



## Development and Services Committee

Norman Jackson	Damon Jeter	Julie-Ann Dixon (Chair)	Bill Malinowski	Seth Rose
District 11	District 3	District 9	District 1	District 5

October 27, 2015 - 5:00 PM  
Council Chambers

### **Call to Order**

### **Approval of Minutes**

- 1 Regular Session: September 22, 2015 [PAGES 4-6]

### **Adoption of Agenda**

### **Items for Action**

- 2 Removal of Lien off of Property [PAGES 7-15]
- 3 Accept the roads and storm drainage “as-is” in Hunters Run Subdivision (Phase 1) into the County inventory for ownership and maintenance [PAGES 16-19]
- 4 Tracking List of Developers for Road Construction [PAGES 20-22]

- 5 Amending Chapter 17 to prohibit the parking of motor vehicles in the front yard within certain residential zoning districts [PAGES 23- 32]
- 6 Pawmetto Lifeline New Program(s) Proposal [PATES 33-35]
- 7 Fund and/or seek a partnership with SCE&G to plant indigenous flowers and plants along transmission line corridors in Richland County [PAGES 36-39]

**Items Pending Analysis: No Action Required**

- 8 Motion for the Guard to rebuild County roads through Innovative Readiness Training (IRT) Projects after they get off State active duty [PAGE 40]
- 9 Motion to Explore all Options for Providing County Assistance with a Public Housing Project [PAGE 41]
- 10 Motion to Pursure the Closure of Businesses Operating Without a Richland County Business License [PAGE 42]
- 11 Comprehensive Youth Program [PAGE 43]

**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



## DEVELOPMENT & SERVICES COMMITTEE

September 22, 2015  
5:00 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

Ms. Dixon called the meeting to order at approximately 5:00 PM

### APPROVAL OF MINUTES

**Regular Session: July 28, 2015** – Mr. Malinowski moved, seconded by Mr. Rose, to approve the minutes as distributed. The vote in favor was unanimous.

### ADOPTION OF AGENDA

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

Mr. Jackson moved, seconded by Mr. Rose, to reconsider the adoption of the agenda. The vote in favor was unanimous.

Mr. Jackson moved, seconded by Mr. Rose, to move #10: "Motion to Name Courtroom 2b in the Judicial Center the Ada Harper James Courtroom" to an action item. The vote in favor was unanimous.

### ITEMS FOR ACTION

**Motion to request Legal Department assess potential liability of permitting human occupied watercraft at Pinewood Lake** – Mr. McDonald stated this item was a request to review the potential liability of permitting watercraft on the Pinewood Lake property.

Mr. Smith stated a memorandum was forwarded to the committee under separate cover since it is client/attorney privileged information; therefore this item should be taken up in Executive Session.

Mr. McDonald suggested deferring Executive Session on this item until the Council meeting on October 6<sup>th</sup>.

### Council Members Present

Julie-Ann Dixon, Chair  
District Nine

Bill Malinowski  
District One

Seth Rose  
District Five

Norman Jackson  
District Eleven

### Others Present:

Tony McDonald  
Sparty Hammett  
Warren Harley  
Brandon Madden  
Michelle Onley  
Larry Smith  
Amelia Linder  
Roxanne Ancheta  
Chad Fosnight  
Ismail Ozbek  
Daniel Driggers  
Monique McDaniels  
Nancy Stone-Collum  
Kim Roberts

Mr. Rose moved, seconded by Mr. Jackson, to forward to Council without a recommendation. The vote was in favor.

**Department of Public Works: Private Pond Policy** – Mr. McDonald stated this item is to tighten the regulations on private ponds and place some of the financial responsibility for maintaining these ponds on the pond owners.

Ms. Williams stated the County will maintain the infrastructure associated with the lakes, detention and/or retention ponds (i.e. the pipes, the spillways, and hardware), but have the owner/HOA to maintain the aesthetics, landscaping and litter control.

Mr. Malinowski requested a redlined version of the policy in the Council agenda. In addition, Mr. Malinowski requested a definition of an “established home or pond owner’s association”, “perpetual maintenance” and clarification of the definition for “Waters of the state”.

Mr. Rose moved, seconded by Ms. Dixon, to forward to Council with a recommendation to approve the request to create a streamlined matrix for evaluating if the County will assist with the maintenance of private owned lakes and dry detention basins. When a privately owned lake meets criteria for maintenance, the County will be guaranteed a 50% cost match by the lake owner. The vote in favor was unanimous with Mr. Malinowski recusing himself from the vote.

**Conservation Department: Conservation Easement on Back Swamp Road** – Mr. McDonald stated this is a request from the Conservation Commission to authorize them to purchase an easement for conservation purposes on Back Swamp Road.

Mr. Jackson moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to approve the request to place a conservation easement on 251 acres of wetlands and high ground on Back Swamp Road thus preserving in perpetuity water quality protection for Myers Creek, public trail access, and high quality wildlife habitat. The vote in favor was unanimous.

**Update on the Curbside Recycling Trends Associated with the County’s New Recycling Roll Cart Program** – Mr. McDonald stated Councilman Rose made a motion to place stickers on the recycling roll carts to inform the citizens of what is recyclable in the hopes of increasing participation in the program. Council decided to monitor the recycling program and not place the stickers on the roll carts. After a six month evaluation, Solid Waste was to report back to committee on the success of the recycling program.

Mr. Curtis stated the Solid Waste department has developed videos and placed them on the internet, produced a “Talking Trash” booklet, and is exploring new software to assist in communication with the citizens.

**Motion to Name Courtroom 2b in the Judicial Center the Ada Harper James Courtroom** – Mr. Jackson moved, seconded by Mr. Rose, to forward to Council with a recommendation to approve this item.

Mr. Smith stated the Clerk of Court is legally in charge of the courthouse; therefore, there may need to be some communication with the Clerk of Court as to what this body would like to do.

Mr. Malinowski requested a legal opinion regarding the matter before moving forward.

The vote was in favor of forwarding this item to Council.

### ITEMS PENDING ANALYSIS

**Motion to Remedy the Issue of Developers Who Do Not Fulfill Their Obligations** – This item was held in committee.

**Motion to Pursue the Closure of Businesses Operating Without a Richland County Business License** – This item was held in committee.

**Motion to Explore all Options for Providing County Assistance with a Public Housing Project** – This item was held in committee.

**Comprehensive Youth Program** – This item was held in committee.

**Fund and/or seek a partnership with SCE&G to plant indigenous flowers and plants along transmission line corridors in Richland County** – This item was held in committee.

### ADJOURNMENT

The meeting adjourned at approximately 5:51 PM.

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

# Richland County Council Request of Action

**Subject:** Removal of Lien off of Property

**A. Purpose**

Council is requested to approve removing the lien off of the property located at 1420 Joe Frazier Court., (Parcel # R13516-03-03) contingent on the property owner donating the land to the Atlas Road Community Organization.

