RICHLAND COUNTY COUNCIL ADMINISTRATION AND FINANCE COMMITTEE

Kit Smith, Chair District 5 Mike Montgomery
District 8

Paul Livingston District 4 Greg Pearce District 6 Damon Jeter District 3

April 24, 2007 6:00 PM

Richland County Council Chambers County Administration Building 2020 Hampton Street

Call to Order

Approval of Minutes – March 27, 2007: Regular Session Meeting [Pages 3 – 5]

Adoption of Agenda

- I. Items for Action
 - A. Request to approve a budget amendment to Risk Management, Ombudsman, and Central Services

[Pages 6-7]

B. Request to approve a budget amendment to increase the Coroner's budget for body removal services (\$50,000)

[Pages 8 – 9]

- C. Resolution to Distribute \$27,327.18 in Federal Forestry Funds [Pages 10-13]
- D. Ordinance authorizing the issuance of revenue refunding bonds and revenue bonds for the benefit of International Paper Company and related matters in connection therewith

[Pages 14 - 21]

E. Resolution towards the issuance of revenue refunding bonds and revenue bonds for the benefit of International Paper Company and related matters in connection therewith

[Pages 22 - 35]

F. Request to renew contract with Correct Care Solutions for the provision of medical services at the Alvin S. Glenn Detention Center

[Pages
$$36 - 37$$
]

G. Emergency Services: Request for approval to purchase four new ambulance vehicles and five new chassis for ambulance remounts

[Pages
$$38 - 39$$
]

H. Request for approval for the Administrator to negotiate a price with the vendor selected to provide a CAD system for the Richland County / City of Columbia 911 Center

[Pages
$$40 - 41$$
]

II. Items for Discussion / Information

- A. Incorporation of Ballentine
- **B.** Request to pursue all monies owed to Richland County by the City of Columbia [Referred by Council motion on March 20, 2007]

III. Items Pending Analysis

There are no items pending analysis.

Adjournment

Staffed by: Joe Cronin

MINUTES OF



RICHLAND COUNTY COUNCIL ADMINISTRATION AND FINANCE COMMITTEE TUESDAY, MARCH 27, 2007 6:00 P.M.

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

MEMBERS PRESENT

Chair: Kit Smith

Member: Mike Montgomery
Member: L. Gregory Pearce, Jr.

Absent: Damon Jeter

Paul Livingston

ALSO PRESENT: Valerie Hutchinson, Norman Jackson, Joseph McEachern, Bill Malinowski, Michielle Cannon-Finch, Milton Pope, Tony McDonald, Joe Cronin, Larry Smith, Amelia Linder, Chief Harrell, Jennifer Dowden, Daniel Driggers, John Hixon, Michael Criss, Pam Davis, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting started at approximately 6:11 p.m.

APPROVAL OF MINUTES

<u>February 27, 2007 (Regular Session)</u> – Mr. Montgomery moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Pope stated that Item III. B. should be deleted from the agenda.

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

ITEMS FOR ACTION

<u>Sheriff's Department: Budget Amendment for Special Duty Pay and Request for One Additional</u>
<u>FTE</u> – Mr. Montgomery moved, seconded by Mr. Pearce, to forward this item to Council with a recommendation for approval. A discussion took place. The vote in favor was unanimous.

Sheriff's Department: Request to Approve JABG Community Crime Prevention Program Grant (No Personnel/\$1,428 Match) – Mr. Montgomery moved, seconded by Mr. Pearce, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

A Resolution in support of the issuance by the South Carolina Jobs—Economic Development
Authority of its not exceeding \$45,000,000 aggregate principal amount of its First Mortgage Health
Care Facilities Refunding and Revenue Bonds (The Lutheran Homes of South Carolina, Inc.) Series
2007 in one or more series pursuant to the provisions of Title 41, Chapter 43 Codes of Laws pf
South Carolina 1976, as amended – Mr. Pearce moved, seconded by Mr. Montgomery, to forward this item to Council with a recommendation for approval. A discussion took place. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, In General; so as to standardize this section to business license ordinances statewide – A discussion took place.

Mr. Pearce moved seconded by Mr. Montgomery, to forward this item to Council with a recommendation for approval and to schedule a work session regarding the rates. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; Section 2-326, Boards and Commissions created and recognized; so as to create a Business Service Center Appeals Board — Mr. Montgomery moved, seconded by Mr. Pearce, to forward this item to Council with a recommendation for approval. A discussion took place. The vote in favor was unanimous.

Request to Approve the Selections of Fitts and Goodwin as the Design/Build Team for the Wholesale Farmers' Market Project – A discussion took place.

Mr. Montgomery moved, seconded by Mr. Pearce, to forward to Council for a recommendation for approval the selection of Fitts and Goodwin as the design/build team and authorize staff to negotiate a contract, but not authorize an entry of a contract until we are assured this project will go forward. The vote in favor was unanimous.

ITEMS FOR DISCUSSION/INFORMATION

<u>Incorporation of Ballentine</u> – There will information for consideration presented at the April committee meeting.

<u>Update on Possible Budget Amendments</u> – Mr. Pope stated that there may be budget amendments coming forward to the April committee meeting.

ITEMS PENDING ANALYSIS

<u>Request to Pursue all Monies Owed to Richland County by the City of Columbia</u> – This item is still being analyzed.

<u>Request for the Discretionary Grants Committee to meet twice per year</u> – Mr. Pearce stated that the proper title should have been: Request for the Discretionary Grants of the Hospitality Tax Committee to Meet Twice per Year.

Ms. Smith moved this item to the Rules & Appointments Committee per Mr. Montgomery's suggestion.

ADJOURNMENT – Mr. Montgomery moved, seconded by Mr. Pearce to adjourn.

The meeting adjourned at approximately 6:59 p.m.

Submitted by,

Kit Smith, Chair

The minutes were transcribed by Michelle M. Onley

Subject: FY07 Budget Amendment – General Fund

A. Purpose

County Council is requested to approve a budget amendment to the following general fund department budgets for the purpose of providing additional budget dollars to cover FY07 expenditures:

Risk Management

It is estimated that an additional \$400,000 is needed to cover worker's compensation costs for the remainder of the fiscal year. Also, it is requested that the \$600,000 of reserved fund balance for self-funded insurance be appropriated to cover anticipated expenditures for the remainder of the fiscal year.

Ombudsman

It is estimated that an additional \$15,000 is needed to cover expenditures for the remainder of the fiscal year.

Central Services

It is estimated that an additional \$50,000 is needed to cover expenditures for the remainder of the fiscal year.

B. Background / Discussion

Upon completing a budget to expenditure analysis at the end of March, budget staff noted that the departments mentioned above would not be able to stay within their FY07 appropriated budget based on current expenditure levels.

C. Financial Impact

There would be an additional \$1,065,000 appropriation to the General Fund budget associated with the increases to Risk Management, Ombudsman and Central Services. \$600,000 of this was reserved in the FY07 Budget Ordinance.

