



Administration and Finance Committee

Joyce Dickerson	Paul Livingston	Greg Pearce (Chair)	Jim Manning	Kelvin Washington
District 2	District 4	District 6	District 8	District 10

March 22, 2016 - 6:00 PM

2020 Hampton Street

Call to Order

Approval of Minutes

- 1 Regular Session: February 22, 2016 [PAGES 4-10]

Approval of Agenda

Items for Action

- 2 Council Motion Regarding the Utilization of a Special Tax District [PAGES 11-20]
- 3 Council Motion Regarding Outside Agencies using a Fiscal Agent when Receiving Hospitality Grant Funds [PAGES 21-24]
- 4 Council Motion Regarding the Allocation of Funding to Organizations for

- Multiple Years [PAGES 25-29]
- 5 Department of Natural Resources – Letter of Support [PAGES 30-35]
 - 6 Conservation Department: Transfer of Grant Funds [PAGES 36-39]
 - 7 Bus Shelter Easement Request [PAGES 40-47]
 - 8 Motion to Consider Allocating Additional Funding to the Board of Voter Registration & Elections [PAGE 48]
 - 9 Conservation Department: Purchase of Parcel [Executive Session] [PAGE 49]
 - 10 Council Motion Regarding the Human Resource Director reporting to the County Administrator [PAGES 50-54]
 - 11 Council Motion Regarding Adherence to County Policies [Executive Session] [PAGE 55]

Items Pending Analysis: No Action Required

- 12 Finance Department: Departments Projected to be over budget for FY16 [PAGE 56]
- 13 Changes to Policy on Requiring Employees to Sign Documents [PAGE 57]
- 14 Council Motion to Expand Staff Recruitment Efforts [PAGE 58]
- 15 Council Motion Regarding Hospitality Tax Revenue [PAGE 59]

Adjournment



Special Accommodations and Interpreter Services Citizens may be present during any of the County's meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.

RICHLAND COUNTY COUNCIL SOUTH CAROLINA

ADMINISTRATION & FINANCE COMMITTEE

February 23, 2016
6:00 PM
County Council Chambers

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

CALL TO ORDER

Mr. Pearce called the meeting to order at approximately 6:01 PM

ELECTION OF CHAIR

Ms. Dickerson moved, seconded by Mr. Livingston, to nominate Mr. Pearce for the position of Chair.

Ms. Dickerson moved, seconded by Mr. Livingston, to close the floor to nominations. The vote in favor was unanimous.

Mr. Pearce was unanimously elected Chair.

APPROVAL OF MINUTES

Regular Session: January 12, 2016 – Ms. Dickerson moved, seconded by Mr. Livingston, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

The agenda was adopted unanimously.

ITEMS FOR ACTION

Board of Voter Registration & Elections Budget Amendment – Mr. McDonald stated this item is a request from the Voter Registration and Elections' Director.

Mr. Selph and his staff began having discussions with the Administrator and the Finance Director at the end of the calendar year about an anticipated need for additional funding because of the number of upcoming elections. Mr. Driggers and Mr. McDonald discussed with Mr. Selph reassessing the budget after the first of the year.

At the February 16th Council meeting Mr. Washington made a motion to fund Voter Registration and Elections at an additional \$1.2 million, which is the amount originally requested from the Director. However, an alternative funding plan has been proposed



Council Members Present

Greg Pearce, Chair
District Six

Joyce Dickerson
District Two

Paul Livingston
District Four

Jim Manning
District Eight

Kelvin E. Washington, Sr.
District Ten

Others Present:

Bill Malinowski
Norman Jackson
Torrey Rush
Tony McDonald
Kevin Bronson
Warren Harley
Brandon Madden
Michelle Onley
Larry Smith
Roxanne Ancheta
Daniel Driggers
Monique McDaniels
Kim Roberts
Dwight Hanna
Brad Farrar
Ronaldo Myers
Chad Fosnight
Cathy Rawls
Hayden Davis
Bill Peters
Janelle Ellis
Lillian McBride
Samuel Selph
John Hixon
Chris Eversmann

Administration & Finance Committee

Tuesday, February 23, 2016

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for the committee's consideration, as follows: to utilize funding reimbursed to the County for individual elections (i.e. City of Columbia, State, and Presidential Preference), which would avoid the use of Fund Balance.

Mr. Rush inquired about the typical reimbursement process.

Mr. McDonald stated an amount is budgeted that is expected to fund the office for a year. Within the budget there are reimbursements that are scheduled to come to the department. The reimbursements typically are put into the General Fund revenue stream because the operations of the department have been funded.

Mr. Rush inquired what is different this year than in other years that have caused this overrun in the budget.

Mr. McDonald stated it is due to the additional elections occurring this year. (i.e. Presidential Preference).

Mr. Rush inquired if a trend comparison was conducted to determine if there were cost overruns in previous years as well.

Mr. McDonald stated the current funding level for the office goes back 2 to 3 years when State legislation merged the offices. The legislation has since been deemed unconstitutional and repealed, but in the legislation there was a formula for funding the merged office. The formula took the average of Greenville and Charleston over a 2-year period to set the level of funding for Richland County.

Mr. Rush inquired if the amount of funds they have today is more than it would have been in similar times.

Mr. McDonald stated he does not believe the amount of funding has ever exceeded the current budget.

Mr. Pearce inquired when the formula was applied to the merged offices, if the majority of the funding went toward salaries and not operations.

Mr. McDonald stated it set the budget for the entire operations, but a large part of it went toward salaries.

Mr. Washington inquired if the ROA and his motion were very similar.

Mr. McDonald replied in the affirmative.

Mr. Washington stated his motion was for \$1,207,274 minus the reimbursements to cover the costs of motherboard batteries, repairing voting equipment, purchase of phones for call center, purchase of 4 printers, Machine Technician I, and legal fees. He inquired if these items were on the ROA submitted by the Elections Director.

Mr. Selph stated most of those items were on the original ROA, but as the situation progressed and the department saw they were coming up short in some of the categories and expenses were added.

Mr. Selph stated his department is required to put out enough machines and have enough poll workers to carry out the election as if everybody on Richland County rolls is coming out to vote. There are 263,000 in Richland County and when Richland County's budget is compared to comparable counties the budget is \$750,000 - \$800,000 short. To run the City of Columbia, Blythewood, Irmo, Arcadia and the Democrat and Republican Presidential Preference elections they were given a budget of \$160,481 for poll workers' salaries. The motherboard batteries necessary for the machines are \$95.00 each.

Mr. Washington inquired about the sources of revenue for the department, besides reimbursements.

Mr. Selph responded the majority of the funding comes from reimbursements.

Mr. Washington further inquired if they have to prepare for 263,000 even if 263,000 voters are not anticipated to vote during the election.

Mr. Selph responded in the affirmative.

Mr. Selph stated the machines are provided by the State of South Carolina and must be serviced by the manufacturer at a cost of \$106,000 per year.

The reimbursements are as follows: City of Columbia - \$147,460; Town of Irmo - \$4,313; Town of Blythewood - \$1,348.

Mr. Livingston moved, seconded by Mr. Manning, to forward this item to Council without a recommendation.

Mr. Livingston stated he wants to be clear on the exact dollar amount of the reimbursements, any possible unspent funding that could be utilized, and a copy of the current budget.

Mr. Selph stated the State will reimburse the County approximately \$185,000 for the each Presidential Preference Primary, which Elections budgeted \$360,000 for.

Mr. Malinowski inquired what the current budget is for the department.

Mr. McDonald stated it is approximately \$1.2 million.

Mr. Malinowski inquired of Mr. Smith what State law dictates regarding reimbursement to the County Elections Commission from municipalities.

Mr. Smith stated he is not aware of a specific statute that sets out what items are reimbursable. The agreements are negotiated between the Election Commission and the municipalities.

Mr. Selph stated he has contracts with the municipalities, but the contracts do not have dollar amounts listed since the municipality pays per cost. The cost does not include the salaries for Elections/Voter Registration staff.

Mr. Driggers stated he could meet with Mr. Selph to determine the true cost for the elections.

Mr. Selph stated the department has not been fully funded and not appropriated the amount they request during the budget process.

Mr. Washington inquired if Mr. Selph worked with Administration on the recommended proposal and will the funding cover the hard costs.

Mr. Selph stated the proposal will not adequately cover the costs.

Mr. Washington made a substitute motion to fund the office at \$1,207,274 minus any reimbursements. The motion died for lack of a second.

Mr. Manning stated he agrees the true costs of the elections need to be charged to the municipalities. He also inquired why we do not know how much the Statement reimbursement will be.

Mr. Selph stated the State has a formula. In addition, the costs fluctuate.

Mr. Manning requested a copy of the formula and why it is nebulous as it is. Since this seems like an unfunded mandate, the State should inform the County how much they are going to give the County for the Presidential Preference Primary. Then Elections could figure out how to conduct the election for that amount.

Mr. Selph stated the City of Columbia reimburses the County for the amount invoiced.

The vote in favor vor.

Finance Department: Departments Projected to be over budget for FY16 – Mr. Dickerson moved, seconded by Mr. Washington, to defer this item. The vote was in favor.

Dawson Pond [Executive Session] – Ms. Dickerson moved, seconded by Mr. Washington, to forward to Council without a recommendation. The vote was in favor.

