

RICHLAND COUNTY

COUNTY COUNCIL AGENDA



Tuesday, FEBRUARY 05, 2019

6:00 PM



Richland County Council

Regular Session
February 05, 2019 - 6:00 PM

2020 Hampton Street, Columbia, SC 29201

1. **CALL TO ORDER**

The Honorable Paul Livingston,
Chair Richland County Council

2. **INVOCATION**

The Honorable Calvin "Chip" Jackson

3. **PLEDGE OF ALLEGIANCE**

The Honorable Calvin "Chip" Jackson

4. **APPROVAL OF MINUTES**

The Honorable Paul Livingston

a. Special Called Meeting: December 11, 2018 [PAGES 11-50]

b. Zoning Public Hearing: December 18, 2018 [PAGES 51-54]

c. Special Called Meeting: January 8, 2019 [PAGES 55-56]

The Honorable Paul Livingston

5. **ADOPTION OF AGENDA**

Larry Smith,
County Attorney

6. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS**

a. Columbia Place Mall [ACTION]

1. Maintenance fees
2. Maintenance Agreement cancellation.

b. City of Columbia: Intergovernmental Agreement for Bulk Water Sale

7. **CITIZENS' INPUT**

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

8. CITIZENS' INPUT

- a. Must Pertain to Richland County Matters Not on the Agenda

9. REPORT OF THE INTERIM COUNTY ADMINISTRATOR

Edward Gomeau,
Interim County Administrator

- a. Employee Recognition:
 - 1. Utilities: Kelly Price
 - 2. Transportation: Mohamed Al-Tofan
 - 3. Animal Services: Tammy Brewer and Olin Towery
 - 4. Government and Community Services: Director Christine Keefer
- b. Results of Uranium Testing in Hopkins Area [PAGES 57-58]
- c. Intergovernmental Agreements with the Town of Blythewood
 - 1. Animal Care [ACTION] [PAGES 59-61]
 - 2. Municipal Solid Waste Collection and Disposal [ACTION] [PAGES 62-64]
 - 3. GIS Support. [ACTION] [PAGES 65-76]
- d. City of Columbia letter regarding funding the Three Rivers Greenway Project [ACTION] [PAGES 77-90]
- e. Transportation Penny Program Audit Resolution [ACTION] [PAGE 91]
- f. Reimbursement of Transportation Fund with funds from the General Fund [ACTION] [PAGES 92-93]
- g. Columbia Place Mall [ACTION]
 - 1. Maintenance fees.
 - 2. Maintenance Agreement cancellation.
- h. City of Columbia: Intergovernmental Agreement for Bulk Water Sale [ACTION]

Kimberly Williams-Roberts,
Clerk of Council

10. REPORT OF THE CLERK OF COUNCIL

- a. Richland County's Legislative Night Out, February 6, 5:30 - 7:30 p.m., Columbia Museum of Art, 1515 Main Street

- b. Richland One Superintendent's State of the District Address, February 7, 6:00 - 7:30 p.m., C. A. Johnson High School
- c. City of Columbia Legislative Reception, February 12, 6:00 - 8:00 p.m., The Venue on Main - TopGolf Swing Suite, 1624 Main Street
- d. SCAC Mid-Year Conference and Institute of Government Classes, February 20 and 21, Embassy Suites - Columbia

11. REPORT OF THE CHAIR

The Honorable Paul Livingston

- a. Retreat Update
- b. Blythewood Penny Project Priority List Resolution [PAGES 94-95]

The Honorable Paul Livingston

12. OPEN / CLOSE PUBLIC HEARINGS

- a. An Ordinance authorizing deed to the City of Columbia water lines for Richland Library Southeast, 7421 Garners Ferry Road; Richland County TMS#16409-04-02 (PORTION); CF#191-10A
- b. An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-3, Noise; so as to limit noise in the unincorporated areas of Richland County
- c. 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 and Commercial Zones of the County; so as to define vehicles subject thereto
- d. An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-4, Weeds and Rank Vegetation; so as to amend the time for notification
- e. An Ordinance Amending the Transportation Tax line item in the Fiscal Year 2019 Budget Ordinance of Richland County, South Carolina; delegation of authority; and matters relating thereto
- f. An Ordinance Amending the Richland County Code of Ordinances, Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, in general; so as to standardize this chapter more closely with the Municipal

Association of SC's model business license ordinance
and to reflect enhanced enforcement priorities to pursue
enhanced quality of life for the Richland County
Community

13. APPROVAL OF CONSENT ITEMS

The Honorable Paul Livingston

- a. 18-046MA
Kenyatte Jones
GC to RM-MD (.4 Acres)
5406 Monticello Road
TMS #R09310-07-14 (Portion of) [SECOND READING] [PAGES 96-97]
- b. 18-047MA
Inga Black
RS-HD to GC (1.21 Acres)
Bluf Road and Harlem Street
TMS # R13509-02-07, 42 & 43 [SECOND READING] [PAGES 98-99]
- c. An Ordinance Amending the Fiscal Year 2019 Fire Service Fund Annual Budget by \$368,410 to cover the personnel expenses for the 11 positions under the SAFER Grant from January 1 to June 30, 2019 with funds from Fund Balance in the Fire Services Fund [FIRST READING] [PAGES 100-102]
- d. An Ordinance Amending the Fiscal Year 2019 Broad River Utility System Fund Annual Budget to fund a corrective action plan in the amount of \$3,103,000 incident to a South Carolina Department of Health and Environmental Control Administrative Process responded to by the Department of Utilities with funds from the unassigned funds from General Fund Fund Balance [FIRST READING] [PAGES 103-105]

14. THIRD READING ITEMS

The Honorable Paul Livingston

- a. An Ordinance authorizing deed to the City of Columbia water lines for Richland Library Southeast, 7421 Garners Ferry Road; Richland County TMS#16409-04-02 (PORTION); CF#191-10A [PAGES] [PAGES 106-108]
- b. An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-3, Noise; so as to limit noise in the unincorporated areas of Richland County [PAGES 109-111]
- c. 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 and

Commercial Zones of the County; so as to define vehicles subject thereto [PAGES 112-116]

- d. An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-4, Weeds and Rank Vegetation; so as to amend the time for notification [PAGES 117-118]
- e. An Ordinance Amending the Transportation Tax line item in the Fiscal Year 2019 Budget Ordinance of Richland County, South Carolina; delegation of authority; and matters relating thereto [PAGES 119-121]

15. REPORT OF ADMINISTRATION & FINANCE COMMITTEE

The Honorable Paul Livingston

- a. 1. I move that the Magistrate's Office on Wilson Blvd. be constructed with brick siding and not metal [KENNEDY]
- 2. To make a change order to the Upper Township Magistrate contract to include brick for the outside of the entire structure. Additional funding associated with this change order must be identified and approved by County Council. [KENNEDY] [PAGES 122-124]

16. REPORT OF RULES & APPOINTMENTS COMMITTEE

The Honorable Bill Malinowski

A. NOTIFICATION OF VACANCIES:

- 1. Accommodations Tax – One (1) Vacancy (applicant must have a background in the Cultural Industry)
- 2. Hospitality Tax – Three (3) Vacancies (TWO applicants must be from Restaurant Industry)
- 3. Employee Grievance Committee – Six (6) Vacancies (MUST be a Richland County employee; 2 seats are alternates)
- 4. Board of Assessment Appeals – One (1) Vacancy
- 5. Board of Zoning Appeals – One (1) Vacancy
- 6. Building Codes Board of Appeals – Eight (8) Vacancies (ONE applicant must be from the Architecture Industry, ONE from the Plumbing Industry, ONE from the Electrical Industry, ONE for the Engineering Industry, ONE from the GAS Industry, ONE from the Building Industry & TWO from Fire Industry as alternates)

7. Procurement Review Panel – Two (2) Vacancies – (One applicant must be from the public procurement arena & one applicant must be from the consumer industry)

