong interest in community. Strong interest in volunteering, giving back.

Presently serve on any County Committee, Board or Commission? No  
WORK Part time @ TRMC, Orangeburg, Owner: CMT Farms and CMT Tool and Machine  
Any other information you wish to give? Coowner of The Thrifty Closet, LLC  
volunteer service to include Tuomey Hospital, Sumter SC / Coop. Ministries Colg. SC  
Recommended by Council Member(s): NO  
Hours willing to commit each month: 10-16

**CONFLICT OF INTEREST POLICY**

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.



Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No ✓

### STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes ✓ No \_\_\_\_\_

If so, describe: I am owner of CM Tool & Machine @ 1404 Chain Gang Rd. Eastover SC  
I am owner of CMT Farms @ 1404 Chain Gang Rd. Eastover SC  
I am coowner of The Thrifty Closet, LLC @ 1314 Leesburg Plaza Suite P.

Donna Jameson Maloney  
Applicant's Signature

October 28, 2009  
Date

**Return to:**  
**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**  
**For information, call 576-2060.**

**One form must be submitted for each Committee, Board or Commission on which you wish to serve.**

**Applications are current for one year.**

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	Item# 49



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Name: PRESTON C. CARTER JR.
Home Address: 605 GLENLEA ROAD Dist 4
Telephone: (home) 803-786-2064 (work) 803-553-2275
Office Address: N/A
Educational Background: B.S. DEGREE - IND. TECH. / SOUTHERN UNIVERSITY AND A&M COLLEGE
Professional Background: ENGR. DESIGNER / S.C. DEPT. OF LABOR, BLDG. CODES & REG
Male [X] Female [ ] Age: 18-25 [ ] 26-50 [ ] Over 50 [X]
Name of Committee in which interested: RICHLAND COUNTY PLANNING COM.
Reason for interest: WANTING TO PARTICIPATE IN PLANNING AND DEVELOPMENT OF MY COMMUNITY. I HAVE VAST EXPERIENCE FROM 18 YRS OF INSPECTIONS AND ENFORCEMENT.
Your characteristics/qualifications, which would be an asset to Committee/Board/Commission: 18 YRS OF BLDG. INSPECTIONS AND PLANS REVIEW FOR THE S.C. DEPT. OF (LLR); ENFORCEMENT OFFICER FOR (ADA) AMERICANS WITH DISABILITIES ACT
Presently serve on any County Board/Commission/Committee? NO
Any other information you wish to give?
Recommended by Council Member(s):
Hours willing to commit each month: (30+)

CONFLICT OF INTEREST POLICY

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Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all boards shall be required to abstain from voting or influencing through discussion or debate or any other way, decisions of the board affecting those personal and financial interests.



All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete.

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### STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes \_\_\_\_\_ No \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

**Return to:**  
**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**  
**For information, call 576-2060.**

**One form must be submitted for each committee on which you wish to serve.**

**Applications are current for one year.**

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file

*CLARK OF COUNCIL*  
*MR PRICE*  
2



**APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION**

Name: WILLIAM LEWIS DuBARD, Sr  
Home Address: 1853 CEDAR CREEK ROAD, BLYTHEWOOD, SC 29016 Dist 2  
Telephone: (home) 803-754-0710 (work) \_\_\_\_\_  
Office Address: RETIRED  
Educational Background: B.S. CLEMSON COLLEGE; GRAD STUDIES USC  
Professional Background: US AIR FORCE; TEACHER; SALESMAN; P.R. REPRESENTATIVE  
Male  Female  Age: 18-25  26-50  Over 50   
Name of Committee in which interested: RICHLAND COUNTY PLANNING COMMISSION  
Reason for interest: DEEP CONCERN FOR DEVELOPMENT IN RICHLAND COUNTY.

Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:

EXTENSIVE EXPERIENCE IN HOME BUILDING / CONSTRUCTION

Presently serve on any County Board/Commission/Committee? NO. PREVIOUSLY SERVED ON

Any other information you wish to give? TRANSPORTATION STUDY COMMISSION.