**B. Background / Discussion**

At the October 12, 2015 Council meeting, Mr. Washington brought forth the following motion:

“To have Richland County remove the lien off of the property located at 1420 Joe Frazier Court contingent on the property owner donating the land to the Atlas Road Community Organization”

The property located at 1420 Joe Frazier Court – see attached map – is currently owned by the Atlas Road Community Organization.

The previous owner, Carolyn Smith, forfeited the property due to failing to pay the associated property taxes.

Saluda Dam, LLC purchased the property in March 2014 in a tax sale.

Saluda Dam, LLC deeded – see attached deed – the property to the Atlas Road Community Organization in June 2015 for \$5. However, there were two (2) existing County liens on that property for mitigating the unsafe condition of the property – see attached. There was an unsafe structure located on the property that was demolished by the County through the County’s unsafe housing program on June 29, 2008.

The lien dated June 30, 2008, in the amount of \$2,250, is the assessment fee for the County demolishing the structure that was located on the property.

The lien dated February 1, 2008, in the amount of \$100, is the assessment fee for the County performing the title search for the property

Currently, there are no structures located on the property.

This is a policy decision for Council.

**C. Legislative / Chronological History**

- October 12, 2015 – motion brought forth by Mr. Washington

**D. Financial Impact**

The financial impact of this request to the County would be the potential loss of the total amount of the liens is \$2,350.

**E. Alternatives**

1. Approve to have Richland County remove the lien off of the property located at 1420 Joe Frazier Court, (Parcel # R13516-03-03)
2. Do not approve to have Richland County remove the lien off of the property located at 1420 Joe Frazier Court, (Parcel # R13516-03-03).

**F. Recommendation**

This is a policy decision of Council.

Recommended by: Kelvin Washington

Department: County Council

Date: October 12, 2015

**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: 10/19/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

As stated in the ROA, this is a policy decision for Council. Since the additional cost added as a lien is associated with additional cost incurred by the County, my recommendation would be that Council not remove or forgive the lien. I would recommend that the County recover the funds either from the owner or through the property closing costs as the property is transferred.

**Building Services**

Reviewed by: Donny Phipps

Date: 10/20/15

Recommend Council approval

Recommend Council denial

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

**Legal**

Reviewed by: Elizabeth McLean

Date: 10/22/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council’s discretion; however, I would note that there is no reason stated as to why the community organization desires to have the liens removed. As it stands, the organization is free to use the land in any way. The only time the County would collect the money, is if the organization tried to sell the land.

**Administration**

Reviewed by: Sparty Hammett

Date: 10/23/15

Recommend Council approval

Recommend Council denial

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



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

**NOTICE OF LIEN**

As provided by law, notice is hereby given that the party named in this lien is liable for the assessed fee for mitigating the unsafe condition located at

**1420 Joe Frazier Court, TMS# R13516-03-03.**

Along with any penalties and interest established by law for failure to correct the deficiencies and unsafe conditions made known to the party herein named by certified mail return receipt requested and posting of the subject properties. Therefore, there is a lien in favor of Richland County, South Carolina, on all property and rights belonging to this landowner for the amount of the mitigation fee, and penalties, interest and costs that may accrue as provided by law.

All of my interest ( specifically my Life Estate) in and to all certain piece, parcel or lot of land with the improvements thereon, situate, lying and being in the County of Richland, State of South Carolina, near the City of Columbia, being designated as Lot 3 of Block H, being known as 1420 Joe Frazier Court ,and bearing the Tax Map Number 13516-03-03; according to Richland County Tax Maps, measuring 150 feet, more or less, along the front and rear property lines and 125 feet, more or less, along the side property lines.

Name and Residence of Landowner: Carolyn Smith  
505 Antioch Place  
Columbia, SC 29209

Nature of Assessment: Demolition of Structure

**TOTAL: \$2550.00**

Place of Filing: Register of Deeds  
Richland County Judicial Center  
1701 Main Street  
Post Office Box 192  
Columbia, South Carolina 29202

This Notice was prepared and signed at Columbia, South Carolina, on this 30<sup>th</sup> day of June 2008.

Signature

  
Kay Bender Deputy Building Official

Book 1442-3698  
2008052194 06/30/2008 15:40:37.007 Demo Urnate Hearing  
Fee: \$0.00 County Tax: \$0.00 State Tax: \$0.00



# RICHLAND COUNTY TAX DEED

**GRANTEE'S ADDRESS:**

**220 STONERIDGE DR  
COLUMBIA, SC 29210**

**STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND**

Tax Map Number : 13516-03-03-

TO ALL WHOM THESE PRESENTS MAY CONCERN, THAT DAVID A. ADAMS, Treasurer of Richland County, having lawfully issued an execution that required the Tax Collector of Richland County to levy, by distress and sale, so much of the herein named defaulting taxpayer's estate, real, personal or both as may be sufficient to raise and collect the sum of \$ 192.83 of which \$80.00 is cost, in order to pay the taxes due on assessments against defaulting taxpayer, SMITH CAROLYN for the year(s) commencing December 31st, 2010, tax year 2011. The Richland County Tax Collector did on June 1, 2012 mail via "Certified Mail, Return Requested - Restricted Delivery" notice of delinquent TY 2011 taxes, penalties, and costs owed in the amount of \$ 192.83 and any other prior delinquent tax year(s) amount(s) owed, if any, to:

SMITH CAROLYN  
585 ANTIOCH PL  
COLUMBIA, SC 29209

With such mail notice being faulty, and as a result FRED BRANTLEY, an agent of the Richland County Treasurer / Tax Collector, did on August 15, 2012, hand levy, seize and take exclusive possession of the said property on which taxes were assessed and levied, as hereinafter described.

WHEREAS, at a public sale at the Richland County Township Auditorium on the 3<sup>rd</sup> day of December, 2012 during the usual hours of sale, after due advertisement, did sell the herein described property of SMITH CAROLYN to,

**SALUDA DAM LLC**

heirs and assigns, the purchaser(s) herein known as "Grantee(s)" and the highest bidder at such sale, for the sum of \$ 460.00 and gave a receipt for the total amount of said purchase money with duplicate warrant and endorsement therein annexed;

WHEREAS, the period of twelve months having expired from the day of said sale, and the defaulting taxpayer(s) or other party interested to redeem said property so sold, having not redeemed the same as provided by law;

NOW THEREFORE, as the undersigned Richland County Tax Collector, acting by and pursuant to the Laws of the State of South Carolina and in consideration of the sum of \$ 460.00 cash, receipt thereof is hereby acknowledged, to me in hand paid by purchaser at said sale have granted, bargained, sold and released, by these said presents to grant, bargain, sell and release unto

**SALUDA DAM LLC**

All that certain piece, parcel, lot of land, with improvements thereon, if any, situate, lying and being in the County of Richland, State of South Carolina, being shown and delineated as Lot 4, Block H being know as 1420 Frazier Ct., and bearing the Tax Map 13516, Block 03, Parcel 03 according to Richland County Tax Maps, measuring 150' feet, more or less, along the front and rear property lines and 125' feet, more or less, along the side property lines. This being the same property conveyed by deed from Sylvia Smith unto Carolyn Smith and recorded on March 4, 1997 at the Richland County ROD in Deed Book D 1368 at Page 424.

