



RICHLAND COUNTY COUNCIL

ADMINISTRATION AND FINANCE COMMITTEE

Greg Pearce	Norman Jackson	Damon Jeter (Chair)	Joyce Dickerson	Paul Livingston
District 6	District 11	District 3	District 2	District 4

**SEPTEMBER 25, 2012
6:00 PM**

2020 Hampton Street

CALL TO ORDER

APPROVAL OF MINUTES

1. Regular Session: July 31 2012 (pages 5-8)

ADOPTION OF AGENDA

ITEMS FOR ACTION

2. General Obligation Bonds for the Richland County Recreation District (pages 10-18)
3. Organizationally place the County Assessor and County Assessor's Office under the County Administrator (pages 20-23)

4. Motion to suspend the Road Maintenance Fee for 19 years if the Penny Sales Tax Passes (pages 25-27)
5. Solid Waste Recycling Program Area 2 and Area 6 Roll Cart Purchase (pages 29-31)
6. Budget Amendment-Grant Match (pages 33-35)
7. Criminal Domestic Violence Court Grant Match Increase (pages 37-40)
8. Hispanic Outreach Grant Match Increase (pages 42-45)
9. Midlands Special Response Team Improvement Grant (pages 47-48)
10. Matching Funds for SCDHEC Grant application in Twenty-five Mile Creek Watershed (pages 50-52)
11. Bond Issuance-Fire Service (pages 54-56)
12. Creation of the Richland County Conservation Department (pages 58-61)
13. Coroner-Increase the rate of copy charges for Autopsy Reports (pages 63-65)
14. FY 13 Local Government Fund (pages 67-69)
15. Motion to increase the Legal Department's General Fund Annual Budget for Salary Adjustments (pages 71-76)

ITEMS PENDING ANALYSIS: NO ACTION REQUIRED

16. a. Changes to Employee Handbook-Promotion Probation (Council, September 2012)

ADJOURNMENT



Richland County Council Request of Action

Subject

Regular Session: July 31 2012 (pages 5-8)

Reviews

MINUTES OF



RICHLAND COUNTY COUNCIL ADMINISTRATION AND FINANCE COMMITTEE TUESDAY, JULY 31, 2012 5:00 P.M.

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

=====

MEMBERS PRESENT

Chair: Damon Jeter
Member: Joyce Dickerson
Member: Norman Jackson
Member: Paul Livingston
Member: Greg Pearce

ALSO PRESENT: Bill Malinowski, Valerie Hutchinson, Seth Rose, Gwendolyn Davis Kennedy, Jim Manning, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Brad Farrar, Daniel Driggers, Stephany Snowden, Tracy Hegler, Dwight Hanna, Chris Eversmann, John Hixon, David Hoops, Melinda Edwards, Sara Salley, Valeria Jackson, Anna Lange, Janet Claggett, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting started at approximately 5:08 p.m.

APPROVAL OF MINUTES

June 26, 2012 (Regular Session) – Mr. Pearce moved, seconded by Mr. Livingston, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Livingston moved, seconded by Mr. Pearce, to adopt the agenda as published. The vote in favor was unanimous.

ITEMS FOR ACTION

Changes to Employee Handbook – Mr. Livingston moved, seconded by Mr. Pearce, to forward this item to the September 11th Council meeting with a recommendation to approve the proposed revision to the Employee Handbook. A discussion took place.

The vote in favor was unanimous.

Verizon Wireless Request to Add Antennas to Leased Space – Ms. Dickerson moved, seconded by Mr. Livingston, to forward this item to the July 31st Special Called meeting with a recommendation to approve the request to allow Verizon Wireless to install the new antennas on the existing Verizon rooftop antenna mounts. A discussion took place.

The vote in favor was unanimous.

Sheriff Department Grant Position Pick-Up Request – Mr. Livingston moved, seconded by Ms. Dickerson, to forward this item to the July 31st Special Called meeting with a recommendation to approve the request to fund the position from the Alternatives to Detention grant (8658) to the Sheriff's Department funds. A discussion took place.

The vote was in favor.

Sheriff Department Request for Salary Fringe Funds – Mr. Pearce moved, seconded by Mr. Jackson, to forward this item to the July 31st Special Called meeting with a recommendation to approve the request to fund the fringe benefits at the stated amount to allow the Sheriff's Department to fully utilize the \$1,700,000 to fund the increased salary portion for law enforcement staff and continue to place the department in a position to recruit and retain staff. A discussion took place.

The vote in favor was unanimous.

Airport Improvement Grant – Mr. Jackson moved, seconded by Mr. Pearce, to forward this item to the July 31st Special Called meeting with a recommendation to approve the request to authorize the County Administrator to accept the pending FAA AIP Grant. The vote in favor was unanimous.

Additional Personnel for Blythewood Magistrate – Ms. Dickerson moved, seconded by Mr. Livingston, to forward this item to the July 31st Special Called meeting with a recommendation to approve the request for budget amendment to provide funds to enable the Blythewood Magistrate to offer complete and adequate service to the citizens and other customers of Richland County. A discussion took place.

The vote in favor was unanimous.

Agreement with Phoenix University – Mr. Pearce moved, seconded by Mr. Livingston, to forward this item to the September 11th Council meeting with a recommendation for denial. A discussion took place.

The vote in favor was unanimous.

Approval of funds for CDBG and HOME Administrative Shortfall – Ms. Dickerson moved, seconded by Mr. Pearce, to forward this item to the July 31st Special Called meeting with a recommendation to approve the request to transfer \$53,665 from NIP to the Community Development Department by using fund balance dollars. A discussion took place.

The vote in favor was unanimous.

Approval of FY12-13 Budgets with the FY12-16 Consolidated Plan for Community Development Funds – Mr. Livingston moved, seconded by Mr. Pearce, to forward this item to the July 31st Special Called meeting with a recommendation to approve the FY12-13 estimated budgets for CDBG and HOME to be found in the FY12-13 Action Plan portion of the 5 year Consolidated Plan due by August 15, 2012. The vote in favor was unanimous.

Amendment to Approve Richland County Recreation Commission's Project List – Mr. Jackson moved, seconded by Ms. Dickerson, to forward this item to the July 31st Special Called meeting with a recommendation to enact the ordinance to approve the request. The vote in favor was unanimous.

Franchise Fee – Mr. Pearce moved, seconded by Ms. Dickerson, to forward this item to the September 11th Council meeting to request an Attorney General's opinion. The vote in favor was unanimous.

General Obligation Bonds for the Richland County Recreation District – Mr. Livingston moved, seconded by Ms. Dickerson, to defer this item to the September Committee meeting. The vote in favor was unanimous.

Kingville Historical Society Funding Request – Mr. Livingston moved, seconded by Ms. Dickerson, to forward this item to the September 11th Council meeting with a recommendation for denial. The vote in favor was unanimous.

Lower Richland PSTA/Diamond Day Festival Funding Request – Mr. Livingston moved, seconded by Ms. Dickerson, to forward this item to the September 11th Council meeting with a recommendation for denial. The vote was in favor.

Regional Sustainability Plan – Ms. Dickerson moved, seconded by Mr. Livingston, to forward this item to the September 11th Council meeting without a recommendation. The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 6:00 p.m.

Submitted by,

Damon Jeter, Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

General Obligation Bonds for the Richland County Recreation District (pages 10-18)

Reviews

Richland County Council Request of Action

Subject: General Obligation Bonds for the Richland County Recreation District

A. Purpose

County Council is being requested to enact an ordinance authorizing Richland County Recreation Commission (RCRC) to issue \$5,000,000 in general obligation bonds over the next five (5) years in the amount of approximately \$1,000,000, the proceeds of which will be used to fund capital expenses including capital maintenance, repair and replacement of facilities and equipment.

B. Discussion

During County Council's retreat in January, RCRC discussed its need for additional operating revenue to pay operating expenses associated with new parks coming on line and new initiatives particularly related to serving the teen population. Under Act 388, the annual millage increases available are limited. While County Council has approved the maximum millage increase available under Act 388, because of the limitations imposed by Act 388, the Commission is still in need of additional operating revenue. During discussions with bond counsel, the RCRC focused on the fact that its general fund budget includes a substantial amount for expenses which are capital in nature, including, for example, annual capital maintenance, repair and replacement of facilities, and equipment. With the approval of Richland County Council, the Recreation Commission could issue an annual general obligation bond to fund such capital expenses, thereby freeing up those amounts in its general fund to be used for true operating expenses. See the attached Memorandum from the Recreation Commission's bond counsel for a more complete discussion of this financing plan.

A memo from Ms. Heizer and the ordinance related to this request are attached below for your convenience.

C. Legislative/Chronological History

Discussions during County Council's January 2012 Annual Retreat

D. Financial Impact

The direct financial impact of an approval of this request is that debt service millage for the RCRC would increase from the current level of three mills to four mills. This additional mill of taxes on an owner occupied residence valued at \$100,000 would equal \$4.00. On property assessed at 6%, one additional mill of taxes would equal \$6.00.

E. Alternatives

1. Approve the request to enact the ordinance,
2. Approval the request to enact the ordinance for a smaller amount.

Item# 2

3. Do not approve the request.

F. Recommendation

It is recommended that Council enact the ordinance to approve the request.
Richland County Recreation Commission, July 19, 2012

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 7/27/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Recommendation is based on this being a funding decision of Council. Approval as requested would require a tax increase on the debt service side as stated in section d above and provide for an automatic issuance of \$1million bond every year for five years without further approval.