8. Planning Commission – One (1) Vacancy

9. Internal Audit Committee – One (1) Vacancy (applicant with CPA preferred)

10. Richland Memorial Hospital Board – Three (3) Vacancies

11. Midlands Workforce Development Board – One (1) Vacancy (Private Sector Business seat; must represent private sector business with policy-making or hiring authority)

17. OTHER ITEMS

The Honorable Paul Livingston

- a. A Resolution certifying a petition received by Richland County, South Carolina, pursuant to Section 4-9-30(5)(a) of the Code of Laws of South Carolina, 1976, as amended, and other matters relating thereto [Lake Windsor Tax District] [PAGES 125-159]
- b. A Resolution to appoint and commission Juan Pablo Torres as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County {Animal Services} [PAGE 160]
- c. A Resolution to appoint and commission Nicholas Jackson as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County {Animal Services} [PAGES 161]
- d. A Resolution to appoint and commission Dantrell Laquinn Jones as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County {Animal Services} [PAGES 162]
- e. A Resolution to appoint and commission Kimberly Van De Grift Todd as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County {Animal Services} [PAGE 163]
- f. The Richland Program Development Team (PDT)'s Wage Rate Increase [PAGES 164-169]

18. EXECUTIVE SESSION

Larry Smith,
County Attorney

19. MOTION PERIOD

- a. With regard to Section 5 in the Richland County 2019 Council Retreat and the presentation on Reintroducing and Revisiting the Renaissance Plan, I move that the County proceeds to remove the Historic Trail out of the “Renaissance” so we can use the nearly \$¾M already allocated in the FY16-18 Biennial Budget to begin this project now

The Honorable Jim Manning

20. 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
Special Called
December 11, 2018 – 6:00 PM
Council Chambers

COUNCIL MEMBERS PRESENT: Bill Malinowski, Vice Chair; Calvin “Chip” Jackson, Norman Jackson, Gwen Kennedy, Paul Livingston, Jim Manning, Yvonne McBride, Dalhi Myers, Greg Pearce, and Joyce Dickerson (via telephone)

OTHERS PRESENT: Michelle Onley, Beverly Harris, James Hayes, Kim Williams-Roberts, Cathy Rawls, John Thompson, Sandra Yudice, Stacey Hamm, Eden Logan, Larry Smith, Dwight Hanna, Nathaniel Miller, Jennifer Wladischkin, Mohammed Al-Tofan, Brad Farrar, Michael Niemeier, Ashley Powell, Janet Claggett, Trenia Bowers, Donny Phipps, Ashiya Myers, Quinton Epps, Edward Gomeau, John Hopkins, Shahid Khan, Jeff Ruble and Ismail Ozbek

1. **CALL TO ORDER** – Mr. Malinowski called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The invocation was led by the Honorable Calvin Jackson
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Calvin Jackson

4. **APPROVAL OF MINUTES**

- a. **Regular Session: December 4, 2018** – Mr. Pearce moved, seconded by Mr. Livingston, to reconsider Item #16(c): “Use of Assigned Funds – Salary Adjustments”. He stated there appears to be some confusion about cost of living versus this new program. He would like to reconsider the item to clarify what the plans are for the employee raises.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Manning, N. Jackson, Livingston and McBride

The was in favor of reconsidering Item #16(c): “Use of Assigned Funds – Salary Adjustments”.

This item was moved to Item #6(c) on tonight’s agenda.

Mr. Pearce moved, seconded by Ms. Myers, to approve the minutes as amended.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, and McBride

Opposed: Manning

The vote was in favor.

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5. **ADOPTION OF THE AGENDA** – Ms. Myers moved, seconded by Mr. Pearce, to adopt the agenda as published.

Mr. Smith requested to remove Items 13(a) (Public Hearing) and 15(a) (Third Reading) entitled: “An Ordinance Amending and Supplementing Ordinance No. 039-12HR to add the requirement that procedures be established for: (I) Entering into Intergovernmental Agreements with other political subdivisions for completion of infrastructure projects within those political subdivisions, (II) Securing required audits from organizations receiving funds from the Transportation Sales and Use Tax, (III) Approving future changes to the infrastructure projects being funded with the Transportation Sales and Use Tax, including cost and scope; and (IV) the annual budgeting process; ratifying prior actions including: (I) changes in the cost and scope of infrastructure projects, (II) privatization of said projects, and (III) appropriation of funds for said projects; and other matters related thereto” from the agenda. In addition, there are outside attorneys and consultants for Item 21(a): “Approval of Resolution Authorizing the Issuance and Sale of Not to Exceed \$158M for the General Obligation Bond Anticipation Notes”; therefore, he is requested this item be moved up on the agenda.

Mr. Malinowski stated we will move Item 21(a) to Item 6(c) and make the reconsidered matter Item 6(d) on tonight’s agenda.

Mr. Manning stated, for clarification, Item #19 is “Report of the Rules and Appointments Committee”, which he believes did not meet today. He stated Item #20 is a standalone item that not a Report of the Rules and Appointments Committee. He wanted to make sure that Item #20 was going to be properly on the agenda for action.

Mr. Malinowski stated Item #20 is an item that was in the Rules and Appointments Committee, but the way the system is set up it has to be listed as a standalone separate item. It would have been a report from the Rules and Appointments Committee.

Mr. Manning stated, for clarification, the agenda, because of formatting of software, is inaccurate here, and possibly any number of other places, as well.

Mr. Malinowski stated he could not speak for other places, but he has asked the Clerk’s Office previously and this is the only place that formatting does not allow it to be placed like the other items. The other items are all correctly formatted.

Mr. Manning stated, given that, he would like to like to request unanimous for Item #20 to indeed be a standalone for Council’s action this evening.

Mr. Malinowski requested the Parliamentarian to give an opinion on whether an item that was not taken up in committee can be taken up by full Council since it was not properly staffed.

Mr. Smith stated, on the issue of whether this matter was properly handled and reported out of committee, the rules do talk about matters going to the committee, and then them being forwarded properly to Council. In terms of the staffing issue, he does not know that the rules speak to staffing, but they do speak to the fact that matters that go to a committee must be reported out of committee. If Mr. Manning’s motion is now to waive the rules so that this matter can be heard, then this issue would go to the issue of the matter being report out of committee, and if Council wishes to take the matter up, you would need unanimous consent in order to accomplish his motion.

Mr. Manning moved, seconded by Mr. C. Jackson, for unanimous consent for all procedure necessary for us to take up Item #20 (a)-(k) as a part of tonight's agenda.

Mr. C. Jackson stated, for clarification, that this item is simply to announce the vacancies.

Mr. Malinowski stated it is so the vacancies for the boards, committees, and commissions can be advertised by the Clerk.

Mr. C. Jackson stated, for clarification, that all of these have vacancies currently.

Mr. Malinowski responded in the affirmative.

Mr. C. Jackson stated without doing this we would not be able to announce solicitation for people to apply.

Mr. Malinowski stated we would not be able to advertise until we come back in February.

Mr. N. Jackson stated these are notice of vacancies, which means the committee does not have to take action. Whenever these things are available, we post a notice that they available. Normally, when the committee meets they may do interviews or discuss an item and give a report on that item. This is nothing to be discussed. The Clerk sees there is a vacancy available, and they post a notice. It does not necessarily have to go to committee to be discussed. He does not see why we need permission to put it on the agenda when it is just notice of vacancies.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, N. Jackson and Livingston

Opposed: Dickerson and McBride

The motion to take up Items #20(a)-(k) failed.

Mr. Pearce stated, for clarification, it means, by this vote, that all of those boards are going to be without people because we cannot advertise for the vacancies.

Mr. Malinowski stated the boards will not be without people because the rules for all of the boards, committees, and commissions state, that is the event, there is no one to replace the person currently serving, they continue to serve until a replacement is obtained.