Recommended by Council Member(s): PLEASE CONTACT ME FOR ANY DESIRED

Hours willing to commit each month: ADDITIONAL INFORMATION.  
CONTACT JOYCE DICKERSON

**CONFLICT OF INTEREST POLICY**

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**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes \_\_\_\_\_ No  \_\_\_\_\_

If so, describe: NONE TO KNOWLEDGE  
\_\_\_\_\_  
\_\_\_\_\_

William R. Dubard  
Applicant's Signature

10/26/09  
Date

**Return to:**  
**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**  
**For information, call 576-2060.**

**One form must be submitted for each committee on which you wish to serve.**

**Applications are current for one year.**

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Name: Lewis Frederick Dist 1
Home Address: 825 Boatswain Loop, Chapin, SC 29036
Telephone: (home) 803-732-8675 (work) 843-324-5264 cell

(M-F) (flexible)

Office Address: 1253 Dicks Avenue, Hanahan SC 29406

Educational Background: B.S. Chemistry 1977, Minor Mathematics

Professional Background: Corporate Mgmt, Projct Mgmt, Real Estate Developer

Male [X] Female [ ] Age: 18-25 [ ] 26-50 [ ] Over 50 [X]

Name of Committee in which interested: Planning Commission

Reason for interest: I currently live in the Northwest section of Richland County (Ballentine/Chapin). This is a growth area that requires considerable planning & input from residents

Your characteristics/qualifications, which would be an asset to Committee/Board/Commission: Real Estate, Finance & Development

Experience 20 years in Columbia Area 12 years in Richland County

Presently serve on any County Board/Commission/Committee? NO

Any other information you wish to give?

Recommended by Council Member(s): NO

Hours willing to commit each month: 10 hours

CONFLICT OF INTEREST POLICY

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**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes ✓ No \_\_\_\_\_

If so, describe: I am part owner of a  
redevelopment project - Straps Creek  
Park - located near Blatte Road & Ray Street  
my company's name is Premier Properties  
of Columbia, LLC

[Signature]  
Applicant's Signature

10/28/09  
Date

Return to:  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.

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Applications are current for one year.

<b>Staff Use Only</b>	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	



APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION

Name: CHARLES F. GWINN

Home Address: 846 CAMELLIA ST., COLUMBIA, SC 29205 Dist 6

Telephone: (home) 803. 787. 8866 (work) 803. 788. 4678

Office Address: 803. 238. 9028  
7201/BU-650 Two Notch Rd., Columbia, SC 29223

Educational Background: BA, FURMAN UNIVERSITY (1976)

Professional Background: GENERAL MANAGER, CBL & ASSOC. PROPERTIES INC.

Male  Female  Age: 18-25  26-50  Over 50   
COLUMBIA PLACE MALL & STATESBORO CROSSING

Name of Committee in which interested: PLANNING

Reason for interest: WOULD BRING A STRONG COMMITMENT TO COMMUNITY AND  
CONSIDERABLE PROFESSIONAL BACKGROUND TO THE POSITION

Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:

SENIOR CERTIFICATION IN BOTH MANAGEMENT & MARKETING (SCSM/SCMD)  
FROM INTERNATIONAL COUNCIL OF SHOPPING CENTERS (ICSC);

Presently serve on any County Board/Commission/Committee? NO

Any other information you wish to give? (see below)

Recommended by Council Member(s): \_\_\_\_\_

Hours willing to commit each month: 6-10 HOURS/MONTH OR AS REQUIRED

CONFLICT OF INTEREST POLICY

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- FACULTY MEMBER, ICSC SCHOOLS FOR PROFESSIONAL DEVELOPMENT (DOMESTIC & INTERNATIONAL)
- CHAIRMAN, NATIONAL RETAIL ADVISORY BOARD; USC SCHOOL OF RETAILING (COLLEGE OF HRSM)
- PAST CHAIR, HARVEST HOPE FOOD BANK; CURRENT BD. MEMBER
- VICE PRESIDENT, INDIAN WATERS COUNCIL, BOY SCOUTS OF AMERICA

Item# 49



All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete.

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**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes  No

If so, describe: As GM of COLUMBIA PLACE MALL, WOULD RECUSE MYSELF IN ANY ACTION AFFECTING THE PROPERTY.

Charles F. Brown  
Applicant's Signature

10/28/09  
Date

Return to:  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.

One form must be submitted for each committee on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Name: Shely L. Ham
Home Address: 125 Bowhill Ct, Irmo, SC 29063 Dist 1
Telephone: (home) 749-6789 (work) 214-2380
Office Address:
Educational Background: Benedict College, Midland Tec Asford Univ
Professional Background: Teaching, Church leader
Male [ ] Female [x] Age: 18-25 [ ] 26-50 [ ] Over 50 [x]
Name of Committee in which interested: County Planning Committee
Reason for interest: I operate a food pantry and I make decision basis on the need of the people
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission: People person, I have a personality that speak volume. Great attitude
Presently serve on any County Board/Commission/Committee? N/A
Any other information you wish to give? Very active in my community/church
Recommended by Council Member(s):
Hours willing to commit each month: 6 to 10 hrs a month

CONFLICT OF INTEREST POLICY

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**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes \_\_\_\_\_

No N/A

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Shelby Ham  
Applicant's Signature

10/27/09  
Date

Return to:  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.