D. Alternatives

- 1. Approve the request to amend Risk Management, Ombudsman, and Central Services budgets to include an additional \$1,065,000 in FY07.
- 2. Do not approve the request. If this request is not approved, these departments may have to reduce services in order to stay within their FY07 budget appropriation.

E. Recommendation

It is recommended that Council approve the request for a budget amendment to Risk Management, Ombudsman, and Central Services for the amounts previously stated in this document.

	Recommended by:	Angie McInchok	Department:	<u>Budget</u>	Date : <u>4/10/07</u>
F.	Reviews (Please <u>SIGN</u> your name you!)	e, \checkmark the appropriate bo	x, and support you	r recommendation	before routing. Thank
Finance Reviewed by: <u>Daniel Driggers</u> ✓ Recommend Council approval Comments regarding recommendation: <u>Approval would require a budget amendment</u> .			nd Council denial		
, 		ernatives appea	nd Council denial ar to be legally		
	✓ Recomm	r: Tony McDonald end Council approversarding recommen		Date: <u>4/18/07</u> ☐ Recomme	<u>7</u> nd Council denial

Subject: Coroner-2400-Request for Budget Amendment for FY '06-'07

A. Purpose

Council is requested to approve a budget amendment to increase the Coroner's budget for body removal services. It is estimated that an additional \$50,000 is needed for line item 2400-5226 Service Contracts.

Background / Discussion

It has been determined that the approved amount of funding for body removal services for FY '06-'07 will not meet the requirements to pay for body removal for the entire fiscal year. This is due to the unpredictable increase in the number of deaths that have required removal services in Richland County. As you are aware, our budget requests each year are always based on estimates in this account and a specific amount can never be predicted.

B. Financial Impact

There will be an estimated additional cost of \$50,000.00 to the county to complete the body removal requirements for FY '06-'07.

C. Alternatives

- 1. Approve the request to amend the Coroner's budget to include an additional \$50,000 in line item 2400-5226 for removal services. Approval of this request will allow the Coroner's office to continue to pay the monthly charges for removal service without interruption in service.
- 2. Do not approve the request. If this request is not approved, the service of the removal of bodies will be interrupted.

D. Recommendation

It is recommended that Council approve the request for a budget amendment to the Coroner's FY '06-'07 budget in the amount of \$50,000.00 for account number 2400-5226 Service Contracts.

Recommended by: Gary Watts, Coroner **Department**: Coroner **Date**: 02/05/2007

E. Reviews

Finance

Reviewed by: Daniel Driggers Date: 4/13/07

✓ Recommend Council approval ☐ Recommend Council denial

Comments regarding recommendation: a funding source and a budget amendment	Approval would require the identification of nt.
Legal	
Reviewed by: Amelia Linder	Date: <u>4/16/07</u>
✓ Recommend Council approval	☐ Recommend Council denial
Comments regarding recommendation:	Concur with the comments of the Finance
<u>Director.</u>	
A description of the	
Administration	
Reviewed by: <u>J. Milton Pope</u>	Date:
✓ Recommend Council approval	Recommend Council denial
Comments regarding recommendation	n: Recommend approval of the budget
amendment request. Cost incurred must	be paid for this fiscal year.

Subject: Resolution to Distribute \$27,327.18 in Federal Forestry Funds

A. Purpose

The Richland County Treasurer has received three checks from the Office of the State Treasurer for Federal Forestry Funds. These funds are generated based on the net proceeds from the sale of forest products extracted from Fort Jackson and other military installations located within Richland County. The total amount of forestry funds available for allocation by County Council is \$27,327.18.

B. Background / Discussion

The Richland County Treasurer currently has a total of \$27,327.18 in Federal Forestry Fund monies, which was received from the Office of the State Treasurer, as payment based on the net proceeds from the sale of forest products extracted from Fort Jackson and other military installations located within Richland County.

Pursuant to 10 U.S.C. §2665(e)(2), "the amount paid to a State pursuant to paragraph (1) shall be expended as the State legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which the military installation or facility is situated."

Since the South Carolina Legislature has not enacted, to date, any law prescribing how these funds are to be allocated, the specific amounts to be allocated for the benefit of public schools and public roads of Richland County are at the discretion of Richland County Council.

The last time that Richland County Council allocated military forestry funds was on October 4, 2005. The resolution passed in 2005 allocated a total amount of \$51,386.63, of which 50% was apportioned to Richland School District One, Richland School District Two, and Richland-Lexington School District Five (according to the respective student population of each district). The remaining 50% was transferred to the General Fund of Richland County to be used for the construction of new roads and/or improvement of public roads within the county.

The resolution currently before Council uses the same 50/50 allocation ratio used in 2005; however, council may adjust these proportions at its discretion.

C. Financial Impact

A total of \$27,327.18 will be divided according to a ratio set forth by Council for the benefit of public schools and public roads. There are no costs to the County associated with this request

D. Alternatives

- 1. Approve the resolution allocating \$27,327.18, of which 50% will be apportioned to public schools, and the remaining 50% for the construction and/or improvement of public roads.
- 2. Approve the resolution allocating \$27,327.18 using a proportion other than 50/50 for distribution between public schools and roads.
- 3. Do not approve the resolution allocating Federal Forestry Funds for public schools and roads

E. Recommendation

It is recommended that County Council approve either the first or second alternative.

Recommended by: <u>Staff</u> Department: <u>Administration</u> Date: <u>March 27, 2007</u>

F. Reviews

Finance

Reviewed by: <u>Daniel Driggers</u> Date: 4/13/07

✓ Recommend Council approval ☐ Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: <u>Amelia Linder</u> Date: <u>4/16/07</u>

✓ Recommend Council approval ☐ Recommend Council denial

Comments regarding recommendation: It is recommended that County Council

approve either the first or second alternative.

Administration

Reviewed by: Tony McDonald Date: 4/17/07

✓ Recommend Council approval ☐ Recommend Council denial

Comments regarding recommendation: <u>Recommend approval of alternative 1, by which 50% of the funds will be apportioned to public schools and the remaining 50%</u>

for the construction and/or improvement of public roads.