Approve The Dock Donation Form EZ Dock, Inc. For Use At the Richland County Rowing Center – Mr. Manning moved, seconded by Mr. Washington, to forward to Council with a recommendation to accept the generous donation of supplying and installing a floating dock at the Richland County Rowing Center allowing the facility to have access to the waterfront, permitting Columbia Rowing Club to host events, and to allow EZ Dock, Inc. to proceed with the permitting and installation process.

Mr. Washington inquired if there were any restrictions on the donation.

Mr. Madden responded he was not aware of any restrictions, but would consult with Mr. Hixon to insure that is correct before Council approval.

Mr. Malinowski inquired if there was any insurance on the property damaged and/or lost, if not, is this something that could be reimbursed by FEMA.

Mr. Hixon will follow-up with Mr. Malinowski prior to Council approval.

The vote was in favor.

Mr. Washington moved, seconded by Mr. Manning, to reconsider this item. The vote in favor was unanimous.

Mr. Washington moved, seconded by Mr. Manning, to add a hold harmless clause to this item. The vote in favor was unanimous.

Changes to Policy on Requiring Employees to Sign Documents – Ms. Dickerson moved, seconded by Mr. Washington, to defer this item to allow the Administrator to work out a suitable recommendation with the Council members that brought this matter forward. The vote was in favor.

Professional Services/Airport Work Authorization 6, Amendment 1 – Mr. Eversmann stated this item is for the construction inspection, the surveying, the geotechnical testing and other professional services needed to go on concurrent with construction.

Mr. Manning moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to approve the request to authorize executing Work Authorization 6, Amendment 1 for the professional services described herein and further described in detail in the enclosure to this document. This will permit the enhancement airport safety and compliance with FAA-recommended design standards and the completion of an underway project. The vote in favor was unanimous.

Coroner's Facility Change Order #1 – Mr. Fosnight stated this item is a reallocation of funding from the project contingency into the general contractor's contract. The \$53,870 will be deducted from the project contingency and moved into the contractor's contract.

Mr. Washington moved, seconded by Mr. Manning, to forward to Council with a recommendation to approve the request to reallocate contingency funds to Solid Structure's contract which will allow the required changes to move forward.

Mr. Malinowski inquired if there was a contingency in the original funding.

Mr. Fosnight stated there was a contingency in the project, but there was not a contingency set up in the contractor's contract. Staff is not able to transfer money from the overall project into the contractor's contract.

Mr. Malinowski inquired about the need for the 4 flagpoles.

Mr. Fosnight stated there will be US Flag, the State Flag, the County Flag, and Children's Flag.

Ms. Dickerson made a substitute motion to erect 1 flagpole.

Mr. Manning inquired about how many flagpoles were at other County facilities.

Mr. Fosnight stated there is 1 flagpole slated for the Decker Center. There are 3 flagpoles at the Hamilton-Owens Airport.

Mr. Manning made a substitute motion, seconded by Mr. Pearce, to approve the placement of 3 flagpoles at the Coroner's Facility. The motion failed.

The committee recessed at approximately 7:01 p.m. and reconvened at approximately 7:27 p.m.

Ms. Dickerson moved, seconded by Mr. Washington, to forward this item to Council without a recommendation. The vote was in favor.

Purchase of Property Insurance: Property Insurance Broker One Year Renewal – Mr. Manning moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to approve the purchase of property insurance for FY17 with Arthur J. Gallagher Risk Management serving as the insurance broker through Travelers Indemnity Company. The vote in favor was unanimous.

Renewal of the Liability Claims Administrator – Ms. Dickerson moved, seconded by Mr. Manning, to forward to Council with a recommendation to approve a one year extension to Hewitt Coleman as the County's liability claims administrator. The vote in favor was unanimous.

Sponsorship Request: 2016 Army Ball and the Official 100th Anniversary Kick-Off event – Mr. Malinowski pointed out the request was originated with a request from constituent, Bill Dukes. While Mr. Dukes does a

wonderful things for military personnel; however, if every constituent were to make requests Council would be inundated with them.

Ms. Dickerson inquired if all of the funds were spent out of the Hospitality Tax Fund.

Mr. Malinowski inquired if this item is properly before the committee.

Mr. Pearce requested Mr. McDonald to address Mr. Malinowski's question.

Mr. McDonald stated he is not sure of the timeline of this item being placed on the agenda, but it is staff's recommendation not to approve the item due to there being no funds left in the Hospitality Tax Fund.

Mr. Pearce requested the Parliamentarian to advise the Chair if this item is properly before the committee.

Mr. Smith stated items can be placed on the agenda by: (1) Referred from Regular Council via a motion to the appropriate committee; or (2) In exceptional circumstances, where the Chairman believes an item is time sensitive the item can be added to the agenda.

Mr. Smith read into the record Council's rule regarding this matter: "In exceptional circumstances, time-sensitive items received after the deadline may be added to a committee's agenda at the discretion of the committee's Chairperson, provided the addition is made before agendas are printed and distributed."

Mr. Manning moved, seconded by Ms. Dickerson, to forward to Council with a recommend to deny the request.

Ms. Dickerson requested that all information be shared with committee members prior to the meeting.

The vote in favor was unanimous.

One Year Extension of the City of Columbia-Richland Communication Center Agreement – Mr. McDonald stated the reason this agreement is only being renewed for a year is there have been discussions/suggestions for improvements and changes. After discussions with Emergency Services, the Sheriff's Department, as well as, the City it was concluded to renew the agreement for one year. This will allow time to evaluate the suggestions and bring back a more definitive recommendation.

Mr. Manning moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to approve the request to extend the CRC 911 IGA for one year. If approved, the extension will be effective July 1, 2016 and will expire on June 30, 2017.

Mr. Malinowski requested dates be included on signed documents. He also inquired as to why the Town of Irmo is not included in list of cities/municipalities that can utilize this system.

Mr. McDonald stated the Town of Irmo and City of Forest Acres have their own 911 service.

Mr. Manning inquired how long the current agreement has been in place.

Mr. McDonald stated this is the second one-year extension on a five-year agreement.

The vote was in favor.

ITEMS PENDING ANALYSIS: NO ACTION REQUIRED

Motion to Limit the Use of Fiscal Agents – This item was held in committee.

Motion to Expand Staff Recruitment Efforts – This item was held in committee.

Motion Regarding the State's Restrictions on How Hospitality Tax Revenue Can Be Used – This item was held in committee.

Motion Regarding Organizations Receiving One-Time Funding – This item was held in committee.

ADJOURNMENT

The meeting adjourned at approximately 7:48 PM.

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council

Richland County Council Request of Action

Subject:

Council Motion Regarding the Utilization of a Special Tax District

Richland County Council Request of Action

Subject: Council Motion Regarding the Utilization of a Special Tax District

A. Purpose

County Council is requested to consider a Council motion regarding the utilization of a "Special Purpose Tax District" for the purposes of providing funding for the repair and replacement of privately owned dams in Richland County

B. Background / Discussion

At the March 1, 2016 Council meeting, Council member Jackson brought forth the following motion:

“I move that the concept of utilizing a "Special Purpose Tax District" for the purposes of providing funding for the repair and replacement of privately owned dams in Richland County be presented to the full County Council for consideration. Further, that the Chair of Council determine how this information can best be presented to the full body”

Pursuant to Section 4-9-30 (see attached) of the South Carolina Code of Laws, the County has the ability to utilize a special purpose tax district; however, prior to the creation of a special tax district one of the following procedures is required:

1. When fifteen percent of the electors in a proposed special tax district sign and present to the county council a petition requesting the creation of a special tax district, an election must be held in which a majority of the electors in that area voting in the election shall approve the creation of the special tax district, the nature of the services to be rendered and the maximum level of taxes or user service charges, or both, authorized to be levied and collected. The petition must contain a description of the proposed special tax district, the elector's signature and address. If the county council finds that the petition has been signed by fifteen percent or more of the electors resident within the area of the proposed special tax district, it may certify that fact to the county election commission. Upon receipt of a written resolution certifying that the petition meets the requirements of this section, the county election commission shall order an election to be held within the area of the proposed special tax district. The election ordered pursuant to this section is a special election and must be held, regulated, and conducted with the provisions prescribed by Chapters 13 and 17 of Title 7, except as otherwise provided in this section. The county election commission shall give at least thirty days' notice in a newspaper of general circulation within the proposed special tax district. The county election commission shall certify the result of the election to the county council and county council by written resolution shall publish the result of the election.

2. When a petition is submitted to the county council signed by seventy-five percent or more of the resident freeholders who own at least seventy-five percent of the assessed valuation of real property in the proposed special tax district, the county council upon certification of the petition may pass an ordinance establishing the special tax district. For the purposes of this item, "freeholder" has the same meaning as defined in Section 5-3-240. The petition must contain a designation of the boundaries of the proposed special tax district, the nature of the

services to be rendered, and the maximum level of the taxes or user service charges, or both, authorized to be levied and collected.

3. When the area of the proposed special tax district consists of the entire unincorporated area of the county, county council may pass an ordinance establishing a special tax district. For the purposes of this item "unincorporated area" means the area not included within the corporate boundaries of a municipal corporation created pursuant to Chapter 1 of Title 5 or within a special purpose district created before March 7, 1973, to which has been committed the governmental service which the county council intends to provide through the proposed special taxing district unless the special purpose district has been dormant for five years or more. If, however, the same service intended to be rendered by the special taxing district is being rendered or is intended to be rendered within any portion of the territory of the special purpose district, then no such service may be rendered by the special taxing district without consent of the governing body of the special purpose district.

