



**RICHLAND COUNTY COUNCIL
REGULAR SESSION AGENDA**

**OCTOBER 5, 2010
6:00 PM**

CALL TO ORDER **HONORABLE PAUL LIVINGSTON, CHAIR**

INVOCATION **HONORABLE JOYCE DICKERSON**

PLEDGE OF ALLEGIANCE **HONORABLE JOYCE DICKERSON**

Approval Of Minutes

1. Regular Session: September 21, 2010 [PAGES 6-13]
2. Special Called Zoning Public Hearing: September 21, 2010 [PAGES 15-16]
3. Zoning Public Hearing: September 28, 2010 [PAGES 18-20]
4. Special Called Meeting: September 28, 2010 [PAGES 22-26]

Adoption Of The Agenda

Report Of The Attorney For Executive Session Items

5. FN Manufacturing vs. Richland County

Citizen's Input

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

Report Of The County Administrator

Report Of The Clerk Of Council

7. a. Richland Memorial Hospital's Annual Fall Luncheon
- b. Midlands Technical College Oyster Roast & Shrimp Boil, October 28, 6-8 p.m., MTC Center of Excellence for Technology Patio

Report Of The Chairman

Approval Of Consent Items

8. 10-23MA
Cynthia South
RS-LD to RS-MD (8.18 Acres)
Brevard St. & Jefferson Allen Dr.
07306-05-15 & 07306-04-05/21/24 [**SECOND READING**] [**PAGE 31**]
9. 10-24MA
Lexington Land Development Co., LLC
Benjamin E. Kelly, Jr.
HI to GC (1.65 acres)
Clemson Rd. & Farrow Rd.
17400-04-02/06/11 [**SECOND READING**] [**PAGE 33**]
10. An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article IV, Amendments and Procedures; SEction 26-54, Subdivision Review and Approval; Subsection (B); so as to correct the section reference for the adopted flood insurance rate map [**SECOND READING**] [**PAGE 35**]
11. Arcadia Lakes Floodplain Management Services Agreement [*Forwarded from the D&S Committee*] [**PAGES 37-40**]
12. Farmers Market Update [*Forwarded from the D&S Committee*] [**PAGES 42-48**]
13. An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-54, Subdivision Review and Approval; Subsection (C), Processes; Paragraph (3), Major Subdivision Review; Subparagraph F., Bonded Subdivision Plan Review and Approval; so as to add a provision dealing with expired bonds [*Forwarded from the D&S Committee*] [**TO TABLE**] [**PAGES 50-53**]
14. Old Garners Ferry Road Bridge Repair [*Forwarded from the D&S Committee*] [**PAGES 55-56**]
15. An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article X, Subdivision Regulations; so as to add a new section that permits the subdivision of property to heirs of a deceased property owner, subject to an order of a Probate Court [*Forwarded from the D&S Committee*] [**FIRST READING**] [**PAGES 58-61**]
16. AT&T Leased Line Connections-Countywide [*Forwarded from the A&F Committee*] [**PAGES 63-64**]
17. Franchise Fees for Utilities [*Forwarded from the A&F Committee*] [**TO TABLE**] [**PAGES 66-68**]
18. An Ordinance Amending the Fiscal Year 2010-2011 Hospitality Tax Annual Budget to appropriate \$100,000 of Hospitality Tax Undesignated Fund Balance to the Renaissance Foundation [*Forwarded from the A&F Committee*] [**FIRST READING**] [**PAGES 70-73**]

19. Hospitality Tax-Special Round for SERCO organizations *[Forwarded from the A&F Committee]* [PAGES 75-84]
20. Microsoft Licensing-Countywide *[Forwarded from the A&F Committee]* [PAGES 86-87]
21. Sheriff's Department Grant Position Pick Up Request *[Forwarded from the A&F Committee]* [PAGES 89-93]
22. An Ordinance Amending the Fiscal Year 2010-2011 General Fund Annual Budget to appropriate \$37,741 of General Fund Undesignated Fund Balance to Voter Registration for additional funding of part-time employment *[Forwarded from the A&F Committee]* [FIRST READING] [PAGES 95-96]
23. Review all Departments and determine possible consolidation and/or outsourcing and prioritize them *[Forwarded from the A&F Committee]* [PAGE 98]

Third Reading Items

24. An Ordinance Authorizing the levying of ad valorem property taxes, which, together with the prior year's carryover and other State levies and any additional amount appropriated by the Richland County Council prior to July 1, 2010, will provide sufficient revenues for the operations of Richland County Government during the period from July 1, 2010 through June 30, 2011 [PAGES 100-109]

Report Of Development And Services Committee

25. Broad River Sewer Monthly User Fees [PAGES 111-113]

Report Of Administration And Finance Committee

26. Benedict College SC HBCU Classic [PAGES 115-117]
27. Coroner Budget Amendment for 2010-2011 [PAGES 119-121]
28. Palmetto Capital City Classic Funding [PAGES 123-124]

Report Of Economic Development Committee

29. Lower Richland Sewer Update

Other Items

30. Regional Sustainability Plan MOU [PAGES 129-134]

Citizen's Input

31. Must Pertain to Items Not on the Agenda

Executive Session

Motion Period

32. a. When vacancies are identified on Richland County Boards and/or Commissions that require actions of County Council to fill, the Clerk assigned to advertise and process applications for these positions will notify the Executive Director and/or Chairman of the Board of the agency, Board or Commission either by telephone, email or regular mail prior to posting the public announcement of the vacancy. (Rules & Appointments Committee) [PEARCE]
- b. Council retain professional services to assist with the redistricting process [MANNING]
- c. Revisit Councilwoman Hutchinson's motion earlier this year to return \$5.00 to all citizens paying for garbage service as no action has been taken to resolve the issue of yard clippings and such being removed at a measured rate over a spectrum of time [MANNING]

Adjournment



Richland County Council Request of Action

Subject

Regular Session: September 21, 2010 [PAGES 6-13]

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, SEPTEMBER 21, 2010 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	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 – Michielle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Stephany Snowden, Tamara King, Larry Smith, Daniel Driggers, David Hoops, Quinton Epps, Dale Welch, John Hixson, Amelia Linder, Anna Almeida, Sara Salley, Valeria Jackson, Tiaa Rutherford, Andy Metts, Ray Peterson, John Cloyd, Jenetha Randle, Sharon Kimpson, Liz McDonald, Monique Walters, Michelle Onley

CALL TO ORDER

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

INVOCATION

The Invocation was given by the Honorable Kit Smith

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Kit Smith

APPROVAL OF MINUTES

Regular Session: September 7, 2010 – Ms. Hutchinson moved, seconded by Mr. Jeter, to approve the minutes as submitted. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Pope stated that an additional item entitled: “Neighborhood Planning Conference” needed to be added under the Report of the County Administrator.

Mr. Manning stated that the page #s for Item #17 were incorrect. The correct page #s were pp. 72-73.

Mr. Pearce moved, seconded by Ms. Dickerson, to adopt the agenda as amended. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

- a. **Darrel’s vs. Richland County** – No action was taken.
- b. **Solid Waste Contractual Matter** – No action was taken.

CITIZENS’ INPUT

(For Items on the Agenda Not Requiring a Public Hearing)

No one signed up to speak.

POINT OF PERSONAL PRIVILEGE – Mr. Livingston recognized Ms. Sharon Pierre and her children from Trinidad West Indies.

REPORT OF THE COUNTY ADMINISTRATOR

Strategic Plan Update – Mr. Pope stated that the 2nd Quarterly Report of the Strategic Plan was forwarded to Council. Mr. Pope requested that any comments or suggestions regarding this information be forwarded to staff.

Employee Recognition – Mr. Pope recognized Ms. Jenetha Randle on her retirement from Richland County after 30 years of service.

Lower Richland Sewer Update – Mr. Pope stated this item would be taken up under the Report of the Economic Development Committee.

Neighborhood Planning Conference – Ms. Tiaa Rutherford stated that the Neighborhood Planning Conference will be held on October 2, 8:30 a.m.-2:00 p.m. at the State Archives Building on Parklane Road. There will be three keynote speakers: Richland County Council Chair Paul Livingston, Mayor Steve Benjamin and Sheriff Leon Lott.

REPORT OF THE CLERK OF COUNCIL

Chamber of Commerce Annual Gala – Ms. Finch stated that the Chamber of Commerce Gala will be held September 29.

Urban League – Ms. Finch stated that the Columbia Urban League Dinner will be held October 26 at the Convention Center, 6:00 p.m.—Reception; 7:00—Dinner.

SCAC Classes – Ms. Finch stated the SC Association of Counties Fall meeting of the County Council Coalition will be held Friday, October 15th at Embassy Suites. Institute of Government classes will be held on October 14th.

Pride Movement Plaque – Ms. Finch stated that the SC Pride Movement presented Councilman Manning on behalf of Richland County Council with a plaque honoring Richland County as a Community Partner of the Year.

NAMI – Ms. Finch stated that Council received an invitation from NAMI to attend a National Day of Prayer for Recovery. The event will be held October 5th, 11:45 a.m.-1:00 p.m. at the Ebenezer Lutheran Church, 1301 Richland Street.

Transitions – Ms. Finch stated that Council received an invitation from the Midlands Housing Alliance to attend Transitions Cornerstone Ceremony on October 6 at the Holy Trinity Creek Orthodox Church Fellowship Hall, 1931 N. Sumter Street; 8:00 a.m.—Continental Breakfast; 8:30-9:30 a.m.—Program.

Patients Choice Awards – Ms. Finch stated that Council received an invitation and funding request regarding the 5th Annual Patients Choice Awards Banquet. The event will be held November 12, 7:00 p.m. at the Brookland Banquet and Conference Center.

REPORT OF THE CHAIRMAN

National Community Planning Month Proclamation – Mr. Jeter moved, seconded by Ms. Dickerson, to accept the proclamation naming October National Community Planning Month. A discussion took place.

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson thanked all of those who attended her book signing.

PRESENTATION

Columbia Home Builders Association: Cory Lorick – Mr. Cory Lorick gave a brief overview of the C-Core Mentoring Program.

APPROVAL OF CONSENT ITEMS

- **An Ordinance authorizing the County to execute and deliver a Master Park Agreement for the creation and maintenance of a multicounty business or industrial park between Richland County, South Carolina, and Fairfield County, South Carolina; and other related matters [THIRD READING]**
- **An Ordinance authorizing Richland County, South Carolina to issue, from time to time or at one time, in one or more issues or series, its revenue bonds, in an aggregate principal amount not to exceed \$20,000,000 (the “Bonds”), the proceeds of which will be used to finance the acquisition, construction and renovation of certain property to be used in connection with the Eastover, South Carolina Mill of International Paper Company, consisting of capital improvements, including, but not limited to, any recovery zone property, pulp mill and power facilities, paper production facilities and related facilities, at the mill pursuant to Section 4-29-10 Et Seq. of the 1976 Code of Laws of South Carolina, as amended; authorizing the execution and delivery of a contract of purchase providing for the issuance, sale and purchases 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 Richland County, South Carolina to cause the issuance and sale of such bonds [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article II, General Traffic and Parking Regulations; Section 17-9, through truck traffic prohibited; Subsection (A); so as to prohibit through truck traffic and N. Donar Drive and Prima Drive in Richland County, South Carolina [THIRD READING]**
- **10-20MA, Capital Development Partners, LLC, Mark James, M-1 to GC (1.02 Acres), Bluff Rd. & Blair St., 11115-06-03 [THIRD READING]**
- **10-21MA, Lexington Land Development Co., LLC, Benjamin Kelly, HI to GC (4.05 Acres), Clemson Rd. & Longreen Parkway, 17400-05-30 & 31 [THIRD READING]**
- **10-22MA, Waffle House, Butch Baur, HI to GC (.349 Acres), Bluff Rd., 11283-10-01 [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction; Definitions; Section 26-22, Definitions; so as to define dormitories, hotels, motels, transient lodging, and primary campus [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 23, Taxation; Article VI, Local Hospitality Tax; Section 23-69, Distribution of**

Funds; Subsection (3); and Section 23-71, Oversight and Accountability; so as to improve accountability of Hospitality Tax Agencies [THIRD READING]

- **An Ordinance Amending the Fiscal Year 2010-2011 General Fund Annual Budget to appropriate \$211,347 of General Fund Undesignated Fund Balance to Non Departmental for Grant Match Funds based on Attachment A [SECOND READING]**

Mr. Malinowski moved, seconded by Ms. Kennedy, to approve the consent items. The vote in favor was unanimous.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Establish an Ad-Hoc Committee to work with the City of Columbia to make a recommendation on an ordinance to restrict operating hours of establishments that serve alcohol – Ms. Dickerson stated that the committee recommended deferring this item in the Administration & Finance committee. A discussion took place.

The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT

Lower Richland Sewer Update – Mr. Pearce stated that the committee recommended deferring this item until the September 28th Special Called Council meeting contingent upon the information being made available by September 24th. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF APPOINTMENTS

- Midlands Workforce Development Board—6** – Mr. Malinowski stated that the committee recommended retaining this item in committee until Ms. Bonnie Austin reports back to the committee.

II. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- Attorney General's Opinion Re: Voter's Registration and Election Commission** – Mr. Malinowski stated that the committee retained this item in committee.
- Bonding attorneys are to limit their presentations to answering the question asked and only providing the facts of a specific bond. They are not to provide support for or forecast possible future need for the item the bond is being sought. No personal opinion or interjection is to be given [MALINOWSKI]** – Mr.

Malinowski stated that the committee recommended that the Administrator, in concert with the County Attorney, will advise all outside counsel to refrain from providing their personal opinion during their presentation. A discussion took place.

Ms. Smith made a substitute motion, seconded by Mr. Jeter, to table this item. The vote was in favor.

- c. **Clarification of the Rule regarding motions during the Special Called Meeting [MALINOWSKI]** – Mr. Malinowski stated that the committee recommended that Council abide by the current Council Rules and that the agenda will only include: Call to Order, Invocation, Item(s) for Action and Adjournment.
- d. **Financial System Access for Council members [WASHINGTON]** – Mr. Malinowski stated that the committee retained this item in committee pending further information from staff. The vote was in favor.

OTHER ITEMS

Village at Sandhill Extension – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve this item. A discussion took place.

The vote in favor was unanimous.

**CITIZEN'S INPUT
(Must Pertain to Items Not on the Agenda)**

Mr. Don Gordon spoke regarding his garbage service.

Council recessed at 7:06 p.m. to hold the Special Called Zoning Public Hearing and reconvened at 7:16 pm.

EXECUTIVE SESSION

=====
Council went into Executive Session at approximately 6:12 p.m. and came out at approximately 6:29 p.m.
=====

- a. **Darrel's vs. Richland County** – No action was taken.
- b. **Solid Waste Contractual Matter** – No action was taken.

MOTION PERIOD

Cabin Creek Road—Bridge Signs [WASHINGTON] – This item was referred to the D&S Committee.

Resolution acknowledging October 3-9 National Mental Illness Awareness Week – Mr. Washington moved, seconded by Mr. Malinowski, to adopt a resolution acknowledging October 3-9 as National Mental Illness Awareness Week.

Move that Council reduce the Hospitality Tax by ½ penny [HUTCHINSON] – This item was referred to the A&F Committee.

Richland County explore the benefits of accepting SCDOT roads into the County system. Maintenance, resurfacing, etc. [JACKSON] – This item was referred to the D&S Committee.

A motion to work with the City of Columbia to continue transportation services to Lexington County for at least 30-45 days until an amended agreement can be finalized between the City of Columbia, Lexington County and Richland County. [DICKERSON] – Ms. Dickerson moved for unanimous consent of this item. The vote in favor was unanimous.

Garbage Service Pick-Up Procedures [MALINOWSKI] – Mr. Malinowski moved for unanimous consent to send this item to committee. The vote in favor was unanimous. This item was referred to the D&S Committee.

ADJOURNMENT

The meeting adjourned at approximately 7:46 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

Special Called Zoning Public Hearing: September 21, 2010 [**PAGES 15-16**]

MINUTES OF



RICHLAND COUNTY COUNCIL SPECIAL CALLED ZONING PUBLIC HEARING TUESDAY, SEPTEMBER 21, 2010 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.

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: Michielle Cannon-Finch, Anna Almeida, Amelia Linder, Suzie Haynes, Milton Pope, Tony McDonald, Sparty Hammett, Tamara King, David Hoops, Quinton Epps, Randy Cherry, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 7:06 p.m.

ADDITIONS/DELETIONS TO AGENDA

Ms. Almeida stated that the coversheet should be entitled "Special Called Zoning Public Hearing."