Mr. Pearce stated we will not be advertising to replace boards until February.

Mr. Malinowski responded in the affirmative.

Mr. C. Jackson stated, for clarification, that his question earlier was whether any of these positions vacant. He thought the answer he got back was yes. That says to him there are positions that are vacant, without people in them, which is why he 2nd the motion, so we would not have any vacant slots. He understands those people who are going to continue to serve until their slots are filled, because their terms have expired, but his question was not about them. His question was, "Are there any vacant seats on these boards?"

Mr. Malinowski stated, without getting that information from the Clerks, he cannot say. Sometimes there are vacant seats, and others there are people serving whose terms are expiring. He inquired if the Clerks had that information handy.

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Ms. Roberts stated some of the seats are vacant and do not have anyone in them.

Mr. C. Jackson stated, for clarification, that those seats will remain vacant until we can advertise next year.

Ms. Roberts responded in the affirmative.

Ms. McBride stated it is her understanding that we really did not have to bring this before Council because we did not need Council's approval to announce these vacancies. From her understanding, this vote does not prevent us from the announcements. Secondly, at this point, we cannot do anything because the Rules Committee is no longer in place because of some discrepancies on whether there is a legal number of members on it. From where she stands right now, the announcement can still be made.

Mr. Malinowski stated, for at least the past 12 years, the vacancies have been placed on the Rules Committee agenda for the Rules Committee to act on and make a recommendation to Council on which vacancies need to be advertised.

Ms. Kennedy requested a legal opinion.

Mr. Smith stated the question that was raised earlier was this matter going through committee. He responded, if this is an item that is required to go through committee, and then be reported out of committee, based on your rules, then in order to accomplish Mr. Manning's motion, you would have to waive the rules. Now, there is another question that is now being asked about whether or not this is something that needs to go through committee. He does not know the answer to that question. He knows that what has been the custom and practice is that it goes through committee and reported out.

Mr. Pearce stated, for clarification, the boards that are vacant will be vacant until sometime in March.

Mr. Pearce moved, seconded by Ms. Myers, to change the rule that requires vacancies that occur to go through the committee. When vacancies occur, they are simply announced to Council by the Clerk, and posted as being vacant.

Mr. Malinowski stated there are approximately 30 vacancies, and if they were advertised now, Council would not take any action until sometime in February after applicants are interviewed. It would take at least one meeting to make the interview, and depending on how many are needed, it could take 2 meetings to conduct interviews and a recommendation to come forward.

Mr. Pearce withdrew his motion.

Mr. Manning stated he heard something very different than what Mr. Pearce heard. He heard that there is no rule. The Parliamentarian said it was customary, but nobody can point to a rule to say there is a rule. What he heard was that the Clerk's Office would advertise these. Once the advertisement was done, the people would apply. Then, whenever the Chair that is elected January 8th makes appointments to committees, the committee is going to be ready to rock and roll. The applications would be in, and screened to make they were appropriate. Interviews would be set up for the first meeting in February of the Rules and Appointments Committee.

Mr. Malinowski requested Mr. Smith to turn to pp. 11 of the Council Rules, Item #4.1(c), which talks about the Rules and Appointments Committee, and what their functions are, including the vacancies on County boards, commissions, and committees. He requested Mr. Smith to offer an opinion on whether or not we can move forward.

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Mr. Smith stated it talks about the fact that the board is made up of 3 members, and their function is to review, have oversight and be an advisory body on the rules of County Council concerning appointments to County boards, commissions and committees. The committee meets on an as needed basis. The vacancy on a County board, commission or committee shall be announced at least 2 meetings prior to Council making the appointment. Such vacancy shall be advertised in the local newspaper, and it goes on to give other duties and responsibilities to the Rules and Appointments Committee, including interviewing those individuals who apply. It appears, under the rules, there is some reference under the Rules and Appointments Committee to handling the vacancies and making the announcements of vacancies on boards and commissions. It talks about when those announcements shall be made.

Mr. N. Jackson stated, for clarification, the board does interviews and makes recommendations. The board does interviews from a list of applicants. This is a notice to be advertised. The board does not have to make a decision whether they are going to advertise or not. It is supposed to be advertised. It is posted on the agenda under that committee, but the committee does not have to meet and give approval to post notices. He does not know what the big deal is that the committee has to approve it.

Mr. Malinowski stated the committee does not approve it. They forward a recommendation to the full Council for approval.

Mr. N. Jackson stated it is not a recommendation. It says here it is a "Notice of Vacancies".

Mr. Livingston stated he thinks it is very unfortunate that we cannot move forward on this item, based on the previous vote. We have a long agenda. He wished we could move forward and advertise these vacancies. Obviously, he lost that vote.

Mr. Livingston moved, seconded by Mr. Malinowski, to call for the question.

Mr. Smith stated there is no motion on the floor; therefore, there is no need to call for the question.

In Favor: Malinowski, Kennedy, Livingston, Dickerson and McBride

Opposed: C. Jackson, Myers, Pearce, Manning and N. Jackson

The motion to adopt the agenda failed.

Mr. Malinowski stated since we do not have an agenda, so he will ask for a motion to adjourn.

Mr. Malinowski moved, seconded by Ms. Dickerson, to adjourn the meeting.

Ms. Myers moved, seconded by Mr. C. Jackson, to reconsider the previous motion, as it relates to advertising the vacancies.

Mr. Malinowski stated he does not believe that is in order, at this time, since we have not approved the agenda.

Mr. Smith stated, as to Ms. Myers' question, a motion to reconsider can be made on the night that the vote was cast or at the next subsequent meeting, prior to approval of the minutes. The answer to the question is that she can make the motion.

Mr. N. Jackson stated a motion was made to adjourn, which had a second. Then, there was a motion to

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reconsider. If you want to follow Roberts Rules, you have to take action on the item before because this not related to that item.

Mr. Malinowski stated he did not know who made the motion to adjourn.

Mr. Manning requested to know who made the motion to adjourn before he votes.

Mr. N. Jackson stated Mr. Malinowski made the motion.

Mr. Malinowski stated he did not make the motion. He thought he said, "Maybe we should have a motion to adjourn."

Mr. Malinowski withdrew his motion to adjourn the meeting.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, N. Jackson, Livingston and McBride

Opposed: Dickerson

The motion for reconsideration passed.

Ms. Myers moved, seconded by Mr. C. Jackson, to advertise those vacancies on the list where there are vacancies. We can debate the others when we come back in February. She stated some of these committees cannot operate until we get them properly constituted.

Mr. Malinowski stated we will still need unanimous consent for this item.

Mr. N. Jackson stated, for clarification, we just voted not to advertise.

Mr. Malinowski stated we voted to not bring it out of committee and advertise all of the vacancies. Ms. Myers is narrowing down the list to only advertise where there are vacancies. The Clerk's Office will determine which boards, committees and commissions have vacancies, and advertise only those.

In: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, N. Jackson, Livingston and McBride

Opposed: Dickerson

The motion failed to advertise.

Mr. Pearce moved, seconded by Mr. C. Jackson, to approve the agenda as amended.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

Opposed: Manning

The vote was in favor of adopting the amended agenda.

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Mr. Manning requested that they officially codify this document, that we publish to the public, says Item #19 is Report of Rules and Appointments Committee; #20 is Notification of Vacancies, which is what the document says, but there is apparent glitch, that we have not gotten resolved, in an agenda software. We are not taking this issue up, even though it is very clear on the agenda because Mr. Malinowski was told there is a glitch in the agenda, and the way it reads is not right.

Mr. Malinowski directed IT to work on correcting the agenda software, so the agenda reads correctly.

PRESENTATIONS

6.