Additional financial items for consideration based on proposed plan:

- Council approved a multi-year \$50 million bonding plan for capital projects starting in 2008. It appears that approximately 75% of the available dollars have been issued. The current tax levy to cover the recreation debt service is 3.0 mills. The proposed plan would add 1.0 mills for an estimated total of 4.0 mills for the current year.
- Based on the FY13 supplemental budget request and discussions with the Recreation Commission, the bond funds would be used to pay for a portion of the capital expenses related to the property management budget currently paid for the operating funds. According to the supplemental request, this would allow for the addition of \$400k operating cost to cover new facilities. Based on the remaining capital program to be completed, it is recommended that the County request an evaluation of the total additional operating increase that will be required in future years with a proposed funding plan in order to minimize future shortfalls.
- Only one alternative was provided in the ROA however the County may want to consider requesting other funding alternatives that were evaluated during the process.
- The County should consider the precedent that may be set by implementing the requested funding strategy and future impacts for other agencies implementing a similar method.

Legal

Reviewed by: Elizabeth McLean

Date: 7/27/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Policy decision left to Council's discretion.

Administration

Reviewed by: Tony McDonald

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: This request is the result of the Recreation Commission's efforts to identify alternative funding mechanisms for the added costs of operations for those facilities that are being constructed under the 2008 recreation bond.

I concur with the comments of the Finance Director and would reiterate that the approval of the request will increase the Recreation Commission's annual debt service from three to four mills.

Per the \$50M RCRC Bond ordinance, which was approved on 9-9-08, the Recreation Commission agreed it would not issue Bonds requiring more than 3 mills of taxes to be levied as it relates to this Bond package. This current request would increase from the current level of three mills to four mills. See Section 2 from Bond Ordinance below.

SECTION 2. Pursuant to the aforementioned constitutional and statutory provisions, the Commission, on behalf of the District, is hereby authorized to issue the Bonds in such amounts and at such times as the Commission shall determine; **provided that this authorization is granted upon the condition that the Commission agrees that it will not issue Bonds in an amount that will require more than three mills of taxes to be levied and collected for debt service on the existing debt of the District and the Bonds.** The Bonds may be issued in one or more series, in one or more years, with appropriate series designations. The Bonds shall be dated, shall mature, shall be in such denomination, shall bear such interest, shall be subject to redemption, shall be executed and shall contain such other provisions as the Commission shall determine. Prior to the issuance of a series of bonds, the Commission may issue bond anticipation notes in anticipation of the receipt of proceeds of such bonds.

MEMORANDUM

Francenia B. Heizer

To: Richland County Council Members

Cc: Tony McDonald, Interim County Administrator
Daniel Driggers, Finance Director
Roxanne Anchetta, Asst. to the Interim County Administrator
Richland County Attorneys' Office
James Brown, Sr., Executive Director for Richland County Recreation
Commission
Kenya Bryant, Asst. Executive Director for Richland County Recreation
Commission

From: Francenia B. Heizer, Esquire

Date: July 17, 2012

Subject: Richland County Recreation Commission; Moving Capital Expenditures
from General Fund to Debt Service

fheizer@mcnair.net
T (803) 799-9800
F (803) 933-1463

The Richland County Recreation Commission (RCRC) has been exploring options for maximizing the availability of revenue within its general fund to pay operating expenses related to new parks and new initiatives particularly related to serving the teen population/ As a result of Act 388, increases in general fund millage are limited. However, increases in debt service millage are not limited by Act 388. RCRC currently pays from its general fund a substantial amount of expenses that are capital in nature, including annual capital maintenance, repair and replacement of facilities, and equipment. With the approval of Richland County Council, RCRC could issue a general obligation bond every fall, the proceeds of which would be used to fund the capital expenditures currently paid from the general fund. The movement of these expenses from the general fund would “free up” that amount of money in the general fund to be used for operating expenses.

Under this proposed financing plan, the Commission would issue a bond every fall prior to millage being set. The millage necessary to make the payment on the bond would be put on the tax rolls in October and the debt would be paid in full by March or April after property taxes are collected. The value of a debt service mill for RCRC is approximately \$1,000,000. If County Council was willing to approve allowing the Commission to have four mills of debt service every year instead of the current three mills of debt service, RCRC could fund approximately \$1,000,000 of capital expenses using this financing plan. RCRC would ask County Council to approve not to exceed \$5,000,000 in additional general obligation bonds to be issued in five series of approximately \$1,000,000 each year over the next five years. As the initial five year period is ending, RCRC could approach County Council for another authorization.

McNair Law Firm, P. A.
1221 Main Street
Suite 1800
Columbia, SC 29201

Mailing Address
Post Office Box 11390
Columbia, SC 29211

Item# 2

Memorandum
Page 2
July 17, 2012

A number of political subdivisions including counties and school districts have adopted a financing plan of moving capital expenses from the general fund because of the millage limitations established by Act 388. State law clearly allows for the implementation of this financing plan with only the approval of County Council and the Commission. The key to this plan is the approval of one additional mill of taxes for debt service which would be levied each year.

Based on County Council's summer schedule, if County Council is willing to allow the Commission to pursue this financing, it would be best to get at least one reading of an ordinance accomplished prior to the end of July, The other two required readings and public hearing could be scheduled in September.

If you have any questions or would like additional information, please let me know.

FBH:laf

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AUTHORIZING THE RECREATION COMMISSION OF RICHLAND COUNTY ON BEHALF OF THE RECREATION DISTRICT OF RICHLAND COUNTY, SOUTH CAROLINA, TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$5,000,000 IN ONE OR MORE SERIES, IN ONE OR MORE YEARS, WITH APPROPRIATE SERIES DESIGNATIONS; AND OTHER MATTERS RELATING THERETO.

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

SECTION 1. The County Council (the “County Council”) of Richland County, South Carolina (the “County”), hereby finds and determines:

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

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

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

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

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

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

(g) The assessed value of all taxable property of the District as of June 30, 2011, is \$1,010,034,191. Eight percent of such assessed value is \$80,802,735. The general obligation debt outstanding of the District for computation purposes under Article X, Section 14, of the Constitution of

the State of South Carolina, 1895, as amended, is \$35,375,000. Thus, the District may incur \$45,427,735 of general obligation debt within its applicable debt limitation.

(h) It is now in the best interest of the District for the Commission to provide for the issuance and sale of the Bonds of the District pursuant to the aforesaid provisions of the Constitution and laws of the State of South Carolina in the principal amount of not exceeding \$5,000,000 (the "Bonds"), the proceeds of which will be used for capital expenses including capital maintenance, repair and replacement of facilities and equipment and costs of issuance of the Bonds.

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

SECTION 2. Pursuant to the aforementioned constitutional and statutory provisions, the Commission, on behalf of the District, is hereby authorized to issue the Bonds in an aggregate amount not to exceed \$5,000,000 in such amounts and at such times as the Commission shall determine; provided that this authorization is granted upon the condition that the Commission agrees that it will not issue Bonds in an amount that will require more than four mills of taxes to be levied and collected in any tax year for debt service on the existing debt of the District and the Bonds. The Bonds may be issued in one or more series, in one or more years, with appropriate series designations. The Bonds shall be dated, shall mature, shall be in such denomination, shall bear such interest, shall be subject to redemption, shall be executed and shall contain such other provisions as the Commission shall determine. Prior to the issuance of a series of Bonds, the Commission may issue bond anticipation notes in anticipation of the receipt of proceeds of such Bonds.

SECTION 3. No election shall be held as a condition to the issuance of the Bonds.

SECTION 4. For the payment of the principal and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary to provide for the prompt payment thereof, the full faith, credit, taxing power and resources of the District shall be irrevocably pledged, and there shall be levied annually by the Auditor of Richland County and collected by the Treasurer of Richland County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property of the District sufficient to pay the principal and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 5. The Commission is authorized to do all things necessary or convenient in accordance with applicable law to effect the issuance of the Bonds at such times as it deems necessary and in the interest of the District.

SECTION 6. Following the enactment of this Ordinance, a Notice in substantially the form attached as Exhibit A shall be published in a newspaper of general circulation in the County for three successive weeks.

SECTION 7. Miscellaneous. All rules, regulations, resolutions and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Bonds are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its adoption.

Enacted this ____ day of September, 2012.

Item# 2

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Kelvin Washington, Chairman
Richland County Council

(SEAL)

ATTEST THIS ____ DAY OF
_____, 2012:

Michelle Onley
Interim Clerk of County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Date of First Reading:
Date of Second Reading:
Publication of Notice of
Public Hearing:
Date of Public Hearing:
Date of Third Reading:

FORM OF
NOTICE PURSUANT TO
SECTION 6-11-870, CODE OF LAWS
OF SOUTH CAROLINA, 1976, AS AMENDED,
OF APPROVAL BY THE COUNTY COUNCIL
OF RICHLAND COUNTY, SOUTH CAROLINA
OF THE ISSUANCE OF
NOT EXCEEDING \$5,000,000 GENERAL OBLIGATION BONDS
IN ONE OR MORE SERIES, ON ONE OR MORE YEARS
OF THE RECREATION DISTRICT OF RICHLAND COUNTY, SOUTH CAROLINA

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

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

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

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

Chairman, County Council of Richland County,
South Carolina

Richland County Council Request of Action

Subject

Organizationally place the County Assessor and County Assessor's Office under the County Administrator (pages 20-23)

Reviews

Richland County Council Request for Action

Subject: Organizationally place the County Assessor and County Assessor's Office under the County Administrator

A. Purpose

This request is to organizationally place the County Assessor (Tax Assessor) and the County Assessor's office (Tax Assessor Department) under the County Administrator.

B. Background / Discussion

During the Motion Period of the February 2, 2010, County Council meeting, Mr. Manning made a request to, by ordinance, organizationally place the County Assessor and the County Assessor's Office under the County Administrator. At that time, the Richland County Assessor was appointed by the Board of Assessment Control, a body created by local legislation (state law). It was decided by Council to approach the Legislative Delegation about repealing that local legislation. The repeal legislation was signed by the Governor on June 26, 2012.