,	ESOLUTION OF THE
COUNTY OF RICHLAND)	HLAND COUNTY COUNCIL
A RESOLUTION TO ALLOCATE	MILITARY FOREST FUNDS
WHEREAS, the State of South Carolina is from the sale of forest products on land owned or	receives forty percent (40%) of the net proceeds leased by a military department; and
WHEREAS, the Office of the State T annually, representing a share of federal monies installations located within the County; and	Treasurer issues a check to Richland County generated at Ft. Jackson and at other military
WHEREAS, the Richland County Trea Military Forest Fund monies, which was received	asurer currently has a total of \$27,327.18 in from the Office of the State Treasurer; and
WHEREAS, pursuant to 10 U.S.C. §2665 paragraph (1) shall be expended as the State lepublic schools and public roads of the county of facility is situated"; and	
WHEREAS, the South Carolina Legislatu how these funds are to be allocated, so that allocated public schools and public roads of Richland C	
NOW, THEREFORE, BE IT RESOLVEI allocate the Military Forest Funds of \$27,327.18	O that the Richland County Council does hereby as follows:
	ect One, Richland School District Two, and rict Five, to be apportioned according to the ach school district; and
50% to be transferred to the Gene construction and/or improvement of	ral Fund of Richland County, to be used for the of public roads within the County.
ADOPTED THIS the day of	, 2007.
	Joseph McEachern, Chair Richland County Council
Attest: Michielle R. Cannon-Finch	-

Clerk of Council

COUNTY OF RICHLAND OFFICE OF COUNTY TREASURER

DAVID A. ADAMS
COUNTY TREASURER



P.O. BOX 11947 Columbia, SC 29211 (803) 576-2275 TDD (803) 748-4999

14 March 2007

To: Tony McDonald, Assistant County Administrator

From: David A. Adams, Richland County Treasurer

RE: Distribution of Federal Forestry Funds

Please note that the Treasury has received three checks for Federal Forestry Funds in the amount of \$27,327.18.

The previous disbursement of these funds occurred in 1996, 2001, 2004, and 2005 - these are not funds received annually.

According to Title 10, Section 2665 (E) the United States Code of Laws, these funds may only be used for County public roads and schools.

You will note that these funds were last allocated by resolution of Richland County Council on October 4, 2005.

Please contact me with any questions or clarifications you need resolved.

Subject: Ordinance authorizing the issuance of revenue refunding bonds and revenue bonds for the benefit of International Paper Company and related matters in connection therewith

A. Purpose

The County Council is requested to adopt an ordinance authorizing (i) the issuance of up to \$30,000,000 principal amount of the County's revenue refunding bonds for the benefit of International Paper Company to refund a portion of the County's Environmental Improvement Revenue Refunding Bonds, 2002 Series A (International Paper Company Project) and (ii) the issuance of up to \$2,500,000 principal amount of the County's revenue bonds for the benefit of International Paper Company the proceeds of which will be used by International Paper Company to defray the costs of certain sewage and solid waste disposal facilities at its Eastover Mill. The refunding of the 2002 bonds with the proceeds of the revenue refunding bonds will assist the International Paper Company in realizing certain cost savings that are presently available and the issuance of the revenue bonds will assist the Company in its efforts to meet environmental requirements and to maintain satisfactory continued operation of the Eastover Mill. The County Council is requested to place the ordinance on its May 1, 2007 agenda for first reading to be followed thereafter by second and third readings and a public hearing.

B. Background / Discussion

International Paper Company, through its bond counsel, submitted a request for the bond financing described above to the County by letter dated April 5, 2007. No other action has been taken by the County Council or any other departments, organizations or governmental entities with respect to this matter.

C. Financial Impact

There is no financial impact associated with this request. The County will not in any way be responsible for the repayment of the bonds, or the interest on the bonds, and will have no obligation for payment of any of the fees or expenses associated with the issuance of the bonds, all of which would be the responsibility of International Paper Company.

D. Alternatives

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

- i. Approve the request to adopt the ordinance towards the issuance of the bonds following three readings and a public hearing.
- ii. Do not approve.

E. Recommendation

This request is at the discretion of County Council.

✓ Recommend Council approval

Comments regarding recommendation:

Recommended by: Staff **Department**: Administration **Date**: April 5, 2007 F. Reviews Finance Reviewed by: <u>Daniel Driggers</u> Date: ☐ Recommend Council approval ☐ Recommend Council denial Comments regarding recommendation: Legal Reviewed by: Amelia Linder Date: 4/20/07 ☐ Recommend Council approval ☐ Recommend Council denial Comments regarding recommendation: Both alternatives appear to be legally sufficient; therefore, this request is at the discretion of County Council. Administration Reviewed by: Tony McDonald Date: 4/20/07

☐ Recommend Council denial

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

AUTHORIZING RICHLAND COUNTY, SOUTH CAROLINA (THE "ISSUER") TO ISSUE UP TO \$30,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF ITS ENVIRONMENTAL IMPROVEMENT REVENUE REFUNDING BONDS, 2007 SERIES A (INTERNATIONAL PAPER COMPANY PROJECT) (THE "REFUNDING BONDS"), THE PROCEEDS OF WHICH WILL BE USED TO REFUND A PORTION OF THE ISSUER'S ENVIRONMENTAL IMPROVEMENT REVENUE REFUNDING BONDS, 2002 SERIES A (INTERNATIONAL PAPER COMPANY PROJECT) PURSUANT TO SECTION 48-3-10 ET SEQ. OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, AND TO ISSUE UP TO ISSUE UP TO \$2,500,000 IN AGGREGATE PRINCIPAL AMOUNT OF ITS ENVIRONMENTAL IMPROVEMENT REVENUE BONDS, 2007 SERIES B (INTERNATIONAL PAPER COMPANY PROJECT) (THE "NEW MONEY BONDS", AND TOGETHER WITH THE "REFUNDING BONDS" THE "BONDS"), PURSUANT TO SECTION 4-29-10 ET SEQ. OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; AUTHORIZING THE EXECUTION AND DELIVERY OF CONTRACTS OF PURCHASE PROVIDING FOR THE ISSUANCE AND SALE OF SUCH BONDS: AND AUTHORIZING THE ISSUANCE OF THE BONDS AND THE EXECUTION OF NECESSARY DOCUMENTS AND THE TAKING OF ANY OTHER ACTION NECESSARY TO BE TAKEN BY THE ISSUER TO CAUSE THE ISSUANCE AND SALE OF SUCH BONDS.

WHEREAS, the Issuer issued its Environmental Improvement Revenue Refunding Bonds, 2002 Series A (International Paper Company Project) (the "Prior Bonds") to refinance the costs of acquisition, construction, installation and equipping of certain pollution control facilities and/or sewage and solid waste disposal facilities (the "Prior Project"), operated by International Paper Company, a New York corporation (the "Company"), at the Company's paper mill located within the geographical boundaries of Richland County, South Carolina, pursuant to the authorization of the Section 48-3-10 et seq. of the Code of Laws of South Carolina 1976, as amended (the "Pollution Control Facilities Act"). The Company has now advised the Issuer that it is desirable that the Issuer issue, sell and deliver its refunding revenue bonds to be designated as Richland County, South Carolina Environmental Improvement Revenue Refunding Bonds, 2007 Series A (International Paper Company Project) (the "Refunding Bonds") pursuant to Section 48-3-100 of the Pollution Control Facilities Act, the proceeds of which will be used to defray the cost of refunding the Prior Bonds;

WHEREAS, the Company has also advised the Issuer that it is desirable that the Issuer issue, sell and deliver its revenue bonds to be designated as Richland County, South Carolina Environmental Improvement Revenue Bonds, 2007 Series A (International Paper Company Project), the proceeds of which will be used to finance certain solid waste disposal facilities and waste water treatment facilities (the "New Project," together with the "Prior Project," the "Projects") at the Company's paper mill located within the geographical boundaries of Richland County, South Carolina, pursuant to the authorization of Section 4-29-10 et seq. of the Code of Laws of South Carolina 1976, as amended (the "Industrial Development Act," and together with the Pollution Control Facilities Act, the "Acts"); and