One form must be submitted for each committee on which you wish to serve.

Applications are current for one year.

<b>Staff Use Only</b>	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file





**APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION**

Name: Kenneth C. Hanson  
Home Address: 412 Lost Creek Drive, Columbia, 29212 Dist 1  
Telephone: (home) (803) 781-4141 (work) (803) 798-9446  
Office Address: 6156 Saint Andrews Road, Columbia, 29212  
Educational Background: USC BA 1974 (Political Science) JD 1977  
Professional Background: Attorney since 1977  
Male  Female  Age: 18-25  26-50  Over 50   
Name of Committee in which interested: Planning Commission  
Reason for interest: Strong interest in balancing planned growth vs. property owners rural interests.  
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:  
Analytical, Even Tempered, Tolerant.  
Presently serve on any County Board/Commission/Committee? NO  
Any other information you wish to give? NO  
Recommended by Council Member(s): \_\_\_\_\_  
Hours willing to commit each month: 8-12 hours each month

**CONFLICT OF INTEREST POLICY**

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### STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes \_\_\_\_\_ No X \_\_\_\_\_

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Kenneth C Hanson  
Applicant's Signature

10-26-09  
Date

Return to:  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.

One form must be submitted for each committee on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file



**APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION**

**Applicant must reside in Richland County.**

Name: Michael P. Herrmann

Home Address: 1008 Majestic Circle, Columbia, SC 29223

Telephone: (Home) 803-462-0270 (Work) 803-751-5729

Office Address: Ft. Jackson DHR, 5450 Strom Thurmond Blvd., Rm. 200, Ft. Jackson, SC 29207

Email Address: herrmanm@mindspring.com

Educational Background: BA (1980) Bethany College, AA (1978) Hutchinson Junior College

Professional Background: Retired Army (21 years), Human Resources Specialist (4 years)

Male      Female      Age: 18-25      26-50      Over 50

Name of Committee in which interested: Planning Commission

Reason for interest: To assist County Council in developing programs and policies which promote orderly and coordinated development of our county, and which also reflect the broad interests of our community.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission: Wide range of community involvement experience over the past 11 years with Summit Parkway Middle School, Longleaf Middle School and Blythewood High School in Richland School District 2. A member of the Board of Directors of the Dentsville Youth Baseball/Softball League.

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give? References provided upon request.

Recommended by Council Member(s): Pending

Hours willing to commit each month: 10-15 hours

**CONFLICT OF INTEREST POLICY**

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*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No X \_\_\_\_\_

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No X \_\_\_\_\_

Michael P. Herrmann  
Applicant's Signature

10-28-2009  
Date

**Return to:**  
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**For information, call 576-2060.**

**One form must be submitted for each Committee, Board or Commission on which you wish to serve.**

**Applications are current for one year.**

<b>Staff Use Only</b>		
Date Received: _____	Received by: _____	
Date Sent to Council: _____		
Status of Application:	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: FRANKLIN J. HERTZEL
Home Address: 329 GENESSEE RD IRMO, SC 29063 Dist 1
Telephone: (home) 803-407-4285 (work) 803-655-7300
Office Address: OLD BELLEVILLE RD, ST. MATTHEWS, SC, 29135
Email Address: FDALEHERTZ@AOL.COM FHERTZEL@Tutthill.com
Educational Background: BALDWIN-WALLACE College, BEREA, OH.
Professional Background: MATERIALS MANAGEMENT & Supplier Development
Male [X] Female [ ] Age: 18-25 [ ] 26-50 [ ] Over 50 [ ]
Name of Committee in which interested: Richland County Planning Commission
Reason for interest: DESIRE TO CREATIVELY CONTRIBUTE TO THE CURRENT & FUTURE DEVELOPMENT OF THE COMMUNITY.
Your characteristics/qualifications, which would be an asset to Committee, Board or Commission: I AM LOGICAL, ANALYTICAL, AWARE & AWAKE TO CURRENT & FUTURE DEMANDS OF THE COMMUNITY. I HAVE A WIDE RANGE OF CONSTRUCTION KNOWLEDGE FROM THE ARMY CORP OF ENGINEERS, VOLUNTEER TO COMMUNITY PROJECTS.
Presently serve on any County Committee, Board or Commission? NO
Any other information you wish to give?
Recommended by Council Member(s):
Hours willing to commit each month: 10+

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.



Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

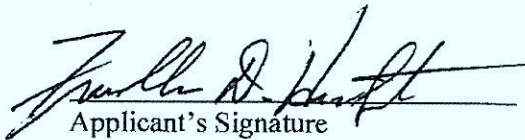
Yes \_\_\_\_\_ No  X

#### STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No  X

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Applicant's Signature

10/27/09   
Date

**Return to:**  
Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.

**One form must be submitted for each Committee, Board or Commission on which you wish to serve.**

**Applications are current for one year.**

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	

Item# 49



# Richland County Council Request of Action

**Subject**

Motion for presentations to be held on the third Tuesdays of the month.

# Richland County Council Request of Action

**Subject**

Development Roundtable [**PAGES 353-380**]

# The Development Roundtable

## 22 Principles for Better Site Design

– Saving Money



– Saving the Environment



# The Development Roundtable

## County Staff Participants

Anna	Almeida	Richland County Planning
Allison	Busch	Richland County Public Works
Hugh	Caldwell	Richland Co. Conservation Commission
Stacy	Culbreath	Richland County Department of Public Works
Sparty	Hammett	Richland County Administration
Hope	Hasty	Richland County Planning
David	Hoops	Richland County Department of Public Works
Cindy	Kestner	Richland County Department of Public Works
Joe	Kocy	Richland County Planning
Amelia	Linder	Richland County Planning
Jennie	Sherry-Linder	Richland County Planning
William	Simon	Richland County Department of Public Works
Miranda	Spivey	Richland County Emergency Services
Sirinivas	Valavala	Richland County Department of Public Works
Jim	Wilson	Richland Co. Conservation Commission

# The Development Roundtable

## Development Community

### Participants

Doug	Bridges	Russell Jeffcoat Realtors/ Chamber of Commerce
Steve	Corboy	SB Communities, LLC
George	Delk	Delk Homes, Inc.
Bill	Dixon	Mungo Homes, Inc.
Bill	Flowers	Civil Engineering of Columbia
Darren	Holcombe	Cox and Dinkins, Inc.
Tom	Margle	HVP 3, LLC
David	Tuttle	Developer (President, Lake Carolina)

# The Development Roundtable Environmental Community Participants

Gary	Atkinson	Richland County Conservation Commission
John	Grego	Friends of Congaree Swamp
Bob	Guild	Sierra Club
Carol	Kososki	Richland County Conservation Commission
Yancey	McLeod	Yancey Environmental Solutions
Tracy	Swartout	Congaree National Park
Daniel	Tufford	Gills Creek Watershed (Alternate)
Jessica	Artz	Gills Creek Watershed

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# The Development Roundtable

## State Agency Participants

Liz	Gilland	SC Forestry Commission - Urban Forestry Coordinator
Tom	Patton	SC Forestry Commission - Piedmont Region Forester SC Forestry Commission- Piedmont Region Urban
Jim	Walters	Forester
Amanda	Ley	DHEC Bureau of Water
Rick	Nuzum	DHEC Bureau of Water
Jill	Stewart	DHEC Bureau of Water
Tony	Magwood	SC DOT

# The Development Roundtable

## Federal Agency Participants

Colton Bowles Army Corps of Engineers

Patrick O'Donnell Army Corps of Engineers

# The Development Roundtable

- A consensus-based process creating better land use regulations



- A partnership among;
  - Developers
  - Environmentalists
  - County staff

# Development Roundtable Process

- The Planning Director negotiated a partnership with the Core of Engineers to fund the contract for the Center for Watershed Protection to facilitate the Roundtable.
- The project was initiated in February of 2009.
- In March, the Center for Watershed Protection rated our current Land Development Code – the grade was 59 out of 100.

# Development Roundtable Process

- The final meeting of the Development Roundtable was held on September 21<sup>st</sup>.
- During the 8-month process, the Roundtable was able to reach consensus on 22 of 22 development principles that were reviewed.
- Portions of the current Land Development Code are ambiguous, which leads to different interpretations, inconsistency and conflicts between staff and developers/consultants.

# Development Roundtable Process

- Concerns with the Code were identified during Performance Audits of Planning in 2007 and Public Works in 2008.
- The hard work, time and effort given by the members of the Roundtable will serve as the basis to draft new ordinances that will:
  - Reduce ambiguity and enhance consistency;
  - Reduce costs for the development community; and
  - Aide in protecting the environment.



# Roundtable – Phase II - Implementation

- We are request that County Council adopt the 22 Development principles and authorize Phase II of the Development Roundtable.
- Phase II will involve a smaller group of 12 members (4 Staff, 4 Development, and 4 Environmental) that will be tasked with drafting the 22 principles into consensus ordinances.