TEXT AMENDMENT

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to adopt the new firm maps with effective dates of September 29, 2010, and other updates as required by FEMA to maintain the National Flood Insurance Program

Mr. Livingston opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Mr. Malinowski moved, seconded by Mr. Jeter, to adopt the new proposed language: "*Watercourse alterations and maintenance*. In addition to the notifications required for watercourse alterations per Section 26-36 (a) (2) c., a maintenance requirement will be included in Floodplain Development Permits whenever a watercourse is altered or relocated within a Special Flood Hazard Area. Such maintenance activities shall ensure that the flood-carrying capacity of the watercourse is not diminished, and shall consist of periodic inspections, and routine channel clearing and dredging, or other related functions. In addition, the permittee shall keep a written record describing all maintenance activities performed, the frequency of performance, and the name of the person(s) responsible for such maintenance and provide copies to the Flood Coordinator. The Flood Coordinator shall keep permitting records on file for FEMA inspection." A discussion took place.

The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 7:16 p.m.

Submitted respectfully by,

Paul Livingston
Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

Zoning Public Hearing: September 28, 2010 [PAGES 18-20]

MINUTES OF



RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING TUESDAY, SEPTEMBER 28, 2010 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.

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: Michielle Cannon-Finch, Anna Almeida, Amelia Linder, Suzie Haynes, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Stephany Snowden, Tamara King, David Hoops, Quinton Epps, Geo Price, John Hixson, Larry Smith, Jesse Johnson, Brian Cook, Andy Metts, Ray Peterson, Monique Walters, Michelle Onley

CALL TO ORDER

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

ADDITIONS/DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

Item# 3

Attachment number 1
Page 1 of 3

MAP AMENDMENTS

10-23MA, Cynthia South, RS-LD to RS-MD (8.18 Acres), Brevard St. & Jefferson Allen Dr., 07306-05-15 & 07306-04-05/21/24

Mr. Livingston opened the floor to the public hearing.

Mr. Jerry Douglas and Ms. Jan Warr spoke against this item.

Ms. Cynthia South spoke in favor of this item.

The floor to the public hearing was closed.

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

10-24MA, Lexington Land Development Co., LLC, Benjamin E. Kelly, Jr., HI to GC (1.65 Acres), Clemson Rd. & Farrow Rd., 17400-04-02/06/11

Mr. Livingston opened the floor to the public hearing.

The applicant chose not to speak at this time.

The floor to the public hearing was closed.

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

1025MA, Josh Williamson, PDD to RC (2.35 Acres), 11315 & 11325 Garners Ferry Rd., 35200-09-06 & 60

Mr. Livingston opened the floor to the public hearing.

Mr. Josh Williamson spoke in favor of this item.

The floor to the public hearing was closed.

Mr. Jackson moved, seconded by Mr. Malinowski, to deny the re-zoning request. The vote in favor was unanimous.

TEXT AMENDMENT

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-54, Subdivision Review and Approval; Subsection (B); so as to correct the section reference for the adopted Flood Insurance Rate Map

Mr. Livingston opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

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

ADJOURNMENT

The meeting adjourned at approximately 7:24 p.m.

Submitted respectfully by,

Paul Livingston
Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

Special Called Meeting: September 28, 2010 [PAGES 22-26]

MINUTES OF



RICHLAND COUNTY COUNCIL SPECIAL CALLED MEETING TUESDAY, SEPTEMBER 28, 2010 Immediately Following ZPH

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	Paul Livingston
Vice Chair	Damon Jeter
Member	Joyce Dickerson
Member	Gwendolyn Davis Kennedy
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, Randy Cherry, Stephany Snowden, Tamara King, Larry Smith, Andy Metts, Ray Peterson, Amelia Linder, Quinton Epps, David Hoops, Dale Welch, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 7:29 p.m.

INVOCATION

The Invocation was given by the Honorable Damon Jeter

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Damon Jeter

ADOPTION OF AGENDA

Ms. Dickerson moved, seconded by Mr. Washington, to adopt the agenda as distributed. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

- a. Transportation Tax Referendum Public Hearing – Mr. Manning moved, seconded by Mr. Jackson, to receive the briefing in open session.

Mr. Smith stated that the public hearing on this item would be held October 13, 2010, 5:30-7:30 p.m. in Council Chambers.

CITIZENS' INPUT

No one signed up to speak.

REPORT OF THE COUNTY ADMINISTRATOR

No report was given.

REPORT OF THE CLERK OF COUNCIL

No report was given.

REPORT OF THE CHAIRMAN

No report was given.

THIRD READING

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Section 26-22; Definitions; Section 26-35, Richland County Planning and Development Services Department; and Section 26-106, FP Floodplain Overlay District; so as to adopt new firm maps with effective dates of September 29, 2010, and other updates as required by FEMA in order to maintain the National Flood Insurance Program within Richland County – Mr. Jeter moved, seconded by Mr. Malinowski, to approve this item. A discussion took place.

The vote was in favor.

Mr. Malinowski moved, seconded by Ms. Dickerson, to reconsider this item. The motion for reconsideration failed.

REPORT OF ECONOMIC DEVELOPMENT

Lower Richland Sewer Update – Mr. Washington moved, seconded by Ms. Hutchinson, to schedule a work session on October 5th from 3:30-6:00 p.m. and invite representatives from Palmetto Utilities and the City of Columbia to be present at said work session. A discussion took place.

Mr. Malinowski made a substitute motion, seconded by Ms. Kennedy, to direct staff to engage Palmetto Utilities to begin negotiations to modify the current contract to include Lower Richland.

Ms. Smith offered the following amendment: that the contract would meet these three principles: (1) acceptance of the Eastover Plant to keep the rates low in the Northwest; (2) service to all identified communities with environmental challenges as a result of their septic systems; and (3) a way to deal with the pump installation or conversion to gravity flow.

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

The substitute motion failed.

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

The vote was in favor of the motion to schedule a work session for October 5th.

Mr. Pearce moved, seconded by Mr. Malinowski, to proceed and enter into a MOU with the City of Columbia to regarding sewer service in Lower Richland. The vote in favor was unanimous.

Ms. Smith moved, seconded by Mr. Jackson, to reconsider the previous motion.

For
Pearce
Malinowski
Jackson
Hutchinson
Jeter
Dickerson
Kennedy
Manning
Washington
Smith

Against
Livingston

The motion to reconsider passed.

The Chair called for a hand vote and subsequently ruled that the motion to enter into a MOU with the City of Columbia to provide service to Lower Richland failed.

CITIZEN'S INPUT

No one signed up to speak.

ADJOURNMENT

The meeting adjourned at approximately 9:11 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

FN Manufacturing vs. Richland County

Richland County Council Request of Action

Subject

For Items on the Agenda Not Requiring a Public Hearing

Richland County Council Request of Action

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- a. Richland Memorial Hospital's Annual Fall Luncheon
- b. Midlands Technical College Oyster Roast & Shrimp Boil, October 28, 6-8 p.m., MTC Center of Excellence for Technology Patio

Richland County Council Request of Action

Subject

10-23MA
Cynthia South
RS-LD to RS-MD (8.18 Acres)
Brevard St. & Jefferson Allen Dr.
07306-05-15 & 07306-04-05/21/24 **[SECOND READING] [PAGE 31]**

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ___-10HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # 07306-05-15 AND TMS # 07306-04-05/21/24 FROM RS-LD (RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICTS) TO RS-MD (RESIDENTIAL, SINGLE-FAMILY – MEDIUM DENSITY DISTRICTS); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 07306-05-15 and TMS # 07306-04-05/21/24 from RS-LD (Residential, Single-Family – Low Density District) zoning to RS-MD (Residential, Single-Family – Medium Density 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 _____, 2010.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2010.

Michielle R. Cannon-Finch
Clerk of Council

Public Hearing: September 28, 2010
First Reading: September 28, 2010
Second Reading: October 5, 2010 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

10-24MA
Lexington Land Development Co., LLC
Benjamin E. Kelly, Jr.
HI to GC (1.65 acres)
Clemson Rd. & Farrow Rd.
17400-04-02/06/11 [**SECOND READING**] [**PAGE 33**]

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-10HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # 17400-04-02/06/11 FROM HI (HEAVY INDUSTRIAL DISTRICTS) TO GC (GENERAL COMMERCIAL DISTRICTS); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 17400-04-02/06/11 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 _____, 2010.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2010.

Michielle R. Cannon-Finch
Clerk of Council

Public Hearing: September 28, 2010
First Reading: September 28, 2010
Second Reading: October 5, 2010 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-54, Subdivision Review and Approval; Subsection (B); so as to correct the section reference for the adopted flood insurance rate map **[SECOND READING] [PAGE 35]**

DRAFT

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___10HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE IV, AMENDMENTS AND PROCEDURES; SECTION 26-54, SUBDIVISION REVIEW AND APPROVAL; SUBSECTION (B); SO AS TO CORRECT THE SECTION REFERENCE FOR THE ADOPTED FLOOD INSURANCE RATE MAP.

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 26, Land Development; Article IV, Amendments and Procedures; Section 26-54, Subdivision Review and Approval; Subsection (b); is hereby amended to read as follows:

- (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~~ 26-106 (b).

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 _____, 2010.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

Attest this the _____ day of _____, 2010

Michielle R. Cannon-Finch
Clerk of Council

Public Hearing: September 28, 2010
First Reading: September 28, 2010
Second Reading: October 5, 2010 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

Arcadia Lakes Floodplain Management Services Agreement [*Forwarded from the D&S Committee*] [PAGES 37-40]

Notes

September 28, 2010 - The committee recommended that Council approve the Intergovernmental Agreement (IGA) with the Town of Arcadia Lakes as presented by County staff. This agreement will provide Floodplain Management Services including Flood Zone Verifications, Plan Review, and Floodplain Development Permits within their jurisdictions. The vote in favor was unanimous.

- Plan Review: The County will review Plans for projects that include Special Flood Hazard Areas (SFHA) for compliance with the County floodplain management ordinances.
- Floodplain Development Permits (FDP): The County will evaluate FDP applications for compliance with County floodplain management ordinances. FDP applications will be approved or not approved based on their compliance with the aforementioned ordinances.
- Records Keeping: FZV, Plans, and FDP applications and actions will be tracked by the County. The Municipality will provide FZVs, Plans, and FDP applications to the County for review. Once the application process is complete, the County will inform the applicant and the Municipality of the application result. When required the Municipality will provide records of previous actions conducted on properties related to floodplain management services, including, but not limited to, substantial improvements.

Section II – Municipal Responsibilities

- A. The Municipality will adopt ordinance(s) similar to Richland County Flood Damage Prevention Ordinances and agree to enforce floodplain management decisions rendered by the County and to notify the County if activities are conducted that are not in compliance with the Municipality’s or County’s floodplain ordinances.
- B. The Municipality will ensure that Municipality code inspectors document floodplain development requirements in accordance with applicable ordinances on all inspections and inform the County when inspections demonstrate non-compliance with those requirements.
- C. The Municipality will review initial submittals for Plans and FDPs to determine if a floodplain review is necessary. The Municipality will provide FZVs, Plans, and FDP applications to the County for review, as necessary. Once the application process is complete, the County will inform the applicant and the Municipality of the application result. When required the Municipality will provide records of previous actions conducted on properties related to floodplain management services, including, but not limited to, substantial improvements.
- D. The Municipality agrees to funding requirements in Section III.
- E. The Municipality will assist the County in projects for flood hazard mitigation, water quality improvement, or other related projects in the Municipality or County.
- F. The Municipality will be responsible for all costs of any potential litigation involved with Richland County’s provision of Floodplain Management Services, to include legal fees and the cost of staff time to appear in court.

Section III - Funding

The Municipality agrees to pay the County as follows:

- 1) \$15.00 per Flood Zone Verification issued.
- 2) \$250.00 per Plan reviewed.
- 3) \$250.00 per Floodplain Development Permit issued.

The County will invoice the Municipality on a biannual basis (June through December).

Section IV – Right-of-Entry

For the term of this Agreement, the Municipality grants to the County the status of a designated representative of the Municipality for the purposes of implementing the items identified in this Agreement.

Section V—Claims and Mediation of Defaults

The Municipality and County covenant hereby to mediate in good faith any disagreements, claims, or defaults under this agreement prior to either party taking an action at law or in equity against the other. Each party will strive to perform its respective duties hereunder with due diligence and reasonable performance under law.

ARTICLE 2 - GENERAL

Section I– Severability

The provisions of this Agreement are to be considered joint and severable, such that the invalidity of any one section will not invalidate the entire agreement.

Section II– Successors and Assigns

Whenever in this Agreement the Municipality or the County is named or referred to, it shall be deemed to include its/their successors and assigns and all covenants and agreements in this Agreement contained by or on behalf of the Municipality or the County shall bind and inure to the benefit of its/their successors and assigns whether so expressed or not.

Section III – Extension of Authority

The parties agree that all authorizations, empowerments, and all rights, titles, and interest referred to or referenced to in this Agreement are intended to supplement the authority the County has or may have under any provision of law.

Section IV – Termination by the County

The County shall be entitled to terminate this Agreement, and the County shall be released from any obligations under this agreement if: (1) the County is rendered unable to charge or collect the applicable fees; or (2) the County Council acts to terminate this Agreement with the Municipality due to an adverse court decision affecting the intent of this Agreement; or (3) the County provides written notice to the Municipality at least thirty (30) days prior to the effective date of such termination. Upon termination of the contract, obligation of the County to conduct the work described herein shall forthwith cease.

Section V– Termination by the Municipality

The Municipality shall be entitled to terminate this Agreement, and the County shall be released from any obligations under this agreement if: (1) the Municipality is rendered unable to pay

the applicable fees; or (2) the Town Council acts to terminate this Agreement with the County due to an adverse court decision affecting the intent of this Agreement; or (3) the Municipality provides written notice to the County at least thirty (30) days prior to the effective date of such termination. Upon termination of the contract, obligation of the County to conduct the work described herein shall forthwith cease.

In the event the Municipality terminates this agreement, the County shall be entitled to continue to collect all applicable fees incurred by the Municipality for work that has been performed in advance of the termination date.

Section VI– Insurance

For the duration of this Agreement, each party shall maintain a liability program adequate to meet at least the limits of the South Carolina Tort Claims Act.

Section VII– Duration

The duration of this Agreement shall be for a term of five (5) years, and will be automatically renewed for a like term unless one of the parties to this Agreement gives written notice to the other parties of its intent to terminate.

Section VIII– Previous Agreements

This agreement supersedes all previous agreements between the County and the Municipality covering provision of these services.

IN WITNESS WHEREOF, the parties hereto have caused their names to be affixed as duly authorized, on the date first above written.

WITNESSES:

COUNTY OF RICHLAND

By: _____
Paul Livingston
County Council Chair

TOWN OF ARCADIA LAKES

By: _____
Richard W. Thomas, Jr.
Mayor

Richland County Council Request of Action

Subject

Farmers Market Update [*Forwarded from the D&S Committee*] [PAGES 42-48]

Notes

September 28, 2010 - The committee recommended that Council direct staff to determine if the County can build a farmers market on the Richland County portion of the property and determine how much it would cost to include a possible public/private partnership. The committee also directed staff to provide Council with a copy of the Joint Resolution from the South Carolina General Assembly and the agreement. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Farmers' Market Items

A. Purpose

Council is requested to consider the two farmers' market items currently before the D&S Committee, and provide direction to staff with regards to these items.

B. Background / Discussion

At the February 23, 2010 D&S Committee meeting, the Committee voted to defer and combine two farmers' market items pending legislative approval of the proposed Joint Resolution.

The Joint Resolution received passage on June 16, 2010. The Joint Resolution clarifies that Richland County can continue to use the County's existing stream of hospitality tax revenues to pay off the bonds issued by the County to acquire the tract of land that was intended for use as the new State Farmers' Market. This legislation also clarifies that the tract can be used for economic development purposes. The Joint Resolution is attached below for your convenience.

Because the Joint Resolution was approved, it is at this time that the following two farmers' market items are back before the D&S Committee for consideration and direction.

Item 1:

The following occurred at the November 24, 2009 D&S Committee Meeting:

Pineview Property Follow up – The committee recommended that this item be moved to the December Committee meeting as an action item. Staff is to gather information on regional markets legislation / appropriations. Mr. Jackson stated that he has information, including sketches, that he will provide to staff.

The following information was obtained from the South Carolina Association of Counties regarding the regional markets legislation / appropriations.