Utilizing a special purpose tax district will require the collaboration of many County Departments (e.g., Assessor, GIS, Finance, Legal, Elections).

At this time, the Committee may consider approving the concept of utilizing a special purpose tax district, and allow staff to bring back information on the manner in which this concept can be implemented (e.g., estimated cost, processes) to Council for consideration.

Councilmember Pearce will provide additional information regarding this motion at the Committee meeting.

C. Legislative / Chronological History

- o March 1, 2016 – Motion made by Council member Pearce

D. Financial Impact

There are no direct financial costs associated with the approval of the concept of utilizing a special purpose tax district.

E. Alternatives

1. Consider the motion and proceed accordingly.
2. Consider the motion and do not proceed accordingly.

F. Recommendation

This is a policy decision for Council.

Recommended by: Greg Pearce

Department: Council District 6

Date: 3/9/16

G. Reviews

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

Finance

Reviewed by: Daniel Driggers

Date: 3/9/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

As stated in the ROA, the request is a policy decision for Council.

Legal

Reviewed by: Brad Farrar

Date: 3/10/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision of Council. Special tax districts are permitted pursuant to S.C.Code Ann. Subsection 4-9-30(5).

Administration

Reviewed by: Tony McDonald

Date: 3/18/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval of the concept, with any specific application of the concept to be determined by the Council on a case by case basis.

SC Code of Laws re: Special Purpose Tax District

SECTION 4-9-30. Designation of powers under each alternative form of government except board of commissioners form.

Under each of the alternate forms of government listed in Section 4-9-20, except the board of commissioners form provided for in Article 11, each county government within the authority granted by the Constitution and subject to the general law of this State shall have the following enumerated powers which shall be exercised by the respective governing bodies thereof:

(1) to adopt, use and revise a corporate seal;

(2) to acquire real property by purchase or gift; to lease, sell or otherwise dispose of real and personal property; and to acquire tangible personal property and supplies;

(3) to make and execute contracts;

(4) to exercise powers of eminent domain for county purposes except where the land concerned is devoted to a public use; provided, however, the property of corporations not for profit organized under the provisions of Chapter 35 of Title 33 shall not be subject to condemnation unless the county in which their service area is located intends to make comparable water service available in such service area and such condemnation is for that purpose. After any such condemnation, the county shall assume all obligations of the corporation related to the property and the facilities thereon which were condemned;

(5)(a) to assess property and levy ad valorem property taxes and uniform service charges, including the power to tax different areas at different rates related to the nature and level of governmental services provided and make appropriations for functions and operations of the county, including, but not limited to, appropriations for general public works, including roads, drainage, street lighting, and other public works; water treatment and distribution; sewage collection and treatment; courts and criminal justice administration; correctional institutions; public health; social services; transportation; planning; economic development; recreation; public safety, including police and fire protection, disaster preparedness, regulatory code enforcement; hospital and medical care; sanitation, including solid waste collection and disposal; elections; libraries; and to provide for the regulation and enforcement of the above. However, prior to the creation of a special tax district for the purposes enumerated in this item, one of the following procedures is required:

(i) When fifteen percent of the electors in a proposed special tax district sign and present to the county council a petition requesting the creation of a special tax district, an election must be held in which a majority of the electors in that area voting in the election shall approve the creation of the special tax district, the nature of the services to be rendered and the maximum level of taxes or user service charges, or both, authorized to be levied and collected. The petition must contain a description of the proposed special tax district, the elector's signature and address. If the county council finds that the petition has been signed by fifteen percent or more of the electors resident within the area of the proposed special tax district, it may certify that fact to the county election commission. Upon receipt of a written resolution certifying that the petition meets the requirements of this section, the county election commission shall order an election to be held within the area of

the proposed special tax district. The election ordered pursuant to this section is a special election and must be held, regulated, and conducted with the provisions prescribed by Chapters 13 and 17 of Title 7, except as otherwise provided in this section. The county election commission shall give at least thirty days' notice in a newspaper of general circulation within the proposed special tax district. The county election commission shall certify the result of the election to the county council and county council by written resolution shall publish the result of the election.

(ii) When a petition is submitted to the county council signed by seventy-five percent or more of the resident freeholders who own at least seventy-five percent of the assessed valuation of real property in the proposed special tax district, the county council upon certification of the petition may pass an ordinance establishing the special tax district. For the purposes of this item, "freeholder" has the same meaning as defined in Section 5-3-240. The petition must contain a designation of the boundaries of the proposed special tax district, the nature of the services to be rendered, and the maximum level of the taxes or user service charges, or both, authorized to be levied and collected.

(iii) When the area of the proposed special tax district consists of the entire unincorporated area of the county, county council may pass an ordinance establishing a special tax district. For the purposes of this item "unincorporated area" means the area not included within the corporate boundaries of a municipal corporation created pursuant to Chapter 1 of Title 5 or within a special purpose district created before March 7, 1973, to which has been committed the governmental service which the county council intends to provide through the proposed special taxing district unless the special purpose district has been dormant for five years or more. If, however, the same service intended to be rendered by the special taxing district is being rendered or is intended to be rendered within any portion of the territory of the special purpose district, then no such service may be rendered by the special taxing district without consent of the governing body of the special purpose district.

(b) In the ordinance establishing the special tax district, county council shall provide for the operation of the special tax district. The special tax district may be operated as an administrative division of the county, or county council may appoint a commission consisting of three to five members and provide for their terms of office.

(c) Notwithstanding any provision to the contrary, the county council shall not finance any service not being rendered by the county on March 7, 1973, by a countywide tax where the service is being provided by any municipality within that municipality or where the service has been budgeted or funds have been applied for as certified by the municipal governing body, except upon concurrence of the municipal governing body. For purposes of this subitem, "municipality" means a municipal corporation created pursuant to Chapter 1 of Title 5.

(d) Before the issuance of any general obligation bonds to provide a service in a special tax district and the levy of a tax to retire the bonds at rates different from those levied in the remainder of the county related to the nature and level of government services to be provided in the special tax district, the county council shall first approve the issuance of the general obligation bonds and the levy of the tax to retire the bonds by ordinance.

(e) County council may by ordinance diminish boundaries of or abolish a special tax district. It must first conduct a public hearing. Notice of the hearing must be given two weeks before it in a newspaper of general circulation in the tax district.

(f) After a special tax district is created, pursuant to the provisions of this item, the governing body of the county may, by ordinance, provide that the uniform service charge be collected on an annual, semiannual, quarterly, or monthly basis. The governing body by ordinance also may provide for monthly delinquency penalty charges by special tax notices.

(g) Any special taxing district created prior to the effective date of this act pursuant to this subsection, the creation of which would have been valid but for any inconsistency in or constitutional infirmity of this subsection as codified at the time of such creation, is hereby created and declared to be valid, and its existence is confirmed as of the date of its prior creation; provided, however, that any such special taxing district shall be subject to all provisions of this subsection as provided for in this act, including without limitation item (e).

(h) The creation of a street lighting system within a county may not disrupt the assignment of electric service rights by the Public Service Commission. The special tax district may not treat the street lighting system as one premises for the purchase of electric energy. Those lighting structures located in an area assigned by the South Carolina Public Service Commission to an electric supplier pursuant to Section 58-27-640, et seq., must be served by the designated electric supplier unless it consents to service by another supplier. Those light structures located in an unassigned area must be considered a single premises and may be served by an electric supplier pursuant to the customer choice provisions of Section 58-27-620 or by an electrical utility pursuant to the certificate of public convenience and necessity provisions of Section 58-27-1230 to serve the lighting structures planned for the unassigned areas.

After a special tax district is created pursuant to this item, the governing body of the county by ordinance may provide that the uniform service charge be collected on an annual, semiannual, quarterly, or monthly basis.

(6) to establish such agencies, departments, boards, commissions and positions in the county as may be necessary and proper to provide services of local concern for public purposes, to prescribe the functions thereof and to regulate, modify, merge or abolish any such agencies, departments, boards, commissions and positions, except as otherwise provided for in this title. Any county governing body may by ordinance abolish a rural or other county police system established pursuant to Chapter 6 of Title 53 [of the Code of Laws, 1962] and devolve the powers and duties of the system upon the county sheriff; provided, however, that such an ordinance shall not become effective until the registered electors of the county shall first approve the ordinance by referendum called by the governing body;

(7) to develop personnel system policies and procedures for county employees by which all county employees are regulated except those elected directly by the people, and to be responsible for the employment and discharge of county personnel in those county departments in which the employment authority is vested in the county government. This employment and discharge authority does not extend to any personnel employed in departments or agencies under the direction of an elected official or an official appointed by an authority outside county government. Any employee discharged shall follow the grievance procedures as established by county council in those counties where the grievance procedures are operative, retaining all appellate rights provided for in the procedures. In those counties where a grievance procedure is not established, a county employee discharged by the chief administrative officer or designated department head must be

granted a public hearing before the entire county council if he submits a request in writing to the clerk of the county council within five days of receipt of notice of discharge. The hearing must be held within fifteen days of receipt of the request. The employee must be relieved of his duties pending the hearing and if a majority of the county council sustains the discharge, it is final subject to judicial review, but if a majority of the county council reverses the dismissal, the employee must be reinstated and paid a salary for the time he was suspended from his employment.