Council is now asked to revisit the issue. The attached draft ordinance removes the Tax Assessor and Board of Assessment Control language from Chapter 23 (Taxation) of the Richland County Code of Ordinances. It also creates the Tax Assessor and Tax Assessor Department, which fall under the County Administrator's purview like all County Departments.

Please see the draft ordinance and attachments for further guidance.

C. Legislative/Chronological History

See first paragraph in section B.

D. Financial Impact

No known financial impact.

E. Alternatives

1. Approve the draft ordinance.
2. Amend the draft ordinance and approve.
3. Do not approve the ordinance.

F. Recommendation

It is recommended that Council approve the draft ordinance or some amended version thereof.

Recommended by: Elizabeth A. McLean Department: Legal Date: 9/11/12

F. Reviews

Item# 3

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

Finance

Reviewed by: Daniel Driggers Date: 9/12/12
 Recommend Council approval Recommend Council denial
✓ Council Discretion (please explain if checked)
Comments regarding recommendation:

This is a policy decision for Council

Assessor

Reviewed by: John Cloyd Date: 9-13-12
x Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean Date: 9/14/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald Date: 9/17/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation: The legislation mentioned above actually placed the Assessor under the supervision of the County Council. At a Council work session on July 9, 2012, it was the consensus of those Council Members attending the work session that the Council would, in turn, place the Assessor under the County Administrator's supervision. Approval of the ordinance, therefore, is recommended.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-12HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; ARTICLE V, COUNTY DEPARTMENTS; BY ADDING A NEW DIVISION ENTITLED 3A, TAX ASSESSOR; SO THAT A NEW DEPARTMENT WILL BE CREATED; AND AMENDING CHAPTER 23, TAXATION; ARTICLE II, TAX ASSESSOR AND ARTICLE III, BOARD OF ASSESSMENT CONTROL; BY DELETING THE LANGUAGE THEREIN.

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

SECTION I. The Richland County Code of Ordinances, Chapter 23, Taxation; Article II, Tax Assessor; is hereby amended by the deletion of the language therein and is reserved for future use.

SECTION II. The Richland County Code of Ordinances, Chapter 23, Taxation; Article III, Board of Assessment Control; is hereby amended by the deletion of the language therein and is reserved for future use.

SECTION III. The Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; Division 3, Animal Care, Sections “2-208 – 2-215. Reserved” is hereby amended to read as follows:

Secs. 2-208 – 2-215~~1~~. **Reserved.**

SECTION IV. The Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; is hereby amended by the creation of a new Division, to read as follows:

DIVISION 3A. TAX ASSESSOR

Sec. 2-212. Creation; tax assessor.

There is hereby created the Tax Assessor Department, and the position of Tax Assessor, who shall be responsible to the county administrator to direct and coordinate the operations and activities of the department. The county administrator shall appoint the director and his/her term of office shall be at the pleasure of the county administrator.

Sec. 2-213. Qualifications of tax assessor; selection; compensation.

The Tax Assessor shall be a person with education, training, skills, and/or experience that is satisfactory to the county administrator.

Sec. 2-214. Responsibilities; powers; duties.

The powers, duties, and responsibilities of the Tax Assessor shall be those set forth by state law.

Sec. 2-215. Staff; personnel.

The staff and personnel assigned to the Tax Assessor shall be subject to the county personnel system and their compensation determined accordingly.

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

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

SECTION VII. Effective Date. This ordinance shall be effective from and after _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin E. Washington, Sr., Chair

Attest this _____ day of
_____, 2012.

Michelle M. Onley
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading:
Second Reading:
Third Reading:

Richland County Council Request of Action

Subject

Motion to suspend the Road Maintenance Fee for 19 years if the Penny Sales Tax Passes (pages 25-27)

Reviews

Richland County Council Request of Action

Subject: Motion to suspend the Road Maintenance Fee for 19 years if the Penny Sales Tax Passes

A. Purpose

At the July 18, 2012 meeting of Council, Councilman Jackson made the following motion: *I move that Richland County suspend the Road Maintenance Fee for 19 years if the Penny Sales Tax passes.*

B. Background / Discussion

Council's proposed use for funds collected from the Transportation Penny for county owned and maintained roads, if it passes, will be utilized for roadway construction, roadway resurfacing and dirt road paving.

There is nothing in SC Code Section 4-37-30 (Optional Methods for Financing Transportation Facilities) that requires maintenance to be included in the Transportation Penny projects list. Further, as the majority of the road projects, sidewalks, bikeways and intersections are within **SCDOT state maintained** highways, no maintenance costs have been included in the \$656,020,644 for roads, nor the \$80,888,356 for Bike / Pedestrian / Greenways with regards to the Transportation Penny.

If the Transportation Penny were to pass, the County would be clear in any Intergovernmental Agreement (IGA) as to which entity (or entities) will perform maintenance, and for how long with regards to improvements completed via the Transportation Penny.

However, the County will remain responsible for the maintenance of the paved dirt roads and resurfaced local roads which it owns and maintains, which will be improved via the Transportation Penny.

The funds presently collected from the Road Maintenance Fee support the following activities within the Roads and Drainage division of Public Works:

1. **Maintenance of existing paved roads (522 miles)**, including repairs of potholes and other pavement failures, repair of curbs, cleaning and repair of storm inlet basins and roadside mowing in rural areas. Public works has expanded this capacity to perform large repairs and resurfacing that would previously require contracting.
2. **Maintenance of existing dirt roads (236 miles)**, including regular grading, addition of gravel, dust suppression, maintenance of roadside ditches and roadside brush clearing and mowing.
3. **Maintenance and upgrading of regulatory signage** on county maintained roads, maintenance and upgrading of all street signs (except in the City of Columbia), maintenance of traffic signals and the maintenance and installation of pavement markings. This area also includes maintenance of all approach signage on railroad crossings of County Roads.
4. **Maintenance of Bridges and Major Culverts.**
5. **Emergency Response**, including flooding, road washouts, trees down and private road emergency repairs. Roads and Drainage is considered a First Responder in the event of a major storm.

Item# 4

6. **Special Projects**, including repairs to Old Garners Ferry Bridge, repairs to the Rabon Road spillway, reconstruction of Summer Crest Road, reconstruction of a section of Pilgrim Road and a program of upgrading culvert crossings on dirt roads for traffic safety and hydraulic capacity.

C. Legislative/Chronological History

Motion by Councilman Jackson, July 18, 2012

D. Financial Impact

The funds collected from the Transportation Penny will be utilized for road construction, resurfacing and dirt road paving. If the Road Maintenance Fee is suspended, there will be no funds to support the activities listed in section B (1-6), nor any funds to support Transportation Penny improvements made to county owned and maintained dirt roads and paved roads.

E. Alternatives

1. Suspend the Road Maintenance Fee if the Transportation Penny passes.
2. Do not suspend the Road Maintenance Fee if the Transportation Penny passes.

F. Recommendation

Do not suspend the Road Maintenance Fee, regardless if the Transportation Penny passes.

Recommended by: David Hoops Department: Public Works Date: September 13, 2012

G. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 9/14/12

Recommend Council approval

Recommend Council denial

✓ Council Discretion (please explain if checked)

Comments regarding recommendation:

This is an item for Council discretion. Currently the Road Maintenance Division is funded through the road maintenance fee and has an annual budget of approximately \$5.4m. Prior to 2003 the roads maintenance division was funded through the general fund tax revenues.

Due to time constraints we were unable to resolve some items therefore we have listed some items for Council to consider and recommend some legal or operational clarification prior to approval:

- If the road maintenance fee is suspended, a decision would need to be made on how/if the current maintenance programs would be funded
 - o Should the road maintenance division cost be redirected to another funding source such as the general fund?
- The ROA request is to suspend the road maintenance fee for 19 years

Item# 4

- Since Council votes on an annual budget, can the current request commit or obligate the County to a 19 year suspension of a fee, limiting Council flexibility for future years?

Procurement

Reviewed by: Rodolfo Callwood

Date: 9/14/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: This is at Council discretion which has no immediate impact on purchasing until after a decision.

Legal

Reviewed by: Elizabeth McLean

Date: 9/14/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Policy decision left to Council's discretion. In response to some of Daniel Driggers' concerns, it appears that Council voted to include roadway resurfacing and dirt road paving in the list of projects for the Transportation Penny Sales Tax. As for suspending the road maintenance fee, this Council would not have the power to bind future Councils; thus, this Council has no mechanism for ensuring that the fee would be "suspended" for the stated 19 years. The better way to end the fee would be to repeal or rescind the current fee by ordinance and then future Councils could, in accordance with state law, enact the fee at a future date, as desired.

Administration

Reviewed by: Sparty Hammett

Date: 9/20/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: The Roads and Drainage Division of Public Works is funded through the Road Maintenance fee and has an annual budget of \$5.4 million. The revenue from the Road Maintenance fee is used for roads and drainage maintenance, with a large portion of the funding being used for the employees that perform the maintenance. If the Road Maintenance fee is eliminated, the County would have two options: (1) eliminate the ongoing maintenance of County roads or (2) eliminate or reduce other County services funded through the General Fund to provide the funding for road maintenance.

Richland County Council Request of Action

Subject

Solid Waste Recycling Program Area 2 and Area 6 Roll Cart Purchase (pages 29-31)

Reviews

Richland County Council Request of Action

Subject: Solid Waste Recycling Program Area #2 and Area #6

A. Purpose

"County Council is requested to approve a budget amendment to the Solid Waste Department budget in the amount of \$972,600.00 for the purpose of purchasing 95 gallon roll carts related to the every other week recycling pick up which is scheduled to take effective January 2, 2013"

B. Background / Discussion

- Solid Waste Area 2 & Area 6 curbside collection contracts are up for renewal at the end of this year and the revised recycling pick up is part of the new contract negotiations.
- The request for a revised recycling pick up was sent to Council in early 2012
- During the summer of 2012 County Council voted to extend the Solid Waste contracts for Area #2 and Area #6 and modify the recycling pick up to every other week.
- Richland County Administration has been in negotiations with the haulers since Councils decision

C. Legislative/Chronological History

- The request for a revised recycling pick up was sent to Council in early 2012
- During the summer of 2012 County Council voted to extend the Solid Waste contracts for Area #2 and Area #6 and modify the recycling pick up to every other week.