From: Josh Rhodes [mailto:Josh@scac.state.sc.us]
Sent: Wednesday, December 02, 2009 2:31 PM
To: Randy Cherry
Subject: Regional Farmers' Market

Mr. Cherry,

Yesterday you called asking whether the state has made appropriations to regional farmer's markets, more specifically Richland County's. **The state has not made any such appropriation to the regional farmer's markets directly or through the Department of Agriculture.** In fiscal year 2006, the state appropriated funds,

including \$15 million in Capital Reserve Funds, for the relocation of the state farmers' market. The relocation was originally going to be within Richland County but in 2008, the legislature passed a resolution authorizing the relocation to be in Lexington County. In that resolution, which is attached, the state allowed the Department of Agriculture to use the \$15 million for the relocation to Lexington County. The Department, through a public-private agreement, had enough capital to cover the cost of the relocation so they proposed to the legislature that the \$15 million be used to aid regional farmers' markets. In that same year the state saw severe revenue reductions so they recommitted the \$15 million to the state general fund and did not move forward with the Department's proposal. This was the only proposal to make state appropriations to regional farmers' markets, including Richland County's, and no such appropriations have been made. I hope this helps and please let me know if I can be of any further assistance.

http://www.scstatehouse.gov/sess117_2007-2008/bills/1066.htm

Thanks,
Joshua C. Rhodes
Staff Attorney, SC Association of Counties

At the **December 22, 2009 D&S Committee Meeting**, the D&S Committee recommended that staff obtain cost figures and sketches regarding a Farmer's Market on the Pineview Property.

At the **January 5, 2010 Council Meeting**, Council deferred the item to the January 19, 2010 Council Meeting.

At the **January 19, 2010 Council Meeting**, Council rescinded the following action that was approved at the November 3, 2009 Council meeting: "Council voted to suspend consideration of using public funds to invest in a Richland County farmers' market, and to work with current local markets in promotional activities." This item was then forwarded to the February Development and Services Committee.

At the **February 23, 2010 D&S Committee Meeting**, the committee voted to defer and combine this item with item #2 (below) pending legislative approval of a Joint Resolution which will allow the County to continue paying for the bonds used to purchase the property with hospitality tax money.

Item 2:

The following motion was made at the February 2, 2010 Council Meeting by Councilman Jackson:

Explore utilizing the Shop Road/Pine View Road property (Farmers Market Land) with Public/Private partnership. After spending so much of the people's money, we should not let this property sit, grow weeds and become an eyesore. This is a perfect opportunity to invite potential businesses and entrepreneurs to

come up with ideas and financing mechanism to fund and develop viable projects. We cannot afford to sit and wait and do nothing.

This item was forwarded to the February Development and Services Committee.

At the **February 23, 2010 D&S Committee Meeting**, the committee voted to defer and combine this item with item #1 (above) pending legislative approval of a Joint Resolution which will allow the County to continue paying for the bonds used to purchase the property with hospitality tax money.

As previously stated, the Joint Resolution received passage on June 16, 2010.

At the **July 27, 2010 Special Called Council Meeting**, Council requested staff meet with SCRA and give an update regarding these conversations to the D&S Committee in September. Council also directed staff to receive any public proposals for this property.

Staff has talked with SCRA, which has informed the County that they are currently soliciting proposals from interested firms who will assist the County and SCRA in the development of the Master Plan for the site. SCRA will inform the County when the proposals have been received, and staff will update the Council at that time.

Furthermore, no public proposals for the property have been presented to Administration at this time.

Therefore, it is at this time that the aforementioned two farmers' market items are back before the D&S Committee for consideration and direction.

C. Financial Impact

There is no financial impact associated with this request at this time, as further information and direction from Council will need to be obtained before a financial impact can be determined.

D. Alternatives

1. Provide direction to staff regarding the farmers' market items.
2. Do not provide direction to staff regarding the farmers' market items at this time.

E. Recommendation

Council discretion.

F. Reviews

Finance

Reviewed by: Daniel Driggers Date: 9/16/10

Recommend Approval Recommend Denial

Comments regarding recommendation: No recommendation required. ROA

is requesting Council direction.

Legal

Reviewed by: Larry Smith

Date:

Recommend Approval Recommend Denial No Recommendation

Comments regarding recommendation: Council discretion

Administration

Reviewed by: J. Milton Pope

Date: 9-22-10

Recommend Approval Recommend Denial

Comments regarding recommendation: This item requires

Committee/Council direction.

S*1190 (Rat #0227) **Joint Resolution, By Leatherman**

Similar(H 4506)

A JOINT RESOLUTION TO MAKE CERTAIN FINDINGS BY THE GENERAL ASSEMBLY IN REGARD TO THE SETTLEMENT OF LITIGATION INVOLVING A SITE ACQUIRED BY THE STATE OF SOUTH CAROLINA IN RICHLAND COUNTY FOR THE PROPOSED STATE FARMERS' MARKET, AND TO CONFIRM AND VALIDATE THE USE OF SPECIFIC TRACTS OF LAND RECEIVED BY THE SOUTH CAROLINA RESEARCH AUTHORITY, AND RICHLAND COUNTY AS PART OF THE SETTLEMENT, AND THE USE OF CERTAIN REVENUES TO MEET OBLIGATIONS CONTINUING UNDER THE SETTLEMENT. - ratified title

02/17/10 Senate Introduced and read first time SJ-8
02/17/10 Senate Referred to Committee on Finance SJ-8
03/03/10 Senate Committee report: Favorable with amendment
Finance SJ-14
03/04/10 Scrivener's error corrected
04/13/10 Senate Committee Amendment Adopted SJ-22
04/13/10 Senate Read second time SJ-22
04/14/10 Scrivener's error corrected
04/14/10 Senate Read third time and sent to House SJ-72
04/15/10 House Introduced and read first time HJ-31
04/15/10 House Referred to Committee on Judiciary HJ-31
05/12/10 House Committee report: Favorable Judiciary HJ-8
05/19/10 House Debate adjourned until Thursday, May 20, 2010 HJ-26
05/20/10 House Read second time HJ-16
05/20/10 House Unanimous consent for third reading on next
legislative day HJ-17
05/21/10 House Read third time and enrolled HJ-1
05/25/10 Ratified R 227
05/28/10 Vetoed by Governor
06/02/10 Senate Veto overridden by originating body Yeas-26
Nays-13 SJ-183
06/03/10 House Debate adjourned on Governor's veto HJ-49
06/15/10 House Veto sustained Yeas-50 Nays-51 HJ-69
06/15/10 House Motion noted- Rep. Jennings noted a motion to
reconsider the vote whereby the Veto was sustained
06/16/10 House Reconsidered HJ-8
06/16/10 House Veto overridden Yeas-85 Nays-19 HJ-10

VERSIONS OF THIS BILL

[2/17/2010](#)
[3/3/2010](#)
[3/4/2010](#)
[4/13/2010](#)
[4/14/2010](#)
[5/12/2010](#)

A JOINT RESOLUTION TO MAKE CERTAIN FINDINGS BY THE GENERAL ASSEMBLY IN REGARD TO THE SETTLEMENT OF LITIGATION INVOLVING A SITE ACQUIRED BY THE STATE OF SOUTH CAROLINA IN RICHLAND COUNTY FOR THE PROPOSED STATE FARMERS' MARKET, AND TO CONFIRM AND VALIDATE THE USE OF SPECIFIC TRACTS OF LAND RECEIVED BY THE SOUTH CAROLINA RESEARCH AUTHORITY, AND RICHLAND COUNTY AS PART OF THE SETTLEMENT, AND THE USE OF CERTAIN REVENUES TO MEET OBLIGATIONS CONTINUING UNDER THE SETTLEMENT.

Be it enacted by the General Assembly of the State of South Carolina:

Findings

SECTION 1. The General Assembly finds that:

(1) The Commissioner of Agriculture (commissioner) settled the case captioned as Richland County v. State of South Carolina and South Carolina Department of Agriculture, 2008-CP-40-5723, involving a dispute concerning ownership of approximately one hundred forty-six acres of land (tract) and formerly acquired for the proposed State Farmers' Market.

(2) In connection with the settlement, the commissioner entered into and executed a mutual consent order and other appropriate documents dismissing with prejudice the referenced case and any related claims that the State of South Carolina may have in connection therewith.

(3) In connection with the settlement, the commissioner transferred on behalf of the State approximately one hundred nine acres of the tract to the South Carolina Research Authority (SCRA) and approximately thirty-seven acres of the tract to Richland County.

(4) In connection with the settlement, the commissioner and Richland County agreed that clarification should be sought with respect to the use of the tract by the SCRA and the county.

Use of property

SECTION 2. The approximately one hundred nine acres of the tract transferred to the South Carolina Research Authority shall be used in accordance with the powers granted to the authority pursuant to its enabling act, as contained in Chapter 17, Title 13 of the 1976 Code, including, but not limited to, Section 13-17-70(5), and the approximately thirty-seven acres of the tract transferred to Richland County shall be used in accordance with the powers granted to Richland County pursuant to Section 4-9-30 of the 1976 Code, including, but not limited to, Section 4-9-30(2). Notwithstanding any other provision of law, the original acquisition of and continuing repayment of any outstanding obligations related to the tract constitute an authorized use of those revenues specified in Article 7, Chapter 1, Title 6 of the 1976 Code; however, once the original acquisition and all outstanding original obligations related to the tract are paid in full, revenues collected pursuant to Article 7, Chapter 1, Title 6 of the 1976 Code must be used only for the purposes set forth in Article 7, Chapter 1, Title 6 of the 1976 Code.

Time effective

SECTION 3. This joint resolution takes effect upon approval by the Governor.

Ratified the 25th day of May, 2010.

Vetoed by the Governor -- 5/28/2010.

Veto overridden by Senate -- 6/2/2010.

Veto overridden by House -- 6/16/2010. -- T.

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Richland County Council Request of Action

Subject

An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-54, Subdivision Review and Approval; Subsection (C), Processes; Paragraph (3), Major Subdivision Review; Subparagraph F., Bonded Subdivision Plan Review and Approval; so as to add a provision dealing with expired bonds ***[Forwarded from the D&S Committee] [TO TABLE] [PAGES 50-53]***

Notes

September 28, 2010 - The committee recommended that Council table this item. The vote in favor was unanimous.

Richland County Council Request for Action

Subject: Minimum requirements for the completion of infrastructure.

A. Purpose

County Council is requested to consider amending Chapter 26 so as to create a provision disallowing additional projects for those developers who have allowed their bond to expire prior to the completion of all needed infrastructure for their current project.

B. Background / Discussion

On July 20, 2010, a motion was made, to the effect that “staff will work with the Home Builders Association to create an ordinance setting minimum requirements for the completion of infrastructure in new developments within a specified time frame after development has begun or has reached a certain percentage of completion.” County Council forwarded this request to the September D&S Committee agenda.

Planning Staff have reviewed the current land development code and believe that the current language requiring a bond is sufficient:

“The county protects these third parties and assures the orderly completion of the subdivision infrastructure by choosing to accept, in accordance with the provisions in Section 26-223 of this chapter, a bond, in an amount and with surety and conditions satisfactory to it, providing for and securing to the county the actual construction and installation of all improvements and utilities within a specified time period.”

In addition, there is a provision that allows the County to complete the infrastructure improvements should the developer fail to do so:

“If the developer fails to complete the bonded infrastructure improvements and submit a complete application for final subdivision plan approval within the specified time period, the county may proceed to collect the financial surety and assume responsibility for completing the required infrastructure improvements.”

However, staff believes the required bond language can and should be strengthened so that the bond holder must not only give the County notice that a bond is about to expire, but must allow the County 60 days to respond to the notice before terminating the bond. This is something that staff will work on and does not require an ordinance amendment.

Also, in talking with the Honorable Bill Malinowski, the attached ordinance amendment was discussed if the developer was under a bond that expired prior to the completion of all needed infrastructure for their current project.

C. Financial Impact

None.

D. Alternatives

1. Direct staff to tighten bond requirements.
2. Approve an ordinance amendment that would disallow a developer from starting another project until such time as a new bond has been put into place or all outstanding issues have been addressed with the Planning and or Public Works Department if the developer was under a bond that expired prior to the completion of all needed infrastructure for their current project.
3. Approve both alternatives 1 & 2 above.
4. Do not direct staff to tighten bond requirement and do not approve the ordinance amendment.

E. Recommendation

This request is at Council’s discretion.

Recommended by: The Honorable Bill Malinowski Date: July 20, 2010

F. Approvals

Planning and Development Services

Reviewed by: Anna Ameida

Date: September 20, 2010

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Revising the existing bond language to include a response time of sixty days will give staff adequate time to respond to the banks request. In addition prohibiting developers to proceed to other projects until such time as the existing projects are resolved will incentivize developers to keep their bonds from expiring and insure the infrastructure installation for lot purchasers.

Public Works Department

Reviewed by: David Hoops

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

PW recommends approval if the regulation requires the access to remain private and County maintenance cannot be acquired via Chap. 21-5 provisions.

Finance

Reviewed by Daniel Driggers

Date: 9/21/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Larry Smith

Recommend Council approval

Comments regarding recommendation:

Date:

Recommend Council denial

Administration

Reviewed by: Sparty Hammett

✓ Recommend Council approval

Comments regarding recommendation:

Date: 9/22/10

Recommend Council denial

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE IV, AMENDMENTS AND PROCEDURES; SECTION 26-54, SUBDIVISION REVIEW AND APPROVAL; SUBSECTION (C), PROCESSES; PARAGRAPH (3), MAJOR SUBDIVISION REVIEW; SUBPARAGRAPH F., BONDED SUBDIVISION PLAN REVIEW AND APPROVAL; SO AS ADD A PROVISION DEALING WITH EXPIRED BONDS.

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 26, Land Development; Article IV, Amendments and Procedures; Section 26-54, Subdivision review and approval; Subsection (c), Processes; Paragraph (3), Major subdivision review; Subparagraph f, Bonded subdivision plan review and approval; is hereby amended by adding a new clause to read as follows:

8. If a bond expires prior to the completion of the infrastructure improvements, the developer shall not be allowed a permit for any other projects until such time as a new bond has been put into place or all outstanding issues have been addressed with the Planning Department.

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 _____, 2010.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

Attest this the ____ day of _____, 2010

Michielle R. Cannon-Finch
Clerk of Council

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

Richland County Council Request of Action

Subject

Old Garners Ferry Road Bridge Repair [*Forwarded from the D&S Committee*] [PAGES 55-56]

Notes

September 28, 2010 - The committee recommended that Council approve the negotiated price to repair the bridge in the amount of \$149,250. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Old Garners Ferry Road Bridge Repair

A. Purpose

County Council is requested to approve the negotiated bid price for the repair of the bridge located on Old Garners Ferry Road.

B. Background / Discussion

Old Garners Ferry Road is a county maintained road that connects Garners Ferry Road and Old Hopkins Road. There are several businesses and residents located off of Old Garners Ferry Road. In January of 2009, we got a notice from the SCDOT bridge inspection department to reduce the weight limit over the bridge due to some deterioration of the bridge over time. In January 2010, we got another notice from the SCDOT bridge inspection unit stating the bridge had deteriorated even more over the past year and they recommended closing the bridge to through traffic at which point the County's Public Works Department closed off the bridge. The County hired Chao and Associates to design the repairs of the bridge with an estimated construction cost of \$110,000. The project was advertised and bid on June 29, 2010 and the lowest responsible, responsive bidder was Cherokee, Inc. with a bid of \$184,985. This was approximately \$75,000 over the budget the Public Works Department had set for this project. Public Works negotiated with the low bidder and was able to come to an agreement on a price of \$149,250. This price is still approximately \$39,250 over our original budget, but we do have the funds to cover the additional cost. We believe the increased cost is due to the work involved in working directly below a pond dam.

C. Financial Impact

The financial impact to the County is \$149,250

D. Alternatives

There are two alternatives that exist for this project and they are as follows:

1. Approve the negotiated price and repair the bridge.
2. Do not approve the negotiated price and keep the bridge closed.

E. Recommendation

It is recommended that County Council approve the negotiated price. Public Works has the money in their budget.

Recommended by: David Hoops, P.E. Department: Public Works Date: 9/15/2010

F. Reviews

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

✓ Recommend Council approval

Comments regarding recommendation:

Date: 9/21/10

Recommend Council denial

Procurement

Reviewed by: Rodolfo Callwood

Recommend Council approval

Comments regarding recommendation:

Date: 9/21/2010

Recommend Council denial

Legal

Reviewed by: Larry Smith

✓ Recommend Council approval

Comments regarding recommendation:

Date:

Recommend Council denial

Administration

Reviewed by: Sparty Hammett

✓ Recommend Council approval

Comments regarding recommendation:

Date: 9/21/10

Recommend Council denial

Richland County Council Request of Action

Subject

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article X, Subdivision Regulations; so as to add a new section that permits the subdivision of property to heirs of a deceased property owner, subject to an order of a Probate Court [**Forwarded from the D&S Committee**] [**FIRST READING**] [**PAGES 58-61**]

Notes

September 28, 2010 -- The committee recommended that Council approve an ordinance amending Chapter 26 of the Richland County Code of Ordinances so as to create a section providing a means for real property to be subdivided and transferred to heirs of deceased property owners, subject to an order of the Probate Court. The vote in favor was unanimous.