The salary of those officials elected by the people may be increased but may not be reduced during the terms for which they are elected, except that salaries for members of council and supervisors under the council-supervisor form of government must be set as provided in this chapter;

(8) to provide for an accounting and reporting system whereby funds are received, safely kept, allocated and disbursed;

(9) to provide for land use and promulgate regulations pursuant thereto subject to the provisions of Chapter 7 of Title 6;

(10) to establish and implement policies and procedures for the issuance of revenue and general obligation bonds subject to the bonded debt limitation;

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

(12) to levy uniform license taxes upon persons and businesses engaged in or intending to engage in a business, occupation, or profession, in whole or in part, within the county but outside the corporate limits of a municipality except those persons who are engaged in the profession of teaching or who are ministers of the gospel and rabbis, except persons and businesses acting in the capacity of telephone, telegraph, gas and electric utilities, suppliers, or other utility regulated by the Public Service Commission and except an entity which is exempt from license tax under another law or a subsidiary or affiliate of any such exempt entity. No county license fee or tax may be levied on insurance companies. The license tax must be graduated according to the gross income of the person or business taxed. A business engaged in making loans secured by real estate is subject to the license tax only if it has premises located in the county but outside the corporate limits of a municipality. If the person or business taxed pays a license tax to another county or to a municipality, the gross income for the purpose of computing the tax must be reduced by the amount of gross income taxed in the other county or municipality.

(13) to participate in multi-county projects and programs authorized by the general law and appropriate funds therefor;

(14) to enact ordinances for the implementation and enforcement of the powers granted in this section and provide penalties for violations thereof not to exceed the penalty jurisdiction of

magistrates' courts. Alleged violations of such ordinances shall be heard and disposed of in courts created by the general law including the magistrates' courts of the county. County officials are further empowered to seek and obtain compliance with ordinances and regulations issued pursuant thereto through injunctive relief in courts of competent jurisdiction. No ordinance including penalty provisions shall be enacted with regard to matters provided for by the general law, except as specifically authorized by such general law; and

(15) to undertake and carry out slum clearance and redevelopment work in areas which are predominantly slum or blighted, the preparation of such areas for reuse, and the sale or other disposition of such areas to private enterprise for private uses or to public bodies for public uses and to that end the General Assembly delegates to any county the right to exercise the power of eminent domain as to any property essential to the plan of slum clearance and redevelopment. Any county may acquire air rights or subsurface rights, both as hereinafter defined, by any means permitted by law for acquisition of real estate, including eminent domain, and may dispose of air rights and subsurface rights regardless of how or for what purpose acquired for public use by lease, mortgage, sale, or otherwise. Air rights shall mean estates, rights, and interests in the space above the surface of the ground or the surface of streets, roads, or rights-of-way including access, support, and other appurtenant rights required for the utilization thereof;

(16) to conduct advisory referenda;

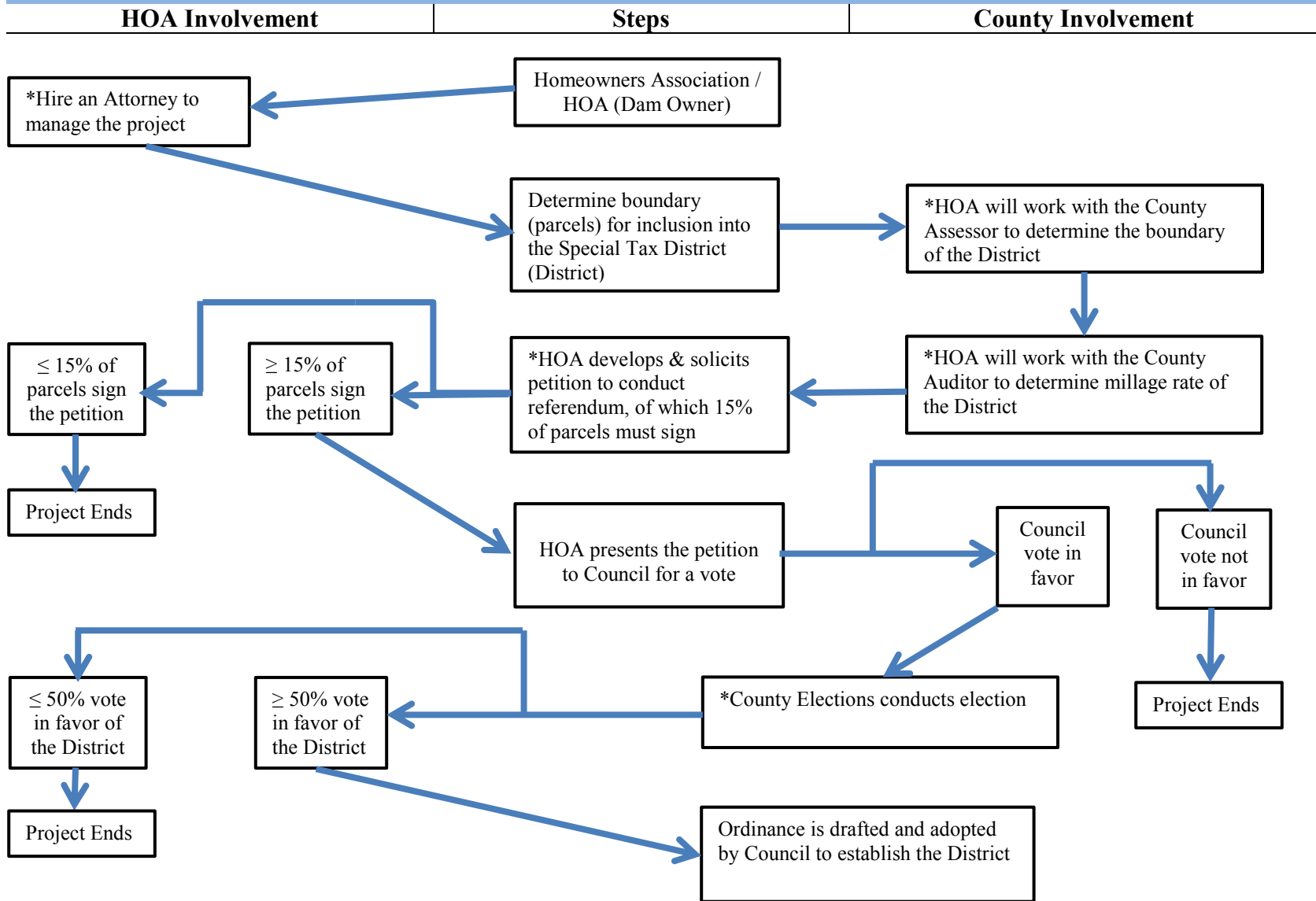
(16.1) to enact ordinances to regulate solicitation within the county by requiring permits therefor, establish criteria for issuing such permits and provide for a fine of one hundred dollars or thirty days' imprisonment for violations; and

(16.2) To obtain injunctive relief in the Court of Common Pleas to abate nuisances created by the operation of business establishments in an excessively noisy or disorderly manner which disturbs the peace in the community in which such establishments are located. Such injunctive relief shall be initiated by petition of the County Attorney in the name of the County Council not sooner than ten days following noncompliance with a written notice to the owner of the offending establishment or his agent to cease and desist in the conduct or practice which disturbs the peace and good order of the area. The provisions of this item are supplemental to Chapter 43 of Title 15.

(17) to exercise such other powers as may be authorized for counties by the general law. The governing body of any county shall not create a special tax district, other than watershed district, any portion of which falls within the corporate boundaries of a municipality, except upon the concurrence of the governing body of the municipality.

HISTORY: 1962 Code Section 14-3703; 1975 (59) 692; 1976 Act No. 601; 1976 Act No. 693; 1977 Act No. 74; 1982 Act No. 420; 1988 Act No. 312, Section 1, eff February 24, 1988; 1988 Act No. 495, Section 1, eff May 9, 1988; 1989 Act No. 176, Section 2, eff June 6, 1989; 1991 Act No. 114, Sections 1, 2, eff June 5, 1991; 1994 Act No. 405, Section 1, eff May 24, 1994; 1999 Act No. 113, Section 21, eff June 30, 1999.

Steps for Establishing Special Tax District



*Associated costs will be paid by the HOA

Richland County Council Request of Action

Subject:

Council Motion Regarding Outside Agencies using a Fiscal Agent when Receiving Hospitality Grant Funds

Richland County Council Request of Action

Subject: Council Motion Regarding Outside Agencies using a Fiscal Agent when Receiving Hospitality Grant Funds

A. Purpose

County Council is requested to consider a Council motion regarding outside agencies using a fiscal agent when receiving hospitality grant funds.

B. Background / Discussion

At the February 9, 2016 Council meeting, Council members Livingston and Malinowski brought forth the following motion:

“As a part of the eligibility requirements of outside agencies receiving funding from Richland County, regardless of the funding source (i.e., Discretionary Grant Program/General Fund, Accommodations Tax & Hospitality Tax), organizations must provide the following:

1. Current organizational line item operating budget reflecting sources and amounts of income and expenditures for the organization as a whole, not just the program or project being supported by County funds
2. IRS determination letter indicating the organization’s 501 c 3 charitable status
3. Proof of current registration as a charity with the SC Secretary of State’s Office
4. Current list of board of directors
5. Most recent 990 tax return

In addition to the abovementioned requirements, the eligibility requirements of outside agencies receiving funding from Richland County through the Hospitality Tax must be met:

1. Applicant organizations must have been in existence for at least one (1) year prior to requesting funds
2. Primary goal is to attract additional visitors through tourism promotion
3. Agencies cannot be an individual, fraternal organization, religious organization, or an organization that supports and/or endorses political campaigns
4. All funds must be spent on direct program expenditures by the organization that is granted the allocation

Given this information, I move that beginning in FY18 all organizations that use a fiscal agent to administer grant funded projects through the Hospitality Tax grant program can only do so for one fiscal year, after which they must have a 501(c)(3) tax exempt status to receive future Hospitality Tax grant funds from the County.”