D. Financial Impact

The Solid Waste Division is an enterprise fund. The funds will be from the Solid Waste Division's fund balance.

20,000 - 95 gallon roll carts	\$896,600.00
Assembly and distribution	\$76,000.00
Tax	\$0.00
<hr/>	
Total for purchase of carts, assembly and distribution	\$972,600.00
<hr/>	

"There is no adverse financial impact associated with this request."

E. Alternatives

1. Approve the request to allow the transfer of funds for the purchase, assembly and distribution of 20,000 roll carts. The distribution should occur prior to December 31, 2012.

2. Do not approve the transfer of funds for the purchase, assembly and distribution of 20,000 roll carts and continue to recycle once a week with 18 gallon recycling bins

Contract negotiations must be adjusted accordingly.

County Council was provided considerable background earlier and subsequently approved the every other week recycling using the 95 gallon roll carts.

F. Recommendation

"It is recommended that Council approve the request to transfer \$972,600.00 from the Solid Waste enterprise fund balance to the Solid Waste operating budget for the sole purpose of purchasing 20,000 – 95 gallon roll carts with the expressed intent to enhance the County's recycling efforts."

Recommended by: Marlin Henderson Department: Solid Waste Date: 9/11/2012

G. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 9/14/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood

Date: 9/14/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 9/14/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Policy decision left to Council's discretion.

Administration

Reviewed by: Tony McDonald

Date: 9/18/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Item# 5

Comments regarding recommendation: Purchase of the rollcarts as outlined above is consistent with the newly renegotiated collection contracts for Solid Waste Service Areas 2 and 6. Approval, therefore, is recommended.

Richland County Council Request of Action

Subject

Budget Amendment-Grant Match (pages 33-35)

Reviews

Richland County Council Request of Action

Subject: Budget Amendment – Grant Match

A. Purpose

County Council is requested to approve a budget amendment in the amount of \$184,496, increasing the amount of grant match available to departments for grants approved through the FY13 budget process.

B. Background / Discussion

A “grant match” is money or in-kind services (if applicable) required for the entity receiving the grant to come up with in order to receive the grant. For example, a grant might cover 50% of the project cost, which means Richland County would have to come up with a funding source or in-kind services (if applicable) to cover the remaining 50%. Historically, Richland County has used the “grant match” account to cover the match required.

Each year during the budget process, departments request grant match funds for grants they think they will receive during the year. For FY13, department grant match requests totaled \$663,954. During the FY13 budget process, \$283,017 was approved as the match pool for County departments’ grants that required cash match. As grants are awarded, any required cash match is drawn down from this pool of funds on a first requested-first awarded approach.

As of September 12, 2012, match amounts for confirmed awards and pending awards total \$467,513. A budget amendment is needed for \$184,496 to cover the shortfall. The attached spreadsheet shows the FY13 grant activity to date. Any un-used match remaining due to reduced awards or not receiving an award will be returned to the General Fund fund balance. If new / additional grants outside of this request are awarded during the fiscal year, staff will bring the grants to Council for approval of the grant itself and any grant match that may be required for these grants.

Staff asks that the full \$184,496 be approved, as grant awards are time sensitive. There is often a 15 to 30 day window when accepting awards, and the County’s budget amendment approval process can take up to three months with Committee meetings, three readings and a public hearing. Dealing with each grant award individually is not advised.

C. Legislative/Chronological History

- This is a staff-initiated request.
- The grant match amount of \$283,017 was approved in FY13 budget on May 31, 2012.

D. Financial Impact

A budget amendment from the General Fund fund balance is needed for \$184,496.

E. Alternatives

1. Approve the request for a budget amendment for grant match in the amount of \$184,496.
2. Do not approve the request for a budget amendment for grant match in the amount of \$184,496, causing the County to return grant funds or reduce scope and size of grant funded projects.

F. Recommendation

It is recommended that Council approve the request for a budget amendment of \$184,496 for grant match funds.

Recommended by: Sara Salley

Department: Admin

Date: 9/12/12

G. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 9/14/12

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Recommendation based on available funds not on merits of programs. Council should consider if the additional match will create any financial obligations in future years.

Grants

Reviewed by: Sara Salley

Date: 9/14/12

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Grant match funds included in this ROA are for grants already approved by County Council during the FY13 budget process.

Legal

Reviewed by: Elizabeth McLean

Date: 9/14/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Policy decision left to Council’s discretion.

Administration

Reviewed by: Roxanne Ancheta

Date: September 14, 2012

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: It is recommended that Council approve the request for a budget amendment in the amount of \$184,496 for additional grant match funds for confirmed and pending FY 13 grant awards. Any unspent funds would be returned to the General Fund fund balance.

Dept	Grant	Project Total	Grant Request	Requested Cash Match	FY13 Award	Required Cash Match	Un-used Match Requests	Total Match Needed
Com Dev	HOME	\$663,866	\$559,045	\$104,821	\$453,466	\$102,030		\$102,030
EMS	Grant-In-Aid - DHEC	\$63,300	\$60,000	\$3,300	Pending	\$3,300		\$3,300
ESD	LEMPG	\$118,300	\$110,000	\$8,300	\$71,276	\$6,558		\$6,558
Sheriff	COPS Universal Hiring Program	\$684,147	\$513,147	\$171,000	Not Funded			
Sheriff	JAG - Crime Scene Unit Enhancement	\$240,871	\$216,784	\$24,087	\$106,362	\$11,818		\$11,818
Sheriff	Hispanic Outreach - VAWA	\$65,000	\$48,750	\$16,250	\$28,510	\$16,250	\$19,312	\$35,562
Sheriff	Victim Advocacy - VOCA	\$67,060	\$53,649	\$13,411	\$47,515	\$11,879		\$11,879
Sheriff	JAG - School Resource Officer	\$96,959	\$87,277	\$9,692	\$86,687	\$9,632		\$9,632
Sheriff	JAG - Financial Crimes Investigation	\$74,208	\$66,788	\$7,420	\$66,355	\$7,373		\$7,373
Sheriff	JABG - Status Offender Project	\$68,215	\$61,394	\$6,821	Pending	\$6,821		\$6,821
Sheriff	JAG - Violent Fugitive Apprehension	\$66,884	\$60,196	\$6,688	\$60,195	\$6,688		\$6,688
Solicitor	Veterans Treatment Court	\$367,934	\$275,950	\$91,984	Pending	\$91,984		\$91,984
Solicitor	VAWA Prosecution Team	\$175,998	\$131,998	\$44,000	Pending	\$44,000		\$44,000
Solicitor	CDV Court - VAWA	\$129,451	\$97,088	\$32,363	\$55,046	\$32,363	\$33,096	\$65,459
Solicitor	5th Circuit Solicitor's Office Investigators - JAG	\$310,553	\$279,498	\$31,055	Not Funded			
Solicitor	Violent Crime Prosecution Team - JAG	\$229,296	\$206,366	\$22,930	\$205,574	\$22,842		\$22,842
Solicitor	Victim Advocate - VOCA	\$121,337	\$97,069	\$24,268	\$81,947	\$20,487		\$20,487
Solicitor	Technology Improvements - JAG	\$20,405	\$18,364	\$2,041	\$18,364	\$2,041		\$2,041
Airport	Airport Projects FAA #18	\$621,727	\$559,554	\$43,523	\$342,690	\$19,039		\$19,039
				\$663,954	\$1,623,987	\$415,105	\$52,408	\$467,513

Match Amount of Awarded Grants \$ 269,000
Un-Used Match Request (Solicitor/Sheriff) \$ 52,408
Match Amount of Pending Grants \$ 146,105
\$ 467,513
Match Amount Approved in FY 13 Budget \$ (283,017)
Match Amount Requested in Budget Amendment \$ 184,496

Richland County Council Request of Action

Subject

Criminal Domestic Violence Court Grant Match Increase (pages 37-40)

Reviews

Richland County Council Request of Action

Subject: Criminal Domestic Violence Court Grant Match Increase

A. Purpose

County Council is requested to approve a grant match increase in the amount of \$33,096 for the Criminal Domestic Violence (CDV) Court Grant. No new funds are needed if Council allows a budget amendment to move match from other FY13 Solicitor's Office grants that were not fully funded to this grant. The grants mentioned below were approved in the FY13 budget process.

B. Background / Discussion

The Richland County Solicitor's Office received the 2013 Criminal Domestic Violence grant in the amount of \$55,046. The continuation grant funds supports a prosecution based "Centralized" CDV Court (magistrate level) and enhances the prosecutions by using one experienced part-time assistant solicitor and one solicitor's investigator who assists in case preparation and who provides victim assistance.

Unfortunately, this grant was cut by the granting agency. This federal funding stream comes from the Violence Against Women Act and these funds, for the second year, were cut state-wide. The Solicitor's Office needs an additional \$33,096 to cover the cost of the positions paid through this grant.

The Solicitor's Office has \$31,055 in unused match from the un-funded JAG – Solicitor's Investigator grant and \$2,041 from the reduced VOCA –Victim Advocates grant that was approved in FY13 budget process and would like to move \$33,096 of this match to the CDV Court grant. By moving matching funds from these grants to the CDV Court grant, no new cash is needed.