Book 1935-2504  
2014022008 03/31/2014 11:34:08 177  
Fee: \$0.00 County Tax: \$0.00 State Tax: \$0.00



TOGETHER with all and singular the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the premises hereby granted, with the appurtenances, unto the said SALUDA DAM LLC and His/Her heirs and assigns forever, according to the form, force and effect of the laws and usages of the State of South Carolina in such cases made and provided.

WITNESS my hand and seal this 26<sup>th</sup> day of March in the year of our Lord Two Thousand and Fourteen, in the two hundred and thirty-eighth year of the Sovereignty and Independence of the United States of America.



David A. Adams  
Treasurer / Tax Collector  
Richland County

Signed, sealed and delivered  
in the presence of:



Witness: Carolyn G. Phillips



Witness: Craig L. Freeman

STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF RICHLAND        )

PROBATE

PERSONALLY appeared before me, Carolyn G. Phillips and made oath that she saw the above named David A. Adams, as Treasurer / Tax Collector of Richland County sign, seal and as his act and deed, deliver the within written Tax Deed and that she with Craig L. Freeman witnesses the execution thereof.

SWORN to and subscribed before me this 26<sup>th</sup> day of March, 2014



Carolyn G. Phillips



Shirley S. Tapp  
Notary Public for South Carolina  
My Commission Expires: April 11, 2021



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

**NOTICE OF LIEN**

As provided by law, notice is hereby given that the party named in this lien is liable for the assessed fee for mitigating an unsafe condition located at **1420 Joe Frazier Court** **TMS# R13516-03-03.**

Along with any penalties and interest established by law for failure to correct the deficiencies and unsafe conditions made known to the party herein named by certified mail return receipt requested and posting of the subject properties. Therefore, there is a lien in favor of Richland County, South Carolina, on all property and rights belonging to this landowner for the amount of the mitigation fee, and penalties, interest and costs that may accrue as provided by law.

All of my interest ( specifically my Life Estate) in and to all certain piece, parcel or lot of land with the improvements thereon, situate, lying and being in the County of Richland, State of South Carolina, near the City of Columbia, being designated as Lot 3 of Block H, being known as 1420 Joe Frazier Court ,and bearing the Tax Map Number 13516-03-03; according to Richland County Tax Maps, measuring 150 feet, more or less, along the front and rear property lines and 125 feet, more or less, along the side property lines.

Name and Residence of Landowner: Carolyn Smith  
505 Antioch Place  
Columbia, SC 29209

Nature of Assessment Title Search Amount \$100.00

**TOTAL \$ 100.00**

Book 1397-1000  
2008008364 02/01/2008 11:45:05.960  
Fee: Exempt County Tax: \$0.00

Demo Unsafe Housing  
State Tax: \$0.00



Place of Filing: Register of Deeds  
Richland County Judicial Center  
1701 Main Street  
Post Office Box 192  
Columbia, South Carolina 29202

This Notice was prepared and signed at Columbia, South Carolina, on this 1<sup>st</sup> day of February, 2008.

Richland County Planning Department

A handwritten signature in cursive script, reading "Kay Bender", is written over a horizontal line.

Kay Bender

Richland County Deputy Building Official  
PO Box 192, 2020 Hampton Street  
Columbia, SC 29202

MAP ATTACHMENT



County Internet Mapping 7.2

**Parcel Information:**

<http://www.richlandmaps.com/apps/gmap/?base=satellite&taxid=R13516-03-03>

Parcel Number:	R13516-03-03
Situs Address:	1420 JOE FRAZIER CT
Primary Zoning:	MH
Secondary Zoning:	
Tax District:	1LR
NBHD Code:	083.00
Assessed Value:	4,200
Building Value:	0
Land Value:	4,200
Acreage:	0
Owner Name:	ATLAS ROAD COMMUNITY
Owner Address:	/ORGANIZATION
Owner Address:	2401 HARLEM ST
Owner City:	COLUMBIA
Owner State:	SC
Owner ZIP:	29209
Bedrooms:	0
Bathrooms:	0
Year Built:	
Heated Sq Feet:	0 ft <sup>2</sup>
Last Sale Date:	June 18, 2015
Last Sale Price:	\$5
Legal Description:	LOT 4 BLK H
Legal Description:	75X235X75X235
Legal Description:	#SU
Legal Description:	#PR

Pointer: 33.948095, -80.969200

Imagery ©2015, DigitalGlobe | 50 ft | Terms of Use | Report a map error

## **Richland County Council Request of Action**

**Subject:** Accept the roads and storm drainage “as-is” in Hunters Run Subdivision (Phase 1) into the County inventory for ownership and maintenance

### **A. Purpose**

County Council is requested to accept the roads and storm drainage “as-is” in the Hunters Run Subdivision (Phase 1) into the County inventory for ownership and maintenance

### **B. Background / Discussion**

Phase 1 of the Hunters Run subdivision was approved and issued a land disturbance permit by the County in 2007. A Bond was placed on the project in the amount of \$1,271,539.94 in 2007. As construction in the subdivision progressed; the bond was reduced to \$130,796.00 in 2008. The County issued water & sewer permits to operate in 2011. The property was foreclosed on in 2011.

In 2012, Richland County discovered that the property was in foreclosure after a third-party developer informed the County that he was contemplating purchasing the property from the bank. In 2012, Nick Leventis purchased the property from the bank and did not place a surety Bond on the site as he believed that an existing Bond was in place.

In 2012, Richland County inquired about the status of the validity of the bond due to the foreclosure status in preparation of the claim. The insurance company verbally stated that the bond was valid. Richland County asked for this status in writing and no response was given.

In 2012, the developer asked the County to inspect the site for deficiencies and as a result, a punch list was created which included road failures. The developer proceeded with the development of lots and took responsibility for making some of the road repairs. After the road repairs did not hold up and the road continued to fail, the developer refused to do anymore repairs, even though citizens were living the subdivision. The developer began to question the County’s regulations and refused to address the continued road failures. As a result of the developer no longer wanting to repair the roads, the County initiated claim of the bond on September 2, 2014.

The County has sent correspondence by certified mail to the insurance company with no response.

The Legal Department is now involved in this matter.

Given the road failures in this subdivision and the fact that citizens are living in the subdivision, the County is requesting that Council accept the roads and storm drainage in the Hunter Run subdivision as they are currently constructed (e.g., as-is) into the County’s inventory for County ownership and maintenance.

### **C. Legislative / Chronological History**

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



**D. Financial Impact**

The estimated cost of the repairs needed to bring the roads up to the County’s standard is \$84,500. Given that the bond on this development has not been collected. Council should consider the following factors as it pertains to the potential financial impact to the County:

1. If bond is claimed immediately it should be enough to cover the repairs. However, if bond claim turns into a Legal battle and the roads continue to be exposed to the elements under its current condition it may not be enough.
2. If the County is unable to claim the bond, all of the needed road repairs will be the responsibility of the County. Based on the estimated cost of the repairs, the funding needed is available in the County’s Public Works budget.