In FY16, four (4) organizations received Hospitality tax dollars using a fiscal agent to administer the funds:

- SC Pro Am (Richland County Recreation Commission) - \$19,728
- Northeast Community Festivals (SC Uplift) - \$25,454

- Bluegrass, Blues & Barbeque Festival (Fiscal Agent TBD) - \$30,815
- Pinewood Lakes Foundation / Wet and Wild Family Fun Fest (Richland County Recreation Foundation) - \$15,454,54

C. Legislative / Chronological History

- February 9, 2016 – Motion made by Council members Livingston and Malinowski

D. Financial Impact

There is no financial impact associated with this request.

E. Alternatives

1. Consider the motion and proceed accordingly.
2. Consider the motion and do not proceed accordingly.

F. Recommendation

This is a policy decision for Council.

Recommended by: Paul Livingston and Bill Malinowski

Department: Council District(s) 4 and 1

Date: 2/9/16

G. Reviews

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

Finance

Reviewed by: Daniel Driggers

Date: 3/4/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

This is a policy decision for Council however the recommendation supports the concept of reducing the organizational recurring dependency on County Hospitality Tax funds.

Grants

Reviewed by: Natashia Dozier

Date: 3/7/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Brad Farrar

Date: 3/7/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision of Council.

Administration

Reviewed by: Roxanne Ancheta

Date: March 7, 2016

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: While this is a policy decision for Council, it is recommended that Council approve this item so as to provide greater clarification regarding which agencies are the true recipients of County funds, which will ensure greater accountability and oversight.

Richland County Council Request of Action

Subject:

Council Motion Regarding the Allocation of Funding to Organizations for Multiple Years

Richland County Council Request of Action

Subject: Council Motion Regarding the Allocation of Funding to Organizations for Multiple Years

A. Purpose

County Council is requested to consider a Council motion regarding allocating funding to organizations that initially received one-time funding but have been receiving it for multiple years.

B. Background / Discussion

At the February 9, 2016 Council meeting, Council member Malinowski brought forth the following motion:

“Prior to budget meetings, Council needs to decide if they will not provide funding to organizations that initially received one-time funding but have been receiving it for multiple years”

Below is a list of the 10 year funding history for agencies that may have initially received one-time funding but have been receiving it for multiple years. Typically, these organizations are funded out the County’s General Fund via Contractual & Statutory (C&S) funds.

C. Legislative / Chronological History

- May 21, 2015 – Funding of C&S agencies were discussed as a Council Retreat Directive for the Community Relations Strategic Plan at the Budget Ad Hoc Committee meeting. However, no actions were taken on this item.

- February 9, 2016 – Motion made by Council member Malinowski

D. Financial Impact

The financial impact of this request is contingent upon Council action on this motion. Not providing funding to organizations that initially received one-time funding but have been receiving it for multiple years may result in additional funds available to the County for general fund purposes prior to the County’s budget work sessions.

E. Alternatives

1. Consider the motion and proceed accordingly.

2. Consider the motion and do not proceed accordingly.

F. Recommendation

This is a policy decision for Council.

Recommended by: Bill Malinowski

Department: Council District 1

Date: 2/9/16

G. Reviews

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

Finance

Reviewed by: Daniel Driggers

Date: 3/4/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

The recommendation supports a decision on a funding strategy being considered prior to the budget work sessions. Developing and implementing strategies early can improve the budget process and provide more anticipated outcomes.

Legal

Reviewed by: Brad Farrar

Date: 3/7/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision of Council.

Administration

Reviewed by: Roxanne Ancheta

Date: March 7, 2016

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: It is recommended that Council provide specific direction to staff regarding funding for outside (a.k.a. Contractual and Statutory – C&S) agencies. This will assist staff tremendously in the development of the FY 17 budget.

10 Year Funding History for General Fund CS Agencies

Organization Name	FY07	FY08	FY09	FY10	FY11	FY12	FY 13	FY14	FY15	Budget FY16	Total	Comments
<u>Contract/Mandated</u>												
Business Improvement District - City of Columbia	\$0.00	\$0.00	\$50,000.00	\$47,500.00	\$47,500.00	\$47,500.00	\$47,500.00	\$47,500.00	\$47,500.00	\$47,500.00	\$432,500.00	BID Agreement - City Center Partnership
Central Midlands Council of Governments	\$140,155.00	\$140,155.00	\$140,155.00	\$140,155.00	\$140,155.00	\$178,432.00	\$178,432.00	\$178,432.00	\$178,432.00	\$178,432.00	\$2,191,832.00	Annual Membership
City of Cola - Business License	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$929,127.00	
Economic Development (Central SC Alliance)	\$72,000.00	\$72,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$360,000.00	Moved to Industrial Park in FY09
LRADAC	\$650,000.00	\$600,000.00	\$600,000.00	\$600,000.00	\$600,000.00	\$600,000.00	\$600,000.00	\$600,000.00	\$600,000.00	\$600,000.00	\$8,425,000.00	Pass Through
Public Defender	\$1,237,000.00	\$1,387,000.00	\$1,387,000.00	\$1,317,650.00	\$1,317,650.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$9,857,300.00	Moved To Transfer Out
<u>Discretionary</u>												
Capital Senior Center (Sen. Isadore Lourie Center)	\$175,000.00	\$175,000.00	\$168,000.00	\$159,600.00	\$159,600.00	\$159,600.00	\$159,600.00	\$159,600.00	\$159,600.00	\$159,600.00	\$2,404,671.00	
American Red Cross	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00	
Clemson Extension	\$32,460.00	\$32,460.00	\$47,460.00	\$55,087.00	\$46,663.00	\$46,663.00	\$46,663.00	\$46,663.00	\$46,663.00	\$46,663.00	\$591,816.00	
COC - Military Affairs (Greater Columbia Chamber of Commerce)	\$4,779.00	\$4,779.00	\$4,779.00	\$4,540.00	\$4,540.00	\$4,540.00	\$4,540.00	\$4,540.00	\$4,540.00	\$4,540.00	\$65,042.00	The Chamber also receives funds for BRAC, applies annually for H-Tax funds and through work with the Good to Great Foundation.
COG - Meals to Seniors	\$31,628.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$31,628.00	
Columbia Area Mental Health	\$0.00	\$32,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$32,000.00	
Columbia COC-Good to Great	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50,000.00	\$50,000.00	\$50,000.00	\$0.00	\$0.00	\$150,000.00	Funding in FY by Council motion. FY14 amount was allocated through Council motion.
Columbia Urban League	\$49,500.00	\$50,000.00	\$50,000.00	\$47,500.00	\$47,500.00	\$47,500.00	\$47,500.00	\$50,000.00	\$50,000.00	\$50,000.00	\$698,500.00	
Communities in Schools	\$70,699.00	\$70,699.00	\$70,699.00	\$67,164.00	\$67,164.00	\$67,164.00	\$67,164.00	\$67,164.00	\$67,164.00	\$67,164.00	\$962,222.00	
Discretionary Funds (Grant Program)	\$150,000.00	\$155,000.00	\$164,000.00	\$150,000.00	\$149,995.00	\$149,996.00	\$215,000.00	\$150,000.00	\$200,000.00	\$200,000.00	\$2,333,991.00	Discretionary Grant program was increased to \$200,000 in the FY14 budget cycle.
Eau Claire Maternal Health	\$0.00	\$100,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$100,000.00	
Greater Columbia Community Relations Council	\$100,334.00	\$100,334.00	\$100,334.00	\$95,317.00	\$95,317.00	\$95,250.00	\$95,250.00	\$95,250.00	\$95,250.00	\$95,250.00	\$1,365,151.00	
Midlands Com on Homelessness	\$100,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$100,000.00	
Midlands Education & Business Alliance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$13,000.00	\$13,000.00	\$0.00	\$0.00	\$0.00	\$26,000.00	
Office of the Adjutant General	\$9,850.00	\$9,850.00	\$31,000.00	\$30,535.00	\$30,535.00	\$30,535.00	\$25,535.00	\$25,535.00	\$15,535.00	\$15,535.00	\$269,334.00	
SC Military Museum	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00	\$0.00	\$10,000.00	
Santee Wateree RTA	\$10,074.00	\$10,074.00	\$10,074.00	\$10,074.00	\$10,074.00	\$10,074.00	\$10,074.00	\$0.00	\$0.00	\$0.00	\$100,535.00	Moved to Transportation Penny
Senior Resources	\$286,694.00	\$318,322.00	\$318,322.00	\$302,406.00	\$302,406.00	\$302,406.00	\$302,406.00	\$302,406.00	\$302,406.00	\$302,406.00	\$4,859,586.00	
Sexual Trauma Services	\$51,312.00	\$51,312.00	\$51,312.00	\$48,746.00	\$48,746.00	\$48,746.00	\$48,746.00	\$48,746.00	\$48,746.00	\$48,746.00	\$577,782.00	
Sistercare	\$11,312.00	\$11,312.00	\$11,312.00	\$10,746.00	\$10,746.00	\$10,746.00	\$10,746.00	\$0.00	\$10,746.00	\$10,746.00	\$131,782.00	CDBG funds used in FY14 & 15
Total	\$3,192,797.00	\$3,320,297.00	\$3,204,447.00	\$3,087,020.00	\$3,078,591.00	\$1,862,152.00	\$1,922,156.00	\$1,825,836.00	\$1,836,582.00	\$1,524,176.00		

Richland County Council Request of Action

Subject:

Department of Natural Resources – Letter of Support

Richland County Council Request of Action

Subject: Department of Natural Resources – Letter of Support

A. Purpose

County Council is requested to provide the SC Department of Natural Resources (DNR) with a letter of support for the acquisition of approximately 131 acres in the County for the development of a public shooting range.