WHEREAS, the County Council of Richland County, South Carolina (the "County Council"), the governing body of the Issuer, did resolve to submit its petition (the "Petition") to the State Budget and Control Board of South Carolina (the "State Board") seeking the approval of the State Board of an undertaking by the Issuer (i) to issue up to \$30,000,000 in aggregate principal amount of its Refunding Bonds to be designated as Environmental Improvement Revenue Refunding Bonds, 2007 Series A (International Paper Company Project) (or such other designation as shall be approved by the Chairman in accordance with Section 2 hereof) the proceeds of the sale of which will be applied to defray the cost of refunding the Prior Bonds pursuant to the Pollution Control Facilities Act, and (ii) to issue up to \$2,500,000 in aggregate principal amount of its New Money Bonds to be designated as Environmental Improvement Revenue Bonds, 2007 Series A (International Paper Company Project) (or such other designation as shall be approved by the Chairman in accordance with Section 3 hereof) pursuant to the Industrial Development Act, the proceeds of the sale of which will be applied to finance the New Project; and

WHEREAS, the Company has heretofore requested the Issuer to (a) issue the Bonds subject to the approval by the State Board of the Petition and receipt by the Issuer of appropriate evidence of such approval, (b) authorize the issuance of the Bonds, from time to time or at one time and in one or more issues or series, each such Bond bearing interest at a rate not in excess of nine percent (9.00%) per annum and each such Bond maturing not later than forty (40) years from the date of issuance of the Bonds, (c) authorize the execution and delivery of all documents

necessary to the consummation of the transaction described above containing substantially the terms as contained in those forms of documents presented to the County Council prior to the third reading of this Ordinance (the "Documents"), and (d) sell the Bonds pursuant to the Contracts of Purchase (the "Contracts") to be entered between the Issuer, the Company and an underwriter or underwriters as shall be designated by the Company, at a price not less than ninety-five (95) percent of the aggregate principal amount of the Bonds to which the Contracts relate; and

WHEREAS, the Department of Health and Environmental Control of South Carolina has certified that (i) the Prior Project is necessary and (ii) the design thereof will result in the elimination, mitigation and prevention of air and/or water pollution, and that the Prior Project, as designed, is in furtherance of the purpose of abating or controlling atmospheric pollutants or contaminants or water pollution; and

WHEREAS, the County Council has determined to undertake the issuance of the Bonds and authorize the other actions herein described.

NOW, THEREFORE BE IT FOUND, RESOLVED AND ORDAINED BY THE COUNTY COUNCIL ON BEHALF OF RICHLAND COUNTY, SOUTH CAROLINA:

- 1. The execution and delivery of the Documents presented to the County Council prior to the third reading of this Ordinance, in substantially the forms presented with such changes as the executing officers shall approve (their execution to be conclusive evidence of such approval) on behalf of the Issuer, are hereby authorized and directed. The Documents shall be executed and delivered on behalf of the Issuer by the Chairman of the County Council and attested by the Clerk of the County Council or, in either of their absences, by such other officers as shall be permitted by rule of the County Council.
- 2. Upon the execution and delivery of the Documents, and subject further to the approval by the State Board of the Petition and the receipt by the Issuer of appropriate evidence thereof, the Refunding Bonds in an aggregate principal amount not to exceed \$30,000,000 are hereby authorized to be issued, from time to time or at one time, in one or more issues or series,

and the proceeds of the Refunding Bonds shall be used to refinance the Prior Project and refund the Prior Bonds in the manner and according to the terms of the Documents. The Refunding Bonds shall be designated as Richland County, South Carolina Environmental Improvement Revenue Refunding Bonds, 2007 Series A (International Paper Company Project), or by such other designation as the Chairman of the County Council may provide and approve, and shall be issued in one or more issues or series, each such issue or series designated alphabetically and by year (2007 Series A, 2007 Series B, etc.) and each such Refunding Bond shall be dated as of a particular day of the month in which such Refunding Bond is issued (or a prior month), which date shall be before December 31, 2007, and shall mature not later than forty (40) years from the date of issuance of each such Refunding Bond, and bear interest at a rate not in excess of nine percent (9.00%) percent per annum, and shall be subject to redemption as provided in the Documents. The Refunding Bonds shall be in one or more forms as are permitted by the Documents, and prior to delivery, shall be authenticated by a trustee as prescribed in the Documents.

3. Upon the execution and delivery of the Documents, and subject further to the approval by the State Board of the Petition and the receipt by the Issuer of appropriate evidence thereof, the New Money Bonds in an aggregate principal amount not to exceed \$2,500,000 are hereby authorized to be issued, from time to time or at one time, in one or more issues or series, and the proceeds of the New Money Bonds shall be used to defray the costs of the New Project in the manner and according to the terms of the Documents. The New Money Bonds shall be designated as Richland County, South Carolina Environmental Improvement Revenue Bonds, 2007 Series A (International Paper Company Project), or by such other designation as the Chairman of the County Council may provide and approve, and shall be issued in one or more issues or series, each such issue or series designated alphabetically and by year (2007 Series A, 2007 Series B, etc.) and each such Bond shall be dated as of a particular day of the month in which such New Money Bond is issued (or a prior month), which date shall be before December 31, 2008, and shall mature not later than forty (40) years from the date of issuance of each such New Money Bond, and bear interest at a rate not in excess of nine percent (9.00) per annum, and shall be subject to redemption as provided in the Documents. The New Money Bonds shall be in one or more forms as are permitted by the Documents, and prior to delivery, shall be authenticated by a trustee as prescribed in the Documents.

- 4. The sale of the Bonds, upon the request of the Company to such underwriter or underwriters as shall be designated by the Company, for a price as specified by the Company of not less than ninety-five (95) percent of the aggregate principal amount of the Bonds to which the Contracts relate, together with accrued interest to the date of issue of each such Bond, and otherwise in accordance with the Contracts to be approved by the Company and submitted to the Issuer, is hereby approved. The Chairman of the County Council and its Clerk or, in either of their absences, such other officers as shall be permitted by rule of the County Council, are hereby authorized to execute and deliver the Contracts and are fully authorized and empowered to take such further action, to cause the preparation and distribution of such appropriate marketing documents, including a preliminary official statement and an official statement, and to execute and deliver such closing documents all as may be necessary and proper to effect the marketing, sale, issuance and delivery of the Bonds in accordance with the terms and conditions of the Contracts, and the action of such officers or any of them in executing and delivering any of such documents in such forms as the executing officer or officers shall approve is hereby authorized.
- 5. When received, the proceeds of the Bonds shall be paid directly to the trustee appointed in the Documents and thereafter disposed of by such trustee in accordance with the terms and provisions of the Documents and not otherwise.