The Solicitor's Office is aware that the grant program is likely to have cuts in the next year that may affect the positions tied to this grant. They will address this issue in the upcoming FY14 budget process. In its eleventh year of federal funding, the Central Criminal Domestic Violence (CDV) Court is a specialized court that brings all resources to one centralized court location which offers counseling for both the batterer and the victim. Prior to this court, CDV cases were handles in ten different locations throughout the county and there was not an assistant solicitor assigned to assist with the prosecution of these cases. Every year, there approximately 435 new cases added to the docket which often result in request for a jury trial that is very difficult to maintain without a part-time prosecutor and full-time investigator. Since the project's inception in early 2002, there have been 7,914 jury trials and bench trials scheduled resulting in 3,841 dispositions. In addition, there have been 1,218 Show Cause hearings scheduled since January 2004. The Domestic Abuse Center and Sister Care have also played key roles in this specialized court.

C. Legislative/Chronological History

- January 2012 – The CDV Court grant was included in the budget request and approved in May 2013
- May 2013 – Solicitor applied for the CDV Court grant (\$94,117 grant amount, \$32,363 match amount)
- September 2012 – Received award notice of a \$55,046 grant.

D. Financial Impact

No new cash is needed as match increase can come from grants already approved by Council.

Criminal Domestic Violence Court Grant Total Project Cost: \$120,505

Grant Award:	\$55,046
Approved Match for this Grant	\$32,363
Additional Match Needed (JAG/VOCA)	<u>\$33,096</u>
Total:	\$120,505

E. Alternatives

1. Approve moving match funds in order to fully fund the Criminal Domestic Violence grant positions.
2. Do not approve, causing the grant to run short.

F. Recommendation

1. It is recommended that Council approve moving match funds in order to fully fund the Criminal Domestic Violence grant positions.

Recommended by:	Department:	Date:
<u>John Stuart</u>	<u>Richland County Solicitor’s Office</u>	<u>9/10/12</u>

G. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 9/14/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation:

Item# 7

Recommendation based on available grant match funds.

Procurement

Reviewed by: Rodolfo Callwood

Date: 9/14/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Grants

Reviewed by: Sara Salley

Date: 9/14/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

This grant is no longer covering the costs of the program and the personnel attached. This grant was short in FY12 and was supplemented with un-used match. A decision needs to be made to handle this shortfall for the future. Options include moving this program off grant and absorbing the cost in the department's budget, reducing the scope of the program to fit the grant amount, partially paying for the program using department funds and grant funds while honoring the non-supplanting grant condition, or discontinuing the program all together. It is not likely that the funding agency will increase grant amounts in the coming year. Continuing to create a band aid for the short fall by using the grant match pool of funds that is used by all County departments is not a long-term fix for the issue.

Legal

Reviewed by: Elizabeth McLean

Date: 9/17/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Policy decision left to Council's discretion.

Administration

Reviewed by: Sparty Hammett

Date: 9/17/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval to move match funds in order to fully fund the Criminal Domestic Violence grant positions for FY13. As indicated by Ms. Salley, this is the second year that the grant has not covered the cost of the program. A long-term strategy should be developed to address this projected shortfall for FY14.

Solicitor Grant Match Balances as of 9/10/12

Fund Source	Dept	PROJECT NAME	Applied For	Applied Match	Actual Award	Actual Match	Match Balance
Solicitor	NEW	VAWA Prosecution Team	\$131,998	\$44,000	\$0	\$0	\$44,000
Solicitor	CONT	CDV Court - VAWA	\$97,088	\$32,363	\$55,046	\$32,363	
Solicitor	NEW	5th Circuit Solicitor's Office Investigators - JAG	\$279,498	\$31,055	\$0	\$0	\$31,055
Solicitor	CONT	Violent Crime Prosecution Team - JAG	\$206,366	\$22,930	\$205,574	\$22,842	\$88
Solicitor	CONT	Victim Advocate - VOCA	\$97,069	\$24,268	\$81,947	\$20,487	\$3,781
Solicitor	NEW	Technology Improvements - JAG	\$18,364	\$2,041	\$18,364	\$2,041	\$0
			\$830,383	\$156,657	\$360,931	\$77,733	

Richland County Council Request of Action

Subject

Hispanic Outreach Grant Match Increase (pages 42-45)

Reviews

Richland County Council Request of Action

Subject: Hispanic Outreach Grant Match Increase

A. Purpose

County Council is requested to approve a grant match increase in the amount of \$19,312 for the FY13 Hispanic Outreach Grant. No new funds are needed if Council allows a budget amendment to move match from one grant that was not fully funded to another. All grants were approved in the FY13 budget process.

B. Background / Discussion

The Richland County Sheriff's Department received the 2013 Hispanic Outreach grant in the amount of \$28,510. The grant includes one (1) FTE victim advocate who provides services to Richland County with a special emphasis on the Hispanic community. This project has made great strides in providing outreach to victims of criminal domestic violence and has served over 500 victims since October of 2011. The Advocate is Spanish-speaking and familiar with the Hispanic community and provides enhanced services to an underserved population of crime victims in Richland County. Unfortunately, this continuation grant was cut by the granting agency due to an overall reduction in funding to the program at the national level. The Sheriff's Department needs to retain the original requested match amount of \$16,250 plus an additional \$19,312 to cover the cost of the position.

The Sheriff's Department has unused match from the Victim Advocacy (VOCA), Community Oriented Policing Program (COPS), Crime Scene Investigation (JAG) and Financial Crimes Investigation (JAG) grants that were approved in FY13 budget process and would like to move \$19,312 of this match to the Hispanic Outreach grant. By switching matching funds from one grant to another, no new cash is needed. The department is aware that the grant program is likely to have cuts in the same year that may affect the FTE victim advocate position. They will address this issue in the upcoming FY14 budget process.

C. Legislative/Chronological History

- *In January 2012, RCSD requested and received approval for the Hispanic Outreach grant (\$16,250 match) as part of FY13 Budget Process*
- *In May 2012, RCSD applied for funding under the STOP Violence Against Women Act program to continue its successful Hispanic Outreach program (\$50,275 federal amount, \$16,250 match)*
- *September 2012, RCSD received grant award for \$28,510 for Hispanic Outreach project*

D. Financial Impact

Hispanic Outreach Total Project Cost:	\$64,072
Grant Award:	\$28,510

Item# 8

Approved Match for this Grant:	\$16,250
Match Needed (JAG/VOCA/COPS grants):	<u>\$19,312</u>
Project Total:	\$64,072

E. Alternatives

1. Approve moving match funds in order to fully fund the Hispanic Outreach grant position.
2. Do not approve, causing the grant to run short.

F. Recommendation

1. It is recommended that Council approve moving match funds in order to fully fund the Hispanic Outreach grant position.

Recommended by:	Department:	Date:
<i>Deputy Chief Stephen Birnie</i>	<i>Richland County Sheriff's Dept.</i>	<i>September 18, 2012</i>

F. Reviews

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

Finance

Reviewed by: <u>Daniel Driggers</u>	Date: 9/11/12
<input checked="" type="checkbox"/> Recommend Council approval	<input type="checkbox"/> Recommend Council denial
<input type="checkbox"/> Council Discretion (please explain if checked)	
Comments regarding recommendation:	

Grants

Reviewed by: <u>Sara Salley</u>	Date: 9/12/12
<input checked="" type="checkbox"/> Recommend Council approval	<input type="checkbox"/> Recommend Council denial
<input type="checkbox"/> Council Discretion (please explain if checked)	
Comments regarding recommendation:	

This grant is no longer covering the costs of the program and the personnel attached. This grant was short in FY12 and was supplemented with un-used match. A decision needs to be made to handle this shortfall for the future. Options include moving this program off grant and absorbing the cost in the department's budget, reducing the scope of the program to fit the grant amount, partially paying for the program using department funds and grant funds while honoring the non-supplanting grant condition, or discontinuing the program all together. It is not likely that the funding agency will increase grant amounts in the coming year. Continuing to create a band aid for the short fall by using the grant match pool of funds that is used by all County departments is not a long-term fix for the issue.

Human Resources

Reviewed by: <u>Dwight Hanna</u>	Date:
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Item# 8

- Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation: Human Resources is neither familiar with the history of this grant nor the specific position. Human Resources' recommendation is based on the statements in the ROA that funding is available; the benefit the position has contributed to Richland County, and the continuing need for the position in Richland County.

Legal

Reviewed by: Elizabeth McLean Date: 9/17/12

- Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation: Policy decision left to Council's discretion.

Administration

Reviewed by: Sparty Hammett Date: 9/17/12

- Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval to move match funds in order to fully fund the Hispanic Outreach grant position for FY13. As indicated by Ms. Salley, this is the second year that the grant has not covered the cost of the program. A long-term strategy should be developed to address this projected shortfall for FY14.

Sheriff's Department Match Balances as of 9/10/12

Fund Source	Dept	PROJECT NAME	Applied For	Applied Match	Total Project Cost	Actual Award	Actual Match	Match Balance 9/10/12
Sheriff	NEW	COPS Universal Hiring Program	\$513,147	\$171,000	\$684,147	\$0	\$0	\$171,000
Sheriff	NEW	JAG - Crime Scene Unit Enhancement	\$216,784	\$24,087	\$240,871	\$106,362	\$11,818	\$12,269
Sheriff	CONT	Hispanic Outreach - VAWA	\$47,822	\$16,250	\$64,072	\$28,510	\$16,250	-\$19,312
Sheriff	CONT	Victim Advocacy - VOCA	\$53,649	\$13,411	\$67,060	\$47,515	\$11,879	\$1,532
Sheriff	NEW	JAG - School Resource Officer	\$87,277	\$9,692	\$96,969	\$86,687	\$9,632	\$60
Sheriff	CONT	JAG - Financial Crimes Investigation	\$66,788	\$7,420	\$74,208	\$66,355	\$7,373	\$47
Sheriff	CONT	JABG - Status Offender Project	\$61,394	\$6,821	\$68,215	Pending		
Sheriff	CONT	JAG - Violent Fugitive Apprehension	\$60,196	\$6,688	\$66,884	\$60,195	\$6,688	\$0
			\$1,107,057	\$255,369	\$1,362,426	\$395,624	\$63,640	

Richland County Council Request of Action

Subject

Midlands Special Response Team Improvement Grant (pages 47-48)

Reviews

Richland County Council Request of Action

Subject: Midlands Special Response/EOD Team Improvement Grant/No FTE/ No Match

A. Purpose

County Council is being requested to approve a grant application that was not included in the Grant Budget Request for FY 2012-2013.