B. Background / Discussion

The DNR Board approved the acquisition of approximately 131 acres located at 14068 Garners Ferry Road, near Eastover, SC – see attached map.

The property is currently owned by Wateree Timber Company, LLC.

Per DNR, the site contains an operational shooting range known as the Indigo Club, which the DNR intends to renovate and open to the public. The existing site has been used as a shooting range since the 1960s.

Per DNR, they have four shooting ranges located throughout the state, but none in the Midlands and there are no public shooting facilities in the Greater Columbia area. The proposed shooting range will be open to the public Tuesday through Saturday each week. Hunting will not be allowed on the property, per DNR.

Per their property acquisition policy, DNR must obtain a letter of support from the County Council before prior to completing the project.

The property is located in Council District 10.

C. Legislative / Chronological History

- DNR held a public meeting in December 2015 for public feedback
- February 19, 2016 – letter from DNR to Richland County requesting a letter of support from County Council (see attached).

D. Financial Impact

The financial impact associated with this project pertains to the property taxes collected by the County for this property. Since the property will be purchased by a state agency, property taxes will no longer be remitted to the County.

The annual property taxes collected by the County is approximately \$2,000

E. Alternatives

1. Approve the request for a letter of support for the acquisition of approximately 131 acres in the County for the development of a public shooting range.
2. Do not approve the request for a letter of support for the acquisition of approximately 131 acres in the County for the development of a public shooting range. If this alternative is

selected, DNR may not be able to meet their April 13, 2016 deadline for the submission of all required documentation (including the letter of support from the County) to complete their property acquisition process.

F. Recommendation

It is recommended that Council provide the SC Department of Natural Resources with a letter of support for the acquisition of approximately 131 acres in the County for the development of a public shooting range.

Recommended by: Roxanne Ancheta

Department: Administration

Date: 3/7/16

G. Reviews

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

Finance

Reviewed by: Daniel Driggers

Date: 3/10/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Request for a letter of support is a policy item for Council discretion. Based on the ROA, the incremental loss of taxes is considered an immaterial impact to the County.

Assessor

Reviewed by: Liz McDonald

Date: 3/14/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Brad Farrar

Date: 3/14/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision of Council.

Administration

Reviewed by: Roxanne Ancheta

Date: March 14, 2016

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Because the incremental loss of taxes (\$2,000 annually) is considered “immaterial,” and because the site will be open to the public, it is recommended that Council provide the SC Department of Natural Resources with a letter of support for the acquisition of approximately 131 acres in the County for the development of a public shooting range.

South Carolina Department of
Natural Resources



DNR

Alvin A. Taylor
Director

Emily C. Crisp
Deputy Director for
Wildlife and Freshwater Fisheries

February 19, 2016

Tony McDonald
Richland County Administrator
County Administration Building
2020 Hampton Street, Room 4058
Columbia, South Carolina 29201

RE: DNR Property Acquisition (Richland County)

Dear Mr. McDonald:

The South Carolina Department of Natural Resources (DNR) Board has approved the acquisition of approximately 131 acres in Richland County. The property is located at 14068 Garners Ferry Road near Eastover and is delineated at Tax Map Parcel R39400-01-09. The site contains an operational shooting range known as the Indigo Club that DNR intends to renovate and open to the public. Following state guidelines, we must obtain a letter of support for the acquisition from Richland County Council before completing the project.

DNR has four shooting ranges located throughout the state, but none in the Midlands. Also, there are no public shooting facilities in the Greater Columbia area. The demand for recreational shooting opportunities in the region is high and providing a public range at this location would help satisfy this demand. Also, it would be a great asset to the State's Hunter Education Program. A public meeting about the proposed range was held in December and none of the 190 people notified by mail or almost 100 people in attendance spoke against the project. In fact, the overall sentiment was one of support for the proposal.

The existing site has been used as a shooting range since the 1960s. It contains amenities that are in compliance or can be easily adapted to meet National Rifle Association guidelines for range construction. Finding a comparable facility and installing new infrastructure would be time consuming and difficult. DNR owns land on the eastern side of the property, but it is dedicated as a heritage preserve and cannot be developed. Attached is a map of the area.

Following operating guidelines of other DNR shooting ranges, the proposed facility will be open to the public Tuesday through Saturday each week. Ranges are closed on Sundays in deference to religious services and Mondays are reserved for normal maintenance activities. Hunting will not be allowed on the property.

Tony McDonald
February 19, 2016
Page Two

I respectfully request a letter from the Council in support of the project. If you need any additional information, please contact me at 803-734-3914, or Captain Billy Downer, who oversees DNR's Hunter Education Program, at 803-609-6875.

Thank you for your consideration.

Sincerely,



Kenneth M. Prosser, Jr.
Assistant Deputy Director
Wildlife and Freshwater Fisheries

Attachment

C: Alvin Taylor, DNR
Emily Cope, DNR
Billy Downer, DNR
Jeff Boyer, DNR



DNR



South Carolina Department
of Natural Resources
1000 Assembly Street
Columbia, SC 29201



INDIGO CLUB
RICHLAND COUNTY, SC

SITE MAP

Richland County Council Request of Action

Subject:

Conservation Department: Transfer of Grant Funds

Richland County Council Request of Action

Subject: Conservation Department: Transfer of Grant Funds

A. Purpose

Richland County Conservation Commission (RCCC) requests County Council approve a transfer of \$20,000 from a grant to Gills Creek Watershed Association to a special project at Owens Field Park.

B. Background / Discussion

In FY16 RCCC awarded a \$20,000 grant to Gills Creek Watershed Association (GCWA) to develop a conceptual plan for a greenway along Wildcat Creek that would include a walking trail, best management practices, and stream restoration for the creek. The proposal would serve as a support tool for stakeholders and property owners, and as a resource for the Penny Transportation Project Development Team since Wildcat Creek is number five on the ranking list.

As members of the Greenway Advisory Committee, GCWA and staff of the RCCC have worked with Penny greenway staff this year and have come to realize that a grant-funded conceptual plan is probably a duplication of effort. The on-call engineering team will develop its own plan and we can provide input. Neighborhood opposition has already been voiced and planning for the greenway won't begin until 2018 so GCWA concluded it was not a good use of time and money to proceed with developing a plan. GCWA submitted a letter (see attached) requesting approval to relinquish the grant which RCCC took up at their February 22 meeting. A motion was approved unanimously to cancel the grant and to transfer \$20,000 to the Owens Field project.

Richland County owns the Owens Field Park property but leases the land to the City of Columbia. RCCC has been working for several years to design and fund trail and stormwater improvements at Owens Field Park. As of December a request for bids was issued jointly with the City which is also making improvements at the park. The lowest bid was more than RCCC has budgeted, hence the request to move funds from a grant project that now doesn't seem advantageous or timely to a project that is shovel ready, in need of funds, and will place stormwater best management practices in the Gills Creek watershed.

C. Legislative / Chronological History

This is a staff-initiated request; therefore, there is no legislative history.

D. Financial Impact

There is no financial impact in the RCCC budget.

E. Alternatives

1. Approve the request to transfer \$20,000 from FY16 grant funds for GCWA to Professional Services for use in funding trail and stormwater improvements at Owens Field in the Gills Creek watershed.

2. Do not approve the request to transfer funds. This will require a change in scope of work to reduce costs which will decrease the extent of the improvements and delay the project.

F. Recommendation

It is recommended that Council approve the request to transfer \$20,000 from FY16 grant funds for GCWA to Professional Services for use in funding trail and stormwater improvements at Owens Field.

Recommended by: Quinton Epps, Director

Department: Conservation

Date: March 2, 2016

G. Reviews

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

Finance

Reviewed by: Daniel Driggers

Date: 3/9/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Approval based on recommendation of Committee and Conservation Director. Funds are available in appropriated budget.

Grants

Reviewed by: Natashia Dozier

Date: 03/10/2016

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Brad Farrar

Date: 3/10/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision of Council. Ensure nothing in grant prevents transfer of funds to a different project.

Administration

Reviewed by: Warren Harley

Date: 3/10/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:



GILLS CREEK WATERSHED ASSOCIATION

712 Main St, ENS 603 Columbia, SC 29208 • 803-727-6326 • info@gillscreekwatershed.org • www.gillscreekwatershed.org

February 18, 2016

Nancy Stone-Collum
Richland County Conservation Department
2020 Hampton Street
Columbia, SC 29204

RE: RCCC Grant 2420, Wildcat Creek Greenway Master Plan, Request to Relinquish

Dear Nancy,

In July, 2015 the GCWA was awarded a Richland County Conservation Commission grant for \$20,000 to create a conceptual plan for a greenway along Wildcat Creek in Columbia, SC. In light of recent events surrounding another Penny greenway project, the GCWA would like to relinquish these grant funds.