- a. Rhonda Hunsinger, Executive Director – SC Philharmonic – Mr. Regan Voit, Board of Directors Member, and Ms. Hunsinger, Executive Director, thanked Council for their support to the orchestra. He stated without the contributions by the County, the general public, and businesses in the community, they could not do many of the community services they do. They provide concerts at local hospitals, which is broadcast throughout the hospital. They also take their program “Conduct the Phil” to places such as Transitions, the VA Hospital and Palmetto Home. In addition, they support a youth orchestra and work closely with the school districts.

Ms. Hunsinger stated they had a Halloween at Hogswart Concert that sold out months in advance. They could not plan concerts like that without the support of Richland County Council. They are going to a Star Wars Concert on May 22nd.

- b. John Andoh, Executive Director/CEO – COMET – Mr. Andoh gave a brief presentation about the Midlands Regional Intermodal Transportation Center Study that presented to the Council of Governments in 2016. The study was initiated by the COG to study the future location for a potential intermodal facility where you can bring buses, trains, bike sharing and passenger amenities to one specific location. This is the first step needed to pursue funding from the Federal Transit Administration. An intermodal center facility is basically a facility that brings together all transportation functions to one facility. It can have many amenities, such as shopping, apartments, offices, etc. If the project is found feasible, it could take 3 – 10 years to construct at an approximate cost of \$14.7 Million. There were 22 sites considered. The study recommends continuing to have the facility at the corners of Laurel and Sumter. The City of Columbia presently owns that facility, and the COMET leases the facility. The 4 sites that were advanced for further study were the Laurel/Sumter; Main/Anthony; Main/Scott; and Taylor/Harden. As stated, the Laurel/Sumter location was the preferred location, and would take into consideration the existing City owned property, the parking lot next to the transit center, and the potential of purchasing the private property immediately next to the current transit center building. Presently, the COMET Board of Directors adopted a transit center roadmap that discussed what we are doing with the transit center today, and what we envision doing within the next 10 years. One of the caveats of the roadmap is to study the present transit system, which would include doing a short range transit plan and a comprehensive operational analysis. They are doing that in conjunction with the COG, and it will be studying the current network of the transit system. That will give them the necessary information to determine if the current system makes sense to have a transit center at the corner of Laurel and Sumter, or should they have more cross town routes and satellite super-stops where people can make transfers in alternative locations throughout the service area. That would possibly mean an elimination of the current hub and spoke concept where all the routes come to downtown Columbia and then go out. There is still merit at looking at a small intermodal transit center near the Amtrak station and USC where we can have a few COMET bus routes along with an inter-city

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bus services. There can also be some consideration of a super-stop at the corner of Harden and Taylor where a few downtown bus routes can also serve. The process to implement something like that could be 2 – 5 years and would include a Title VI review.

- c. Approval of Resolution Authorizing the Issuance and Sale of Not to Exceed \$158M for the General Obligation Bond Anticipation Notes – Mr. Gomeau stated this is the recommended Bond Anticipation Note amount that we are asking for to refund the existing \$250M of Bond Anticipation Notes in February and give us an additional \$100M, which is in addition to the Penny Tax funding. He stated they have worked on the numbers and looked at the ability that we need to have in order to maintain the kind of funding we are doing. He has looked at run rates, in terms of expenditures, and this is more than enough money to keep us going. The \$250M, which we only used \$50M of, is going to cost approximately \$8M in interest in addition to other fees that are associated with bond issues. That was an expensive \$250M that we are turning back, most of which we did not use for the year.

Ms. Myers inquired, of the \$250M BAN from last year, how much was used.

Mr. Gomeau responded that we spent \$50M - \$60M. He stated you are paying interest on the whole \$250M, in addition to issuance costs and other things that go with that.

Ms. Myers stated, for clarification, Mr. Gomeau is recommending \$158M. She inquired if we will triple it next year, and if it is a 2-year BAN or 1-year BAN.

Mr. Gomeau responded it is a 1-year BAN. He stated this is a compromise between what Dr. Thompson has come up with, in terms of his cash flow needs, and what PDT thinks they can accomplish, which is in the vicinity of \$100M. If that is the case, the \$158M, plus the Penny Tax and surplus, is more than enough money to cover this. He based his look on this on the reports that he has gone over, and the run rates for construction now. Obviously, we pay the COMET and other things outside of the normal operations, but for the construction fees, we are somewhere between \$4M - \$5M run rate every month. We have more than enough money to pay that kind of payout every month. Rather than incurring additional interest, that is going to come out of the Penny funds, which we have paid a lot of interest to date on money we never used. He stated that goes against all prudent fiscal management to do that. He does know of any reason that you would want to take \$250M, which you cannot spend in a year, and pay another \$7M - \$8M in interest, for another \$50M - \$70M of expenditures.

Mr. Pearce stated, for clarification, the amount of money that is collected on the Penny Tax goes to both the COMET and the Transportation Program.

Mr. Gomeau stated that is correct. The COMET gets 18%, the internal costs for the Transportation Program is 3%, and the remaining goes into the expenditures for the program.

Mr. Pearce inquired, if when Mr. Gomeau is doing his calculations on the funds available, if he is removing the COMET money.

Mr. Gomeau stated he is not removing the COMET. He is looking at the total expenditures, but what he is saying is, in terms of the expenditures on project expenses, the run rate on that is not \$100M a year. In addition to the 18% we pay for the COMET, there is enough funds available to pay those things in addition to what the run rate will be during the year. He stated he and Dr. Thompson agree on what he needs. Now whether or not it turns out to be more or less we are not sure, but we

looked at what our needs are, and the \$158M, plus the \$65M, and the balance we have at the end of the year is more than enough to do that. The \$250M is way above anything that you will need for a year. Keep in mind you are only borrowing it for year, so if you only use \$100M you will pay interest on another \$150M, which will take money away from projects. You are already short money on some projects. You are using that extra money up by paying interest. Bonds and BANs look good, but unfortunately at the end you have to pay it back with interest. That interest is chewing up any ability you have to make up for any of the projects that have been taken off the list.

Mr. Pearce inquired, of the projects that are ready to go, if Dr. Thompson is convinced that he has sufficient funds, under this model, to pay all of those projects.

Dr. Thompson responded in the affirmative. In fact, they inserted in the agenda packet the draw down schedule. If you look at the draw down schedule, it gives you a prospective of how much money. We are looking at approximately \$118M for the PDT to spend for the next fiscal year.

Mr. Manning requested the page # of the document Dr. Thompson is referencing.

Mr. Malinowski stated it is pp. 323 – 324.

Dr. Thompson stated the bottom line, as he mentioned to the Transportation Ad Hoc Committee last week, staff does not pull numbers out of the air. These numbers come directly from what the PDT proposed in their outlays document. So as Mr. Gomeau mentioned, between the BAN and the Transportation Sales Tax, the revenues we plan to generate for next fiscal year, we will have more than adequate money. He stated he assured Mr. Beaty of that.

Mr. Pearce inquired if the Transportation Ad Hoc Committee is comfortable with this.

Mr. C. Jackson stated they are comfortable as long as there is a mechanism to fund the projects when they come up. It is clear that we cannot spend that much in one year. However, in years 3, 4 and 5, we want to make sure if we make the decision today that there will be funding, although it will be at a bond rate, which is much higher than a BAN rate, to fund those projects. Therefore, no projects will come off the list, as Mr. Gomeau has suggested.