# 22 Development Principles

1. Street Width
2. Street Length
3. Right-of-way Width
4. Cul-de-sacs
5. Vegetated Open Channels
6. Parking Ratios
7. Shared Parking
8. Parking Lots
9. Structured Parking
10. Parking Lot Runoff

# 22 Development Principles

11. Open Space Design
12. Setbacks and Frontages
13. Sidewalks
14. Driveways
15. Open Space Management
16. Rooftop Runoff
17. Stream Buffer Systems
18. Buffer Maintenance
19. Clearing and Grading
20. Tree Conservation
21. Land Conservation Incentives
22. Stormwater Outfalls

# Development Principle #11.

## Open Space Design

Advocate open space development allowing smaller lot sizes

- minimizing total impervious area,
- reducing total construction costs,
- conserving natural areas,
- providing community recreational space, and
- promoting watershed protection.

# Development Principle #12. Setbacks And Frontages

- Relax side yard setbacks and allow narrower frontages
  - reducing total road length
- Relax front setback requirements and minimize driveway lengths
  - reducing overall lot imperviousness.

# Design Example:



- 50.5 acres (RS-LD)
- 12 acres Open Space:
  - 3.0 ac Primary Open Space
  - 3.0 ac Secondary Open Space
  - 6.0 ac Recreational Open Space
- Effective OS =  $125\%(3) + 100\%(3) + 50\%(6)$

Effective OS = 9.75 ac

**19% Effective Open Space**

**5% density bonus (212 lots)**



# Design Example:



- 50.5 acres (RS-LD)
- 12 acres Open Space:
  - 8.5 ac Primary Open Space
  - 2.0 ac Secondary Open Space
  - 1.5 ac Recreational Open Space
- Effective OS =  $125\%(8.5) + 100\%(2.0) + 50\%(1.5)$

Effective OS = 13.4 ac

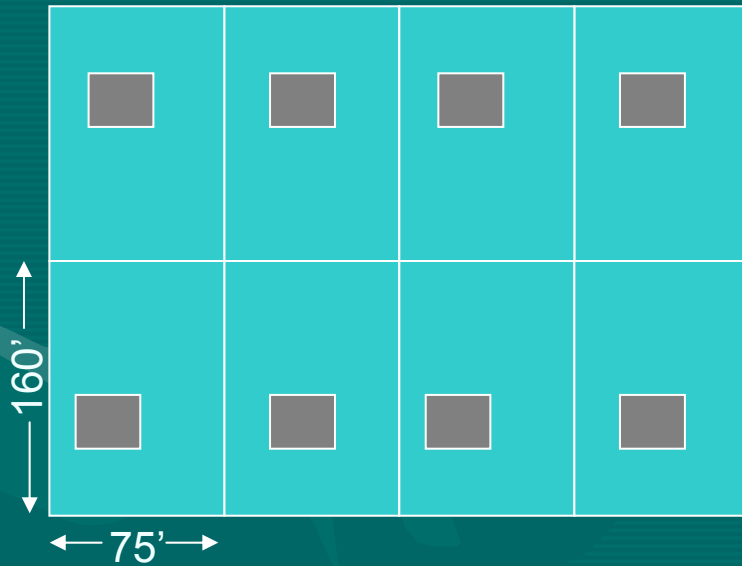
**26% Effective Open Space**

**16% density bonus (248 lots)**

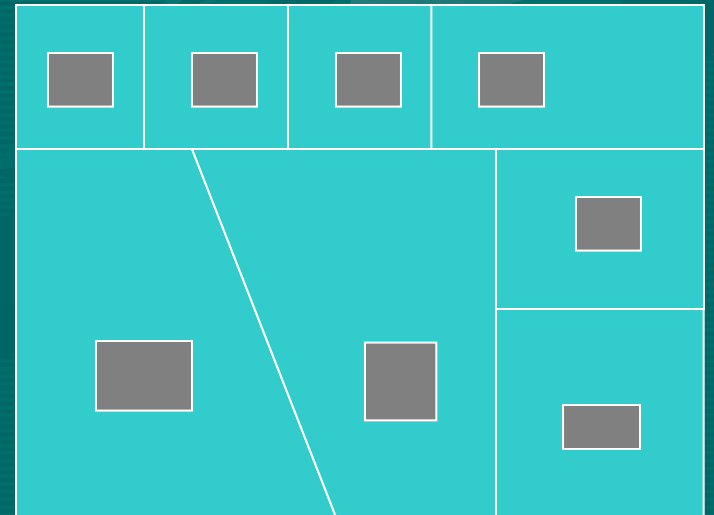
<b>Residential Zoning District</b>		Existing Min. Requirement	Proposed Max. Requirement
------------------------------------	--	---------------------------	---------------------------

<b>RS-LD</b>	<b>Single-family Low Density</b>	12,000 SF	4 Units/ac
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**Existing Requirement**  
2 acre lot



**Proposed Recommendations**  
2 acre lot



Mixed Residential



Uniform Lots

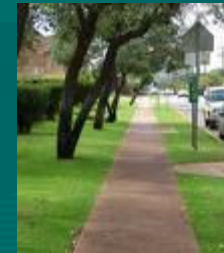
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# Development Principle #13. Sidewalks

Promote flexible design standards for subdivision sidewalks.