MEMORANDUM

TO: Richland County Council Members

CC: Sparty Hammett, Assistant County Administrator
Anna Almeida, Planning Director
Geonard Price, Zoning Administrator

FROM: Amelia R. Linder, Esq.

DATE: September 29, 2010

RE: Subdivision of heir property

Based on staffs' recent meeting with Probate Judge, Amy McCulloch, and her recommendations, an amended ordinance is attached for your consideration. This amended ordinance accomplishes the same thing as the ordinance recommended by the Development and Services Committee, but is a more accurate representation of the probate process.

Thank you, and please let me know if you have any questions.

AMENDED DRAFT!

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___10HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE X, SUBDIVISION REGULATIONS; SO AS TO ADD A NEW SECTION THAT PERMITS THE SUBDIVISION OF PROPERTY TO HEIRS OF A DECEASED PROPERTY OWNER, ~~SUBJECT TO AN ORDER OF A PROBATE COURT.~~

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 26, Land Development; Article X, Subdivision Regulations; is hereby amended by the addition of a new section, to read as follows:

Sec. 26-224. ~~Subdivision of heir property~~ Division of real property to heirs of a decedent.

- (a) *Purpose.* Real property held by a deceased person is frequently devised to other family members, and a probate estate is opened. Probate judges will ~~ultimately issue an Order dividing~~ oversee the division of all property of the deceased, including real property. However, probate judges sometimes ~~have~~ see the heirs' difficulty in transferring real property ~~to the heirs~~ of the deceased due to the county's land development regulations, especially as they apply to subdivisions and the need to construct paved roads and install sidewalks. The purpose of this section is to ease the burden of ~~the Probate Court~~ Richland County citizens and to reduce the expenses that heirs may be required to expend in settling the deceased's estate. It also provides a means for real property to be subdivided and transferred to heirs of deceased property owners, ~~subject to an order of the probate court.~~
- (b) *Applicability.* The provisions of this section shall apply to all zoning districts.
- (c) *Special requirements for private road subdivisions.*
- (1) *Review.* Subdivision of heir property is subject to the minor subdivision review procedure found at Sec. 26-54(c)(2). All Planning Department subdivision plan review fees shall be waived; provided, however, all fees charged by DHEC (and collected by the Richland County Public Works Department) shall be paid by the applicant.
- (2) *Roads.* Roads in subdivisions of heir property shall be exempt from the road paving requirements of Sec. 26-181 of this chapter, but shall not be exempt from any other road design requirement. Roads in subdivisions of

AMENDED DRAFT!

heir property shall not be eligible or accepted for county maintenance, which is otherwise provided pursuant to Section 21-5 of the Richland County Code of Ordinances, until they meet the road construction standards provided in Chapter 21 of the Richland County Code. The roadway shall have a minimum right-of-way width of sixty-six (66) feet and minimum twenty (20) foot wide passable surface, which meets the standards established and set forth by the county engineer. The subdivision documents shall include a conspicuous statement stating that improvements to the roadway without the approval of the county engineer are prohibited.

- (3) *Sidewalks.* Subdivisions of heir property shall be exempt from the sidewalk requirements of Sec. 26-179 of this chapter.
 - (4) *Size of lots.* Any and all lots created in a subdivision of heir property shall conform to the zoning district's requirements.
 - (5) *Number of dwelling units.* Only one (1) dwelling unit shall be permitted on each lot.
 - (6) *E-911 requirements.* The road, and each lot, shall conform to the county's E-911 system addressing and posting requirements.
- (d) *Legal documents required.* An applicant for a subdivision of heir property shall submit:
- (1) A copy of the certificate of appointment from the probate court.
 - (2) A copy of the probate court's order that divides the property amongst the heirs, if there is one.
 - (3) A copy of the will, if there is one.
 - (4) The necessary legal documents that:
 - a. Clearly provide permanent access to each lot.
 - b. State that the county shall not be responsible for either construction or routine (i.e. recurring) maintenance of the private road.
 - c. Clearly state that the parcels created by this process shall not be divided again, except in full compliance with all regulations in effect at the time.
 - (5) A "Hold Harmless Agreement" as to Richland County.

AMENDED DRAFT!

All legal documents shall be provided in a form acceptable to the county legal department.

Secs. 26-225 – 26-250. Reserved.

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 _____, 2010.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

Attest this the _____ day of _____, 2010

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: October 5, 2010 (tentative)
Public Hearing:
Second Reading:
Third Reading:

Richland County Council Request of Action

Subject

AT&T Leased Line Connections-Countywide [*Forwarded from the A&F Committee*] [PAGES 63-64]

Notes

September 28, 2010 - The committee recommended that Council approve the request to continue leasing the lines from AT&T for an amount not to exceed \$234,000. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: AT&T Leased Line Connections - Countywide

A. Purpose

County Council is requested to approve a purchase order to AT&T for the County's leased line connections.

A. Background / Discussion

The Richland County Wide Area Network and Local Area Networks (WAN/LAN) currently consist of 40 servers and approximately 1100 PCs. These are dispersed across all county locations. These locations are connected primarily via leased lines. This purchase order covers those lines that are leased from AT&T that connect our remote sites to our main locations in addition to the trunk lines that provide phone service to County locations including the Sheriff's Office. These lines are the heart and lungs of County provided services. Without them, there would be no phone service to most County locations, nor data connections that provide all county computer services.

These are services that Richland County has been receiving from AT&T for over 13 years. The amount has changed from year to year as the network has expanded as additional County services are offered in new locations.

These services were directly paid in previous years, but due to a change in our financial system, a purchase order is required to be able to pay for the services.

B. Financial Impact

There are sufficient funds in the account 1100187000.542100 designated for this request.

C. Alternatives

1. Approve the request to continue leasing the lines from AT&T for an amount not to exceed \$243,000. This will allow the county to maintain phone and data services to all sites.
2. Do not approve the request. This would mean that connectivity to County offices would cease and prevent all County computer services and telephones from working.

D. Recommendation

Recommended by: Janet Claggett Department: Information Technology
Date: 9/13/10

Approve the request to continue leasing the lines from AT&T for an amount not to exceed \$243,000. This will allow the county to maintain phones and connectivity to remote sites.

F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 9/13/10

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood

Date: 9/13/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Larry Smith

Date:

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Administration

Reviewed by: J. Milton Pope

Date: 9-13-10

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Richland County Council Request of Action

Subject

Franchise Fees for Utilities [*Forwarded from the A&F Committee*] [TO TABLE] [PAGES 66-68]

Notes

September 28, 2010 - The committee recommended that Council table this item. The vote in favor was unanimous.

Richland County Council Request for Action

Subject: Franchise fees for utilities

A. Purpose

This request is, per Mr. Malinowski's motion, for information relating to establishing a franchise fee for the extension or new installation of all utilities within the county by an outside agency.

B. Background / Discussion

The South Carolina Supreme Court, in SCE&G v. Town of Awendaw (2004), defines franchise as "*a special privilege granted by the government to particular individuals or companies to be exploited for private profits. Such franchises seek permission to use public streets or rights of way in order to do business with a municipality's residents, and are willing to pay for this privilege.*"

The right of counties to grant a franchise is set out in §4-9-30 (11) of the South Carolina Code, which states that counties shall have the power:

*to grant franchises and make charges in areas outside the corporate limits of municipalities within the county in the manner provided by law for municipalities and subject to the same limitations, to provide for the orderly control of services and utilities affected with the public interest; **provided, however, that the provisions of this subsection shall not apply to persons or businesses acting in the capacity of telephone, telegraph, gas and electric utilities, or suppliers, nor shall it apply to utilities owned and operated by a municipality; provided, further, that the provisions of this subsection shall apply to the authority to grant franchises and contracts for the use of public beaches.** (Emphasis added)*

Thus, the General Assembly granted the right to franchise to counties and then promptly limited it by exempting from the list of allowed franchises telephone, telegraph, gas and electric, and any utility owned by a municipality. This generally leaves cable television, water, and sewer, as long as the entities are not municipally owned.

Richland County has had numerous franchise agreements with cable television companies over the years and has an ordinance devoted to cable television franchising, §11-11, et seq. Although cable television franchises have been popular with counties for some time, the Legislature, by the passage of the Competitive Cable Services Act in 2006, preempted the field of cable television franchising, and in fact placed the sole franchising power for cable television with the State. §58-12-5 (B) states:

After the effective date of this act, no municipality or county may issue a cable franchise pursuant to Section 58-12-30. A municipality or county may continue to enforce existing cable franchises until they expire or are terminated pursuant to Section 58-12-325.

Thus the County's cable television franchise ordinance is no longer valid, and the County may not enter into any new cable television franchises. The statute does however provide for payment to the County of franchise fees by cable television companies doing business in the unincorporated areas.

The remaining areas for potential franchises are water and sewer. Although I can find no statute or relevant case law that specifically deals with the county's ability to require water and sewer franchises. Thus, it would appear that they would be an option for the county. However, I would caution that several statutes and general principles may come into play when considering a water or sewer franchise ordinance, including but not limited to, a municipality's right to provide service in the unincorporated areas (§5-7-60), a non-profit's right to provide service where the county has no plans to do such (§33-36-270), any special purpose districts already serving a specific area, and the state's regulation, through the Public Service Commission, of public utilities. If Council is interested in pursuing this option, a more extensive legal opinion would need to be performed, as well as a comprehensive report from the Utilities Division as to what areas are or are not being served and by whom.

Relationship between the Richland County's Comprehensive Land Use Plan and the franchise fee for the extension or new installation of all utilities within the county by an outside agency.

Establishing a franchise fee would not infringe upon the Future Land Use Map or the Comprehensive Plan goals. The location and capacity of new lines could affect the Future Land Use Map and Comprehensive Plan goals depending on the location of the service areas. If there is excess capacity and the County is willing to permit new commercial and residential development in the areas identified as Rural on the Future Land Use Map, not only will it conflict with the plan but it will intensify sprawl and contribute to increased governmental services (police, fire, school). This number has been reduced slightly since 2009 but it should be noted that based on our GIS data there is 170,000 acres (264 square miles) of buildable land in the County. Approximately 26% of the developable parcels are located in the Suburban and Urban areas of the County as identified on the Future Land Use Map. Those figures do not include all the redevelopment opportunities with existing infrastructure.

C. Financial Impact

None known.

D. Alternatives

1. Pursue the water and sewer franchise option.
2. Do not pursue the water and sewer franchise option.

E. Recommendation

Council discretion, keeping in mind, however, the legal consideration briefly outlined above.

Recommended by: Elizabeth A. McLean

Department: Legal

Date: 9/16/10

F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation since the ROA decision is at Council discretion and there is not enough information provided on options to make a sound financial decision. The Utility fund is a single unified enterprise fund and by policy is expected to be self-supported. Therefore we would recommend that prior to a final decision that Council obtain a financial impact analysis of the effect the decision will have on user rates and the long-term sustainability of the system.

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation. Council will need to exercise its discretion regarding pursuing franchises on a case by case basis.

Administration

Reviewed by: Sparty Hammett

Date: 9/21/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation – Council discretion.

Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2010-2011 Hospitality Tax Annual Budget to appropriate \$100,000 of Hospitality Tax Undesignated Fund Balance to the Renaissance Foundation ***[Forwarded from the A&F Committee]*** **[FIRST READING]** **[PAGES 70-73]**

Notes

September 28, 2010 - The committee recommended that Council approve a budget amendment for the Renaissance Foundation from Hospitality Tax Fund Balance in the amount of \$100,000. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Hospitality Tax Budget Amendment

A. Purpose

County Council is requested to approve a budget amendment for the Renaissance Foundation from Hospitality Tax fund balance in the amount of \$100,000.

B. Background / Discussion

During the FY11 budget process, the Renaissance Foundation was approved to receive \$100,000 from Hospitality Tax funds. This budget amendment appropriates an additional \$100,000 to the Renaissance Foundation per the motion made at the June 16, 2009 Council meeting.

C. Financial Impact

This budget amendment would reduce Hospitality Tax fund balance by \$100,000 unless another funding source is identified.

D. Alternatives

1. Approve the budget amendment appropriating an additional \$100,000 of Hospitality Tax funds to the Renaissance Foundation.
2. Do not approve the budget amendment appropriating an additional \$100,000 of Hospitality Tax funds to the Renaissance Foundation.

E. Recommendation

It is recommended that Council approve \$100,000 for the Renaissance Foundation with the funding source being Hospitality Tax fund balance.

Recommended by: _____ Department: Administration Date: 08/01/2010

F. Reviews

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 8/17/10

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Grants

Reviewed by: Sara Salley

Date: 8/17/2010

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald

Date: 9/8/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: This request is consistent with the action taken by the Council during the adoption of the FY 11 budget.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. __-11HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2010-2011 HOSPITALITY
TAX ANNUAL BUDGET TO APPROPRIATE \$100,000 OF HOSPITALITY TAX
UNDESIGNATED FUND BALANCE TO THE RENAISSANCE FOUNDATION.

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 Renaissance Foundation. Therefore, the Fiscal Year 2010-2011 Hospitality Tax Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2010 as amended:	\$ 4,071,612
Appropriation of Hospitality Tax undesignated fund balance	<u>100,000</u>
Total General Fund Revenue as Amended:	\$ 4,171,612

EXPENDITURES

Expenditures appropriated July 1, 2010 as amended:	\$ 4,071,612
Increase to Lump Sum Appropriation:	<u>100,000</u>
Total General Fund Expenditures as Amended:	\$ 4,171,612

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 _____, 2008.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2010

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

Hospitality Tax-Special Round for SERCO organizations [*Forwarded from the A&F Committee*] [PAGES 75-84]

Notes

September 28, 2010 - The committee recommended that Council approve the funding recommendations as submitted by the Hospitality Tax Advisory Committee, leaving \$0.00 unallocated. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Hospitality Tax – Special Round for SERCO Organizations

A. Purpose

County Council is requested to review the attached funding recommendations by the Hospitality Tax Advisory Committee for organizations eligible to receive funding through the special grant round for SERCO and organizations named in their FY2010 MOU. Funds allocated to these organizations will be used for tourism related programs in FY11.

These recommendations were sent directly to County Council for the September 7, 2010 meeting. After extensive discussion during this meeting, Council voted to send the recommendations to the September 28, 2010 A&F Committee for further discussion. Council also requested a copy of each organization's grant budget. This information is attached.

B. Background / Discussion

During the FY11 Budget second reading on June 3, 2010, County Council voted to allocate \$237,500 to a special grant round for SERCO and organizations listed in their FY10 MOU agreement with the County. This special round of funding was open to SERCO, the Lower Richland Sweet Potato Festival, Odyssey Golf Foundation and the SC Gospel Quartet.

Organizations applied directly to the County for funds instead of re-granting the funds through SERCO. Each applicant, if awarded, will spend grant funds on tourism related expenses. Re-grant or sub-grants are not allowed. Funds will be monitored by County staff through payment requests and reporting just as all County grantees are required.

On August 17, three of the five Hospitality Tax Advisory Committee members met to finalize recommendations for these four organizations. As a result of this meeting, 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.)

Lower Richland Sweet Potato Festival	\$55,500
Odyssey Golf Foundation	\$10,000
SC Gospel Quartet	\$7,000
SERCO	\$165,000
Total	\$237,500

C. Financial Impact

No financial impact. The funding for this round of funding was appropriated during the FY11 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). Approve the funding recommendations as submitted by the Hospitality Tax Advisory Committee, leaving \$0 unallocated.

Recommended by: Hospitality Tax Advisory Committee **Date:** September 9, 2010

F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers Date: 9/12/10
 ✓ Recommend Council approval Recommend Council denial
 Comments regarding recommendation: Recommendation is based on committee recommendation for agency funding and that the total funding is consistent with the appropriated budget.

Grants Manager

Reviewed by: Sara Salley Date: 9/13/2010
 ✓ Recommend Council approval Recommend Council denial
 Comments regarding recommendation:

Legal

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

Administration

Reviewed by: Roxanne Ancheta Date:
 ✓ Recommend Council approval Recommend Council denial
 Comments regarding recommendation: Recommendation for approval is based on the Hospitality Tax Advisory Committee’s recommendations to Council. \$237,500 is available for disbursement to these organizations per Council’s motion during the FY 11 budget process.