Mr. Livingston stated, when we started the Penny process, we had a referendum. That referendum had 2 important questions on it: Whether or not you were going to support the Penny? and Whether or not you wanted to bond up to \$450M? The citizens voted on both of those items. Actually, if he recalls correctly, more citizens voted to bond projects than actually voted to approve the referendum. The citizens, at that time, said it was very important that we get these projects done as soon as possible. By doing that we may save money because of cost escalations, and so forth, and we do not want to wait 22 years to complete the projects. Council did move forward with an ordinance, whereby we approved the \$250M BAN. When we did that, he thought we were doing that based on a project projection list that he received in December 2017. The list laid out the projects and explained why we needed \$250M, and that is the reason why we approved \$250M at that given time. Part of the reason we did that was because we were told by bond counsel that we needed to meet a March 18th deadline if we desired to ever do the bond, so we moved forward to do that. We may have issued, or rolled over, the BAN, during that particular time, as a result of that decision. If he recalls correctly, we did not spend the BAN proceeds first. We were spending some of the collection funds. Since then we have passed a motion to henceforward to spend the BAN proceeds first, so that should increase the probability of us spending the bond funds. It is important to him that whatever we do tonight that we make sure we get projects completed. Remember the

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concern was not so much spending the \$250M by next year. The concern was what happens if you need the money, and do not have it. If he understands it correctly, if you do not bond enough and you end up needing more in 2020 to complete projects, you will not be able to do so. His concern is he does not want to bond money and not be able to spend it, but worse than that he does not want to not do and not be able to complete projects, and the projects ending up costing us more and taking longer to complete. He thinks it is important for us to understand where we are and how do we get to where we are. Keep in mind, it is going to cost us to bond, but remember there is an additional cost to delaying projects too. One way of saying it is this is the last, and only, bite of the apple, if we are going to do the bond because we cannot do it later. He noticed the Administrator said we did \$250M bond, and we are doing a \$250M bond again, which makes it sound like we are doing \$500M in bonds, which is not the case. He thinks we need to take those things into consideration. Last time, he asked a question, if we choose not to go forward with the full bond, what is going to happen to those projects in the 2017 (i.e. which ones are going to be completed), based on us not having the funds to move forward with them. He inquired if it was true that if we do not do the \$250M bond now and we need more at a later date we cannot do another bond.

Mr. Gomeau stated we will be restricted to the \$158M.

Mr. Livingston stated he remembered sometime back when you could do a right-size resolution to a bond. In other words, if we bond the \$250M, and next year we realize we do not need it, we can do a resolution to right-size that bond and reduce the bond, but we cannot increase it. He inquired if that is correct, based on his bond knowledge.

Ms. Heizer stated what Council has in front of them tonight is a bond anticipation note, not a bond, so if you borrowed more now, and this time next year, or earlier in the year, in anticipation, you wanted less you could reduce the actual bond that you issue. This is another 1-year debt, not a multi-year debt. Before you go into multi-year debt, you would certainly want to go down in your amount, if you did not need it. Therefore, to answer Mr. Livingston's question, the answer is no. If you actually issue a bond, you cannot change the amount. You have borrowed it. You have got to repay it, but if you have a BAN you have more flexibility.

Mr. Livingston inquired, for clarification, that you can reduce the BAN.

Mr. Cromartie stated you are right-sizing now, but if you have a bond you cannot reduce that. However, if you have a BAN and you transition that into a bond, you can reduce that amount.

Ms. Heizer stated, to put it into context, this time last year, there was a lot of concern about recommendations that were made. We had the PDT numbers and needed the \$250M, use it or lose it, so that is why you borrowed \$250M, on a 1-year basis. Now, we are a year later, and the recommendation is you really do not need \$250M. The \$158M is the right-size.

Mr. Livingston stated, for clarification, it was never the expectation to use the \$250M by now.

Ms. Heizer stated, honestly, the way we set that up was that you would have multi-years to spend the \$250M.

Mr. C. Jackson inquired as to where the numbers, that are in fine print, in the agenda packet, were obtained.

Dr. Thompson responded from the PDT Quarterly Outlays document.

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Mr. C. Jackson inquired as to how far back that document goes.

Mr. Beaty stated the documents go back to 2015.

Mr. C. Jackson stated, as accurate as we can be today in 2018, or as accurate as we were in 2017, 2016 and 2015. Now, the question becomes if we do not get any more than \$158M, and we need more in 2021, the only way to get to more would be to do a multi-year bond.

Mr. Cromartie stated, at present, if you borrow \$158M on the BAN, then the max you can do on the bond is \$158M. To Mr. C. Jackson's point, the maximum bond would be \$158M. You would not be able to do \$250M or \$175M, if your maximum in the BAN now is \$158M.

Mr. C. Jackson stated, if our projected expenses for projects already exceeds the revenues, and our projections are that we will not get to all of the projects, with the maximum amount, borrowing less makes it even more difficult and increases the chances of dropping projects off the list. How else would we fund them if we cannot borrow any more money? We are being told there are several projects, that right now, if we continue the rate we are going, we will be near the end of our process and these projects do not have identified funding. That is with the maximum number of dollars. If we do not borrow the maximum number, how do we fund those projects that may not even begin until 2020 - 2022.

Ms. Heizer stated the bond anticipation notes, bond, and what was authorized by the voters, is only a cash flow tool. It does not give you more money, at the end of the day. She knows one of the concerns that we have discussed with Administration, and in making the recommendation, is that for a bond anticipation note the interest rates are better, and your interest expense for bond anticipation note is not a deal killer. The issue becomes, if you use \$250M of BAN proceeds, when that number is bonded out, there is only about 10 more years in the life of the Penny, so you have \$250M to be repaid in 10 years or less. Your repayment is going to be at \$30M a year, and that comes off the top of the County's share of the Penny. She has been around since the beginning and the idea was that you would come booming out of the gate, borrow a bunch of money and start getting projects done before inflation, or you knew projects were estimated to be over budget. She thinks you need to balance the concern between having enough cash to meet the maximum expenditure versus what happens when you have used that borrowed cash, and you start to repay it and you only have about \$15M a year of pay-go. That is a complicated balance. The bottom line question is, "Are you getting 'the bang for the buck?'" in terms of beating inflation. Again, for the bond interest, we borrowed the money at a relatively low interest rate. Interest rates are higher today, so whatever we do in February, the interest rate will be higher. The investment rates are higher, so we heard a couple months ago a small amount of BAN proceeds have been spent, which is why we recommended you switch and spend more BAN, and less revenue. You are actually earning on your unspent BAN proceeds. You are earning as much as you are going to have to pay. It was also pointed out that the total of \$7M for this year's BAN was a cash premium. She thinks your out-of-pocket interest expense for this BAN will not be \$7M. Now, once you bond it out, it will probably be more than \$7M because the interest rate is higher. They have all been comfortable that doing the \$250M last year was a reasonable decision, particularly with the idea that the arbitrage would help repair part of it. She thinks whatever Council decides tonight is going to have a bearing on what you ultimately have to repay. Another BAN is another year, that interest rate will continue to be lower than long-term bonds. The ultimate decision Council has to make is the value judgment of, "Are you getting enough inflation beating energy from using borrowed money versus pay-as-you-go?"

Mr. C. Jackson inquired, when we get to the end of this process, and if we are not able to fund all of

the projects at the end of the process, what is the feasibility of going out and getting a brand new bond to finish those projects.

Mr. Gomeau stated you can certainly do that on the authority of the County. He would suggest that because he thinks that will fulfill your commitment that you started with, and it would show good faith that you made it up. The financial consultants have given us an 8-year payback on \$158M, if we issue a bond next year for that. If the \$250M goes out for 8 years, you are going to be paying \$5M a year in interest. That is \$40M that you are not going to have for those projects. His way of looking at it is, he would put enough pressure on Dr. Thompson to make sure these things cash flow works, and we make that up. He thinks Dr. Thompson can do that. He thinks that is good management of the public's dollar. If you issue a \$158M bond, it is going to cost you 60% of the \$40M, so you are going to save \$16M, which will go a long way on some of those projects. He has a public concern with this that you try to get as much out of this as you can because of the way this thing was sold. He stated, yes, the public approved \$450M, but they had no idea that if you bonded \$450M, you are paying \$10M a year in interest. He hates to see the County end up paying more money than you should for something that you do not get any value out of. You do not get any value out of interest payments.