- Where practical, consider locating sidewalks on only one side of the street and



- providing common walkways linking pedestrian areas.



# Development Principle #15. Open Space Management

- Clearly specify how community open space will be managed.



- Designate a sustainable legal entity responsible for managing both natural and recreational open space

# Development Principle #20. Tree Conservation

- Conserve trees and other vegetation by
  - planting additional vegetation,
  - clustering tree areas, and
  - promoting the use of native plants.
- Manage community open space, street rights-of-way, parking lot islands, and other landscaped areas to promote natural vegetation.



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# Development Principle #22.

## Stormwater Outfalls

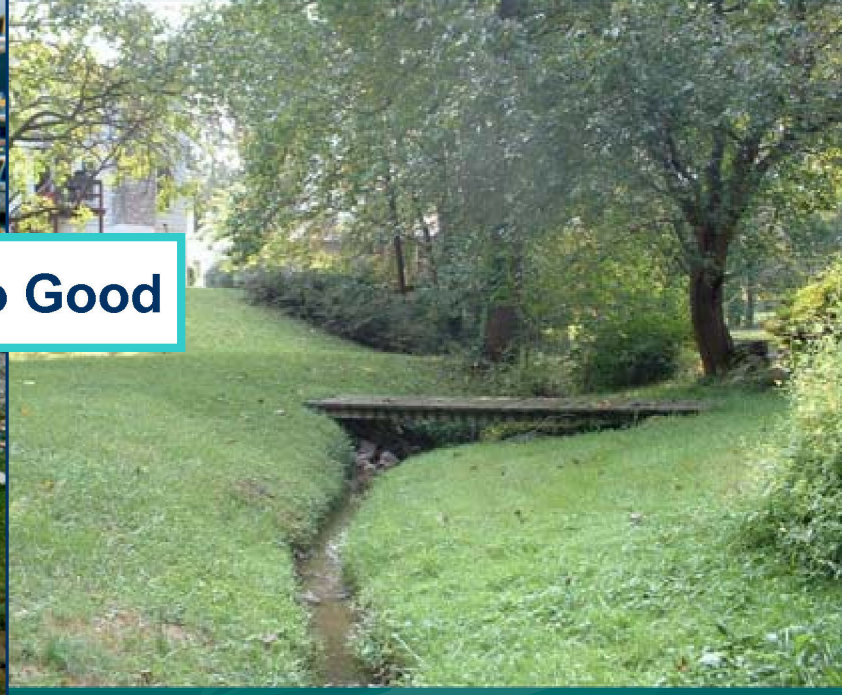
New and redeveloped stormwater outfalls should not discharge untreated stormwater into jurisdictional wetlands, aquifers, or other water bodies.

- Untreated stormwater runoff should not be discharged directly into wetlands.
- Storm sewers and constructed/altered channels that discharge into a water quality buffer shall be constructed in such a way as to dissipate energy and create even sheet flow.