Projected Budget for 2011
Lower Richland Sweet Potato Festival

The focus of the funding request to Richland County is for marketing and publicity of the festival, as well as venue equipment. The following outlines needs

5 Billboards and lighted signs to be placed in key \$10,500 locations advertising the festival, placards, t-shirts, bumper stickers, buttons, lapel stickers.

Design and printing of fliers/signs for advertising festival \$25,000 to be distributed at public libraries, school, businesses churches, residents, other midland locations, upgrade and maintain web site.

Advertising in the State Newspaper and other Newspapers Outlet, Radio/TV in the Midland Area. \$20,000.

Rental large event tents for use of the concert, \$15,000 Pie contest, art/craft exhibits, health fair and venues.

Prizes for Sweet Potato and Beauty Contest \$1,500.

Purchase of Sweet Potato and Vegetables for sale and Gifts \$5,000.

Rental of Portable Toilets \$1,500.

Entertainment Ride And performance \$11,930
Festival sale items {i.e., Sweet Potato Ice Cream Pies} \$5,000

Travel, Lodging, meals for International performers,
Airfare:
African-\$2,300 each x 5= \$11,500.
South American-\$1,600 each x5=\$8,000.

Lodging-\$89.00 per day x10 \$90 per day x 3 days =\$ 2,670.
Honorariums- \$5,000x2=\$10,000.
Meals =\$30.00 per day per person x 10 people= \$300.00 x 3 day=\$900.00.

Parking Attendants-\$1,500
Security-\$5,000
Office Equipment, Sound System Rental and Supplies \$ 15,000
Travel

Total-----\$150,000

Income Sources	Amount	Pending	Receive
Schneider Electric	\$5,000	Pending	
Tri-County Electric	\$5,000	Pending	
International Paper	\$5,000	Pending	
Westinghouse NFD	\$5,000	Pending	

Projected Expense Category	Grant Funs	Other Source----	Total
Travel/ Lodging	\$10,000	0	\$10,000
Equipment	\$15,000	0	\$15,000

LOWER RICHLAND HERITAGE CORRIDOR BUDGET: 2010-2011

(Revised June 5, 2010)

Project Expense Category	Grant Funds	Other Sources	Total
Salary	N/A	\$ 60,000	\$ 60,000 IN KIND
Fringe Benefits	N/A	\$ 0	\$ 0
Travel/Lodging	N/A	\$ 0	\$ 0
Equipment	N/A	\$ 5,000	\$ 5,000
Event Expense (rentals, AV, venue)	\$50,000	\$ 10,000	\$60,000
Postage/Supplies	\$10,000	\$ 2,000	\$ 12,000
Contractual	\$ 50,500	\$ 5,000	\$ 55,500
Construction	N/A	\$ 0	\$ 0
Marketing/Advertising	\$ 40,000	\$ 15,000	\$ 55,000
Printing	\$ 30,000	\$ 3,000	\$ 33,000
Total	\$ 180,500	\$ 100,000	\$ 280,500

Income Source(s)	Amount	Pending/Received
Richland County H-Tax Grant	\$ 180,500	Pending
Corporate Sponsorship	\$ 40,000	Pending
City of Columbia H-Tax Grant	\$ 0	
Ticket Sales	\$ 18,000	Pending
NextGen CDC Grants	\$ 25,000	Pending
Organization Operating Income	\$ 17,000	Pending
Total	\$ 280,500	

BUDGET JUSTIFICATION

Event Expenses: Tent rentals for 7 events @ \$1550 each; building rentals for 4 events @ approximately \$2,000 each; stage and sound equipment for 7 events @ \$3,000 each

Postage and supplies for 8 events: \$10,000 for mailing postcards to Midlands counties for all 8 events and mailing flyers to all Midlands schools for all events: Ex. Richland, Lexington, Fairfield, Sumter, Orangeburg, Newberry, Calhoun, etc.

Contractual: Hire bands for 8 events @ approximately \$1500 each; hire singers for 8 events for approximately \$2,000 each; hire lecturers for 2 events @ \$500 each; hire a variety of entertainers for 8 events for a total of \$13,000; hire service providers for hayrides, carnival rides for children and shuttles for transportation to event sites for a total of \$6,000; hire contractors for site preparation and clean up for 8 events @ \$1,000 each; booth rental for Back to School Bash @ \$750

Marketing and Advertising: 3 billboards for \$850 each for 2 events for a total of \$1700; 9 ads in the Columbia Star @ \$1300 for each event; radio advertisements for 8 events @ \$500 each; website updates (4) for SERCO and Harriet Barber House @ \$500 each; TV ads for 2 events @ \$1,000 each; 4 newsletters (color and black & white) @ \$1500 each; 5 historical markers from Sewah Studios @ \$1830 each. NOTE: Media ads covering the entire state; websites covering all states and foreign countries; mailing lists covering all counties in SC

Printing: Color posters, road signs and handbills for all 8 events at approximately \$10,000 total; \$2,000 each for postcards to be mailed to Midlands residents for 8 events; 4 issues of SERCO newsletters for distribution @ \$800 each issue; 5,000 flyers for Back to School Bash to promote the SwampFest @ \$500;

LOWER RICHLAND HERITAGE CORRIDOR PROJECT DESCRIPTIONS:
(Revised July 15, 2010)

8 th Annual SwampFest: October 2010 Stages, sound system, shuttles, tents, carnival rides, entertainment, all media promotions and advertisements for 2 days of events, supplies	\$75,000
Lower Richland Veterans Parade & Program November 2010 Entertainment and parade floats	\$5,000
Kingville Reunion November 2010 Stages, tents, carnival rides, all media promotions, bus tours, Entertainment and advertisements	\$15,000
Kensington Victorian Christmas: December 2010 Billboard advertisement, print advertisement; entertainment	\$10,000
Lower Richland Holiday Taste & Tour December 2010 Printed advertisement, radio and newspaper ads, bus for tour and tour guide	\$5,000
Strong Threads Arts & History Celebration: February 2011 Entertainment, museum displays, stages, sound equipment, all media promotions and advertisements	\$20,000
Memorial Day Heritage Celebration: May 2011 Entertainment, museum displays, carnival rides, all printed Advertisements, all media promotions, carnival rides	\$15,000
Gadsden Community Celebration June 2011 Printed advertisement, tent rentals, carnival rides and other Supplies	\$5,000
Heritage Corridor Promotions: Newsletters, calendars, websites, historical markers, Congaree Camp Stories, Campfire Chronicles, and other event promotions	\$30,500
TOTAL	\$180,500

**HOSPITALITY TAX GRANT BUDGET
ODYSSEY GOLF FOUNDATION – O.G.F.
2010-2011**

PROJECT EXPENSE	GRANT FUNDS	OTHER SOURCES
Administrative Costs	\$ 500.00	\$250.00
#1 Nine Hole Youth/Mentor Tournament	\$3,000.00	\$500.00
Marketing & advertising, (Radio announcements, newspaper ads posters/banners, flyers, postage, printing)		
Course fees		
Refreshments & food		
Equipment/Supplies & Rental Fees		\$250.00*
Awards & Gifts Trophies & packets		
#2 The Golf Skills Challenge Tournament for Beginners-chipping, putting, etc.	\$2,000.00	
Procedure is the same as above-targeted to beginners.		
# 3 18 hole tournament- Adults & Youth/ Mentor Teams	\$4,500.00	
Procedure is the same as in #1 targeted to intermediate and advanced players		
Total	\$10,000.00	\$1,000.00

INCOME SOURCES

H-TAX GRANT-----10,000.00
O.G.F. SPONSORSHIP----- 500.00 * May be partially supported as in-kind
ie. Equipment value, etc.
NEXT GEN GRANT ----- 500.00

BUDGET JUSTIFICATION

1. **Administrative Costs** – funds requested to cover bookkeeping and funds management in a bank account; costs of printing reports, invoices and making payments to vendors.
2. **Tournaments**
 - **Marketing and advertising** – paying for radio and newspaper announcements and flyers – costs range from \$800.00 to \$1,200.00 per event
 - **Course fees including golf cart** can range from \$35.00 to \$45.00 per person depending on the course. Courses with fees above this amount will not be selected. Grant funds will help defray costs for the youth and volunteers.
 - **Refreshments/Food** – will be provided pre and post tournament – costs usually range from \$5.00 to \$8.00 per person. Donations are also sought for breakfast and soft drinks.
 - **Equipment/Supplies & Rental Fees** – beginner golfers generally do not have their own equipment and accessories. They need clubs, bags, balls, gloves, tees, and sometimes the required clothing by golf course standards. The Foundation has equipment to loan, but would need to purchase the other items. Depending on the setting and weather, tent and golf cart rental are necessary.
 - **Awards/gifts and packets** – Players may earn trophies and gifts along with volunteers. Each player will receive a packet. The cost can range from \$500.00 to \$1,800.

SOUTH CAROLINA GOSPEL QUARTETS AWARDS CONCERT 2011

MARCH 26,2011

<u>Grant Funds</u>			
Expense Categories	Number Needed	Individual Cost	Total Cost
Accomidations of out of state artists	10	\$80.00	\$800.00
Nation Artist	6	\$3,000.00	\$18,000.00
Local Artist	4	\$600.00	\$2,400.00
Motivative Speaker	2	\$1,500.00	\$3,000.00
All day Facility rental	1	\$2,000.00	\$2,000.00
Marketing/Advertisement	Multiple	\$5,000.00	\$5,000.00
Total Grant Funds			\$31,200.00

<u>Non Grant Funds</u>	
Expense Categories	Total Cost
Other Salaries	\$15,000.00
Travel/Lodging	\$2,000.00
Equipment	\$4,000.00
Postal	\$4,000.00
Artist's Food	\$1,500.00
Printing	\$5,000.00
Construction	\$4,300.00
Total Non Grant Funds	\$35,800.00

<u>Income source(s)</u>		
Expense Categories	Cost	Pending/Received
Richland County H-Tax Grant	\$30,000.00	Pending
Corporate Sponsorship	\$10,000.00	Pending
South Carolina Arts Commission	\$15,000.00	Pending
Ticket Sales	\$3,000.00	Pending
Coalition Foundation Grant	\$5,000.00	Pending
Organization Operation Income	\$5,000.00	Received
Total Income source(s)	\$68,000.00	

SOUTH CAROLINA GOSPEL QUARTETS AWARDS
FOR MARCH 26, 2011

BUDGET JUSTIFICATION SHEET

Accommodations for the out of state artist we need 10 Rooms @ \$80.00 which = \$800.00

National Artist 6 Groups @ \$3,000 per group which comes to 18,000, these are the Groups from out of State that will be performing for the Event on March 26, 2011

Local Artist 4x's 600.00= 2,400 these are the gospel groups from around South Carolina to draw our state Wide Guest.

Motivative Speakers 2@ 1500.00= 3000 these are the People who will host the Morning Workshop which includes (How to do recording when you are a new group just starting, how to attend a lot of workshops around the country as well as telling the groups how to receive National Contracts and how to present your self in front of our young Gifted and Talented Artist that's up and coming.

Facility, \$ 2000.00 The use of the Building all day.

Marketing/Advertisements \$5000.00 print ad in State News Paper, The Black News Paper, To use National News Paper as well which is explained on another sheet, Also the use of different Radio Stations around the State and National Radio stations, and The use of Internet Web-Site such as Glory Land Gospel which is one of the Biggest Internet Web-Site so forth and so on.

Richland County Council Request of Action

Subject

Microsoft Licensing-Countywide [*Forwarded from the A&F Committee*] [PAGES 86-87]

Notes

September 28, 2010 - The committee recommended that Council approve the request to purchase Microsoft Software Assurance from the vendor on South Carolina State Contract in an amount not to exceed \$120,811. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Microsoft Licensing - Countywide

A. Purpose

County Council is requested to approve an extension to the “Software Assurance” purchase on the Microsoft Enterprise Agreement for licenses owned by the County.

A. Background / Discussion

The Richland County Wide Area Network and Local Area Networks (WAN/LAN) currently consist of 40 servers and approximately 1100 PCs.

In order to comply with federal copyright law, Richland County must have Microsoft licenses for all County servers and all County PCs. Licensing is required for operating systems as well as software applications (such as MS Office).

In the last few years, Microsoft modified its licensing requirements, and it has been increasing its enforcement efforts. Richland County received the same “Microsoft letter” that our neighboring counties received, which outlines a mandatory copyright compliance program. If Richland County were to decide not to participate in the copyright compliance program, the County would put itself at risk for fines and penalties of up to \$150,000 per incident.

Nine years ago, the IT Department included a budget request to begin a three year Enterprise Agreement with Microsoft to bring the County into full copyright compliance. During the initial three year period, we were able to achieve compliance with Microsoft’s copyright policies. The County now owns the software license for Microsoft OS and Office products used by County employees. To ensure this software remains current, the County will need to approve another year of “Software Assurance”... This renewal will ensure our licensed products are current to 07/30/11.

However, in an effort to maintain Federal Copyright compliance on software versions used by the County that comes out after 06/30/10, we must continue our Microsoft Enterprise Agreement through the purchase of Software Assurance. Software Assurance is a maintenance agreement that allows the County to use the latest versions of Microsoft software products as they are made available. This will keep the software technology at Richland County current. Council is requested to approve the purchase of a Microsoft “Software Assurance” from the vendor DELL/ASAP SOFTWARE on South Carolina State Contract in an amount not to exceed \$120,811.

B. Financial Impact

There are sufficient funds in the account 1100187000.547100 designated for this request.

C. Alternatives

1. Approve the request to purchase Microsoft Software Assurance from vendor DELL/ASAP SOFTWARE on South Carolina State Contract in an amount not to exceed \$120,811. This will allow the county to maintain Microsoft Copyright compliance.
2. Do not approve the request. This would mean that the County chooses to stop participating in the copyright compliance program.

D. Recommendation

Recommended by: Janet Claggett Department: Information Technology
 Date: 09/13/10

It is recommended that Council approve the request to purchase Microsoft Software Assurance from vendor DELL/ASAP SOFTWARE on South Carolina State Contract in an amount not to exceed \$120,811.

F. Reviews

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers Date: 9/13/10
 ✓ Recommend Council approval Recommend Council denial
 Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood Date: 9/13/10
 Recommend Council approval Recommend Council denial
 Comments regarding recommendation:

Legal

Reviewed by: Larry Smith Date:
 ✓ Recommend Council approval Recommend Council denial
 Comments regarding recommendation: Recommendation is contingent upon verification that the contract meets all of the counties procurement requirements and that Procurement has reviewed the agreement.

Administration

Reviewed by: J. Milton Pope Date: 9-16-10
 ✓ Recommend Council approval Recommend Council denial
 Comments regarding recommendation:

Richland County Council Request of Action

Subject

Sheriff's Department Grant Position Pick Up Request [*Forwarded from the A&F Committee*] [PAGES 89-93]

Notes

September 28, 2010 - The committee recommended that Council direct staff to work with the Sheriff to see if Sheriff Department Funds can be realigned in order to fund this position. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Approve for a Sheriff's Department Grant Position Pick-up Request

A. Purpose

County Council is being requested to transfer one FTE position from grant funds to the Sheriff's Department budget:

- Investigator (Solving Cold Case DNA grant 8614)

B. Background / Discussion

The Richland County Sheriff's Department received the Cold Case DNA grant from the National Institute of Justice in January 2009. This grant funded salary and benefits for one (1) Investigator and related items. This grant was approved by Council as part of the FY10 budget approval process. A copy of the original Grant Budget Request is attached for your information. The grant funds will expire on September 30, 2010 and the position transferred to the Sheriff's department budget. An application for continuation funding was submitted in Spring 2010, but this program was extremely competitive and continuation funding has not been received. It is not a requirement of the grant program to continue to fund personnel after grant funds are no longer available; however to discontinue funding of this position would be a serious detriment to the investigation of unsolved violent crime cases in Richland County. This program has been extremely successful and has led to the closing of six previously unsolved violent felony cases.

This position was on the pick-up list provided to Council as part of the regular budget process in January 2010. This list is included for review. Richland County Finance advised in August 2010 that an ROA be completed for this position since funds were not allocated during the regular FY11 budget process.

C. Financial Impact

The County is requested to fund the \$40,000 needed for the Investigator position and \$40,000 needed for the Laboratory Technician position.