Mr. Manning stated, when the Penny Sales Tax was being promoted to the public, it seemed to him like the COMET, or public transportation, was more like 25% of the money. He inquired if it was accurate that it was only 18% that goes to the COMET.

Dr. Thompson stated, of the \$1.07 Billion, \$300M is going to the COMET, which is 28%.

Mr. Manning stated he is concerned about the \$158M restriction, particularly with the Carolina Crossings, which most people know as Malfunction Function. He is concerned once that gets going on how we are going to find people to do our little projects here in the County. In terms of rushing to get things done, it is very important. He would like to go back and talk about the pure ignorance of Richland County voters not knowing what they were doing when they were voting for the bond. He has a little more confidence, not just because they elected him, but because they elected these other 10 people. He was here at that time, and was at many forums. As he recalls, the vote "No" was very well funded and organized, and they had excellent speakers at every forum he attended. They explained to the voters that a bond would have interest. When you borrow money to buy a house, you pay a lot of interest on it to get the house. He does not think the voters of Richland County were that ignorant that they could not understand when they voted for it. What was keenly interesting to him, as Mr. Livingston has indicated, that there were people voting "No" on the Penny, but they voted "Yes" on the bond because, being fairly well educated in hearing the vote "No" argument and the vote "Yes" argument, was that while they may not have been for the Penny, if the Penny passed they did want to get that done quickly and immediately. One of the things that South Carolina is known for is poor roads and bridges. We had a horrible bus system. It was not running on weekends. People could not go to church, or work on a Saturday. There were hardly any routes, and the people understood that if we wanted to do something significant in Richland County that you need to do two (2) things: (1) You needed to pass a bond, in our case a \$1.07 Billion Transportation Initiative; and (2) If you wanted to get it done quickly, you needed to utilize a bond, even though there was interest and cost connected to that. He thinks the people of Richland County also understand that many of the decisions we make as Council do have some risks to it, and he thinks they are okay with that, as long as we study, as well as we can and ask questions, like we asked this evening, and to try to get what they wanted done, as quickly as possible. He is also a little concerned in our looking at what we have spent up to date, because when you are out getting easements and when you have some people drawing up projects, the cost of that is very minimal compared to once

the bid goes out for Clemson Road and Hardscrabble Widening, and you have hundreds of people on the job, with a whole lot of big equipment, and not just a pencil drawing up a project, and all that goes into that. When he looks ahead, he realizes that we have the very expensive part of the Penny coming ahead of us. To base it on what we knew ahead of time, at the earlier part, would be lesser expensive, would not be well advised. He is very concerned that we would look at restricting down to \$158M in getting the money that we need to get the projects done the way in which he feels educated and informed, and not ignorant voters, voted in 2012 on the Richland County Penny.

Mr. N. Jackson stated Mr. Manning said a lot of what he was going to say. The referendum was a 22-year project, and we decided to do a bond to expedite the project. In approximately 10 years we would build out the roads and move forward. We anticipated approximately \$50M a year, but we saw the money coming in faster, so now it is \$65M a year, which means \$45M would go to the roads. At one time, we were thinking about pay-as-you build. He inquired about how much was spent on projects last year.

Dr. Thompson responded \$80M, and in this current fiscal year the budget is \$117M, but looking at the current trends PDT will spend \$85M - \$90M. The next fiscal year, we are looking at \$118M; the following fiscal year \$150M. The trend starts declining after that.

Mr. Beaty stated they are budgeting approximately \$85M in the current fiscal year. In the next fiscal year \$126M; and then \$151M, \$104M, \$98M and \$38M, each year after.

Mr. N. Jackson stated, when we passed the referendum, we did not anticipate competing with the Carolina Crossroads, which is going to spend over \$1 Billion. In the next 2 years, Carolina Crossroads will start, so you are going to have people and construction doing that project. He inquired if we will have enough people to do the County's projects.

Mr. Beaty stated that is going to be a concern. Carolina Crossroads is fully funded by the State Legislature at \$1.5 Billion. They are expected to execute a contract with the design-build team in early 2020. In late 2020, you should see construction begin on that project.

Mr. N. Jackson stated, for clarification, there could be a shortage of construction.

Mr. Beaty stated that would be fair to say. There will be more demand at that time.

Mr. N. Jackson stated another concern is we are talking about spending this money, but certain projects SCDOT is supposed to reimburse the County for. He inquired if that was calculated in any of the PDT's figures.

Mr. Beaty stated the numbers he is giving is the total project expenditures.

Mr. N. Jackson stated he is reminding the PDT there is a clause that we will build some of the roads, and when SCDOT received that money, they are supposed to reimburse us. We are talking about a shortage of funds. If we get the money back from the SCDOT, then there should not be any shortage. If we do not ask SCDOT, they are not going to give it to us. If we spend over \$8M on their projects, per SCDOT design and construction, when they get the money back from Congress, they are supposed to reimburse the County.

Mr. Beaty stated the numbers he just read is the total amount of project expenditures. If the SCDOT comes back with \$1M - \$5M, that would be to the good of Richland County.

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Mr. N. Jackson stated he is sure that was put into the agreement that we would expedite some of the roads, and because it was in the STIP, when those projects are funded they are supposed to reimburse us.

Mr. Livingston stated he does share the Interim Administrator's concern regarding the costs, but at the same time, he cares about getting the projects completed in a timely manner. His concern is trying to balance those two. Just to clarify, Mr. C. Jackson asked a question about what happens if we need more money. If he heard correctly, we could borrow some more, but would that not be against the County's debt limit. Would we have to borrow it on the back of the County, opposed to using the Penny as a revenue source?

Mr. Gomeau stated it would depend on how the voters voted, or Council voted, on the bond issue. Legal counsel can speak to that, but it does not always go against the debt limit.

Mr. Livingston stated, for clarification, but it could. It would not go against the Penny revenues.

Mr. Gomeau responded in the affirmative.

Mr. Livingston stated he was not sure Mr. C. Jackson got that point when the question was answered because that is an important point. There is a probability that you may have to use the County debt limit to pay for it.

Mr. Gomeau responded in the affirmative.

Mr. Livingston stated that concerns him. Keep in mind, it is true the bond is going to cost you, but since we started this Penny Program the inflation rate has been absolutely crazy. For example, asphalt. He inquired, in the last 4 years, what the inflation rate was.

Mr. Beaty stated the overall construction increase over the last 4 - 5 years has been 8% - 10% per year. Asphalt fluctuates quite a bit, but the overall construction increase is 8% - 10% per year.

Mr. Livingston stated his point is as we stretch projects out we have to worry about the inflation rate too.

Ms. McBride inquired, with the Carolina Crossroads coming in at over a \$1 Billion, and the number of employees being required, will that put stress or additional costs on us in trying to find people to do the work. How could that impact the PDT's budget?

Mr. Beaty stated, he could say with certainty, putting \$1.5 Billion more of construction, primarily Richland County, is going to drive prices up. The demand is going to go up, so he is confident the cost of materials will go up. There is already a limited pool of construction workers. Up to this point, we have not been struggling to get bids and workers on the Penny Program, but after 2020, prices will go up and the labor pool will become tighter.

Ms. McBride stated she agreed with Mr. Gomeau in terms of us wanting to be fiscally responsible, but at the same time, she is concerned. She is one of the laypersons that voted for the Penny. She voted for it because of the transportation (buses), and because the roads are so terrible in South Carolina. She knows that most citizens wanted the same thing that she did, in terms of improving the roads. She is concerned that we put all this energy, and money thus far, in the planning. Now, it is time to get the work done, and it is going to cost more for the construction versus the planning

part, and we may not have enough to complete those projects that we have been waiting for. She listened to the projections, based on expenditures, from Dr. Thompson.

Mr. Beaty stated the numbers he gave are the total annual expenditures, for the entire program, including design, buying right-of-way, construction, and administrative costs. That is based on developing the program as quickly as they can. They have looked at how quickly projects can be developed over the course of the next 5 – 7 years, based on a \$250M bond.