The current developer performed some repairs to the roads (over \$100,000 according to his records) and was not legally liable. As a result, in the event that that the bond is collected, staff recommends refunding any funds in excess of the repair cost to the current developer.

**E. Alternatives**

1. Approve the request to accept the roads and storm drainage “as-is” in Hunters Run Subdivision (Phase 1) into the County inventory for ownership and maintenance.
2. Do not approve to accept the roads and storm drainage “as-is” in Hunters Run Subdivision (Phase 1) into the County inventory for ownership and maintenance.

**F. Recommendation**

It is recommended that Council approve the request to accept the roads and storm drainage “as-is” in Hunters Run Subdivision (Phase 1) into the County inventory for ownership and maintenance

Recommended by: Ismail Ozbek, PE  
Department: Public Works Director  
Date: September 4, 2015

**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: <u>Daniel Driggers</u>	Date: 10/15/15
<input checked="" type="checkbox"/> Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

**Legal**

Reviewed by: <u>Elizabeth McLean</u>	Date: 10/22/15
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Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council's discretion; however, unless the situation is urgent, Legal would recommend not taking any action until the bond issue is resolved.

**Administration**

Reviewed by: Sparty Hammett

Date: 10/23/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:



## Richland County Council Request of Action

**Subject:** Tracking List of Developers for Road Construction

### **A. Purpose**

Council is requested to consider Council member Malinowski's motion regarding developers who do not fulfill their obligations regarding road construction or maintenance prior to turning roads over to Richland County.

### **B. Background / Discussion**

At the September 8, 2015 Council meeting, Mr. Malinowski made the following motion:

“Any developer who does not fulfill their obligations regarding road construction or maintenance prior to turning roads over to Richland County, will have the name of the company and primary owners placed on a list in Richland County and will be prohibited from receiving approval for future developments until they have cured the original problems according to county requirements.”

Currently, Richland County does not have a regulation in place to require a developer to turn over roads in a fully developed & complete subdivision within any specified time after completion, and because of this there are subdivisions throughout Richland County that were designed and constructed for public use that have not been deeded to the County.

Some subdivisions opt to remain private and are responsible for their own maintenance of all infrastructure associated with their neighborhood, including roads. In these cases, the County requires a letter from the developer stating their intention to remain private.

At this time, Staff would request additional time from Council to further vet this motion to explore best practices used by other jurisdictions to remedy this issue.

For example, Mecklenburg County, NC uses a rating system that tracks the inspection failure rates of architects, engineers and contractors that are involved in developments in their County. Essentially, their system displays the percentages of inspection failures of a particular business.

Although their County is not tracking the developer failure rates of road construction inspections, staff can examine the manner in which a similar tracking system can be developed for Richland County.

### **C. Legislative / Chronological History**

Motion made by Mr. Malinowski at the September 8, 2015 Council meeting.

### **D. Financial Impact**

There is no financial impact associated with this request.

### **E. Alternatives**

1. Consider Council member Malinowski's motion and provide direction to staff.

2. Consider Council member Malinowski's motion, and do not proceed.

**F. Recommendation**

Motion recommended by Mr. Malinowski

Recommended by: Bill Malinowski

Department: Richland County Council

Date: September 8, 2015

**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: 10/16/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

This is a Council decision with no identified financial impact.

**Public Works**

Reviewed by: Ismail Ozbek

Date: 10/19/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Council Discretion

**Legal**

Reviewed by: Elizabeth McLean

Date: 10/23/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council's discretion; however, Council should be aware that there are two different scenarios here. The first involves roads which will be deeded to the County. In that instance, the County would theoretically use the bond to make the necessary repairs before accepting the roads in the County system. In the second scenario, the roads are intended to remain private. That would mean that there are likely covenants and restrictions in place assigning liability for road maintenance and repair to the developer and/or homeowners. Council should be cognizant of which scenario it would like to deal with (or both). If it so chooses, it could have staff develop different/multiple solutions for each problem, or perhaps outline how our current ordinance could be used to solve the problems.

**Administration**

Reviewed by: Sparty Hammett

Date: 10/23/15

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation: I recommend approval of this item, conceptually. I suggest that Council consider directing staff to research possible

solutions to address this issue. This would allow staff additional time work with the impacted departments to identify and develop possible alternatives that can be brought back to Council for their consideration at a future Council meeting.

## Richland County Council Request for Action

**Subject:** Amending Chapter 17 to prohibit the parking of motor vehicles in the front yard within certain residential zoning districts

**A. Purpose**

County Council is requested to consider a motion to amend Chapter 17 that would prohibit the parking of motor vehicles in the front yard within certain residential zoning districts.

**B. Background / Discussion**

On September 15, 2015, a motion was made by the Honorable Damon Jeter and the Honorable Seth Rose, as follows:

“I move to propose an ordinance to impose regulations of motor vehicles parking on front lawns in certain residential zoning districts”

County Council forwarded this motion to the October D&S Committee for consideration and recommendation.

Sample ordinance amendments to Chapter 17 are attached as references.

**C. Legislative / Chronological History**

Motion made by Council members Rose and Jeter at the September 15, 2015 Council meeting.

**D. Financial Impact**

None.

**E. Alternatives**

1. Direct staff to draft an ordinance to prohibit the parking of motor vehicles in the front yard within certain residential zoning districts.
  
2. Do not direct staff to draft an ordinance to prohibit the parking of motor vehicles in the front yard within certain residential zoning districts.

**F. Recommendation**

This request is at Council’s discretion.

Recommended by: Honorable Damon Jeter and Honorable Seth Rose

Department: County Council

Date: September 15, 2015

**F. Reviews**

**Finance**

Reviewed by: Daniel Driggers

Date: 10/19/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

As stated in the ROA, the request is at Council's discretion. No financial impact noted.

**Sheriff's Department**

Reviewed by: Chris Cowan

Date: 10-20-15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

The request is at Council's discretion please keep in mind there will be a financial impact for the County to fund of \$2000 to redo the forms for Code Enforcement utilizes.

**Legal**

Reviewed by: Elizabeth McLean

Date: 10/20/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council's discretion. The Legal Department makes no comment nor recommendation about the attached ordinances, as Council is not being asked to approve a specific ordinance at this time.

**Administration**

Reviewed by: Warren Harley

Date: 10/20/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Administration recommends this item be sent to ordinance review committee for further evaluation and discussion.



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-06HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 17, MOTOR VEHICLES AND TRAFFIC; ARTICLE II, GENERAL TRAFFIC AND PARKING REGULATIONS; SECTION 17-10, PARKING IN RESIDENTIAL ZONES OF THE COUNTY; SO AS TO PROHIBIT THE PARKING OF MOTOR VEHICLES IN THE FRONT YARD IN CERTAIN RESIDENTIAL ZONING DISTRICTS.