Grant Program	Grant Amount	Match
Investigator position (Salary & Fringe October 2010-June 2010)	\$40,000	\$0
<hr/> Total Grant Budget Request	<hr/> \$40,000	<hr/> \$0

D. Alternatives

1. Approve the request to fund the position from the Solving Cold Cases with DNA grant (8614) to Sheriff's Department funds.
2. Do not approve and the Department may be forced to eliminate this mission-critical position.

E. Recommendation

It is recommended that Council approve the request to transfer the grant positions to the Sheriff’s Department Budget.

Recommended by: Deputy Chief Samuel Berkheimer Department

Dept: Sheriff’s Department

Date: 9/9/10

F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 9/16/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation since the funding decision is at Council discretion. Approval would require a budget amendment to add the full time position and budget dollars. A funding source would need to be identified prior to approval. The estimated fully loaded cost for 9-months of FY11 is \$45,300. If a one-time funding source is used there would be an additional need of approximately \$55k in FY12. We have attached a current copy of the County’s future personnel liability based on active grants.

Grants

Reviewed by: Sara Salley

Date: 9/16/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation since the funding decision is at Council discretion.

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation: Council discretion

Administration

Reviewed by: Sparty Hammett

Date: 9/20/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation – funding decision is at Council discretion. As indicated by the Finance Director, Council approval would require a budget amendment to add the full-time position and associated funding.

RCSD 2011

Full Time FTE's Positions to be picked up FY 2011

School Resource Officer- **July 1, 2010**- \$31,625

Investigator, **July 1, 2010** -Cold Case DNA grant-\$44,194 (Will apply for continuation funding, but this is not guaranteed)

Lab Compliance Technician- **February 1, 2011**- DNA Backlog Reduction-\$36,488

Richland County
2011 Budget - Personnel Liability

PROJECT NAME	FTE	Grant End Date	FY10	FY11	FY12	FY13	FY14	Totals	Continuation Funding Applied for in FY11?
CURRENT GRANTS									
School Resource Officer	1	6/30/2010	-	31,625	-	-	-	31,625	no
Required Grant Pick-Ups	1			31,625				31,625	
Domestic Violence Improvement Program	1	10/31/2009	26,141	-	-	-	-	26,141	n/a
Catastrophic Planner	1	12/31/2009	22,244	-	-	-	-	22,244	n/a
Solving Cold Cases w/DNA	2	6/30/2010	-	51,250	-	51,250	-	102,500	yes
JJFG - Detention Alternatives	1	9/30/2010	-	38,000	-	-	-	38,000	yes
Criminal Domestic Violence Court Yr 8	1	9/30/2010	-	33,813	-	-	-	33,813	yes
Forensic DNA Backlog Reduction	1	9/30/2010	-	50,000	-	-	-	50,000	yes
Hispanic Outreach Advocacy	1	9/30/2010	-	32,000	-	-	-	32,000	yes
Marijuana Analysis Technician	1	9/30/2010	-	45,000	-	-	-	45,000	yes
Motorcycle Safety Enforcement	2	9/30/2010	-	78,000	-	-	-	78,000	yes
COPS Universal Hiring Program	10	8/31/2011	-	-	345,100	-	-	345,100	n/a
Potential Grant Pick-Ups if Continuation Grant Not Approved	21		48,385	328,063	345,100	51,250		772,798	
Total Required & Potential Liability for Current Grants	22		48,385	359,688	345,100	51,250		804,423	
NEW GRANT REQUESTS***									
JAG: Crime Scene Unit Enhancement	2	6/30/2011	-	-	198,534	-	-	198,534	
JAG: Financial Crimes Investigations	2	6/30/2011	-	-	155,254	-	-	155,254	
JAG: Violent Fugitive Apprehension Team	2	6/30/2011	-	-	174,444	-	-	174,444	
JAG: Sexual Assault Investigators	2	6/30/2011	-	-	155,254	-	-	155,254	
Victims of Crimes Act - Victim Advocacy	1	6/30/2011	-	-	78,627	-	-	78,627	
JAG: Investigator/Prescription Drug Specialist	1	6/30/2011	-	-	94,932	-	-	94,932	
GREAT - Gang Resistance Education & Train	1	9/30/2011	-	-	73,856	-	-	73,856	
New Grant Requests Totals	11				930,901			930,901	
GRAND TOTAL LIABILITY	33		48,385	359,688	1,276,001	51,250		1,735,324	

**Richland County
Grant Application Request
Fiscal Year 2009 (July 2008 – June 2009)**

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

Section A: Basic Information

1.) Department: RCSD		2.) Dept. Contact: Traci Dove	
3.) Grant Title of Project: Solving Cold Cases with DNA			
4.) Grant Program: Solving Cold Cases with DNA			
5.) Grantor: National Institute of Justice		6.) Fund Source: <input checked="" type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Other (check one)	
7.) Grant Period: From 12/1/08 To 4/30/10		8.) Application Due Date: February 1, 2008	
9.) Status: <input type="checkbox"/> Application sent – date <input checked="" type="checkbox"/> To be submitted – date 2/1/08		10.) Anticipated Award Date: November 2008	
11.) <input checked="" type="checkbox"/> New Grant? or <input type="checkbox"/> Continuation Grant? (check one)		12.) If continuation grant, what is previous grant #?	
13. a.) Amount of grant funds requested: \$116,000	13. b.) Percentage of total request: 100%	14. a.) Amount of matching funds requested: \$0	14. b.) Percentage of total request: 0%
15.) Total Project Cost: (Grant funds requested + matching funds requested) \$116,000 + \$0 = 100%			

Section B: Project Description

16.) Provide a general statement of the purpose of the grant. To provide additional personnel, supplies and services to enhance Cold Case Investigations that can be solved through DNA analysis.

Section C: Financial Impact

17.) Does grant allow administrative (indirect) costs? No If yes, what percentage? _____
When applying for the grant, be sure to include this amount in your budget to assist with the County's and your Department's indirect costs of managing the grant.

Grant Personnel

For new grants:

18. a.) How many new, full-time positions will be created by this grant? 1
Please complete and attach a **Grant Funded New Position Funding Request** form for each new position type (mandatory)

For continuation grants:

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

For all:

19.) Does the grant require positions to be maintained following conclusion of the grant? Yes

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

Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2010-2011 General Fund Annual Budget to appropriate \$37,741 of General Fund Undesignated Fund Balance to Voter Registration for additional funding of part-time employment ***[Forwarded from the A&F Committee] [FIRST READING] [PAGES 95-96]***

Notes

September 28, 2010 - The committee recommended that Council approve a budget amendment to the Board of Voter Registration Department budget for \$37,741 to cover part-time employment for the November 2, 2010 General Election. The vote in favor was unanimous.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. __-11HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2010-2011 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$37,741 OF GENERAL FUND UNDESIGNATED FUND BALANCE TO VOTER REGISTRATION FOR ADDITIONAL FUNDING OF PART-TIME EMPLOYMENT.

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 thirty seven thousand seven hundred forty one dollars (\$37,741) be appropriated to FY 2010-2011 Voter Registration. Therefore, the Fiscal Year 2010-2011 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2010 as amended:	\$ 137,182,595
Appropriation of General Fund undesignated fund balance	<u>37,741</u>
Total General Fund Revenue as Amended:	\$ 137,220,336

EXPENDITURES

Expenditures appropriated July 1, 2010 as amended:	\$ 137,182,595
Increase to Voter Registration- Part-Time Employment	<u>37,741</u>
Total General Fund Expenditures as Amended:	\$ 137,220,336

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 _____, 2010.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2010

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

Review all Departments and determine possible consolidation and/or outsourcing and prioritize them ***[Forwarded from the A&F Committee] [PAGE 98]***

Notes

September 29, 2010 - The committee recommended that Council direct Council's chairman to create a committee to look into this matter. The vote in favor was unanimous.

Review all Departments and determine possible consolidation and/or outsourcing and prioritizing them (Councilmember Jackson).

Richland County Council Request of Action

Subject

An Ordinance Authorizing the levying of ad valorem property taxes, which, together with the prior year's carryover and other State levies and any additional amount appropriated by the Richland County Council prior to July 1, 2010, will provide sufficient revenues for the operations of Richland County Government during the period from July 1, 2010 through June 30, 2011 **[PAGES 100-109]**

Notes

First Reading: May 4, 2010

Second Reading:

Third Reading:

Public Hearing:



Paul Brawley

Richland County Auditor

2020 Hampton Street • P.O. Box 192 • Columbia, South Carolina • 29202
Phone (803) 576-2614 • Fax (803) 576-2606 • BRAWLEYP@RCGOV.US

October 1, 2010

The Honorable Paul Livingston
Chairman
Richland County Council
2020 Hampton Street
Columbia, SC 29204

Dear Mr. Livingston:

I am transmitting to you and members of Council the calculated millage rates for 2010. The millage rates are the same as projected during the budget process with two exceptions. Richland School District One had a \$2,153,620 deficit and the Library had a \$32,493 deficit in the 2009 collections. I have included in the millage rates an additional 4 mills to recover Richland One's deficit and .1 mill to recover the Library's deficit.

I look forward to answering any questions or concerns you and the Council Members may have on October 5, 2010.

Sincerely,

A handwritten signature in black ink that reads "Paul Brawley".

Paul Brawley
Richland County Auditor

cc: County Council
County Administrator
Finance Director

enclosures

**Paul Brawley
Richland County Auditor**

2010 Millage Worksheet

Agency	Total FY 11 Budget	Carryforward	State Reimbursement	School	Net Taxes	10 Millage	Non-Owner Occupied		T Mill Value	09 Millage	Millage Difference
							Mill Value	Occupied			
SD #1	177,449,139		5,000,000	47,030,339	125,418,800	231.4	542,000		772,000	231.4	-
*SD #1/Deficit	2,168,000				2,168,000	4.0	542,000		772,000		4.0
SD #2	117,750,851		805,000	44,621,851	72,324,000	258.3	280,000		504,000	250.3	8.0
SD #1 Bonds	58,137,228	14,821,228	2,400,000		40,916,000	53.0			772,000	53.0	-
SD #2 Bonds	61,382,160	17,242,160	1,300,000		42,840,000	85.0			504,000	92.0	(7.0)
Recreation	10,784,800	161,940	514,060		10,108,800	10.4			972,000	10.2	0.2
Rec Bonds	5,314,626	2,248,626	150,000		2,916,000	3.0			972,000	3.0	-
MTC	4,341,000	149,868	215,132		3,976,000	2.8			1,420,000	2.8	-
MTCC	2,094,000	22,976	83,024		1,988,000	1.4			1,420,000	1.4	-
Zoo Bonds	2,002,746	938,746	70,000		994,000	0.7			1,420,000	0.7	-
ERPSD Bonds	2,468,902	1,453,902	95,000		920,000	4.0			230,000	4.0	-
Storm	2,904,658	111,868	64,790		2,728,000	3.1			880,000	3.1	-
Fire Operating	18,166,600	1,042,524	780,476		16,343,600	18.2			898,000	18.2	-
Fire Bonds	1,888,794	345,194	17,000		1,526,600	1.7			898,000	0.4	1.3
General Fund	70,654,000	738,669	3,033,331		66,882,000	47.1			1,420,000	47.1	-
County Bonds	17,081,375	3,601,375	700,000		12,780,000	9.0			1,420,000	9.0	-
Library	19,817,000		931,000		18,886,000	13.3			1,420,000	13.1	0.2
*Library/Deficit	142,000				142,000	0.1			1,420,000		0.1
MH	1,905,500	94,574	106,926		1,704,000	1.2			1,420,000	1.2	-
Zoo	2,003,300	62,245	95,055		1,846,000	1.3			1,420,000	1.3	-
Landfill	4,414,400	-	154,400		4,260,000	3.0			1,420,000	3.0	-
Conservation	692,000	-			692,000	0.5			1,420,000	0.5	-
Neighborhood	692,000	-			692,000	0.5			1,420,000	0.5	-
Capital	4,587,000	77,690	249,310		4,260,000	3.0			1,420,000	3.0	-

* These 2 millage agencies incurred a deficit during the 2009 levy year; the above mills is what would be needed to cover the deficit
The deficit for Richland One was \$2,132,975 and for the Library was \$32,493

**RICHLAND COUNTY
2010 MILLAGE AND TAX SCHEDULE**

Residential Property

Owner Occupied

Budget Amendment

**PAUL BRAWLEY
RICHLAND COUNTY AUDITOR**

	<u>DISTRICT</u>	<u>1AL</u>	<u>1CC</u>	<u>1CY</u>	<u>1ER</u>	<u>1FA</u>	<u>1TE</u>	<u>1HF, 1LF 1LR, 1UR</u>	<u>DISTRICT AVERAGE</u>
2010 Total Levy		411.0	488.6	431.7	412.7	459.7	525.6	408.7	448.3
2009 Total Levy		406.5	484.3	427.2	406.9	453.9	519.8	402.9	443.1
Net Change		4.5	4.3	4.5	5.8	5.8	5.8	5.8	5.2
Percentage Change		1.1%	0.9%	1.1%	1.4%	1.3%	1.1%	1.4%	1.2%
2010 Tax \$100,000 House	\$	1,644.00	\$ 1,954.40	\$ 1,726.80	\$ 1,650.80	\$ 1,838.80	\$ 2,102.40	\$ 1,634.80	\$ 1,793.14
Less, Local Option Sales Tax	\$	(106.00)	\$ (268.30)	\$ (106.00)	\$ (106.00)	\$ (216.00)	\$ (553.20)	\$ (106.00)	\$ (208.79)
Less, School Operating Credit	\$	(941.60)	\$ (941.60)	\$ (941.60)	\$ (941.60)	\$ (941.60)	\$ (941.60)	\$ (941.60)	\$ (941.60)
2010 Net Taxes	\$	596.40	\$ 744.50	\$ 679.20	\$ 603.20	\$ 681.20	\$ 607.60	\$ 587.20	\$ 642.76
2009 Tax \$100,000 House	\$	586.30	\$ 706.90	\$ 669.10	\$ 587.90	\$ 644.90	\$ 592.30	\$ 571.90	\$ 622.76
Tax Increase (Decrease)	\$	10.10	\$ 37.60	\$ 10.10	\$ 15.30	\$ 36.30	\$ 15.30	\$ 15.30	\$ 20.00
Percentage Change		1.7%	5.3%	1.5%	2.6%	5.6%	2.6%	2.7%	3.1%
2011 Tax on \$20,000 Auto	\$	472.00	\$ 532.66	\$ 496.84	\$ 474.04	\$ 508.44	\$ 520.08	\$ 469.24	\$ 496.19
2010 Tax on \$20,000 Auto	\$	464.98	\$ 520.22	\$ 489.82	\$ 465.46	\$ 495.66	\$ 511.50	\$ 460.66	\$ 486.90
Tax Increase (Decrease)	\$	7.02	\$ 12.44	\$ 7.02	\$ 8.58	\$ 12.78	\$ 8.58	\$ 8.58	\$ 9.29
Percentage Change		1.5%	2.4%	1.4%	1.8%	2.6%	1.7%	1.9%	1.9%

**RICHLAND COUNTY
2010 MILLAGE AND TAX SCHEDULE**

Residential Property

Owner Occupied

Budget Amendment

**PAUL BRAWLEY
RICHLAND COUNTY AUDITOR**

	<u>2AL</u>	<u>2CC</u>	<u>2DP</u>	<u>2ER</u>	<u>2FA</u>	<u>2TB</u>	<u>DISTRICT AVERAGE</u>
2010 Total Levy	465.9	543.5	463.6	467.6	514.6	460.5	486.0
2009 Total Levy	464.4	542.2	460.8	464.8	511.8	457.7	483.6
Net Change	1.5	1.3	2.8	2.8	2.8	2.8	2.3
Percentage Change	0.3%	0.2%	0.6%	0.6%	0.5%	0.6%	0.5%
2010 Tax \$100,000 House	\$ 1,863.60	\$ 2,174.00	\$ 1,854.40	\$ 1,870.40	\$ 2,058.40	\$ 1,842.00	\$ 1,943.80
Less, Local Option Sales Tax	\$ (106.00)	\$ (268.30)	\$ (106.00)	\$ (106.00)	\$ (216.00)	\$ (106.00)	\$ (151.38)
Less, School Operating Credit	\$ (1,033.20)	\$ (1,033.20)	\$ (1,033.20)	\$ (1,033.20)	\$ (1,033.20)	\$ (1,033.20)	\$ (1,033.20)
2010 Net Taxes	\$ 724.40	\$ 872.50	\$ 715.20	\$ 731.20	\$ 809.20	\$ 702.80	\$ 759.22
2009 Tax \$100,000 House	\$ 742.30	\$ 862.90	\$ 727.90	\$ 743.90	\$ 800.90	\$ 715.50	\$ 765.57
Tax Increase (Decrease)	\$ (17.90)	\$ 9.60	\$ (12.70)	\$ (12.70)	\$ 8.30	\$ (12.70)	\$ (6.35)
Percentage Change	-2.4%	1.1%	-1.7%	-1.7%	1.0%	-1.8%	-0.9%
2011 Tax on \$20,000 Auto	\$ 537.88	\$ 598.54	\$ 535.12	\$ 539.92	\$ 574.32	\$ 531.40	\$ 552.86
2010 Tax on \$20,000 Auto	\$ 534.46	\$ 589.70	\$ 530.14	\$ 534.94	\$ 565.14	\$ 526.42	\$ 546.80
Tax Increase (Decrease)	\$ 3.42	\$ 8.84	\$ 4.98	\$ 4.98	\$ 9.18	\$ 4.98	\$ 6.06
Percentage Change	0.6%	1.5%	0.9%	0.9%	1.6%	0.9%	1.1%