DONE AND RATIFIED AT COLUM, 2007.	BIA, SOUTH CAROLINA this day of
	RICHLAND COUNTY COUNCIL
	BY:
	Joseph McEachern, Chairman
ATTEST THIS THE DAY	
OF, 2007	
Mishiella D. Carrana Final	
Michielle R. Cannon-Finch Clerk of County Council	
CICIK OF COURTY COURCE	

First Reading: May 1, 2007 Public Hearing: [May 15, 2007 or June 5, 2007] Second Reading: May 15, 2007 Third Reading: June 5, 2007

\4516100.2

Subject: Resolution towards the issuance of revenue refunding bonds and revenue bonds for the benefit of International Paper Company and related matters in connection therewith

A. Purpose

The County Council is requested to approve a resolution towards (i) the issuance of up to \$30,000,000 principal amount of the County's revenue refunding bonds for the benefit of International Paper Company to refund a portion of the County's Environmental Improvement Revenue Refunding Bonds, 2002 Series A (International Paper Company Project) and (ii) the issuance of up to \$2,500,000 principal amount of the County's revenue bonds for the benefit of International Paper Company the proceeds of which will be used by International Paper Company to defray the costs of certain sewage and solid waste disposal facilities at its Eastover Mill. The resolution also approves a petition to the State Budget and Control Board for the approval of the bonds and the publication of a notice of public hearing with respect to the bonds. The refunding of the 2002 bonds with the proceeds of the revenue refunding bonds will assist the International Paper Company in realizing certain cost savings that are presently available and the issuance of the revenue bonds will assist the Company in its efforts to meet environmental requirements and to maintain satisfactory continued operation of the Eastover Mill.

B. Background / Discussion

International Paper Company, through its bond counsel, submitted a request for the bond financing described above to the County by letter dated April 5, 2007. No other action has been taken by the County Council or any other departments, organizations or governmental entities with respect to this matter.

C. Financial Impact

There is no financial impact associated with this request. The County will not in any way be responsible for the repayment of the bonds, or the interest on the bonds, and will have no obligation for payment of any of the fees or expenses associated with the issuance of the bonds, all of which would be the responsibility of International Paper Company.

D. Alternatives

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

- 1. Approve the request to adopt the resolution towards the issuance of the bonds.
- 2. Do not approve.

E. Recommendation

This request is at the discretion of County Council.

Recommended by: Staff **Department**: Administration **Date**: April 5, 2007 F. Reviews Finance Reviewed by: <u>Daniel Driggers</u> Date: ☐ Recommend Council approval ☐ Recommend Council denial Comments regarding recommendation: Legal Reviewed by: Amelia Linder Date: 4/20/07 ☐ Recommend Council approval ☐ Recommend Council denial Comments regarding recommendation: Both alternatives appear to be legally sufficient; therefore, this request is at the discretion of County Council. Administration Reviewed by: Tony McDonald Date: 4/20/07 ✓ Recommend Council approval ☐ Recommend Council denial Comments regarding recommendation:

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

REGARDING THE ISSUANCE BY RICHLAND COUNTY, SOUTH CAROLINA (THE "ISSUER") OF CERTAIN REVENUE REFUNDING BONDS DESCRIBED HEREIN IN ACCORDANCE WITH SECTIONS 48-3-10 ET SEQ. OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED (THE "POLLUTION CONTROL FACILITIES ACT"), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$30,000,000 (THE "REFUNDING BONDS"), THE PROCEEDS OF WHICH WILL BE USED TO REFUND A ENVIRONMENTAL IMPROVEMENT THE ISSUER'S REFUNDING BONDS, 2002 SERIES A (INTERNATIONAL PAPER COMPANY PROJECT) AND THE ISSUANCE BY THE ISSUE OF CERTAIN REVENUE BONDS DESCRIBED HEREIN IN ACCORDANCE WITH SECTIONS 4-29-10 ET SEQ. OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED (THE "INDUSTRIAL DEVELOPMENT ACT," AND TOGETHER WITH THE POLLUTION CONTROL FACILITIES ACT, THE "ACTS") IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,500,000 (THE "NEW MONEY BONDS", TOGETHER WITH THE "REFUNDING BONDS", THE "BONDS"), THE PROCEEDS OF WHICH WILL BE USED TO FINANCE CERTAIN SOLID WASTE DISPOSAL FACILITIES AND WASTE WATER TREATMENT FACILITIES; AUTHORIZING AND RATIFYING THE PREPARATION AND FILING OF A PETITION OR PETITIONS WITH THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA IN ACCORDANCE WITH THE ACTS, PURSUANT TO WHICH THE ISSUER REQUESTS THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA TO APPROVE THE UNDERTAKING OF THE ISSUER TO ISSUE THE BONDS: AND AUTHORIZING THE PUBLICATION OF A NOTICE OF PUBLIC HEARING WITH RESPECT TO THE BONDS.

As and incident to the adoption of this Resolution, Richland County, South Carolina (the "Issuer") through its County Council (the "County Council") has made the following findings:

1. International Paper Company (the "Company") has requested the Issuer to assist the Company by authorizing \$30,000,000 in principal amount of its revenue refunding bonds (the "Refunding Bonds") to be issued, from time to time or at one time, in one or more issues or series, in order to provide funds to defray the cost of refunding the Issuer's Environmental Improvement Revenue Refunding Bonds, 2002 Series A (International Paper Company Project) (the "Prior Bonds"). The Prior Bonds were issued by the Issuer in order to refinance the costs of acquisition, construction, installation and equipping of certain pollution control facilities and/or sewage and solid waste disposal facilities (the "Prior Project") at the Eastover, South Carolina Mill of the Company.

- 2. The Company has also requested the Issuer to assist the Company by authorizing \$2,500,000 in principal amount of its revenue bonds (the "New Money Bonds," and together with the Refunding Bonds, the "Bonds") to be issued from time to time or at one time, in one or more issues or series, in order to finance certain solid waste disposal facilities and waste water treatment facilities (the "New Project" and, together with the "Prior Project", the "Projects") at the Eastover, South Carolina Mill of the Company.
- 3. The Issuer has determined that the issuance of the Refunding Bonds pursuant to Section 48-3-100 of the Pollution Control Act will not give rise to any pecuniary liability of the Issuer, the County Council or a charge against the Issuer's general credit or taxing power and that the Refunding Bonds shall be payable solely out of the moneys to be derived by the Issuer pursuant to a financing agreement in the form of one or more loan agreements hereinafter described.
- 4. The Issuer has determined that the New Project is necessary and that the issuance of the New Money Bonds will subserve the purposes of the Industrial Development Act, is anticipated to benefit the general public welfare of Richland County, South Carolina by providing services, employment, recreation or other public benefits not otherwise provided locally, and will not give rise to any pecuniary liability of the Issuer, the County Council or a charge against the Issuer's general credit or taxing power and that the New Money Bonds shall be payable solely out of the moneys to be derived by the Issuer pursuant to a financing agreement in the form of one or more loan agreements hereinafter described.
- 5. The County Council adopted a resolution on June 15, 2004 (the "2004 Resolution"), toward the issuance of the Issuer's \$300,000,000 Richland County, South Carolina Revenue Bonds, 2004 Series A (International Paper Company Project) for the financing identified generally as the acquisition, construction and equipping of facilities for an upgrade of the Company's existing Eastover, South Carolina Mill located in Richland County which facilities include sewage and solid waste disposal facilities that are part of the New Project.
- 6. The proceeds derived from the sale of the Bonds will be made available by the Issuer to the Company for the purpose of defraying the costs of refunding the Prior Bonds and the costs of the New Project, and the Company will prepare and submit to the Issuer one or more loan agreements (the "Loan Agreements") under which the Company will agree to make payments in the amount necessary to provide the annual payments of principal of, premium, if