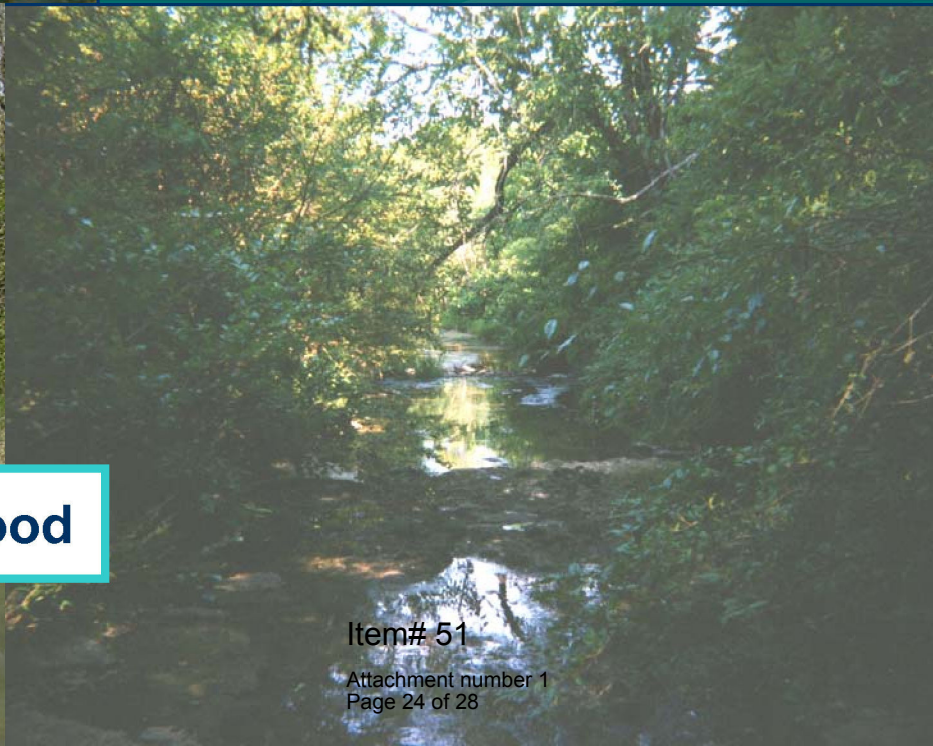




**Not So Good**



**Good**



2003 9 25



# Development Principle #22.

## Stormwater Outfalls

- Richland County should consider financial relief measures for development and redevelopment projects in watersheds having more stringent stormwater management standards in order to offset higher costs of compliance in those watersheds
- Richland County should develop a meaningful incentive program that encourages the development to go above and beyond minimum stormwater management standards.
- Richland County should consider making the Green Code applicable to additional development types beyond just residential developments.

# Development Principle #17.

## Stream Buffer Systems

Create a variable width, naturally vegetated buffer system along all perennial streams encompassing critical environmental features such as the 100-year floodplain, steep slopes and freshwater wetlands.

- 50' Water Quality Buffers (WQB) shall be required along all perennial and intermittent streams, waterways, shorelines and wetlands as determined by a USACE jurisdictional determination (JD).
- Exemptions apply such as existing lots 2 acres or less that are not part of a new subdivision development.
- Buffer averaging is permitted and is based on the Lexington County formula with a maximum buffer credit of 100' towards the formula. Minimum buffer width is 25'.

# Development Principle #17.

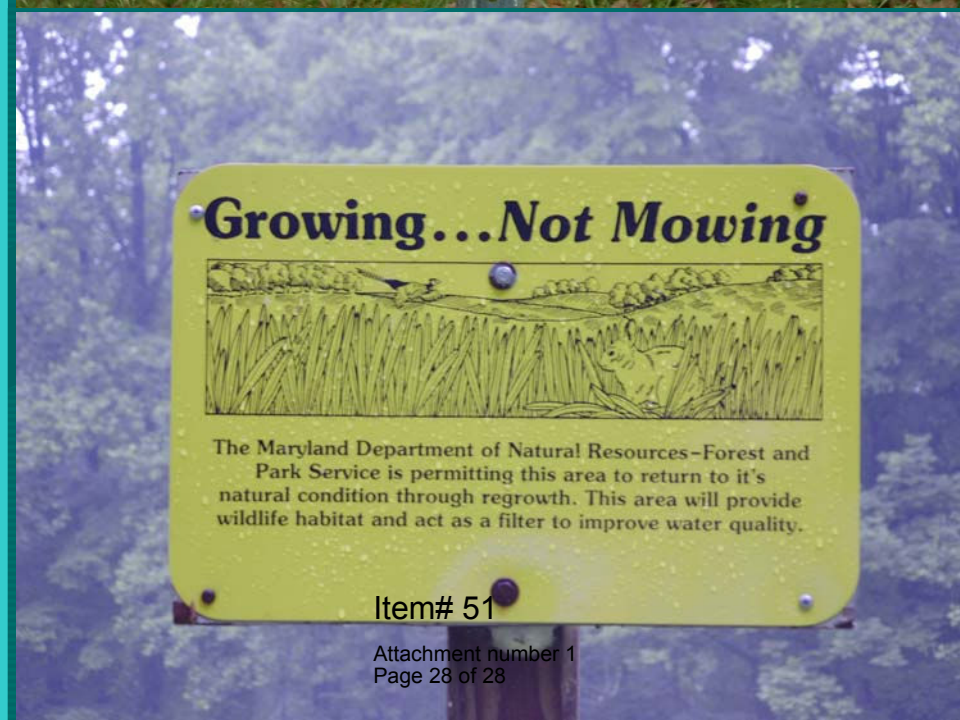
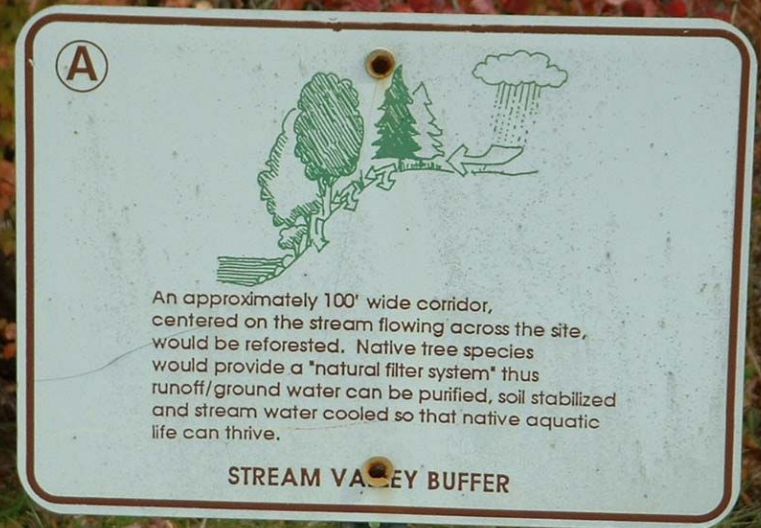
## Stream Buffer Systems