Gills Creek Greenway Section B (Wildcat Creek Greenway) is currently listed as the fifth greenway project to be funded by the Penny Sales Tax with design work slated to begin in 2018. Currently, the Penny Development Team and the Gills Creek Watershed Association are finalizing design on Gills Creek Greenway Section A. In the past few weeks a large group of very vocal opponents have mounted an effort to stop any greenway projects along Gills Creek. This includes a group from the Kings Grant neighborhood where the Wildcat Creek Greenway would have to go. Without the full support of the Kings Grant neighborhood the Wildcat Creek Greenway will likely never be designed nor constructed and the Penny proceeds allocated for it will be redirected to another greenway project.

Also, it has become clear that the Richland County Penny Development Team will be creating their own conceptual plans for future greenway projects, just as they have with Gills Creek Greenway Section A. This appears to be a duplication of efforts and although a Wildcat Creek Conceptual Plan could help foster community support, it will not provide enough benefit to this project to warrant spending those grant funds.

According to the Penny Project Development Team, planning of the Wildcat Greenway is not scheduled to begin until 2018. If the Kings Grant Homeowners Association changes its view of greenways in the near future we can certainly pursue another grant to complete a master plan to help push the greenway concept further. However, it does not seem likely at this point that a Wildcat Creek Greenway will be built at all so any funds spent on a Wildcat Creek Greenway conceptual plan would be wasted.

Please contact me at the number above if I can be of any further assistance. I look forward to hearing back from you about this matter.

Sincerely,

Erich Miarka
Executive Director

Richland County Council Request of Action

Subject:

Bus Shelter Easement Request

Richland County Council Request of Action

Subject: Bus Shelter Easement Request

A. Purpose

County Council is requested to grant an easement to the Central Midlands Regional Transit Authority (CMRTA) for the purpose of installing a bus shelter.

B. Background / Discussion

The Richland County library wishes to have a COMET bus shelter at their St. Andrews location. Richland County owns the property at this location and is being requested to provide an easement for the area needed to install the bus shelter – see attached map.

Council approval of this easement will require an ordinance (three readings and a public hearing) – see attached.

C. Legislative / Chronological History

There is no legislative history associated with this request.

D. Financial Impact

There is no financial impact associated with this request. The construction and maintenance cost associated with the bus shelter will be assumed by the CMRTA.

E. Alternatives

1. Approve the request to grant an easement to the Central Midlands Regional Transit Authority (CMRTA) for the purpose of installing a bus shelter.

2. Do not approve the request to grant an easement to the Central Midlands Regional Transit Authority (CMRTA) for the purpose of installing a bus shelter.

F. Recommendation

This is a policy decision for Council.

Recommended by: Roxanne Ancheta

Department: Administration

Date: 3/4/16

G. Reviews

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

Finance

Reviewed by: Daniel Driggers

Date: 3/4/16

✓ Recommend Council approval
Comments regarding recommendation:

Recommend Council denial

Support Services

Reviewed by: John Hixon
 Recommend Council approval
Comments regarding recommendation:

Date: 3/7/16
 Recommend Council denial

Based on the information in this ROA, the Support Services Department will not have any construction or maintenance responsibility for this new site.

Risk Management

Reviewed by: Brittney Hoyle
 Recommend Council approval
Comments regarding recommendation:

Date: 3/8/16
 Recommend Council denial

Legal

Reviewed by: Brad Farrar
 Recommend Council approval
Comments regarding recommendation: Policy decision of Council. Ensure no future use of the easement area is desired or intended by the County, as such use may or may not be compatible with the easement.

Date: 3/8/16
 Recommend Council denial

Administration

Reviewed by: Roxanne Ancheta
 Recommend Council approval
Comments regarding recommendation: While this is a policy decision for Council, it is recommended that Council approve the easement to the CMRTA for the purpose of installing a bus shelter, similar to that which currently exists outside the County's Administration Complex at 2020 Hampton Street. The Support Services Department will not have any construction or maintenance responsibility at this site, and there is no known use for this site at this time, nor in the foreseeable future.

Date: March 8, 2016
 Recommend Council denial

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

EASEMENT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS that the undersigned _____,
(hereinafter called "Grantor"), for and in consideration of the agreements herein and One Dollar (\$1.00) in hand paid by the Central Midlands Regional Transit Authority, a regional transit authority created and existing pursuant to South Carolina Code Section 58-25-10, *et seq.* (hereinafter called "Grantee"), the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Grantee, its successors and assigns, a perpetual non-exclusive easement in, under, over and through a portion of Grantor's property twelve feet (12') wide and seven feet (7') deep fronting Broad River Road (US Highway 176) at a location mutually agreed by Grantor and Grantee as approximately shown and described as "Bus Shelter Easement Area" on Exhibit A attached hereto (hereinafter the "Easement Area") for the limited purpose of constructing, installing, maintaining, operating, repairing, altering and replacing a public transportation system stop (including a bus shelter, bench, bike rack, garbage can and any other improvements reasonably related to the operation of a public transportation system stop) for Grantee's customers and users (hereinafter the "Bus Shelter Easement"). The Bus Shelter Easement shall include the right for Grantee to sell advertising on any improvement located within the Easement Area that is reasonably related to the operation of a public transportation system stop and the right for Grantee to received and retain all revenue generated thereby.

Grantee shall be responsible, at its expense, for maintaining the Easement Area in accordance with the purposes set forth herein, including construction and maintenance of a public transportation system stop, routine removal of trash, waste, litter and flyers and efforts to control vandalism and other crimes within the Easement Area; provided, however, Grantor shall be responsible, at its expense, for damage caused to the Easement Area by Grantor or its employees, contractors, agents or invitees.

Any damage caused by the maintenance, repair, operation, removal, alteration or replacement of the public transportation system stop shall be repaired at the expense of Grantee.

Grantee shall not suffer or permit any mechanic’s or other lien to be filed against the Easement Area by reason of work, labor, service, or materials supplied, or claimed to have been supplied to Grantee or anyone holding any interest in the Easement Area or any part thereof through or under Grantee. If such mechanic’s or other lien shall at any time be filed against the Easement Area, Grantee shall, within thirty (30) days after the proper service and filing of the mechanic’s or other lien, cause the same to be discharged of record by payment, deposit, bond, order of court of competent jurisdiction, or otherwise.

Notwithstanding the foregoing, Grantor at its option may terminate the easement granted herein by the delivery of ninety (90) days written notice to Grantee (hereinafter the “Termination Notice”). Within ninety (90) days of Grantee’s receipt of the Termination Notice, Grantee shall remove all improvements located in the Easement Area and the Easement Area shall be returned to its original condition.

TO HAVE AND HOLD, subject to all matters of record as of the date hereof and the terms hereof, all and singular the aforesaid easements unto Grantee, and its successors and assigns, forever.

IN WITNESS WHEREOF, the parties have executed this Easement Agreement this _____ day of _____, 2016.

Signed, sealed and delivered in the presence of:

GRANTOR:
XXXXXX

Witness

By:_____ (SEAL)
Print Name: _____
Title: _____

Witness

STATE OF _____)
COUNTY OF _____)

ACKNOWLEDGEMENT

I, _____, a Notary Public of the county and state aforesaid, do hereby certify that _____ personally appeared before me this day and acknowledged that s/he is the _____ of _____, and that by authority duly given and as the act of the company, the foregoing instrument was signed in its name.

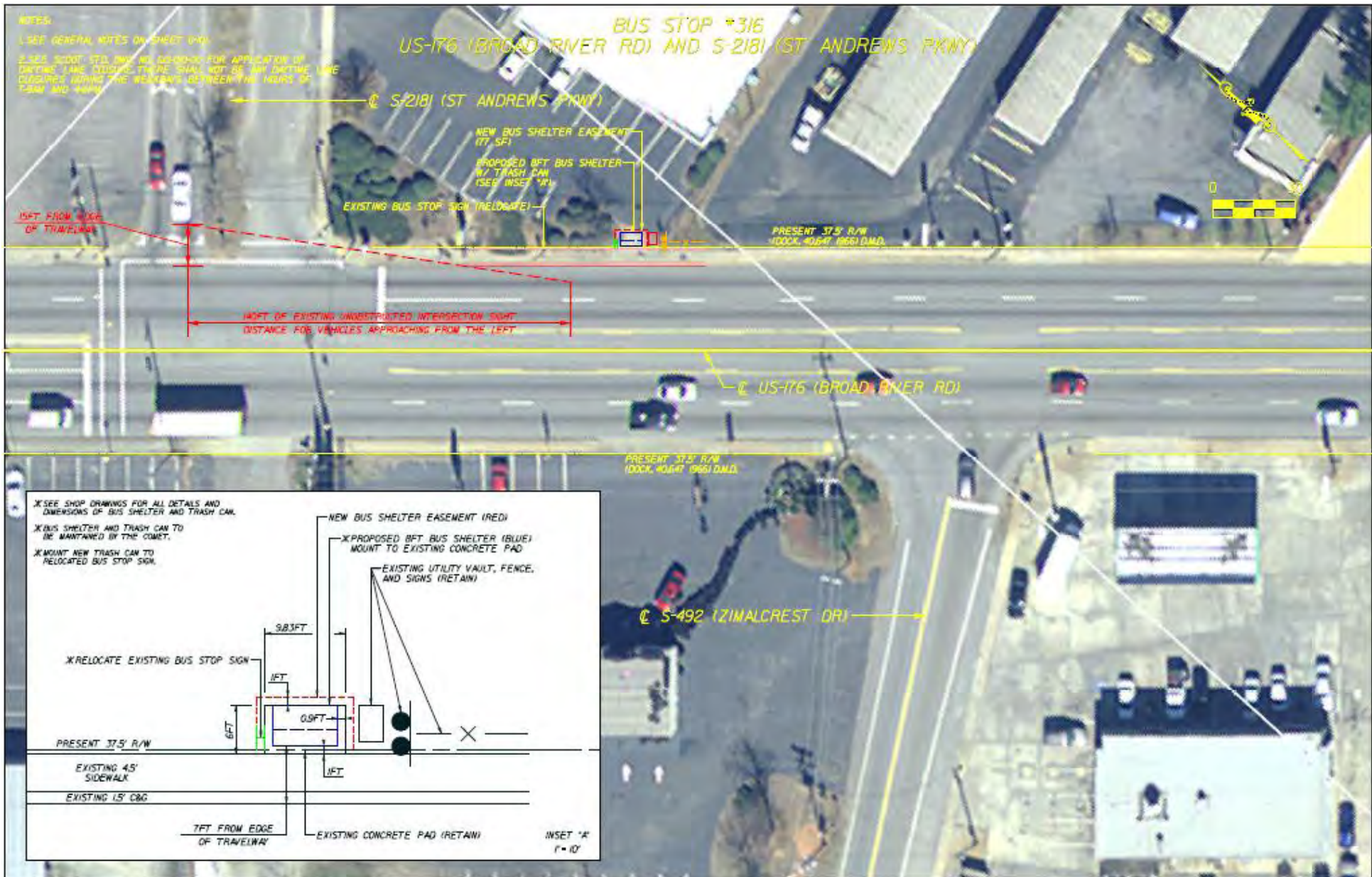
Witness my hand and seal this _____ day of _____, 2016.