B. Background / Discussion

The Richland County Sheriff's Department has applied for a grant to provide upgraded equipment to support the goals of the South Carolina Homeland Security Strategy. This application is for funding through a special solicitation of the South Carolina Homeland Security Grant Program. This project will allow for the RCSD Special Response Team and Bomb Squad to address capability gaps to include upgraded levels of explosive device detection and scanning. The Special Response Team will be provided medic kits that can be used by operators in the field to render immediate first aid. Any equipment upkeep or maintenance will be provided through Richland County Sheriff's Department funds.

C. Legislative/Chronological History

- *On August 28, 2012, the Richland County Sheriff's Department applied for funding under a special funding opportunity issued by the South Carolina Homeland Security Grant Program. This opportunity was not available during the regular budget cycle.*

D. Financial Impact

SRT/EOD Team Improvement Total Project Cost:	\$ 11,500
Grantor Portion (100%):	\$ 11,500
Match (0%):	\$ 0

E. Alternatives

1. Approve the request to fund this program to provide for upgraded SRT and EOD equipment for RCSD.
2. Do not approve, forfeit funds, and decrease likelihood for future funding.

F. Recommendation

- 1. It is recommended that Council approve the request for the Midlands SRT/EOD Team Improvement Project

Recommended by: *Deputy Chief Stephen Birnie* Department: *Richland County Sheriff's Dept.* Date: *September 18, 2012*

G. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 9/11/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood Date: 9/11/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Grants

Reviewed by: Sara Salley Date: 9/12/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean Date: 9/12/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Policy decision left to Council's discretion.

Administration

Reviewed by: Sparty Hammett Date: 9/12/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Recommend Council approval of the grant application. No County match funds are required.

Richland County Council Request of Action

Subject

Matching Funds for SCDHEC Grant application in Twenty-five Mile Creek Watershed (pages 50-52)

Reviews

Richland County Council Request of Action

Subject: Matching Funds for SCDHEC 319 Grant application in Twenty-five Mile Creek Watershed

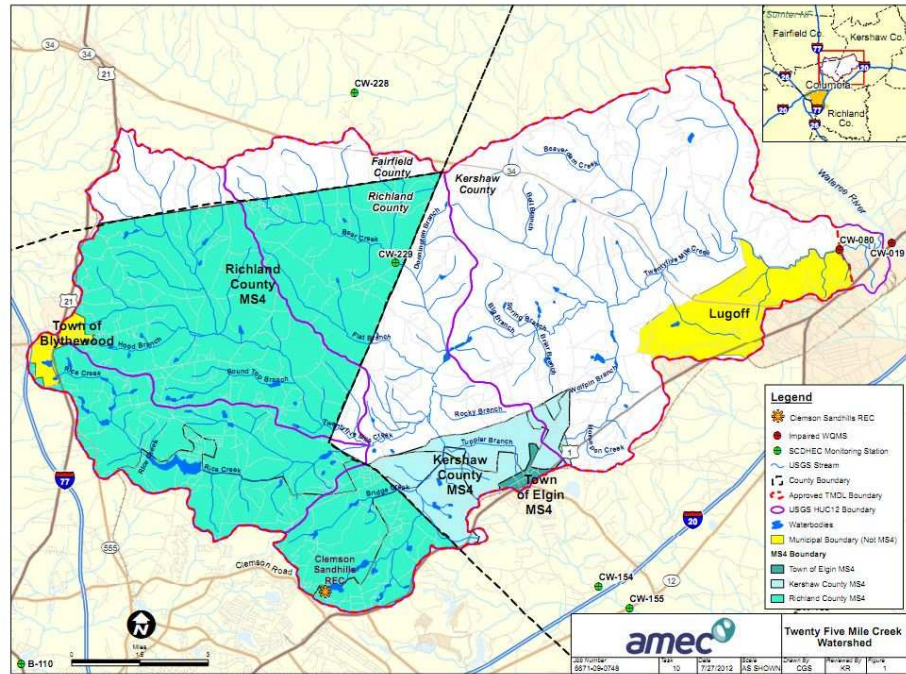
A. Purpose

County Council is requested to approve a budget amendment for the Stormwater Department budget in the amount of \$6,095.19.00 for the purpose of providing match to a South Carolina Department of Environmental Control (SCDHEC) 319 Grant application for a watershed study in the Twenty-five Mile Creek watershed in Richland and Kershaw Counties.

B. Background / Discussion

Figure 1

Richland and Kershaw County have submitted an SCDHEC 319 Grant application for the development of two Twenty-five Mile Creek Watershed Based Plans (WBPs) for fecal coliform and Macroinvertebrates. If awarded, Kershaw County has committed to be the lead organization for the project and has experience with both Federal and State Grants. Richland



County will participate using staff time and 45% of the required matching funds as shown above. The matching funds will come from the current Stormwater budget. If the grant is awarded, the Stormwater Department will work with Kershaw County to clearly define and document staff time and actions needed by us to implement the project.

Identification of the sources and the development of the WBPs are the first step towards potentially implementing the best management practices (BMPs) that can address the sources of pollutant loadings in the watershed (Figure 1).

C. Legislative/Chronological History

None. This grant was not included in the FY13 budget process.

D. Financial Impact

If the grant is awarded, Richland County will provide matching funds of \$6,095.19 to be drawn from the Stormwater Fund (Acct # 1208302200). No new funds are needed.

Grant Amount:	\$40,301.25
Kershaw County Cash Match:	\$7,388.56
Richland County Cash Match:	<u>\$6,095.19</u>
Total Project Amount:	\$53,735.00

E. Alternatives

1. Approve the request to provide match from Stormwater’s budget for the SCDHEC 319 Grant with Kershaw County.
2. Do not approve the request to provide match from Stormwater’s budget for the SCDHEC 319 Grant with Kershaw County.

F. Recommendation

It is recommended that Council approve the request to provide the matching funds for the SCDHEC 319 Grant with Kershaw County because we will be able to utilize the grant funds to produce the WBPs for the Twenty-five Mile Creek watershed.

Recommended by: David Hoops Department: Public Works Date: September 10, 2012

G. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 9/19/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation:

Recommendation is based on available funding and not the merits of the program. If Council approves, I would recommend that the department simply redirect current year funding to cover the cost since the Stormwater fund historically does not spend all dollars appropriated. This would allow the approval to be done without a budget amendment and use existing funds.

Procurement

Reviewed by: Rodolfo Callwood Date: 9/19/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation:

Grants

Reviewed by: Sara Salley

Date: 9/20/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Matching funds will be provided through Stormwater's budget. This is a great opportunity to collaborate with a neighboring county.

Legal

Reviewed by: Elizabeth McLean

Date: 9/20/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Policy decision left to Council's discretion. I have not seen any grant documents; nor does the ROA go into any great detail about Richland County's responsibilities in helping to use the grant funds. If our involvement is more than perfunctory, it may be useful to enter into an intergovernmental agreement with Kershaw County to outline the specific responsibilities of each entity.

Administration

Reviewed by: Sparty Hammett

Date: 9/20/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend Council approval to provide matching funds for the grant. Funds are available in the Stormwater budget.

Richland County Council Request of Action

Subject

Bond Issuance-Fire Service (pages 54-56)

Reviews

Richland County Council Request of Action

Subject: Bond Issuance - Fire Service

A. Purpose

County Council is requested to approve a bond ordinance for up to \$9,000,000 in accordance with the capital project plan provided at the planning retreat to Council members by the County Administrator.

B. Background / Discussion

During the Council retreat in January 2012, the County Administrator provided Council with information about his capital needs assessment for County Fire Operations. The recommendation included a planned bond issue for approximately \$9m at the end of 2012.

During a discussion at the 2012 Council retreat it was mentioned that the current bond market has shown very favorable rates but can be volatile. Recent bond sales have closed with an effective interest rate of less than 2 percent and as low as 1.5 percent. Estimates are that if the County issues the same \$9m now to take advantage of these low rates the County could save the taxpayer more than \$1m on the total cost over the life of this loan.

County Administration has worked with the Emergency Service Director to ensure that the bond issue supports the immediate needs of the Fire Operation for vehicles and equipment. Funds will be used to purchase emergency vehicles, fire apparatus, portable and fixed equipment. Finance has worked with the County Financial Advisor to ensure that the issue can be managed within the current 1.8 mill tax rate for debt service.

The result of this is that the bond can be issue with no impact on the tax rate for Fire Service.

C. Legislative/Chronological History

Capital Needs assessments for Fire Operations that the County Administrator provided to Council during its annual retreat in January of 2012.

D. Financial Impact

The actual financial impact can not be determined until the bonds are issued. However consistent with the County's long-term plan, the proposal is advantageous to the County because:

- Request is consistent with the County Emergency Service Director priorities.
- Approval would address the replacement of aging equipment and vehicles related to public safety
- Approval would not increase the debt service millage associated with the Fire operation

- By issuing now and taking advantage of interest rates, the County will reduce it's borrowing cost by approximately \$1m over the life of the loan

E. Alternatives

1. Approve the requested bond ordinance and associated purchases.
2. Approve the requested bond ordinance but amend the purchase list.
3. Delay the approval of the bond ordinance and project list until a later time.
4. Do not approve the bond ordinance at this time and not move forward with the project list.