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 17, Motor Vehicles and Traffic; Article II, General Traffic and Parking Regulations; Section 17-10, Parking in Residential Zones of the County; is hereby amended to read as follows:

**Section 17-10. Parking in residential zones of the county.**

a. It shall be unlawful for a truck tractor, a semi-trailer having more than two (2) axles, or a trailer having more than two (2) axles to be parked on any public street, road, right-of-way or as otherwise prohibited by the Richland County Code of Ordinances in the unincorporated portions of the county which are or hereafter shall be designated as Rural Residential, Single-Family Residential, Manufactured Home, or General Residential under the Richland County Zoning Ordinance and the “Zoning Map of Unincorporated Richland County”, as amended. For the purpose of this paragraph, the following definitions shall apply:

1. *Truck tractor* means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and the load so drawn.
2. *Semi-trailer* means every vehicle having more than two (2) axles, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.
3. *Trailer* means every vehicle having more than two (2) axles, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

b. It shall be unlawful for an automobile, motor vehicle, or wheeled conveyance of any kind required by law to be licensed that is unlicensed, or is displaying an expired or invalid licenses to be parked on any public street, road, right-of-way or as otherwise prohibited by the Richland County Code of Ordinances in the unincorporated portions of the county which are or hereafter shall be designated as Rural Residential, Single-Family Residential, Manufactured Home, or Multi-Family Residential under the Richland County Zoning Ordinance and the “Zoning Map of Unincorporated Richland County”, as amended.

c. All motor vehicles and/or trailers without a valid state issued license plate permitting operation on public roads and highways, which are stored, parked, or located on a lot in any zoning district in the unincorporated areas of the county, except for those parcels that are five (5) acres or greater in the (RU) Rural zoning district, are required to be kept in a garage, carport, or protected from the elements by a fitted cover; provided, however, in the case of a vehicle protected from the elements by a cover, such covered vehicle shall not be visible from the public right-of-way. Licensed automobile dealerships, persons licensed to conduct businesses involving storage and sale of junk and scrap, trailers utilized as temporary structures in conjunction with construction activities, and vehicles used in agricultural operations and which are not operated on the public roads and highways are exempt.

d. Any motor vehicle and/or trailer that is not capable of operating in accordance with South Carolina law and/or capable of moving under its own power (even if it has a valid state-issued license plate permitting operation on public roads and highways) shall not be stored, parked, or located on a lot in any residential zoning district in the unincorporated areas of the county (except for those parcels that are five (5) acres or greater in the (RU) Rural zoning district) for more than a single period of thirty (30) consecutive days during any calendar year unless it is kept in an enclosed garage, in a carport attached to the residence, or protected from the elements by a fitted cover; provided, however, in the case of a vehicle protected from the elements by a cover, such vehicle shall not be visible from the public right-of-way.

e. No person shall park a motor vehicle of any description, including, but not limited to, automobiles, trucks, vans, buses, motorcycles, all-terrain or similar off-road vehicles, recreational vehicles, motor homes, campers or camping trailers, trailers, boats, and jet skis within the front yard of any property zoned RS-LD, RS-MD, or RS-HD. Provided, however, this subsection is not intended to prohibit the temporary parking of a motor vehicle upon a driveway.

e. f. Penalties: Unless otherwise prescribed by law, any owner and/or operator of a motor vehicle and/or trailer violating the provisions of this Section shall be deemed guilty of a misdemeanor. In addition, any owner and/or occupant of the residential property on which a motor vehicle and/or trailer is parked in violation of this Section shall be deemed guilty of a misdemeanor.

f. g. Administration and enforcement: The sheriff of the county shall be authorized to enforce the provisions of this Section, and may engage a towing service to remove any vehicle parked in violation of these regulations, provided the cost of towing services shall be charged to the registered owner of any vehicle so removed.

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

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

SECTION IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2015.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Torrey Rush, Chair

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

OF \_\_\_\_\_, 2015

\_\_\_\_\_  
Monique McDaniels  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-07HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 17, MOTOR VEHICLES AND TRAFFIC; ARTICLE II, GENERAL TRAFFIC AND PARKING REGULATIONS; SECTION 17-10, PARKING IN RESIDENTIAL ZONES OF THE COUNTY; SO AS TO PROHIBIT THE PARKING OF MOTOR VEHICLES IN THE FRONT YARD IN CERTAIN RESIDENTIAL ZONING DISTRICTS.

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 17, Motor Vehicles and Traffic; Article II, General Traffic and Parking Regulations; Section 17-10, Parking in Residential Zones of the County; is hereby amended to read as follows:

**Section 17-10. Parking in residential zones of the county.**

a. It shall be unlawful for a truck tractor, a semi-trailer having more than two (2) axles, or a trailer having more than two (2) axles to be parked on any public street, road, right-of-way or as otherwise prohibited by the Richland County Code of Ordinances in the unincorporated portions of the county which are or hereafter shall be designated as Rural Residential, Single-Family Residential, Manufactured Home, or General Residential under the Richland County Zoning Ordinance and the “Zoning Map of Unincorporated Richland County”, as amended. For the purpose of this paragraph, the following definitions shall apply:

1. *Truck tractor* means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and the load so drawn.
2. *Semi-trailer* means every vehicle having more than two (2) axles, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.
3. *Trailer* means every vehicle having more than two (2) axles, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

b. It shall be unlawful for an automobile, motor vehicle, or wheeled conveyance of any kind required by law to be licensed that is unlicensed, or is displaying an expired or invalid licenses to be parked on any public street, road, right-of-way or as otherwise prohibited by the Richland County Code of Ordinances in the unincorporated portions of the county which are or hereafter shall be designated as Rural Residential, Single-Family Residential, Manufactured Home, or Multi-Family Residential under the Richland County Zoning Ordinance and the “Zoning Map of Unincorporated Richland County”, as amended.

c. All motor vehicles and/or trailers without a valid state issued license plate permitting operation on public roads and highways, which are stored, parked, or located on a lot in any zoning district in the unincorporated areas of the county, except for those parcels that are five (5) acres or greater in the (RU) Rural zoning district, are required to be kept in a garage, carport, or protected from the elements by a fitted cover; provided, however, in the case of a vehicle protected from the elements by a cover, such covered vehicle shall not be visible from the public right-of-way. Licensed automobile dealerships, persons licensed to conduct businesses involving storage and sale of junk and scrap, trailers utilized as temporary structures in conjunction with construction activities, and vehicles used in agricultural operations and which are not operated on the public roads and highways are exempt.