Ms. McBride requested help with the discrepancy. It was her understanding we had a projection of \$158M.

Dr. Thompson stated the BAN is \$158M.

Ms. McBride stated, for clarification, the BAN, plus other revenues, should take care of everything.

Dr. Thompson responded in the affirmative.

Ms. McBride inquired, based on Mr. Beaty's expertise, if that is how much he is projecting too.

Mr. Beaty responded that he is looking at something different, so he thinks we are talking apples and oranges. He stated he would defer to the bond attorneys and financial consultants. He can talk about how quickly we can develop the projects and spend the money.

Dr. Thompson stated the \$158M breakdown is as follows: \$101M for new project proceeds, in addition to that we will have approximately \$40M of Transportation Penny revenue; \$17M expenditures from July 1 – November 30, 2018; \$20M reimbursement for the period of May 15 – June 30, 2018; and \$20M for expenditures beginning July 1, 2018 – February 2019.

Ms. McBride stated, for clarification, that should cover what is needed to continue the projects.

Dr. Thompson stated that will reimburse the Penny Sales Tax pot of money, as well as, to finance the next fiscal year expenditures at \$101M, in addition to the \$40M from the Transportation Sales revenues.

Ms. McBride stated the \$101M is basically for the PDT.

Dr. Thompson stated we are going to roll over money. For example, the PDT projected \$117M, but they are only going to spend \$85 - \$90M; therefore, you should have approximately \$27M in roll over funding.

Ms. McBride stated Dr. Thompson is saying that should be enough to cover the expenditures for the PDT. She inquired as to what Mr. Beaty says.

Mr. Beaty stated he would have to agree, based on what he understands. That scenario would fund next year, but he does not think that scenario will fund years 2 – 4. The numbers may work if you only issue \$158M, but you will be short in years 2 – 4.

Ms. Myers requested Mr. Gomeau to state how many similar projects he has done and how long he has been doing transportation/roads work.

Mr. Gomeau stated this is his 50th year. He stated, for clarification, that he has never referred to the taxpayers and residents as ignorant. If there is any ignorance that goes out there, it is because we, as public officials, do not give the amount of information that is needed. He stated he has done this for 50 years, and he has never been accused of that, during that time. In terms of looking at this, as an overall project, he has done \$550M worth of roads, \$100M worth of roads in another community, he has issued over a \$1 Billion of bonds for municipal projects, and built every kind municipal building there is (fire departments, police departments, transfer stations, landfills, etc.), so he understands financing. When you do a specific project, if you build a building, and issue a \$100M worth of bonds, it is easy because once you finish it, it is done and you pay it off. This is not the same thing. This is stretching money out over 22 years, which carries a higher interest costs. He has looked at these things, and he is giving you the best look at this. He has done it before. He would not mislead you. You do not have to listen to him, but you will not be misled.

Ms. Myers stated we are living in the best case scenario. There is not a lot of competition from other municipalities to do road projects. She inquired about the actual spend, for the 1st four years, per year.

Mr. Beaty stated for FY15 - \$24M; FY16 - \$39M; FY17 - \$68M; and FY18 - \$78M. The projected for year 5 is \$85M.

Ms. Myers stated the reason she stopped him at year 5 is because the PDT contract ends in year 5. We then have another decision to make, which is do we continue with that contract or do we do something different with the program. As far as collections, what have the Penny collections been.

Dr. Thompson stated in 2014 - \$52.9M; 2015 - \$58.6M; 2016 - \$61.5M; 2017 - \$64.3M; 2018 - \$65.1M; and \$65.6M in 2019.

Ms. Myers stated, so based on the projections, we are lacking approximately \$20M in one year. She inquired, in the actual spend, what percentage, or actual dollars, what went to roads and what went to planning, and how does that decline over the years.

Dr. Thompson stated he will have to get back with her on that breakdown.

Ms. Myers inquired if Mr. Gomeau has an idea of what the spend is, in terms of actual money in the ground, and actual money on planning and administering.

Mr. Gomeau stated he just has the summary report that is given out every month. The one thing it does give us is, from 2014 – November 2018, we took in \$386M, and \$370M was paid out, with construction cost of \$131M and \$90M for the COMET.

Ms. Myers stated, for clarification, the projection for the high year is \$151M, and then it is going back down after that.

Mr. Gomeau responded in the affirmative.

Ms. Myers stated, even in the best of all possible worlds, with no competing construction projects, the best estimate would be that we would spend \$151M, and then it would go back down.

Mr. N. Jackson inquired about how much money is needed to complete the projects or we would have left for road projects.

Mr. Beaty stated, if he understands the question, the total project estimated cost is \$750M for the roads portion, which includes part of the administration funding, and \$300M for the buses.

Mr. N. Jackson stated we have spent approximately \$300M.

Dr. Thompson stated that includes the COMET.

Mr. N. Jackson stated what he is asking is in reference to construction, and the PDT's money.

Mr. Beaty stated that is in the referendum amount. The total that will go to roads is about \$750M.

Mr. N. Jackson inquired about how much we have spent on roads already.

Mr. Beaty stated the numbers Mr. Gomeau stated included the \$50M BAN that spent, and paid back. He would say the money that has come in from Sales Tax collections has been \$320. They have also brought in some other funding (i.e. Federal). The amount that has been spent is approximately \$320M, with \$90M going to the COMET, which leaves \$230M.

Mr. N. Jackson stated, for clarification, that we have \$520M left to complete the projects. He inquired as to how much time is projected to finish the projects.

Mr. Beaty stated approximately 6 years.

Mr. N. Jackson stated, at SCDOT, they did a program entitled "27 in 7", which was 27 years of projects in 7 years. He inquired if it was possible for us to do "6 in 2". The reason why he said that is if we can do 27 years of projects in 7 years, and have that money, and the bond, to spend, and not have anything left over, or keep borrowing. We are talking 6 years...can we do it in 3 years.

Mr. Beaty stated he does not think we can get the projects developed that fast, and get them out of on the street. He stated it takes longer. We just began some of the last major projects, and it takes 2 ½ - 3 years to develop a major project.

Mr. N. Jackson stated he understands, but we have limited design engineer companies doing it. If we have the money to expedite it, then hire enough companies to do the projects in a shorter time. Then, we would not have the problem with the bond because we would be spending that money, as we see fit within a short period of time. He stated it would solve everything. He stated in your discussions that is something to look into. He does not see why you cannot hire more construction and design companies to expedite the process, instead of waiting. We are here debating about interest rates. We are going to spend \$5M a year, for the next 8 years, when we could do it in a short time.

Mr. Livingston stated he is not relying as much on what happened in the past because he cannot account for the effects of all those delays we had. His expectation is for the projects to move along a lot faster. A lot more construction is ready. He is thinking we can do things quicker and faster. He does not want to get lost not being able to pay for it and keep moving.

Mr. Malinowski stated, for clarification, that Mr. Beaty stated he anticipated the Carolina Crossroads project to begin in 2020.

Mr. Beaty responded in the affirmative.

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Mr. Malinowski stated, for clarification, that Mr. Beaty also stated, once that project starts, he believes companies and workers may become more in demand, and scarcer. That being the case, why would you project the highest dollar amount to be needed for 2020, when you have these other items facing you as negatives.

Mr. Beaty stated, as managing the Program Development Team, he can only control what he can control, and that is developing the projects. He cannot control the price of construction or the fact that the SCDOT is going to put out Carolina Crossroads, or the decisions that Council makes about bonding. What he has shown Council, and the numbers he has stated, is what he feels is the quickest that we can develop the program and spend the money.

Mr. Malinowski stated, for clarification, for an optimum situation versus any other things that may come up.

Mr. Beaty responded that is correct.

Mr. C. Jackson moved, seconded by Ms. Kennedy, to approve the resolution authorizing the issuance and sale of not to exceed \$158M for the General Obligation Bond Anticipation Notes.