F. Recommendation

It is recommended that Council approve alternative 1 with a bond ordinance.

Recommended by: Daniel Driggers Department: Finance Date: 9/7/12

G. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 9/18/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation:

Request is consistent with the County capital plan

Procurement

Reviewed by: Rodolfo Callwood Date: 9/18/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation:

Emergency Services

Reviewed by: Michael Byrd Date:
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation: The bond will allow for the replacement of older fire vehicles and equipment. Large truck replacement purchases have not been made in several years. This will improve the readiness of the fleet.

Legal

Reviewed by: Elizabeth McLean Date: 9/18/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation: Policy decision left to Council's discretion.

Administration

Reviewed by: Tony McDonald

Date: 9/18/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval of the proposed bond issue for the following reasons: (1) items to be purchased through the bond are consistent with the Fire Service capital improvement program and with the recently renegotiated City / County Fire Service Contract; (2) timing of the bond issue is ideal due to the low interest rates that are currently available; and (3) issuance of the bond at this time will not increase the debt service millage currently reflected on the tax bills.

Richland County Council Request of Action

Subject

Creation of the Richland County Conservation Department (pages 58-61)

Reviews

Richland County Council Request of Action

Subject: Creation of the Richland County Conservation Department

A. Purpose

County Council is requested to approve an ordinance to create the Conservation Department.

B. Background / Discussion

As a part of the FY13 Budget approved by Council, the Environmental Planning Division (Planning and Developmental Services Department) became an independent budget department with separate oversight.

The Conservation Department will be responsible for working directly with the Richland Soil and Water Conservation District Commissioners and the Richland County Conservation Commissioners. The Conservation Director will direct and supervise all functions of the department and implement the responsibilities of the District and Commission. The director shall consult with and advise the county council and the county administrator regarding the conservation and protection the county's natural, cultural and historical resources. The department shall establish working relationships with other county departments including, but not limited to, Administration, Public Works, and Planning and Development Services. The department shall also interact with federal and State agencies, other counties and municipalities, institutions of higher education, and not-for-profit conservation and environmental organizations to support the responsibilities of the department, District and Commission.

The Conservation Department is also responsible for staffing the Richland County Appearance Commission.

C. Legislative/Chronological History

FY 13 Budget approved by County Council.

D. Financial Impact

There is no financial impact associated with this request. Prior to FY12, the Richland Soil and Water Conservation District and the Richland County Conservation Commission were separate cost centers. During FY13, the activities of the District and Commission will be blended into a unified Conservation Department budget.

E. Alternatives

1. Approve the ordinance to create the Conservation Department as submitted.
2. Approve the ordinance, with amendments, to create the Conservation Department as submitted.
3. Do not approve the ordinance to create the Conservation Department.

F. Recommendation

It is recommended Council approve the ordinance to create the Conservation Department as submitted.

Recommended by: James B. Atkins Department: Conservation Date: July 16, 2012

G. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 9/12/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood Date: 9/12/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Human Resources

Reviewed by: Dwight Hanna Date:
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Action should be taken to amend any other ordinances that may reference the Conservation Department in a different manner. For example, if the Planning Department ordinance currently makes reference to the Conservation as a Division of the Planning Department.

Legal

Reviewed by: Elizabeth McLean Date: 9/12/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Policy decision left to Council's discretion.

Administration

Reviewed by: Sparty Hammett Date: 09/12/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Recommend Council approval of the ordinance. Council approved the creation of the Conservation Department during the budget process.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-12HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; ARTICLE V, COUNTY DEPARTMENTS; BY ADDING A NEW DIVISION ENTITLED 6A, CONSERVATION; SO THAT A NEW DEPARTMENT WILL BE CREATED.

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 2, Administration; Article V, County Departments; Division 6, Detention, Elections, Voter Registration, and Register of Mesne Conveyances, Sections “2-239 – 2-246. Reserved” is hereby amended to read as follows:

Secs. 2-239 – 2-246. Reserved.

SECTION II. The Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; is hereby amended by the creation of a new Division, to read as follows:

DIVISION 6A. CONSERVATION

Sec. 2-243. Creation; director.

There is hereby created the Conservation Department, and the position of Conservation Director, who shall be responsible to the county administrator to direct and coordinate the operations and activities of the department. The county administrator shall appoint the director and his/her term of office shall be at the pleasure of the county administrator.

Sec. 2-244. Qualifications of director; selection; compensation.

The Conservation Director shall be a graduate of an accredited college or university, with a master’s degree in environmental or agricultural science or engineering, hydrology, water resources management or closely related field; and shall have had at least five (5) years of responsible, practical experience in the above fields. The director shall possess education, training and experience related to conservation and environmental issues that is satisfactory to the county administrator.

Sec. 2-245. Responsibilities; powers; duties.

The Conservation Department shall be responsible for working directly with the Richland Soil and Water Conservation District Commissioners and the Richland County Conservation

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Commissioners. The Conservation Director shall direct and supervise all functions of the department and implement the responsibilities of the District and Commission. The director shall consult with and advise the county council and the county administrator regarding the conservation and protection of the county's natural, cultural and historical resources. The department shall establish working relationships with other county departments including, but not limited to, Administration, Public Works, and Planning and Development Services. The department shall also interact with federal and State agencies, other counties and municipalities, institutions of higher education, and not-for-profit conservation and environmental organizations to support the responsibilities of the department, District and Commission.

Sec. 2-246. Staff; personnel.

The staff and personnel assigned to the Conservation Director shall be subject to the county personnel system and their compensation determined accordingly.

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

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

SECTION V. Effective Date. This ordinance shall be effective from and after _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin E. Washington, Sr., Chair

Attest this _____ day of
_____, 2012.

Michelle M. Onley
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading:
Second Reading:
Third Reading:

Richland County Council Request of Action

Subject

Coroner-Increase the rate of copy charges for Autopsy Reports (pages 63-65)

Reviews

Richland County Council Request of Action

Subject: Coroner-Increase the Rate of Copy Charges for Autopsy Reports

A. Purpose

County Council is requested to approve an amendment to County Ordinance No. 043-01HR specifically Section 24 to increase the rate of copy charges for autopsy reports.

B. Background / Discussion

Effective July 1, 2001 this particular ordinance was implemented to allow the Coroner to charge for copies of autopsy reports. The current amount charged is \$100.00 per autopsy report. These charges were recommended to help recover a part of the expense of an autopsy. Any monies collected for these copies go back into the County general fund. Due to the increase over the years of the costs of autopsies the Coroner is requesting an increase in the amount charged for copies of the reports. He would like this copy charge to be increased to \$500.00 per autopsy report. These charges do not apply to family members or law enforcement.

C. Legislative/Chronological History

- On May 15, 2001 Council had its first reading on this matter
- On June 19, 2001 a Public Hearing was held and Council had the second reading
- On June 26, 2001 Council had the third reading on this matter
- This Ordinance became effective July 1, 2001

D. Financial Impact

Increasing the copy charges for autopsy reports from \$100.00 to \$500.00 will help to recover a portion of the costs expended for autopsies.

E. Alternatives

1. Approve the request to increase the copy charges for autopsy reports from \$100.00 to \$500.00.
2. Do not approve the request.

F. Recommendation

It is recommended that Council approve the request to increase the copy charges for autopsy reports from \$100.00 to \$500.00.

Recommended by: Gary Watts

Department: Coroner

Date: 09/12/2012

Item# 13

G. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 9/14/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation:

This is a fee increase and would be the discretion of Council. Below are the dollars generated for Richland County from the existing fee for FY11 and FY12:

FY11: \$1,100
FY12: \$3,300

Below are the similar fees for other Counties for comparative purposes:

County	Copy Costs for Autopsies
Charleston	\$100 for Autopsy Report; no per page costs
Lexington	No charge
	No charge for family members; Attorneys, Insurance Companies etc pay a \$15 fee and \$.35 cents per copy up to 50 copies, then \$.50 a page after that. Note:
Greenville	this service is provided by the Medical Examiner's Office.

Procurement

Reviewed by: Rodolfo Callwood Date: 9/14/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation: Council discretion; action has no immediate impact on Procurement.

Legal

Reviewed by: Elizabeth McLean Date: 9/14/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation: This request is a policy decision left to Council's discretion; however, the request is to amend ord 043-01HR, which is actually the yearly budget ordinance for fy2001-2002. The proper procedure would be to pass an independent ordinance creating the new fee. Such ordinance could reference ord 043-01HR for clarity. Legal will provide a draft ordinance upon request.

Administration

Reviewed by: Sparty Hammett Date: 9/19/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend Council approval of the increase in fees for autopsy reports. Although the fee would be higher than comparable counties, the revenue could help offset the rising costs of autopsies. The Coroner's Office does not charge families or law enforcement for reports. The revenue from the fee has historically been small, however the Coroner is anticipating an increase in the number of requests for autopsy reports.

Richland County Council Request of Action

Subject

FY 13 Local Government Fund (pages 67-69)

Reviews

Richland County Council Request of Action

Subject: FY13 Local Government Fund

A. Purpose

The ROA is to inform County Council of the notification the County has received from the State that the final appropriation included an additional \$2,076,715 of one-time Local Government Fund (LGF) funding. Since the FY-13 budget is already approved and included the use of \$6.7m of fund balance, it is recommended that the County utilize the funds for the FY13 budget by reducing the budgeted use of fund balance by the same amount.

B. Background / Discussion

After County Council adopted the FY13 budget on May 31, 2012, the State of South Carolina made a one-time appropriation to the Local Government Fund in the amount of \$30 million. Based upon the statutory formula, Richland County will receive an additional \$2,076,715 in FY13. The State has indicated that these will be one-time funds and local governments should not expect additional funding in FY14.