any, and interest on the Bonds as the same become due and payable. The Loan Agreements will be in substantially such form as shall be approved by the County Council and the County Attorney.

- 7. If the Bonds are issued, the Company will agree to effect the repayment of the Prior Bonds to the extent the proceeds of the Refunding Bonds are insufficient. Further, the Company will indemnify the Issuer against any costs in connection with the Projects.
- 8. The Bonds will be issued pursuant to a security agreement in the form of one or more trust indentures (the "Trust Indentures") between the Issuer and a bank yet to be named as trustee prescribing the terms and conditions of the Bonds and the security therefor. The Trust Indentures and the forms of the Bonds will be in substantially such form as shall be approved by the County Council and the County Attorney.
- 9. In view of the well-established credit of the Company, it is unnecessary to establish reserve funds for the payment of principal of, premium, if any, and interest on the Bonds.

NOW, THEREFORE BE IT RESOLVED BY RICHLAND COUNTY THROUGH ITS COUNTY COUNCIL, IN MEETING DULY ASSEMBLED:

That the Issuer through its County Council finds that the facts set forth above are in all respects true and correct and on such basis determines to finance or refinance the Projects above described, and to express its willingness to authorize the sale of the Bonds by the Issuer as aforesaid, conditioned upon the following prerequisites:

- 1. That approval of the State Budget and Control Board of South Carolina (the "State Board") under Sections 48-3-100 and 48-3-140 of the Pollution Control Facilities Act, in the case of the Refunding Bonds, and Sections 4-29-20 and 4-29-140 of the Industrial Development Act, in the case of the New Money Bonds, be obtained;
- 2. That the Issuer and the Company agree as to the forms and content of all agreements and documents necessary or convenient to the issuance of the Bonds; and
- 3. That the Bonds and all documents and proceedings in connection therewith comply in all respects with the prerequisites or conditions of the Acts and of the Internal Revenue Code of 1986, as amended.

BE IT FURTHER RESOLVED:

That the Petition to the State Board be prepared on behalf of the Issuer by the Company's representatives, and that the proper officers of the Issuer be, and they are hereby directed, to take all such future actions, including the preparation of documents, and the advertisement and conducting of a public hearing with respect to the Bonds, as shall be necessary to carry out the purposes of this Resolution.

BE IT FURTHER RESOLVED:

Clerk of Council

That the 2004 Resolution and the findings therein are hereby ratified and confirmed and	shal
remain effective in all respects except to the extent modified hereby.	

ADOPTED THIS THE	DAY OF	, 2007.
		Joseph McEachern, Chair Richland County Council
Attest: Michielle R. Cannon-F	inch	

STATE OF SOUTH CAROLINA)	
COUNTY OF RICHLAND)	
TO THE STATE BUDGET AND CONTROL)	<u>PETITION</u>
BOARD OF SOUTH CAROLINA)	

The Petition of the County Council of Richland County, South Carolina (the "County Council") pursuant to Sections 48-3-10 et seq. of the Code of Laws of South Carolina 1976, as amended (the "Pollution Control Facilities Act") and Sections 4-29-10 et seq. of the Code of Laws of South Carolina 1976, as amended (the "Industrial Development Act," and together with the "Pollution Control Facilities Act," the "Acts"), respectfully shows:

- 1. The County Council is the governing body of Richland County, South Carolina (the "Issuer") as established by Section 4-9-310 of the Code of Laws of South Carolina 1976, as amended, and as such is the "governing board" of the Issuer referred to in the Acts.
- 2. The County Council is authorized, subject to obtaining the approval of the State Budget and Control Board of South Carolina (the "State Board") required by Sections 48-3-100 and 4-3-140 of the Pollution Control Facilities Act, in the case of the Refunding Bonds (hereinafter defined), to enter into agreements with any industry to refinance the costs of acquisition, construction, installation and equipping of certain pollution control facilities and/or sewage and solid waste disposal facilities (the "Prior Project"), to enter into loan agreements with such industry prescribing the terms and conditions of the payments to be made by the industry to the Issuer or its assignee to meet the payments that shall become due on bonds issued pursuant to the Pollution Control Facilities Act, to issue revenue refunding bonds for the purpose of providing funds to defray the cost of refunding a portion of the Issuer's Environmental

Improvement Revenue Refunding Bonds, 2002 Series A (International Paper Company Project) (the "Prior Bonds"), to secure the payment of such bonds as hereafter provided.

- 3. The County Council is authorized, subject to obtaining the approval of the State Board required by Sections 4-29-20 and 4-29-120 of the Industrial Development Act, in the case of the New Money Bonds (hereinafter defined), to enter into agreements with any industry to finance certain solid waste disposal facilities and waste water treatment facilities (the "New Money Project," and together with the "Prior Project," the "Projects"), to enter into loan agreements with such industry prescribing the terms and conditions of the payments to be made by the industry to the Issuer or its assignee to meet the payments that shall become due on bonds issued pursuant to the Industrial Development Act, to issue revenue bonds for the purpose of financing the New Money Project, to secure the payment of such bonds as hereafter provided.
- 4. The Issuer has heretofore agreed with International Paper Company, a New York corporation (the "Company"), which owns and operates a pulp and paper mill near the Town of Eastover, in Richland County, South Carolina, to assist the Company by authorizing \$30,000,000 in principal amount of its Refunding Bonds to be issued, from time to time or at one time, in one or more issues or series, and by authorizing \$2,500,000 in principal amount of its New Money Bonds to be issued from time to time or at one time, or in one or more issues or series.
- 5. The County Council is advised by the Company that it will be desirable that the Issuer issue up to \$30,000,000 in aggregate principal amount of its Environmental Improvement Revenue Refunding Bonds, 2007 Series A (International Paper Company Project) (the "Refunding Bonds") the proceeds of which shall be loaned to the Company and used to refund a portion of the Prior Bonds, and to issue up to \$2,500,000 in aggregate principal amount of its Environmental Improvement Revenue Bonds, 2007 Series B (International Paper Company

Project) (the "New Money Bonds," and together with the "Refunding Bonds," the "Bonds") the proceeds of which shall be loaned to the Company and used to defray the cost of the New Project, each such Bond bearing interest at a rate not in excess of nine percent (9.00%) per annum, and each such Bond maturing not later than forty (40) years from the date of issuance of each such Bond.