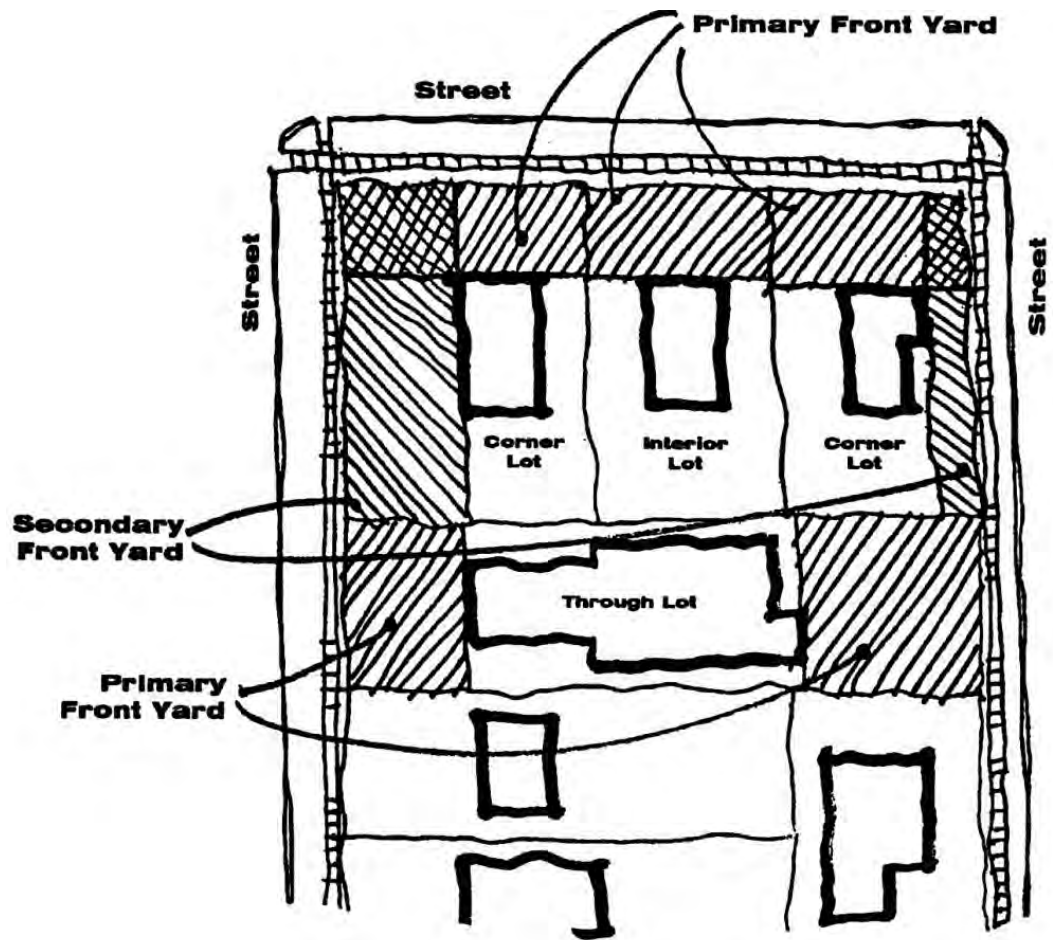
d. Any motor vehicle and/or trailer that is not capable of operating in accordance with South Carolina law and/or capable of moving under its own power (even if it has a valid state-issued license plate permitting operation on public roads and highways) shall not be stored, parked, or located on a lot in any residential zoning district in the unincorporated areas of the county (except for those parcels that are five (5) acres or greater in the (RU) Rural zoning district) for more than a single period of thirty (30) consecutive days during any calendar year unless it is kept in an enclosed garage, in a carport attached to the residence, or protected from the elements by a fitted cover; provided, however, in the case of a vehicle protected from the elements by a cover, such vehicle shall not be visible from the public right-of-way.

e. Parking within the front yard of any property zoned RS-LD, RS-MD, or RS-HD is prohibited.

1. Definitions. For purposes of this subsection only, the following words and phrases shall have the following meaning:

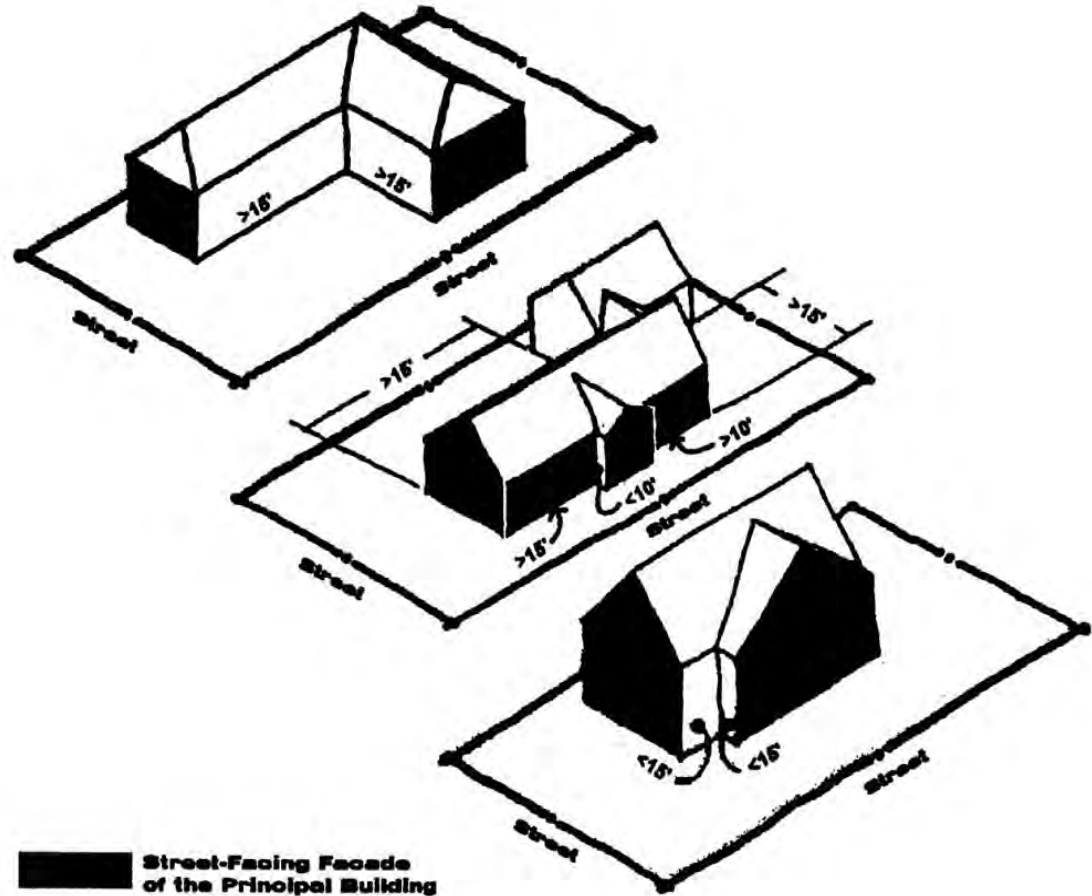
Driveway means an area improved in accordance with paragraph 3, below, leading from a street or alley to a parking space.