**RICHLAND COUNTY
2010 MILLAGE AND TAX SCHEDULE**

**Commercial Property
Non-Owner Occupied
Budget Amendment**

**PAUL BRAWLEY
RICHLAND COUNTY AUDITOR**

	<u>DISTRICT</u>	<u>2AL</u>	<u>2CC</u>	<u>2DP</u>	<u>2ER</u>	<u>2FA</u>	<u>2TB</u>	<u>DISTRICT AVERAGE</u>
2010 Total Levy		465.9	543.5	463.6	467.6	514.6	460.5	486.0
2009 Total Levy		464.4	542.2	460.8	464.8	511.8	457.7	483.6
Net Change		1.5	1.3	2.8	2.8	2.8	2.8	2.3
Percentage Change		0.3%	0.2%	0.6%	0.6%	0.5%	0.6%	0.5%
2010 Tax \$100,000 House	\$	2,795.40	3,261.00	2,781.60	2,805.60	3,087.60	2,763.00	\$ 2,915.70
Less, Local Option Sales Tax	\$	(106.00)	(268.30)	(106.00)	(106.00)	(216.00)	(106.00)	\$ (151.38)
2010 Net Taxes	\$	2,689.40	2,992.70	2,675.60	2,699.60	2,871.60	2,657.00	\$ 2,764.32
2009 Tax \$100,000 House	\$	2,672.30	2,948.50	2,650.70	2,674.70	2,825.70	2,632.10	\$ 2,734.00
Tax Increase (Decrease)	\$	17.10	44.20	24.90	24.90	45.90	24.90	\$ 30.32
Percentage Change		0.6%	1.5%	0.9%	0.9%	1.6%	0.9%	1.1%
2011 Tax on \$20,000 Auto	\$	537.88	598.54	535.12	539.92	574.32	531.40	\$ 552.86
2010 Tax on \$20,000 Auto	\$	534.4	589.70	530.14	534.94	565.14	526.42	\$ 546.80
Tax Increase (Decrease)	\$	3.42	8.84	4.98	4.98	9.18	4.98	\$ 6.06
Percentage Change		0.6%	1.5%	0.9%	0.9%	1.6%	0.9%	1.1%

RICHLAND COUNTY **Commercial Property** **PAUL BRAWLEY**
2010 MILLAGE AND TAX SCHEDULE **Non-Owner Occupied** **RICHLAND COUNTY AUDITOR**

	<u>DISTRICT</u>	<u>6CC</u>	<u>6TI</u>	<u>6UD</u>	<u>DISTRICT AVERAGE</u>	<u>COUNTY AVERAGE</u>
2010 Total Levy		466.5	381.8	386.6	411.6	455.5
2009 Total Levy		452.6	367.7	371.2	397.2	449.7
Net Change		13.9	14.1	15.4	14.5	5.9
Percentage Change		3.1%	3.8%	4.1%	3.7%	1.4%
2010 Tax \$100,000 House	\$	2,799.00	2,290.80	2,319.60	\$ 2,469.80	\$ 2,733.23
Less, Local Option Sales Tax	\$	(268.30)	(106.00)	(106.00)	\$ (160.10)	\$ (178.13)
2010 Net Taxes	\$	2,530.70	2,184.80	2,213.60	\$ 2,309.70	\$ 2,555.09
2009 Tax \$100,000 House	\$	2,410.90	2,092.10	2,113.10	\$ 2,205.37	\$ 2,503.85
Tax Increase (Decrease)	\$	119.80	92.70	100.50	\$ 104.33	\$ 51.24
Percentage Change		5.0%	4.4%	4.8%	4.7%	2.1%
2011 Tax on \$20,000 Auto	\$	506.14	436.96	442.72	\$ 461.94	\$ 511.02
2010 Tax on \$20,000 Auto	\$	482.18	418.42	422.62	\$ 441.07	\$ 500.77
Tax Increase (Decrease)	\$	23.96	18.54	20.10	\$ 20.87	\$ 10.25
Percentage Change		5.0%	4.4%	4.8%	4.7%	2.1%

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-10HR**

AN ORDINANCE AUTHORIZING THE LEVYING OF AD VALOREM PROPERTY TAXES, WHICH, TOGETHER WITH THE PRIOR YEAR'S CARRYOVER AND OTHER STATE LEVIES AND ANY ADDITIONAL AMOUNT APPROPRIATED BY THE RICHLAND COUNTY COUNCIL PRIOR TO JULY 1, 2010, WILL PROVIDE SUFFICIENT REVENUES FOR THE OPERATIONS OF RICHLAND COUNTY GOVERNMENT DURING THE PERIOD FROM JULY 1, 2010, THROUGH JUNE 30, 2011.

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 THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION 1. That a tax for the General Fund to cover the period from July 1, 2010 to June 30, 2011, both inclusive, is hereby levied upon all taxable property in Richland County, in a sufficient number of mills not to exceed forty-seven and one tenth (47.1) to be determined from the assessment of the property herein.

SECTION 2. That the additional taxes, besides that noted above in Section 1, to cover the period of July 1, 2010 to June 30, 2011, both inclusive, are hereby levied upon all taxable property in Richland County for the funds:

<u>NAME</u>	<u>MILLS</u>
General Fund Debt Service	9.0
Solid Waste – Landfill	3.0
Capital Replacement	3.0
Library	13.4
Mental Health	1.2
Riverbanks Zoo	1.3
Conservation Commission	.5
Neighborhood Redevelopment	.5

SECTION 3. That the additional taxes, besides that noted in Section 1 and 2, to cover the period from July 1, 2010 to June 30, 2011, both inclusive, are hereby levied upon all taxable property located within each of the following respective Special Tax Districts in Richland County for the following Funds:

<u>NAME</u>	<u>MILLS</u>
Fire Service – Operations	18.2
Fire Service – Debt Service	1.7
School District One – Operations	235.4
School District One – Debt Service	53.0
School District Two – Operations	258.3
School District Two – Debt Service	85.0
Recreation Commission – Operations	10.4

Recreation Commission – Debt Service	3.0
Midlands Technical College – Operations	2.8
Midlands Technical College – Capital & Debt Service	1.4
Riverbanks Zoo – Debt Service	.7
Stormwater Management	3.1
East Richland Public Service District – Debt Service	4.0

SECTION 4. Conflicting Ordinances Repealed. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. Separability. 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 6. Effective Date. This Ordinance shall become effective October 5th, 2010.

RICHLAND COUNTY COUNCIL

BY: Paul Livingston, Chair

FIRST READING: May 4, 2010
PUBLIC HEARING: May 20, 2010
SECOND READING: June 3, 2010
THIRD READING:

Richland County Council Request of Action

Subject

Broad River Sewer Monthly User Fees [**PAGES 111-113**]

Notes

September 28, 2010 - The committee recommended that Council direct staff to exhaust all possibilities to determine who within the County's sewer service area receive water from the City of Columbia in order for the County to begin metered usage. The vote was in favor.

Richland County Council Request of Action

Subject: Broad River Sewer Monthly User Fees

A. Purpose

The purpose of this report is to provide County Council information relating to the use of water usage vs. a flat rate for calculating monthly sewer user fees.

B. Background

The Richland County Utilities Department provides sewer service to approximately 10,000 residential and commercial customers. In addition, the Utilities Department provides water service to less than 500 residential customers. Only a small portion of the County's water customers are also County sewer customers.

Richland County's sewer service area is considerably different than a municipality's service area. The County's service area is mostly in the unincorporated areas of the County where public water service may or may not be available. A specific survey has not been completed, but from reviewing sewer system service area maps, an estimated seventy percent (70%) of the County's sewer customers may have access to a public water system. The remaining thirty percent (30%) obtain their water from private wells.

Several public water systems provide water service within the County's sewer service area with the City of Columbia's system being the largest. Many small community water systems also exist that are either owned and operated by a private company or a community's homeowners association. The water supplied by these small community water systems may or may not be metered for use.

C. Discussion

Richland County has historically charged a flat rate for sewer service due to a lack of access to water usage data. As mentioned above, the City of Columbia is the largest supplier of water in the County's service area. Attempts have been made in the past to obtain water usage data from the City for County sewer customers. The City provides water service to approximately 132,000 customers. The problem with obtaining water usage data for County sewer customers only was the ability to identify those customers from the list of 132,000 customers that the City can provide.

In addition to not being able to identify the County customers from the City's list, there also exist approximately 3000 sewer customers that receive their water from private wells. These wells normally do not have water meters nor does anyone collect any data on water consumption. Also, the small community water systems that are homeowner association owned likely do not have water meters installed to measure water consumption.

D. Alternatives

1. The County can continue to charge a flat rate for monthly sewer usage. This is a common practice industry-wide where water usage data is not available.

2. The County can develop a program to collect water usage data from all sewer customers. This would require:
 - A. developing a software program to extract County customer data from City of Columbia water customer data,
 - B. maintaining and updating the software program mentioned above with new customer data monthly,
 - C. installing water meters on all private wells and community water systems without meters. This may require permission and a hold harmless agreement from the property owners,
 - D. develop a program to read water meters on private wells. This may require additional personnel,
 - E. modifying the County rate ordinance to reflect a new water usage rate structure.

3. The county can develop a hybrid monthly user fee to charge customers with available water consumption data a monthly fee based on consumption and a flat monthly fee for those without water consumption data. The legality of this action would need to be determined. Many of the same requirements as identified in option #2 above would also apply to this option.

E. Financial Impact

Alternative#1 above would have no financial impact on the Utilities Operation. Alternatives #2 and #3 may require funds to develop a program to receive data from the City, install water meters and fund personnel to implement and maintain the program.

F. Recommendation

Because of the obstacles and possible additional cost associated with implementing a water usage based rate structure, it is recommended that the monthly user fee remain as a flat rate.

Recommended by: Andy H. Metts **Department:** Utilities **Date** 9/15/10

G. Reviews

Please indicate your recommendation with a before routing to the next recipient. Thanks.

Finance

Reviewed by: Daniel Driggers

Date: 9/20/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: There is not enough information provided for Finance to make a recommendation however all alternatives seem to be an appropriate method. Our primary recommendation is that Council ensure that the method used 1) accurately captures all cost associated with the operation 2) the established rate is set at a level sufficient to support the on-going operational needs and provide funds to sustain the system long-term. If there is a desire to pursue another mechanism we would recommend that the various alternatives associated with such a change be studied in more depth and that additional cost data and revenue data be provided to make such a study possible.

Procurement

Reviewed by: Rodolfo Callwood

Date:9/20/2010

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation: However, the Council needs to ensure that the established rate is based on the level of service provided to the customer.

Administration

Reviewed by: Sparty Hammett

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation – Council discretion. As indicated by the Finance Director, if Council decides to change the rate structure based on water usage, a detailed financial analysis should be conducted to ensure that the rates are adequate to sustain the system.

Richland County Council Request of Action

Subject

Benedict College SC HBCU Classic [**PAGES 115-117**]

Notes

September 28, 2010 - The committee recommended that Council deny this request. The vote was in favor.

Richland County Council Request of Action

Subject: Benedict College SC HBCU Classic

A. Purpose

To fund the HBCU Classic at \$50,000 for September 18, 2010

B. Background / Discussion

During the September 7, 2010 Council meeting Mr. Jackson made the following motion:

To fund the HBCU Classic at \$10,000 for Sept. 18 2010 (Norman Jackson)

Also, the County Administrator received a letter from the Benedict College Athletic Director requesting \$50,000 to offset costs associated with the SC HBCU Classic and three other major events set to come to the Charlie W. Johnson Stadium at Benedict College (see attached letter).

C. Financial Impact

\$50,000.

D. Alternatives

1. Approve the request.
2. Do not approve the request.

E. Recommendation

Recommended by: Department: Date:

F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 9/17/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: The ROA does not contain enough information in order to make a sound recommendation. Approval would require the identification of a funding source and possibly a budget amendment.

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval No recommendation: Recommend Council denial

Comments regarding recommendation: Assuming that the request for funding is from Hospitality Tax, and or Accommodations Tax, and the event otherwise qualifies; this would be within Council's discretion.

Administration

Reviewed by: J. Milton Pope

Date: 9-22-10

Recommend Council approval

✓ Recommend Council denial

Item# 26

Attachment number 1
Page 1 of 3

Comments regarding recommendation: I concur with the comments of the Finance Director however the two combined request are “out of cycle” request and historically the Council has discouraged special request outside of the regular budget process unless the request was determined to be an “emergency” issue.

If the Council makes the determination that this request meets the “special/emergency” standard appropriated funds in the Hospitality Fund should be used to address the request.



BENEDICT COLLEGE

1600 Harden Street
COLUMBIA, SOUTH CAROLINA 29204

September 3, 2010

Mr. Milton Polk
Richland County Administrator
2020 Hampton Street
Columbia, SC 29204

Dear Mr. Polk:

I am requesting assistance from Richland County in an effort to help offset cost associated with four major events set to come to Charlie W. Johnson Stadium at Benedict College. These events include the South Carolina HBCU Classic, the South Carolina High School League 1A Football State Championship, South Carolina Independent League State Championship and the Pop Warner League Championship.

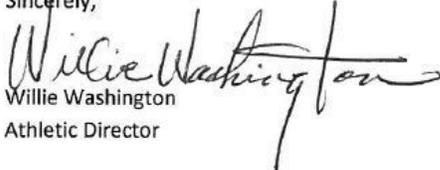
There will be several other events in the stadium for the course of this year but listed above indicates the major events which will have a dramatic impact upon Richland County's Hospitality and Accommodation efforts. The two major expenses in providing these events are security and community clean up. It is estimated that security and community cleanup for these events alone will fall in the range of \$50,000 dollars or more.

As you can very well understand, it will be impossible for Benedict to absorb the total cost for such outstanding events to be sponsored here in Richland County. I point to the fact that in order to get these events, there are no rental fees, no light fees, and no clean-up fees charged to those organizations. Therefore, we must request assistance from Richland County Council to help offset some of these expenses. At this time, please accept this letter as an official request for funds in the amount of \$50,000 towards the aforementioned events.

Richland County has always been a strong supporter of bringing outstanding events to the Charlie W. Johnson Stadium. We request your assistance once again for the remaining events for the 2010-2011 fiscal year.

We thank you for your continued support and we look forward to your positive response.

Sincerely,


Willie Washington
Athletic Director

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

Richland County Council Request of Action

Subject

Coroner Budget Amendment for 2010-2011 [**PAGES 119-121**]

Notes

September 28, 2010 - The committee recommended that Council follow staff's recommendation and deny the \$140,000 request and direct staff to conduct a further comprehensive study of other areas of the County with similar needs. The committee also recommended that Council follow staff's recommendation and approve \$2,500 to get the Coroner's project started. The vote was in favor.

Richland County Council Request of Action

Subject: Coroner Budget Amendment for 2010/2011

A. Purpose

County Council is requested to approve a budget amendment to increase the Coroner's budget by \$140,000. The funds will be used to pay South Carolina State Archives to convert paper records dating back to the 1920s into digital images in order to comply with SC state law for records retention and to purchase a filing system to protect current files.

B. Background / Discussion

The Coroner's Office is required by SC state law [Section 30-1-90(B) of the *Code of Laws of South Carolina, 1976*] to retain case records permanently. It has been determined by State Archives that the Coroner's Office is not in compliance with state regulations as issued by the State Archives Division. Currently the retention method is to retain the paper records in storage cabinets located onsite in the Coroner's building. There is no backup record for any case file currently housed in the Coroner's Office. One fire, flood, act of vandalism, or major accident could destroy the only copy of every case record dating back from 2010 to the 1920s. If such a catastrophe were to happen, cold case files relating to unsolved murders might become impossible to solve.