- 6. Pursuant to Sections 48-3-140 and 4-29-140 of the Acts, as applicable, the County Council sets forth the following information:
- A. The Prior Project to be refinanced with the proceeds of the Refunding Bonds consists of pollution control facilities and/or sewage and solid waste disposal facilities designed for the elimination, mitigation and prevention of air and water pollution and the collection, treatment and disposal of waste;
- B. In the case of the Refunding Bonds and the Prior Project, the State Department of Health and Environmental Control determined that the Prior Project (i) is necessary and (ii) that the design thereof will result in the elimination, mitigation and prevention of air and/or water pollution, and that the Prior Project is in furtherance of the purpose of abating or controlling atmospheric pollutants or contaminants or water pollution.
- C. The New Project to be financed with the proceeds of the New Money Bonds consists of facilities designed for the disposal of solid waste and/or the handling of waste water and sewage. The New Project will result in the retention of employment in the County and will thus affect the economy of the County and areas adjacent thereto;
- D. The financing agreement or agreements shall be in the form of one or more loan (and not lease) agreements (the "Loan Agreements"), and therefore the Company

shall not claim any exemption from property taxation other than those to which it might be entitled by reason of its ownership of the Projects;

- E. The cost of refunding the Prior Bonds is estimated to be \$30,000,000;
- F. The cost of financing the New Money Project is estimated to be an amount up to \$2,500,000;
 - G. The proposed Loan Agreements, will provide, in general:
 - (a) To refinance the Prior Project by refunding a portion of the Prior Bonds, the Issuer will issue, from time to time or at one time, in one or more issues or series, up to \$30,000,000 aggregate principal amount of Refunding Bonds which will be secured by a pledge of the payments to be made by the Company under the related Loan Agreement pursuant to one or more security agreements, in the form of one or more trust indentures (the "Refunding Trust Indenture"), as authorized by the Pollution Control Facilities Act, between the Issuer and a bank yet to be named by the Company, as trustee (the "Refunding Trustee");
 - (b) Proceeds derived from the sale of the Refunding Bonds will be loaned to the Company and deposited with the Refunding Trustee under the Refunding Trust Indenture and will be applied solely to the portion of the Prior Bonds selected for redemption;
 - (c) To finance the New Money Project, the Issuer will issue, from time to time or at one time, in one or more issues or series, up to \$2,500,000 aggregate principal amount of New Money Bonds which will be secured by a pledge of the payments to be made by the Company under the related Loan Agreement pursuant to one or more security agreements, in the form of one or more trust indentures (the "New

Money Trust Indenture," and together with the "Refunding Trust Indenture," the "Trust Indentures"), as authorized by the Industrial Development Act, between the Issuer and a bank yet to be named by the Company, as trustee (the "New Money Trustee," and together with the "Refunding Trustee," the "Trustees");

- (d) Proceeds derived from the sale of the New Money Bonds will be loaned to the Company and deposited with the New Money Trustee under the New Money Trust Indenture and applied to defray the cost of the New Project;
- (e) Under the terms of the Loan Agreement related to the Refunding Bonds, the Company will obligate itself to effect the repayment of the Prior Bonds to the extent the proceeds derived from the sale of the Refunding Bonds are insufficient.
- (f) The Company will indemnify the Issuer against any costs in connection with the Projects. Additionally, the Company, under the terms of one or more guaranty agreements (the "Guaranty Agreements"), will guarantee the full and prompt payment of the principal of, interest and redemption premium, if any, on the Bonds when due and payable; and
- (g) The Loan Agreements will contain no provision imposing any pecuniary liability upon the Issuer or which would create a charge upon its general credit or taxing powers.
- H. The proposed Trust Indentures will be in conventional form and will prescribe the terms and conditions upon which the Bonds will be issued. The Trust Indentures entered into will make provision for the issuance, from time to time or at one time, in one or more issues or series, of Refunding Bonds in the aggregate principal amount of up to \$30,000,000, and the New Money Bonds in the aggregate principal amount of up to \$2,500,000.

The Trust Indentures will provide for the payment and redemption of the Bonds, the establishment of a bond fund or bond funds in which the proceeds of the payments made by the Company pursuant to each Loan Agreement are placed and the use of said bond funds for the payment of the Bonds. The Trust Indentures will contain no provision imposing any pecuniary liability upon the Issuer or which would create a charge upon its general credit or taxing powers;

- I. The proposed Guaranty Agreements will be in conventional form and will provide for the unconditional guarantee by the Company directly to the Trustee(s) for the benefit of the holders of the Bonds of the principal of, interest and redemption premium, if any, on the Bonds as the same become due and payable. The Issuer will not be a party to the Guaranty Agreements, and the Guaranty Agreements will contain no provision imposing any pecuniary liability upon the Issuer or which would create a charge upon its general credit or taxing powers; and
- J. The Company may make arrangements for retirement of the Bonds prior to maturity and, in such event; the Company may enter separate agreements with banks or other financial institutions to provide for the early retirement and/or purchase and/or resale of the Bonds.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Upon the basis of the foregoing, the County Council respectfully prays that the State Budget and Control Board of South Carolina accept filing of this Petition, and that the State Board as soon as practicable make such review as it deems advisable, and that if it finds that the issuance of the bonds in order to refinance the Prior Project and finance the New Money Project is intended to promote the purposes of the Pollution Control Facilities Act, in the case of the Refunding Bonds, and the Industrial Development Act, in the case of the New Money Bonds, and may reasonably be anticipated to effect such result, that it approve the proposed refinancing and financing thereof by the Issuer through the issuance of the Bonds pursuant to the Acts, including changes in any details of said financing as finally consummated which do not materially affect the undertaking of the Issuer, and give published notice of its approval in the manner set forth in Section 48-3-140 and Section 4-29-140 of the Acts.

mainer set form in Section 48-3-140 and Section 4-29-140 of the Acts.		
, 2007		
	Respectfully submitted,	
(SEAL)	RICHLAND COUNTY, SOUTH CAROLINA	
	By: Joseph McEachern Chair, County Council	
ATTEST:		
Michielle R. Cannon-Finch Clerk, County Council		

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

I, the undersigned Clerk to the County Council of Richland County, South Carolina (the "County Council"), DO HEREBY CERTIFY:

That the foregoing Petition is submitted pursuant to authority granted in a Resolution adopted by the County Council at a duly called and regularly held meeting at which all members attended and remained throughout on May _____, 2007.

That said Resolution is now in full force and effect and has not been modified, amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said County this day of ______, 2007.