Primary front yard means that area between the street-facing facade of the principal building, the front lot line, and either both side lot lines (for interior lots and through lots) or a side lot line and the secondary front lot line (for corner lots). See graphic figure below:



*Secondary front yard* means that area between the street-facing facade of the principal building, the secondary front lot line, the front lot line, and the rear lot line. See graphic figure above.

*Street-facing facade of the principal building* means any facade of the principal building which approximately parallels a street lot line(s), exceeds ten feet in length, and is located within 15 feet of that portion of, or is, the facade of the principal building closest to the corresponding street lot line. See graphic example below:



*Temporary parking* means that the vehicle leaves from and returns to the property approximately once per business day in conjunction with a trip, visit, errand, or other similar reason.

2. No person shall park a motor vehicle of any description, including, but not limited to, automobiles, trucks, vans, buses, motorcycles, all-terrain or similar off-road vehicles, recreational vehicles, motor homes, campers or camping trailers, trailers, boats, and jet skis within the front yard of any property zoned RS-LD, RS-MD, or RS-HD. Provided, however, this subsection is not intended to prohibit the temporary parking of a motor vehicle upon a driveway.
3. Driveways shall be paved with asphalt, brick, concrete, or covered with pervious material such as crushed stone, gravel, or mulch.
4. Where the driveway is covered with a pervious material, such material shall be confined to the driveway with a device expressly designed for such purposes including but not limited to bricks, railroad ties, and plastic/PVC landscaping boarders. The pervious material shall be renewed or replaced as reasonably necessary to maintain a neat and orderly appearance.

~~e.~~ f. Penalties: Unless otherwise prescribed by law, any owner and/or operator of a motor vehicle and/or trailer violating the provisions of this Section shall be deemed guilty of a misdemeanor. In addition, any owner and/or occupant of the residential property on which a motor vehicle and/or trailer is parked in violation of this Section shall be deemed guilty of a misdemeanor.

~~f.~~ g. Administration and enforcement: The sheriff of the county shall be authorized to enforce the provisions of this Section, and may engage a towing service to remove any vehicle parked in violation of these regulations, provided the cost of towing services shall be charged to the registered owner of any vehicle so removed.

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

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

SECTION IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2015.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Torrey Rush, Chair

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

OF \_\_\_\_\_, 2015

\_\_\_\_\_  
Monique McDaniels  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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



## Richland County Council Request of Action

**Subject:** Pawmetto Lifeline New Program(s) Proposal

### **A. Purpose**

County Council is to consider the request from Pawmetto Lifeline to use the number of Richland County pets that participate in each of their new programs toward their contractual obligation of a minimum of 1,200 annual adoptions, and to enlist the minimal assistance of Animal Care.

### **B. Background / Discussion**

Pawmetto Lifeline has started four (4) new programs which they believe will decrease the number of animals being surrendered to municipal shelters, encourage spaying/neutering, microchipping and vaccinations. Pawmetto Lifeline also proposes that this will help pets return to their owners. The four (4) programs being offered are as follows:

1. *Sophie's Good Samaritan Medical Fund*: This program provides medical services for family pets.
2. *Un-chain Midlands*: This program provides a fenced in yard for citizens that have a dog that is normally chained up all day. The goal is to assist one (1) family every six (6) weeks.
3. *Puppy Transport Program*: Pawmetto Lifeline is requesting that they be the initial point of contact for handling all of the logistics pertaining to the impounding of puppies. If they are unable to enroll the puppies in their adoption or transport program, they will notify Animal Care. The goal here is to limit the number of puppies that enter the municipal shelter.
4. *Direct Surrenders*: This allows County residents the opportunity to surrender their pets directly to Pawmetto Lifeline.

In 2008, Richland and Lexington counties entered into a public/private service term contract with Pawmetto Lifeline to construct the Meyer Finlay Pet Adoption Center (completed and opened in 2012). Pursuant to this partnership, Pawmetto Lifeline provides a Spay/Neuter Program for pets of Lexington County and Richland County residents, a Spay/Neuter Educational Program for elementary, middle, and high school students in Lexington County and Richland County, and 1,200 adoptions annually from both Richland County and Lexington County shelters. In an effort to reach the 1,200 annual adoptions, Pawmetto Lifeline is requesting that all Richland County residents/pets that participate in the above programs be included in their quarterly shelter adoption numbers.

Animal Care's involvement with these programs will be minimal. Being that Animal Care will usually be the first point of contact for the citizens, officers may provide referrals to Pawmetto Lifeline for certain programs based on the citizen's special circumstances. Additionally, Pawmetto Lifeline has made it clear that any transportation that may be required for any of the

programs will be worked out between them and the citizen(s). However, Animal Care may be asked for assistance with transportation as a last resort.

**C. Legislative / Chronological History**

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

**D. Financial Impact**

There is no financial impact anticipated with this request.

**E. Alternatives**

1. Approve the request as is to allow the inclusion of Richland County residents/pets participating in the programs to be included in the 1,200 pet annual adoption minimum, and allow the minimal assistance of Animal Care.
2. Do not approve the request to allow Richland County residents/pets participating in the programs to be included in the 1,200 pet annual adoption minimum, and do not allow the minimal assistance of Animal Care.
3. Approve the request to allow the inclusion of Richland County residents/pets participating in the programs to be included in the 1,200 pet annual adoption minimum, and allow the minimal assistance of Animal Care with agreed upon changes.

**F. Recommendation**

Policy decision for Council

Recommended by: This request is being submitted on behalf of Pawmetto Lifeline

Date: October 16, 2015

**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: 10/19/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

As stated in the ROA, the request is a policy decision for Council with no financial impact noted.

**Animal Care**

Reviewed by: Sandra Haynes

Date: 10/20/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

There may be some cost savings in the future based on the reduced number of animals entering the municipal shelter. Additionally, there may be cost savings associated with the reduced resources utilized because of the various proposed programs. The potential of assisting Pawmetto Lifeline with transportation would have a minimal impact at most. The Animal Care Department may assist with the initial transportation to their facility, but will not be involved with any transportation accommodations beyond this point. It is expected that verifiable information related to these programs be provided to the Animal Care Department on a monthly basis.

### **Legal**

Reviewed by: Elizabeth McLean

Date: 10/23/15

Recommend Council approval

Recommend Council denial

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

### **Administration**

Reviewed by: Warren Harley

Date: 10/23/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Administration recommends council approval of this request. If the programs are successful at reducing the number of animals in the shelter from Richland County there would be potential savings. Richland County would continue to review the quarterly report from Pawmetto Lifeline to verify the number animals from Richland County that are diverted from the shelter and track those against current county cost without the programs in place as a way to measure the success. Richland County must also work out a method of tracking and verifying the animals that come from Richland County through these programs. Administration would also recommend county Animal Care participate in a limited capacity in transport of animals to Pawmetto Lifeline or designated veterinarian.

## **Richland County Council Request of Action**

**Subject:** Fund and/or seek a partnership with SCE&G to plant indigenous flowers and plants along transmission line corridors in Richland County

### **A. Purpose**

County Council is requested to direct staff to move to fund and/or seek a partnership with SCE&G (South Carolina Energy and Gas) to plant indigenous flowers and plants along transmission line corridors in Richland County.