- Stream Buffers should be increased in situations where land slopes excessively or the waterways are on the SCDHEC 303d, TMDL, or Outstanding National Resource Water (ONRW) list.
- Stream Buffers should be decreased when storm water management water quality controls exceed the existing county requirements.
- Allow the reduction in the buffer to a minimum of 25' where all on-site storm water runoff is captured and routed through a permanent water quality basin and there is no sheet flow discharging into the buffer. This is intended to apply in limited situations.
- Hot Spot developments that produce a higher level of pollutants should be held to a higher water quality standard.





THE REFORESTATION AREA  
No Approaches For  
Construction





# Richland County Council Request of Action

**Subject**

Lobbyist Contract Award [**PAGE 382**]

**Professional Services Contract for Governmental Affairs / Political Representation**  
**Follow Up Information**

Six firms submitted proposals:

1. The Ferguson Group
2. Alcade & Fay
3. Michel Law Firm
4. Capitol Consultants
5. Nelson Mullins Riley & Scarborough
6. Tompkins & Kinard

Nelson Mullins Riley & Scarborough received the highest score from the five-member Evaluation Team, which was comprised of staff from various county departments, as well as a City staff member with extensive knowledge of governmental affairs.

As Nelson Mullins has been deemed the most advantageous, we are requesting Council approve staff to proceed with contractual negotiations and award with this firm.

# Richland County Council Request of Action

**Subject**

Screaming Eagle Substation - Cost Overruns

# Richland County Council Request of Action

**Subject**

An Ordinance Amending the Fiscal Year 2009-2010 Conservation Commission Fund Budget to appropriate \$23,000 of reserved fund balance for the Wetlands Mitigation Assessment **[PAGES 385-386]**

**Notes**

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

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_-10HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2009-2010  
CONSERVATION COMMISSION FUND BUDGET TO APPROPRIATE \$23,000  
OF RESERVED FUND BALANCE FOR THE WETLANDS MITIGATION  
ASSESSMENT.

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

SECTION I. That the amount of twenty three thousand (\$23,000) be appropriated to the Fiscal Year 2009-2010 Conservation Commission Fund budget for the Wetlands Mitigation Assessment. Therefore, the Fiscal Year 2009-2010 Conservation Commission Fund Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2009 as amended:	\$ 1,213,299
Appropriation of reserved fund balance:	<u>23,000</u>
Total Conservation Commission Fund Budget as amended:	\$ 1,236,299

EXPENDITURES

Expenditures appropriated July 1, 2009 as amended:	\$ 1,213,299
Increase to Conservation Commission Fund budget:	<u>23,000</u>
Total Conservation Commission Fund Expenditures:	\$ 1,236,299

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

Item# 54

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2009

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Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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



# Richland County Council Request of Action

**Subject**

Must Pertain to Items Not on the Agenda

# Richland County Council Request of Action

## **Subject**

- Resolution for Dr. Jordan D. Smith **[LIVINGSTON]**
- December Zoning Public Hearing **[SMITH]**
- December Committee Meetings Schedule **[LIVINGSTON]**
- Scheduling of Mitigation Bank, Smoking Ban, Comprehensive Plan and Stormwater Work Sessions **[STAFF]**
- To create a tax free zone for companies willing to invest more than \$25 million (10 years county tax free and 75% County resident employment) **[JACKSON]**
- County staff draft and present to Council a proposal to create a Richland County Neighborhood Council sanctioned and supported by the County **[MANNING]**