C. Legislative/Chronological History

- County Council adopted a FY13 budget on May 31, 2012, including a LGF budget equal to FY12 (no growth)
- The State of South Carolina adopted a FY13 budget that included additional funds for the LGF

D. Financial Impact

The FY13 General Fund budget includes a \$6,761,070 use of fund balance. Fund balance is not a recurring revenue source; therefore it should only fund non-recurring expenditures. Appropriating the one-time additional LGF funds to reduce the use of fund balance would support the County financial policy that discourages the use of one-time revenue to finance ongoing projects. This would also allow the county to better align its non-recurring revenues and expenditures and be better positioned to address the challenges ahead in the FY14 budget. This action would also adjust the FY13 fund balance appropriation back to the FY12 level. Ultimately, the FY13 General Fund budget total would be unchanged.

FY13 GF Budgeted Use of Fund Balance	\$6,761,070
FY13 Additional LGF Funds	\$2,076,715
FY13 GF Budgeted Use of Fund Balance if ROA approved	\$4,684,355

E. Alternatives

1. Approve the request to appropriate the additional LGF funding and reduce the budgeted use of fund balance.

2. Do not approve and the funds will be received but not appropriated.
3. Appropriate the LGF funds for one-time use.

F. Recommendation

Approve the request to appropriate the additional \$2,076,715 in LGF funding and reduce the budgeted use of fund balance by the same amount.

Recommended by: Daniel Driggers Department: Finance Date: 9/10/12

G. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 9/14/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation:

Recommendation is consistent with the County financial policies.

Council approved the use of \$6.6m fund balance for FY13 which uses one-time revenue to cover recurring cost therefore, all things being equal, the County will start the FY14 budget process with \$6.6m more in expenditures than revenue before any adjustments. Due to the economy, the last several years has seen an increase in County dependence on use of one-time revenue to cover recurring cost creating an imbalance in the budget. Therefore it is advisable for Council to be more cautious about continuing this trend and began restoring a structural balance to the County budget as revenues improve.

Procurement

Reviewed by: Rodolfo Callwood Date: 9/14/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation:

Grants

Reviewed by: Sara Salley Date: 9/14/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean Date: 9/17/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation: Policy decision left to Council’s discretion.

Administration

Reviewed by: Tony McDonald

Date: 9/17/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: I concur with the Finance Director's recommendation that the additional one-time Local Government Fund appropriation of \$2.07 million be used to reduce the use of appropriated fund balance in FY 13.

Richland County Council Request of Action

Subject

Motion to increase the Legal Department's General Fund Annual Budget for Salary Adjustments (pages 71-76)

Reviews

Richland County Council Request for Action

Subject: Motion to Increase the Legal Department General Fund Annual Budget

A. Purpose

This request is, per Mr. Washington's July 24, 2012 motion, to increase the Legal Department's general fund annual budget.

B. Background / Discussion

During the Motion Period of the July 24, 2012, County Council meeting, Mr. Washington made the following motion:

I move that we give first reading by title only to the following ordinance:

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013
GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$77,256.20
OF GENERAL FUND UNDESIGNATED FUND BALANCE TO THE
LEGAL DEPARTMENT FOR SALARY ADJUSTMENTS

The item was forwarded to the A&F Committee. Council is requested to consider the budget request; however, the new adjusted total requested has been reduced to \$75,177.89. The Legal Department believes that the requested funds would make their salaries comparable to Counties of similar size and responsibilities. Additionally, the funds would promote salary equity within the Department.

The requested amount includes the salary money plus 18.25% for FICA and retirement costs (fringe costs), as well as the money needed to fully fund the vacant attorney position at \$65,000. Council attempted to fully fund that position at third reading of the budget, but because of the 18.25% fringe costs, the position was not funded at the full amount. While we did receive the full \$65,000, only \$55,061 was allocated to the salary for the position, with the remainder going to pay the requisite fringe costs.

Please see the attached ordinance by title only.

C. Financial Impact

Approval of this ordinance would appropriate \$75,177.89 of general fund dollars for this fiscal year and would require a funding source for subsequent years.

D. Alternatives

1. Approve the ordinance.
2. Amend the ordinance and approve.
3. Do not approve the ordinance.

E. Recommendation

It is recommended that Council approve the ordinance.

Recommended by: Elizabeth A. McLean Department: Legal Date: 9/11/12

F. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 9/17/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

This is a funding request for Council. Approval of the request would require the identification of budget funds.

The County has recently engaged a consulting firm to conduct some position comparisons and market rate analysis for most County positions inclusive of the Legal Department. Therefore, Council may want to consider the request within the comparisons and recommendations provided in the study. Alternatively, rather than considering request on a department-by-department basis, Council may consider having the consultant complete the comparison above for all county positions to determine a total impact for aligning county salaries with other Counties of similar size and responsibilities

Human Resources

Reviewed by: Dwight Hanna Date:
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation: This request was initiated by Council and within the authority of County Council to approve. Therefore, Human Resources designated “Council Discretion”.

Human Resources did not review the confidential memo and did not conduct or participate in the survey research. Consequently, Human Resources can’t speak to the detail specifics presented but will make a few general points on the bigger picture topics of employees’ perception of equity, external equity, internal equity, and the Classification & Compensation Study. Regardless, Human Resources fully supports external equity and internal equity for the employees of the Legal Department and all County departments.

The comments below are made more from a global or corporate perspective and should not be taken to relate solely or specifically to the Legal Department:

There are many factors, other than compensation, that can strongly influence an employee's perception of equity. Research shows that workers often rank job security, working conditions, advancement opportunities, management appreciation, relations with co-workers, and flexibility of work hours or job assignments ahead of pay.

Generally the focus on external equity enables an organization to develop compensation structures and programs that are competitive with other companies in appropriate labor markets. External equity exists when an employer pays a wage rate commensurate with the wages prevailing in appropriate (i.e. organization size, industry, geographical, etc.) external labor markets.

For example, large organizations tend to pay more, sometimes significantly more than small organizations. It is not uncommon for private sector organizations to pay more than the public sector for comparable jobs. Assessing external equity requires measuring these labor markets. It is important to define the appropriate labor market(s) to assure accurate external wage comparisons. The power of a wage or salary to attract employees is often based solely on external equity considerations. The retention power of a wage or salary can be heavily influenced by external equity considerations, as well.

Internal equity exists when an employer pay wages commensurate with the relative internal value of each job. Focusing only on external equity may detract from important internal equity considerations because individuals tend to compare their pay with that of other people within the organization.

Because external and internal equity operate independently, the wage suggested by the external labor market can differ dramatically from the wage dictated by internal equity considerations. Therefore, it is important to consider both internal equity and external equity because they both can have serious consequences for the organization.

The scope of the Classification & Compensation Study focused more on making sure jobs were competitive with the appropriate labor markets. And the scope did not include addressing specific market competitive employee wages. Therefore, the Classification & Compensation Study does not address matters of internal equity or external equity specifically as it relates to employee compensation. Buck Consultants reported that Richland County employee average salary was 83% of the survey median (a.k.a midpoint or competitive target) for the SCAC Survey Group. This means that Richland County's average pay is about 17% below the average market (competitive) pay rate reflected in the SCAC Survey Group. It is likely that the Legal Department wages would follow the average of the County. However, keep in mind this percentage (17%) is an average for Richland County, inclusive of the Legal Department, but not only the Legal Department. If private sector labor market sources are considered the wage variance for the Legal Department could be even greater than the average reported by Buck Consultants and/or funding requested by Legal.

In summary, it is a common best practice for organizations to consider a two-pronged approach to setting wage levels considering both external equity data and internal equity.

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Selecting the appropriate labor market(s) is essential to getting proper comparisons. Also, it is beneficial to note that relating to equity perception employees usually consider many other factors in addition to compensation. Finally, the findings reported by Buck Consultants show Richland County employees' actual average wages are significantly below (17%) the SCAC Survey Group median or target market rate.

Legal

Reviewed by: Brad Farrar

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald

Date: 9/21/12

Recommend Council approval as outlined in the comments below.

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: I concur with the HR Director's position that it is desirable to have the Legal Department's salaries established at a level that is both internally and externally equitable. The following factors, however, should be considered before rendering a decision on this request:

- This request was made previously during the FY 13 budget adoption process, and while the Council approved the addition of a new Staff Attorney position for the Legal Department, at a salary of \$65,000, and additional training funds in the amount of \$15,970, the Council elected to refer the salary increases for the Legal Department staff to the Classification & Compensation Study rather than funding the requested increases independent of that Study.
- As a result of the Classification & Compensation Study, County employees, including the Legal Department staff, received a 4 percent increase as part of the Phase I implementation.
- Phase II of the Classification & Compensation Study will be incorporated into the FY 14 budget.

Considering the above factors, it is recommended that the Legal Department salaries be adjusted as part of Phase II of the Classification & Compensation Study as opposed to addressing the salary issue independent of the Study. There are two primary reasons for this recommendation:

- If addressed as part of the Classification & Compensation Study, the Legal Department's salaries would be addressed consistent with the salaries of all other County departments.

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- To address the Legal Department salaries independent of the Study may render results that are not consistent with the Study results.

To conclude, I would recommend that the fringe benefits request of 18.25 percent, or \$11,830, be approved, but that the individual salary increases be addressed in Phase II of the Classification & Compensation Study.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$75,177.89 OF GENERAL FUND UNDESIGNATED FUND BALANCE TO THE LEGAL DEPARTMENT FOR SALARY ADJUSTMENTS.

Items Pending Analysis

Subject

a. Changes to Employee Handbook-Promotion Probation (Council, September 2012)

Reviews