### **B. Background / Discussion**

On February 10, 2015, Council member Rose brought forth the following motion:

“Move to fund and/or seek a partnership with SCEG to plant indigenous flowers and plants along transmission line corridors in Richland County”

Transmission lines are high capacity power lines that bring electricity from generating stations out into communities in the county. Transmission line corridors are the areas along a transmission line right of way, which is the strip of land purchased by an energy company (SCE&G) from an individual property owner for the company to install the lines and related equipment – see attached illustration.

In some instances, the strip of land along the transmission line corridors can provide an environment that is conducive to native plant and animal life that require the type of habitat maintained beneath the transmission lines.

As such, this request to Council is to direct staff to fund and/or seek a partnership with SCE&G to plant indigenous flowers and plants to the Midlands along the transmission line corridors. This could serve as an effort to beautify the strips of land in and around the corridors of the transmission lines.

### **C. Legislative / Chronological History**

Motion by Mr. Rose – February 10, 2015

### **D. Financial Impact**

The financial impact to the County regarding this motion is unknown at this time. The cost to direct staff to explore a partnership with SCE&G is negligible.

To estimate the cost of planting the flowers and plants along the corridors will require staff to research the types of indigenous plants and flowers that can survive along the corridors, along with any costs associated with planting and maintaining the flowers. Also, there may be a cost associated with obtaining the necessary easements along the corridors to plant the flowers if staff is unable to develop a partnership with SCE&G regarding this request.

If approved, staff can research the aforementioned information and bring it back to Council for their consideration. Staff will need direction regarding the funding source for any of the costs associated with this request.

**E. Alternatives**

1. Approve the request to direct staff to move to fund and/or seek a partnership with SCE&G (South Carolina Energy and Gas) to plant indigenous flowers and plants along transmission line corridors in Richland County.
2. Do not approve the request to direct staff to move to fund and/or seek a partnership with SCE&G (South Carolina Energy and Gas) to plant indigenous flowers and plants along transmission line corridors in Richland County.

**F. Recommendation**

This recommendation was made by Mr. Rose. This is a policy decision for Council.

Recommended by: Seth Rose

Department: County Council

Date: 2/10/15

**G. Reviews**

**Finance**

Reviewed by: Daniel Driggers

Date: 2/17/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

This is a request for Council discretion. Recommendation is based on the request being out of the budget funding cycle and not the merits of the program. It may be appropriate for the request to be considered during the FY16 budget process. Approval would require the identification of a funding source.

**Support Services:**

Reviewed by: John Hixon

Date: 2/19/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Although this is Council discretion, I recommend denial based on the alternatives to fund or seek partnership with SCE&G until the corridors for improvement are specified, allowing the generation of a scope of work and subsequent resource requirements. SCE&G currently maintains over 3,500 miles of transmission line that ranges from 50 feet to 500 feet in width.

Although I believe the intent to use indigenous plants is to minimize required maintenance, we would be responsible for protecting the investment and aesthetics of the sites and any additional workload, especially during the growing season, will create a major concern with our ability to properly maintain our current assets. Our facilities division currently has six employees maintaining approximately 350 acres of county owned grounds and we are requesting additional resources in the FY16 budget to maintain the new property's being brought into the county. I should also note that we do not have the specialized equipment needed to supply water to sites that are not irrigated so a program such as this may require a capital investment as well.

Perhaps a program such as the DOT uses for the wildflower patches along the interstate system could be more manageable once the breadth of the program is clearly identified, although the preparing of the planting areas each year will require substantial work prior to seeding.

**Public Works:**

Reviewed by: Ismail Ozbek

Date: 2/19/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Recommend denial due to funding not being identified and scope not being defined. Staff can still be directed to explore partnerships.

**Legal**

Reviewed by: Elizabeth McLean

Date: 2/19/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council's discretion. I would note that the ROA requests either funding or having staff explore a partnership with SCE&G. I am unaware how the County would proceed without securing permission from SCE&G, as SCE&G would be the easement holder and not the County. Thus, the County would have no legal right to enter any power line easement area to plant without SCE&G's permission.

**Administration**

Reviewed by: Roxanne Ancheta

Date: February 19, 2015

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: It is recommended that Council direct staff to gather more information on a potential partnership with SCE&G (South Carolina Energy and Gas) to plant indigenous flowers and plants along transmission line corridors in Richland County. Once this information is obtained, including any budgetary impact on the County, the item will be brought back to Council for review and action.



## Richland County Council Request of Action

**Subject:**

Motion for the Guard to rebuild County roads through Innovative Readiness Training (IRT) Projects after they get off State active duty

**Notes:**

At the October 12, 2015 Richland County Council meeting, Mr. Jackson brought forth the following motion:

“Motion for the Guard to rebuild County roads through Innovative Readiness Training (IRT) Projects after they get off State active duty”

At the time of Mr. Jackson’s motion, the National Guard was engaged in rebuilding County roads.



## Richland County Council Request of Action

**Subject:**

Motion to Explore all Options for Providing County Assistance with a Public Housing Project

**Notes:**

At the September 9, 2015 Richland County Council meeting, Mr. Rose brought forth the following motion:

“Move to have staff explore all options to provide County assistance with an important public housing project. The Columbia Housing Authority (CHA) completed its Choice Neighborhood Plan in August, 2014. HUD awarded the Planning Grant to CHA in 2012 for this project. The CHA plans to demolish Gonzales Gardens (GG) and Allen-Benedict Court (ABC) public housing communities as soon as funding is available. In preparation for losing 520 units, the CHA is currently identifying housing to purchase so GG/ABC residents can be relocated. CHA purchased a 123 units at Village at Rivers Edge. CHA plans to acquire and/or construct an additional 127 units of housing in the near future, but that still leaves the need for 270 more units for relocation purposes.”

Staff is working to identify possible funding options pertaining to Mr. Rose’s motion. Staff will bring this item to the Committee for their consideration at their November Committee meeting.

## Richland County Council Request of Action

**Subject:**

Motion to Pursue the Closure of Businesses Operating Without a Richland County Business License

**Notes:**

At the September 9, 2015 Richland County Council meeting, Mr. Jackson made the following motion:

“Review and pursue the closure of all businesses operating without Richland County business license also businesses operating as other type business than that was approved. All SOB's that violate Richland County Ordinance and State laws.”

Staff is exploring potential options regarding Mr. Jackson’s motion. Staff will present this information for the Committee’s consideration at their November Committee meeting.

## Richland County Council Request of Action

**Subject:**

Comprehensive Youth Program

**Notes:**

Staff and the Clerk's Office are working in conjunction with the Sheriff's Department, Magistrate's Office, Solicitor's Office and the Alvin S. Glenn Detention Center to develop a plan of action regarding a comprehensive youth program. Once completed, Staff and the Clerk's Office will report this information back to the Committee for their review and action.