Per the request of the Coroner's office, the SC State Archives examined our paper files and submitted an estimate for the conversion of our paper records into digital format. The examination revealed that some of our oldest records are tissue-paper thin and very fragile. Some files are even 35mm slides. Because of these extremely poor conditions, the scanning and indexing of these older records would be very labor intensive. The number of documents to be converted is estimated to be approximately 1.3 million.

The Richland County IT Department worked collaboratively with State Archives to identify various options and costs to best secure the case records on a permanent basis. The consensus was to recommend that State Archives convert all the paper records into digital format by scanning and indexing each file.

After the digital image is delivered by State Archives to the Coroner, the recommendation is for the IT Department to use the county's existing equipment to create rolls of microfilm that would comply with state law to have a "human-eye-readable" format for permanent storage. By having this microfilm work done by the IT Department instead of by State Archives, this would save the county \$45,000.

One advantage of first creating digital images from the paper files instead of first creating microfilm is that the digital images would be backed up via the IT Department's network backup system. The digital images would be safe and retrievable in the case of fire or other destructive event. The images would also be available to all authorized personnel simultaneously instead of only being accessible to one person at a time. Simultaneous access would be a major timesaver. On an ongoing basis the Coroner's office would use the same process to protect their documents and ensure ongoing compliance with State regulations for records retention.

After SC State Archives begins the work effort, it may become evident that even more records are in a fragile condition than what had been previously identified. If that happens, the cost of the project would increase and the Coroner's Office would submit a budget request for the residual amount for the 2011/2012 budget year.

C. Financial Impact

This project would require a budget amendment of \$140,000 with the funds designated per the formula below.

- \$137,500 being paid to SC State Archives for converting paper records into digital images
- \$2,500 being paid for necessary equipment for ongoing scanning of current and future records

D. Alternatives

1. Approve the request to amend the Coroner's budget by an additional \$140,000. Approval would bring the Coroner's Office into compliance with State law regarding the regulations for retention of records and would provide for a secure backup system to preserve case records if the paper files were destroyed.
2. Do not approve the request. The result would be that all of the case files containing historical and current information regarding every Coroner's case dating back into the 1920s stands at risk of being destroyed, damaged, and/or lost in the wake of a hazardous event. If approval for funds is not received, the Coroner's Office would not be in compliance with State law regarding the regulations for retention of records.

E. Recommendation

Recommended by: Gary Watts Department: Coroner
Date: 07/20/2010

It is recommended that Council approve the request to amend the Coroner's budget by \$140,000 so that State Archives can be paid to convert the Coroner's case records from paper into digital format from the 1920s to the present and so that a secure filing system for current records can be purchased.

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 8/19/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommendation is not based on the merits of the program but due to the fact that no funding source is identified. The project was requested during the FY11 budget process but was not funded. Given current economy

and fiscal stress due to State funding reductions, we would not recommend using fund balance. If project is approved we would recommend that the General Fund budget not be increased and that funding be addressed through reconsidering (delay or deferral) existing projects and redirecting associated funds.

IT

Reviewed by: Janet Claggett

Date: 9/8/2010

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommendation is based on the merits of the program concerning vital county records.

Procurement

Reviewed by: Rodolfo Callwood

Date: 9/20/2010

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation: Council discretion

Administration

Reviewed by: J. Milton Pope

Date: 9-24-10

Recommend Council approval

x Recommend Council denial

Comments regarding recommendation:

Recommend denial of the \$140,000 request at this time with further comprehensive study (other areas of the County with similar needs) however approve the expenditure of \$2,500 to get the project started. Administrative/IT staff will work with the Coroner to begin that process within existing County funds.

Richland County Council Request of Action

Subject

Palmetto Capital City Classic Funding [**PAGES 123-124**]

Notes

September 28, 2010 - The committee recommended that Council deny this request. The vote was in favor.

Richland County Council Request of Action

Subject: Palmetto Capital City Classic Funding

A. Purpose

To amend the dollar amount funded to the Palmetto Capital City Classic awarded through Accommodations Tax.

B. Background / Discussion

The request for the committee was a motion made by Councilmember Jackson at the September 7, 2010 Council meeting. The motion is as follows:

Motion to fully fund the Palmetto City Classic \$15,000 [JACKSON]

C. Financial Impact

No specific financial impact has been determined.

D. Alternatives

N/A

E. Recommendation

Recommended by: Norman Jackson Department: County Council Date: 09/07/10

F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 9/13/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: There is not enough information provide provided for Finance to make a recommendation. The ROA does not include any alternatives, the financial impact of the request has not been determined and no recommendation for approval is provided. If an additional appropriation is approved a funding source will need to be identified. The Palmetto Capital City Classic requested \$50,000 of A-tax funding during the FY11 budget process and was approved for \$11,500. Below are the amounts approved and the source of funds for the last three years.

Palmetto City Classic - Funded Amounts

As of 9/10/10

	Accommodations	Hospitality	Total
FY09	\$10,000	\$15,000	\$25,000
FY10	\$8,462	\$18,206	\$26,668
FY11	\$11,500	\$0	\$11,500

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation: Council discretion

Administration

Reviewed by: J. Milton Pope

Date: 9-23-10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: This request is after the normal funding cycle and Council has historically discouraged request after the adopted budget unless the request is deemed to be an emergency.

Council will have to determine the merits of this request and if approved appropriated funds in the Hospitality Tax should be used.

Richland County Council Request of Action

Subject

Lower Richland Sewer Update

Richland County Council Request of Action

Subject

Regional Sustainability Plan MOU [**PAGES 129-134**]

Background for EECBG Grant

The Richland County Stimulus Ad-Hoc Committee began planning for the EECBG formula grant when it was announced by the Department of Energy in early spring 2009. The County's potential award of \$2,116,800 was based on population and an application and work plan was required in order to receive the allocation. Eligible projects must promote energy efficiency; reduce consumption, and lower emissions.

The Stimulus Ad-Hoc Committee worked with County staff and municipalities from April to June 2009 to complete an EECBG action plan that would include 14 County projects and 6 sub-grants to municipalities and other eligible outside agencies who did not receive a direct allocation of funds. Projects include hiring a sustainability coordinator, lighting, HVAC, and chiller upgrades, hybrid vehicles, regional long-term sustainability plan, community lawn mower and light bulb exchanges, server virtualization, e-recording system, solar project and a sidewalk installation.

This action plan and grant was approved by Richland County Council on June 15, 2009 and the application was submitted on June 25, 2009. Richland County received the full formula allocation on November 16, 2009 and has until November 15, 2012 to complete the all projects.



September 20, 2010

Mr. Milton Pope, Administrator
Richland County
P.O. Box 192
Columbia, SC 29202

Dear Milton:

Thank you for meeting with me on September 13 to discuss a Regional Sustainability Plan to be undertaken jointly by Richland and Lexington Counties. We agreed that it made to sense to have the Central Midlands Council of Governments (CMCOG) manage and coordinate the planning process. CMCOG is pleased to submit this proposal for a Regional Energy Sustainability Plan.

CMCOG is well suited to undertake this project. The COG has extensive experience in preparing and implementing regional plans, procuring consulting firms and managing consultants in accordance with Federal procurement rules. We are also experienced in working with governmental agencies responsible for energy, transportation, environmental quality and workforce development.

OUR UNDERSTANDING OF THE PROJECT

We understand that Richland and Lexington Counties have collaboratively discussed regional partnerships to maximize long term energy efficiency and explore best practices. Both counties are direct, entitlement recipients of U.S. Department of Energy Efficiency and Conservation Block Grants (EECBGs). Building on the success of such collaborative efforts such as the Lawn Mower Exchange program, the two counties propose to jointly prepare and implement a plan that will maximize energy efficiency and conservation at a regional level. A portion of EECBG funds has been set aside to prepare this plan.

CMCOG reviewed examples of comparable projects from around the country. The examples we have looked generally contain an inventory of existing energy infrastructure, consumption patterns, and consumer growth projections. The goals and objectives sections generally consist of strategies for promoting energy efficiency that include encouraging smart growth land development practices, energy efficiency performance measures (for the public sector) and demand side incentive programs (for the private sector). We have also reviewed other plans and resources suggested by the two counties. Our Outline Scope of Work is based on this review and discussion with the two counties. We understand that the total budget for the project, including consultant costs, is not to exceed \$200,000.

PROJECT APPROACH

We propose the following approach to preparation of the plan:

- CMCOG will be designated to provide project management services. CMCOG will assign a well qualified project manager. The project manager will have assistance from CMCOG management, financial, planning and geographic

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information (GIS) personnel. The project manager's responsibilities will also include coordination with the consultant and any subcontractors regarding meetings with officials and public participation.

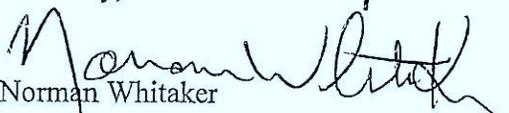
- CMCOG will form a steering committee comprised of members designated by the two counties. CMCOG will develop the scope of work for the planning project with this steering committee. The steering committee will help identify stakeholders, assist in selection of consultants, and provide guidance to CMCOG staff.
- CMCOG will seek technical assistance from nation organizations and/or state and federal agencies that can provide technical assistance.
- CMCOG will prepare background reports and certain components of the plan (see attached "Energy Plan Outline Scope of Work". As shown by the Outline Scope of Work, other tasks that require specific technical expertise in energy conservation techniques will be performed by consultants managed by CMCOG.
- CMCOG will issue a Request for Qualifications for consultants with successful experience and demonstrated competence in regional energy sustainability planning. Based on the responses to the Request for Qualifications, the steering committee will invite a number of the most qualified consultants to submit proposals. Proposals will include a scope of work, timeline, cost proposal and information regarding the structure of the consultant's project team.
- After reviewing proposals, the steering committee will invite a short list of consultants to deliver presentations. Based on the proposals, presentations and reference checks, the committee will recommend a consultant. CMCOG will negotiate a contract with the selected consultant.
- CMCOG will process billings from the consultant, determine that the work billed has been satisfactorily completed, and pay the consultant with funds provided by the counties.
- The plan will be completed within 18 months of CMCOG being given a Notice to Proceed.

COMPENSATION

We propose that CMCOG will receive compensation not to exceed \$73,800 for management and delivery of the Regional Sustainable Energy Plan. Requests for payment will be supported by itemized billings for consultant services and CMCOG staff time, including salaries, fringe benefits and indirect costs, and other appropriate project expenses.

Attached are a proposed Memorandum of Agreement between the County and CMCOG and an outline scope of work showing CMCOG and consultant tasks. We look forward to working with the two counties on this exciting project. Please contact me if you need any additional information.

Sincerely,


Norman Whitaker
Executive Director

Outline Scope of Work: Regional Sustainable Energy Plan

CMCOG Staff
Consultants

	CMCOG Staff	Consultants
Introduction		
Background and Purpose	•	
Overview of National, State, and Local Energy Conservation Concepts and Issues	•	
The importance of Regional Cooperation and Collaboration in Energy Planning	•	
Regional 2040 Energy Vision and Guiding Principles	•	
Project Goals and Approach	•	
Public Participation Plan		
Overview of Outreach Activities	•	
Steering Committee	•	
Stakeholder Interviews	•	•
Public Forums and Citizen Involvement	•	
Existing Conditions		
Demographics and Household Characteristics	•	
Economic Development	•	
Growth and Development Trends	•	
Environmental Concerns	•	
Public Policy and the Federal, State and Local Regulatory Framework	•	
Inventory of Primary Energy Sources in the Midlands	•	•
Inventory of Consumption Characteristics in the Midlands by Economic Sector		•
The Status of Alternative Energy Sources		•
Summary and Definition of Key Energy Issues Facing the Region	•	•
Approaches to Energy Conservation		
Land Use and Transportation Planning	•	
Environmental Planning	•	
Housing and Community Facilities	•	
Economic Development	•	
Capital Improvements		•
Alternative Energy Technology Transfer		•
Regional Energy Goals, Objectives and Action Strategies		
Overview of Opportunities and Constraints	•	
Public Policy Initiatives	•	
Energy Efficiency in the Public Sector	•	
Energy Efficiency in the Private Sector	•	
Household Demand Side Incentive Programs	•	
Infrastructure Needs		•
Green Jobs: Sustainable, Renewable Energy as an Economic Development Strategy		
Overview of opportunities for green jobs	•	•
Potential economic clusters		•
Workforce readiness and training	•	•
Implementation and Monitoring Program		
Projects and programs for immediate (0-12 months) implementation		•
Mid-range (1 to 6 years) implementation projects and programs		•
Long-range projects and programs (beyond 6 years)		•
Funding Sources and Financing Tools		•
Metrics (measurement of results)		•
Monitoring of implementation and reporting		•
Administration and Management		
Issuance of RFQ and RFP	•	
Selection and Hiring of Consultant	•	
Management of Planning Process and Plan Production	•	
Printing and Distribution of Final Plan	•	

Memorandum of Agreement

BETWEEN

LEXINGTON COUNTY, SC, RICHLAND COUNTY, SC

AND

CENTRAL MIDLANDS COUNCIL OF GOVERNMENTS

THIS MEMORANDUM, entered into this ____ day of _____, 2010 by and between Central Midlands Council of Governments, 236 Stoneridge Drive, Columbia, South Carolina 29210, hereinafter referred to as CMCOG, and the COUNTIES of LEXINGTON and RICHLAND, South Carolina, hereinafter referred to as the COUNTIES.

WHEREAS, the COUNTIES desire to engage the CMCOG to render certain professional and technical planning services as hereafter described;

NOW THEREFORE, the parties hereto mutually agree as follows:

EMPLOYMENT OF THE CMCOG:

The COUNTIES hereby agree to employ the CMCOG, and the CMCOG agrees to perform the services as herein set forth.

SCOPE OF SERVICES:

The CMCOG shall do, perform and carry out in a satisfactory manner the tasks identified on the attached Outline Scope of Work.

TIME OF PERFORMANCE:

The services of the CMCOG shall commence upon a Notice to Proceed and shall be undertaken in such a sequence as to assure their completion within 18 months.

METHOD OF PAYMENT:

The COUNTIES agree to pay the CMCOG a total sum not to exceed seventy three thousand eight hundred dollars (\$73,800), billed in six quarterly payments of twelve thousand three hundred and (\$12,300) for performance of this SCOPE OF WORK as outlined above. This reimbursement shall be for:

1. Reimbursement for staff time (hourly pay rate for staff members, plus fringe benefits and indirect cost);
2. Reimbursement of reasonable expenses paid by CMCOG to vendors for printing, graphic design and/or illustrative plans

PAYMENT OF CONSULTANTS

CMCOG shall review all billings by consultants. After determining that the billings are appropriate under the consultant contract, CMCOG will forward the billings to the Counties. The Counties will then pay the Consultants according to their own policies and procedures.

AMENDMENT OF MEMORANDUM

This MEMORANDUM may be amended by mutual agreement of the parties at any time

TERMINATION OF CONTRACT:

It is understood by the parties that this MEMORANDUM can be terminated by any of the three parties upon a thirty-day written notice to the Chief Executive Officer of each party. In the event of such termination, all finished or unfinished documents prepared by the CMCOG under this contract shall, at the COUNTIES' option, become the property of the COUNTIES, and the CMCOG shall be entitled to receive just and equitable compensation for any work satisfactorily completed.

IN WITNESS WHEREOF, the CMCOG and the COUNTIES, by their authorized agents, have executed this agreement as of date written above.

ATTESTED:

CENTRAL MIDLANDS COG

COUNTY OF LEXINGTON

BY: _____
 Norman Whitaker, III
 Executive Director

BY: _____
 Katherine Hubbard
 County Administrator

Date: _____

Date: _____

COUNTY OF RICHLAND

BY: _____
 Milton Pope
 County Administrator

Date: _____

Richland County Council Request of Action

Subject

- a. When vacancies are identified on Richland County Boards and/or Commissions that require actions of County Council to fill, the Clerk assigned to advertise and process applications for these positions will notify the Executive Director and/or Chairman of the Board of the agency, Board or Commission either by telephone, email or regular mail prior to posting the public announcement of the vacancy. (Rules & Appointments Committee) **[PEARCE]**
- b. Council retain professional services to assist with the redistricting process **[MANNING]**
- c. Revisit Councilwoman Hutchinson's motion earlier this year to return \$5.00 to all citizens paying for garbage service as no action has been taken to resolve the issue of yard clippings and such being removed at a measured rate over a spectrum of time **[MANNING]**

Richland County Council Request of Action

Subject

Must Pertain to Items Not on the Agenda