(SEAL)

Michielle R. Cannon-Finch
Clerk, County Council

\4520516.3

Subject: Request to renew contract with Correct Care Solutions for the provision of medical services at the Alvin S. Glenn Detention Center

A. Purpose

The Detention Center requests for County Council renew the medical contract with Correct Care Solutions (CCS). The renewal is for \$2,927,000.00 for FY 07/08 with Correct Care Solutions for inmate medical services.

B. Background / Discussion

In September 2005, County Council decided to terminate its inmate services medical contract with Prison Health Service. After a formal procurement process, County Council elected to award CCS for inmate medical service contract for the Detention Center in March 2006

This is the second renewal of this contract. In March 2006, Council awarded CCS the contract to complete fiscal year 05/06. By renewing this contract, it will start July 1, 2007 and run through June 30, 2008. This is an annual process for budget items over \$100,000.00 to be taken before Council for approval. The Detention Center is satisfied with the vendor service, and any issues that have come up we have been able to resolve quickly.

C. Financial Impact

The estimated expenditure is \$2,927,000.00 of the \$4,163,057.00 requested in account # 2100-5265, Professional Services.

D. Alternatives

- 1. Approve the request to renew the contract with Correction Care Solutions.
- 2. Do not approve the contract renewal.

E. Recommendation

The Department recommends that Council approve the request to renew the medical contract with CCS.

Recommend by: Ronaldo D. Myers Department: Detention Center Date: March 5, 2007

F. Reviews

Finance

Reviewed by: <u>Daniel Driggers</u>

✓ Recommend Council approval
Comments regarding recommendation:

Date: <u>4/13/07</u>

☐ Recommend Council denial

Procurement Reviewed by: Rodolfo Callwood ☑ Recommend Council approval Comments regarding recommendation:	Date: <u>4/13/07</u> ☐ Recommend Council denial
Legal Reviewed by: Amelia Linder ✓ Recommend Council approval Comments regarding recommendation:	Date: <u>4/16/07</u> ☐ Recommend Council denial
Administration Reviewed by: J. Milton Pope ✓ Recommend Council approval Comments regarding recommendation: Recommendation	Date: <u>4/16/07</u> ☐ Recommend Council denial mend approval

Subject: Emergency Services: Request for approval to purchase four new ambulance vehicles and five new chassis for ambulance remounts

A. Purpose

The purpose of this report is to obtain Council's approval to purchase four new ambulance vehicles and five new chassis for ambulance remounts. Funding is available in the Emergency Services budget to purchase the vehicles. The bid closes on April 12, 2007. A vendor will be recommended at the committee meeting.

B. Background / Discussion

The Emergency Services Department replaces old ambulance vehicles each year and remounts older patient care "boxes" that continue to be serviceable. Some ambulance patient care boxes are so old they can no longer be remounted so the entire vehicle must be replaced. On others, when the chassis wears out, the patient care box can be remounted. The patient care boxes are taken off of the old chassis and put on new chassis thus saving money.

The purchase has been advertised and bids are being received. The bid opening will take place on April 12, 2007 – after this report is submitted. A recommendation on a vendor will be made prior to the council committee meeting. EMS will completely replace four ambulances and remount five older boxes on new chassis. There are funds available in Emergency Services account 2210-5313.

C. Financial Impact

Funds were budgeted in the Emergency Services budget. No other funds are needed.

D. Alternatives

- 1. Accept the bids and award to the lowest responsible and responsive bidder as recommended at the committee meeting.
- 2. Do not award the bid.
- 3. Re-bid the vehicles.

E. Recommendation

It is recommended that Council award the bid for the ambulances to the recommended vendor presented to council at the committee meeting.

Recommended by: Michael A. Byrd **Department:** Emergency Services **Date:** 04/10/07

F. Reviews

Finance

Reviewed by: <u>Daniel Driggers</u>	Date: <u>4/13/07</u>
✓ Recommend Council approval	Recommend Council denial
Comments regarding recommendation:	Funds are available in current budget
Procurement	
Reviewed by: Rodolfo Callwood	Date: <u>4/13/07</u>
✓ Recommend Council approval	☐ Recommend Council denial
Comments regarding recommendation:	
Legal	
Reviewed by: Amelia Linder	Date: 4/16/07
✓ Recommend Council approval	☐ Recommend Council denial
Comments regarding recommendation:	
Administration	
Reviewed by: <u>J. Milton Pope</u>	Date:
✓ Recommend Council approval	Recommend Council denial
Comments regarding recommendation:	Recommend approval funds are budgeted

Subject: 911 COMPUTER AIDED DISPATCH (CAD) SYSTEM ESD0107006

A. Purpose

The purpose of this report is to obtain Council's approval for the Administrator to negotiate a price with the vendor selected to provide a CAD system for the Richland County / City of Columbia 911 Center.

B. Background / Discussion

The consolidated 911 Center must replace the outdated computer aided dispatch system. The 911 system is also outdated and will be replaced soon. The CAD receives data from the 911 system and creates dispatch records, reports and monitors public safety assets, which assists the telecommunicator.

A committee of county and city public safety agency representatives crafted the specifications and reviewed the bids. After reviewing the bids, four vendors were considered. After initial evaluations, two vendors were selected as finalists – Motorola and TriTech. The committee allowed the two vendors to provide a presentation and the committee also visited other 911 centers to determine the most responsive and responsible vendor. After a thorough review, the committee selected TriTech as the finalist.

The next phase of the process is to negotiate a price with TriTech.

C. Financial Impact

Funds to purchase the new CAD will come from Richland County's Emergency Telephone System fund. Revenue for this fund comes from wireline and wireless subscriber fees collected by the telephone companies and wireless providers. Also, this purchase will be eligible to receive some reimbursement from the S.C. CMRS fund, which is a pool of money, collected from wireless providers and used to assist local governments in providing 911 service. The exact amount of the reimbursement cannot be calculated at this time. The exact cost and funding strategy recommendations will be provided to Council when the purchase price is determined.

D. Alternatives

- 1. Allow the Administrator to negotiate the purchase price of the TriTech CAD. Council will review the price and award the bid at a later date.
- 2. Reject the bids and do not negotiate with the vendor.
- 3. Reject the bids and re-bid the project.

E. Recommendation

It is recommended that Council authorize the Administrator to negotiate the price of the CAD with TriTech and bring the purchase back to council for approval.

Recommended by: Michael A. Byrd **Department**: Emergency Services **Date**: 04/16/07

F. Reviews

Finance Reviewed by: <u>Daniel Driggers</u> ✓ Recommend Council approval Comments regarding recommendation:	Date: 4/17/07 ☐ Recommend Council denial
Procurement Reviewed by: Rodolfo Callwood ☑ Recommend Council approval Comments regarding recommendation:	Date: 4-17-07 ☐ Recommend Council denial
Legal Reviewed by: Amelia R. Linder ✓ Recommend Council approval Comments regarding recommendation:	Date: <u>4/18/07</u> ☐ Recommend Council denial
Administration Reviewed by: ✓ Recommend Council approval Comments regarding recommendation: Reco	Date: 4-20-07 ☐ Recommend Council denial mmend approval