[notarial seal]

Notary Public
Name of Notary: _____
My commission expires: _____

EXHIBIT A

[ATTACHED]



Richland County Council Request of Action

Subject:

Motion to Consider Allocating Additional Funding to the Board of Voter Registration & Elections

Richland County Council Request of Action

Subject:

Conservation Department: Purchase of Parcel [Executive Session]

Richland County Council Request of Action

Subject:

Council Motion Regarding the Human Resource Director reporting to the County Administrator

Richland County Council Request of Action

Subject: Council Motion Regarding the Human Resource Director reporting to the County Administrator

A. Purpose

County Council is requested to consider a Council motion regarding the human resource director reporting to the County Administrator.

B. Background / Discussion

At the February 16, 2016 Council meeting, Council member Jackson brought forth the following motion:

“I move that the Human Resources Director reports to the County Administrator. This can be by ordinance or by policy. This allows the Human Resources Director to be able to express his or her opinion freely and without influence or pressure”

Section 2 of the County Ordinance defines the roles and responsibilities of the County Human Resources Department – see below:

DIVISION 4. OFFICE OF STAFF AND HUMAN RESOURCES

Sec. 2-107. Office of staff and human resources, generally.

The office of staff and human resources is hereby created and shall be responsible for the development and implementation of a modern personnel program employing whatever resources and assistance are needed from the office of finance and budget and the office of operational services. The office of staff and human resources shall be managed by the director of staff and human resources who shall be responsible also for administrative and legislative research, economic and community development, public affairs, data information management, and such other responsibilities as may be assigned by the county administrator.

Sec. 2-108. Position of director--Created; selection; appointment.

There is hereby created the position of director of staff and human resources. The director of staff and human resources shall be selected and appointed by the county administrator with no definite term of office assigned.

Sec. 2-109. Same--Qualifications; compensation.

The director of staff and human resources shall be appointed solely on the basis of merit including administrative qualifications with special emphasis on education, training, experience and knowledge of the requirements of the office. Preference will be given to individuals with a graduate degree in the field(s) of public administration, business administration or some other related discipline. The director of staff and human resources shall be paid an annual salary as recommended by the county administrator and approved by county council.

Sec. 2-110. Same--Responsibilities; duties.

The duties and responsibilities of the director of staff and human resources shall be:

- (1) To serve as personnel director and, as such to plan, organize, direct and coordinate the personnel program of the county;
- (2) To formulate and recommend operating policies and procedures to the county administrator for the effective administration of the county's personnel program;

(3) To direct and control the county's research resources and activities serving the administrative and legislative branches of the government;

(4) To provide leadership and support in the areas of economic and community development and, in so doing, establish effective liaison and working relationships with all appropriate private and public enterprises as related to economic and industrial development, and with all appropriate civic groups/associations, as related to community development;

(5) To administer a program of public affairs and, to that end, establish effective relationships with the media and the general public through the development of viable public information programs;

(6) To organize, direct, and administer management information and word processing programs assigned to receive, store and provide organizational data and information on a timely and well-organized basis as a service to the entire organization; and

(7) To perform such other related work as may be required and as assigned by the county administrator.

Sec. 2-111. Staff and personnel.

The director of staff and human resources shall have such staff and assistants as are deemed necessary to the performance of his duties and operation of the office and approved by the county administrator. They shall be subject to the county personnel system and their compensation determined accordingly.

Sec. 2-112. Bond.

The director of staff and human resources shall be bonded to the county in an appropriate amount for the faithful performance of the duties as such officer.

Secs. 2-113--2-116. Reserved.

C. Legislative / Chronological History

- o February 16, 2016 – Motion made by Council member Jackson

D. Financial Impact

There is no financial impact associated with this request.

E. Alternatives

1. Consider the motion and proceed accordingly.
2. Consider the motion and do not proceed accordingly.

F. Recommendation

This is a policy decision for Council.

Recommended by: Norman Jackson

Department: Council District 11

Date: 2/16/16

G. Reviews

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

Finance

Reviewed by: Daniel Driggers

Date: 2/29/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

No recommendation provided since this is a policy decision for Council with no financial impact.

Human Resources

Reviewed by: Dwight Hanna

Date: 3/1/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

No recommendation provided because it is a policy decision for Council to make motions as they deem appropriate.

The Human Resources Director neither requested any Council Member to make this motion nor discussed this motion with any Council Member prior to the motion being presented for County Council’s consideration. In addition, the Human Resources Director has not discussed any concerns with the current structure of the County’s organizational chart. The Human Resources Director is not aware of any employee in the Human Resources Department who has requested or discussed this motion with Council.

Legal

Reviewed by: Brad Farrar

Date: 3/14/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision of Council.

Administration

Reviewed by: Tony McDonald

Date: March 17, 2016

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

The Human Resources Director, as well as the majority of direct report department directors, reports to one of three Assistant County Administrators, who are assigned departments that are grouped by functionality.

While their direct line of communication through the chain of command is through their respective Assistant Administrator, all directors are encouraged to discuss any issues directly with the County Administrator if they feel the need to do so.

All directors should be able to express their opinions freely and without influence or pressure, regardless of reporting structure. If some directors feel that this is not the case, they are strongly encouraged to speak to the County Administrator.

This open line of communication will be re-emphasized with all department directors. It is believed that this would be a more effective means of dealing with the issue at hand than would an organizational restructuring.

Richland County Council Request of Action

Subject:

Council Motion Regarding Adherence to County Policies

Richland County Council Request of Action

Subject:

Finance Department: Departments Projected to be over budget for FY16

Notes:

This item was deferred at the February A&F Committee meeting for additional information. Once County Staff's research on this item is complete, Staff will present this item to the Committee for their consideration.

Richland County Council Request of Action

Subject:

Changes to Policy on Requiring Employees to Sign Documents

Notes:

This item was deferred at the February A&F meeting for additional information from County Staff. Staff will bring this item back to the Committee for review and action once the additional research on this item has been completed.

Richland County Council Request of Action

Subject:

Motion to Expand Staff Recruitment Efforts

Notes:

At the February 9, 2016 Council meeting, the following motion was brought forth.

“Have Human Resources expand recruitment efforts to encompass diverse agencies/organizations, such as the National Association of Multicultural Engineering, in order to reach out to a larger and more diverse applicant pool [MALINOWSKI]”

Staff is working to move forward with abovementioned motion. Staff will bring this item to the Committee for their consideration at a future Committee meeting.

Richland County Council Request of Action

Subject:

Council Motion Regarding Hospitality Tax Revenue

Notes:

At the February 9, 2016 Council meeting, the following motion was brought forth.

“That Richland County request the state Legislature to eliminate the unnecessary restrictions on how Hospitality Tax revenue can be used. The Legislature has dictated that revenue from this 2 % tax on prepared meals be restricted to projects related to “tourism”. That means local governments can’t apply these funds to more pressing needs, such as road improvements. Richland County certainly faces some major infrastructure challenges, especially in the aftermath of the recent floods. If we are going to pull money from hard-working taxpayers, we should at least be able to spend it where it’s most needed. In the absence of such legislative action I move we abolish the Hospitality Tax so citizens can keep more of their money. The combined burden of the Hospitality Tax and the Transportation Tax is too much to ask people to shoulder. Certainly a proposal as this will likely stir strong feelings both for and against, but at the very least, we should have a meaningful discussion about the issue [MALINOWSKI]”

Staff is working to move forward with abovementioned motion. Staff will bring this item to the Committee for their consideration at a future Committee meeting.