Mr. Livingston made a substitute motion, seconded by Mr. Pearce, to approve a resolution to authorize the issuance and sale of not to exceed \$200M for the General Obligation Bond Anticipation Notes.

In Favor: Pearce, Manning, Livingston and McBride

Opposed: Malinowski, C. Jackson, Myers, Kennedy, N. Jackson

Abstain: Dickerson

The substitute motion failed.

Mr. Manning made a second substitute motion, seconded by Mr. Livingston, to approve a resolution authorizing the issuance and sale of not to exceed \$175M for the General Obligation Bond Anticipation Notes.

In Favor: Pearce, Manning, N. Jackson, Livingston and McBride

Opposed: Malinowski, C. Jackson, Myers and Kennedy

Abstain: Dickerson

The vote was in favor of the second substitute motion.

Mr. Manning moved, seconded by Mr. C. Jackson, to reconsider this item.

In Favor: Malinowski, C. Jackson and Myers

Opposed: Pearce, Kennedy, Manning, N. Jackson and Livingston

The motion for reconsideration failed.

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POINT OF PERSONAL PRIVILEGE – Mr. Manning thanked everyone for their work on this difficult issue.

- d. Use of Assigned Funds – Salary Adjustments – Mr. Malinowski stated, after speaking with some individuals on this, including staff and elected officials, Council was not given full information on the Total Rewards Study. It is the study, at the time of voting last week, he was told was 70% complete. This week he hears it is now 80%, so to vote on a Total Rewards Study, which takes in all pay raises in the future. We did not have the complete information, which is why it was moved to a work session at the Council Retreat. However, since then, he has been told what Council should have actually been voting for, for salary adjustments, were the cost of living increases, which was a 2% COLA for all employees. The cost of living increase of 2% had already been approved in the budget. With that being said, he would like to readdress this situation, and make a motion that the Total Rewards Study, upon completion, will be handled at the Retreat, but that we move forward and approve the 2% COLA adjustment for all employees in January. Mr. N. Jackson seconded the motion.

Mr. Pearce stated that is the clarification that he was looking for. He had received information from several department heads and elected officials that they were confused about the cost of living, and were not sure that was going to be coming forward. It was his understanding, the 2% was approved. He fully supports the Total Rewards concept being deferred until the study is complete.

Mr. C. Jackson stated, as he recalls during the discussion, because there was some confusion and another program was tied into the cost of living, the PDT’s request, which he recalls initiating the larger conversation, and our inability to do 2 things: separate the 2 and resolve the question for both, as opposed to answering it for employees, but not answering for the PDT. They were both deferred to the Retreat. His motion, at the last meeting, was when we discussed them at the Retreat, and resolved it, they would be retroactive to January 1st, so that no one would lose any money. It would be a matter of a couple weeks, so we would have a full understanding and make a decision on the PDT’s request and the County’s request. We are making a decision now on one of the 2 issues. They were both going to be in the same session, so if you do you do that, but the motion that went forward was to discuss both of them at the Retreat.

Mr. Manning stated, for clarification, the discussion, and ultimate motion was that there would be a work session held. There was nothing in the motion that said it would be at the Retreat.

Mr. Malinowski stated, if that is the case, then he stands corrected. He does see where it says about a work session.

Mr. Manning moved, seconded by Mr. C. Jackson, to reconsider the approval of the minutes.

Mr. C. Jackson stated the motion he made was to specifically have this item discussed at the Retreat. Then, to have whatever decision we made at the Retreat to make it retroactive to January 1st. It is not reflected verbatim in the minutes, but that was his motion.

Mr. Malinowski stated on p. 27 it does say something similar to that. It says, “Mr. C. Jackson restated his motion to authorize a work session to discuss the salary document, and once that work session has occurred, and is ready for a vote of Council, the approval will allow pay raises to be retroactive to January 1st.” Therefore, we want to correct the minutes to reflect that the work session will take place at the Retreat.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride.

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The vote was in favor of reconsider the approval of the minutes.

Mr. Malinowski restated the motion to correct the minutes, on pp. 27 as follows: "...authorize a work session at the Retreat to discuss the salary document,"

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

Opposed: Manning

The vote was in favor of correcting the minutes.

Mr. Pearce stated, for clarification, Mr. C. Jackson's motion would hold up the COLA because of discussing the PDT and County's request, along with the new program, but the COLA would be paid retroactive, following the discussion, and clearing up the matter, that is not related to the County employees. Their money would be forthcoming.

Mr. Malinowski stated that was the motion that was clarified from the last meeting, but the motion on the table is the one that he made after the reconsideration.

Mr. Pearce stated his whole purpose in bringing this up was to get clarity.

Mr. Malinowski stated the motion on the table is that County employees will receive a regularly scheduled 2% COLA for all employees, which funds have been budgeted in the budget.

Mr. Pearce inquired as to when the increase will be effective.

Mr. Malinowski stated in January when they normally get their COLA.

Mr. C. Jackson stated, if the funding for the cost of living was included in the budget, and we voted and approved the budget, why is it necessary for that single item to be voted on.

Mr. Malinowski stated he believes, at the last meeting, there was not clarity when Council was being talked to about raises for employees. He thinks that most of us we led to believe we were talking about the Total Rewards Study, which had nothing to do with the COLA increases. We voted to put all raises aside until we had the work session. The work session only needs to be for the Total Rewards Study, not for the COLA increase. He is trying to separate the 2 now, so we can move forward with employees receiving their COLA allowance in January.

Mr. Manning stated we have been up here talking about all this, but we have a Budget Manager and Finance Director. He would like someone to say, when we passed the Biennial Budget I, which had 2 fiscal year components in Biennial I, that included a COLA of 2% on January 1, 2019.

Mr. Hayes stated, to issue a point of clarification to Mr. Manning's question, actually that was not a part of the budget amendment for FY19. The \$3.1M, that was approved by Council, as part of the fund balance assignment is where those funds would come from.

Mr. Manning stated he believes that is a good answer, but he does not believe it was to the question he asked.

Mr. Hayes stated Mr. Manning asked whether it was a part of the budget that passed for FY19. His

answer to that was “No.” It was not a part of that, but it was approved as part of the fund balance assignment, which is 2 separate pots of money.

Mr. Manning stated, for clarification, there is \$3.1M that was assigned to personnel.

Mr. Hayes responded in the affirmative.

Mr. Manning stated, for clarification, that it was still sitting there.

Mr. Hayes responded that it is in fund balance.

Mr. Manning stated, for clarification, that it was approved for personnel purposes. So, is he right that the thought, way back when we did that, was that the comp and class program would have been completed, and we would need the money to address that.

Dr. Yudice stated what we presented to Council was Phase I of the Total Rewards, that we combined with the 2% COLA increase. Now, we have to wait until Council has the work session, at the Retreat, to bring back the portion of the Total Rewards system in order to bring the current salaries up to the market rate.

Mr. Manning stated that is assuming it is complete.

Dr. Yudice responded in the affirmative.

Mr. Manning stated that is his concern with what Mr. Pearce said about staff being guaranteed they were going to get money retroactively. Until you know where the money is, where it is going, you pass it, and you either reconsider or approve the minutes, we are not guaranteeing any employee anything.

Dr. Yudice stated Council approved the \$3.1M in September 2018.

Mr. Manning stated, he understands that, but it is based on the Total Rewards Program.

Dr. Yudice stated a part of it. The 2% COLA increase is already there. The rest of it, we will bring back to Council next year.

Mr. Manning stated, for clarification, so the COLA money is there.

Dr. Yudice stated the \$3.1M includes the 2% COLA increase.

Mr. Manning stated, then he is back to what Mr. C. Jackson said, if we approve the COLA, and we continue with the COLA. Come January 1, we have funded COLA. We have funded a 2% COLA. We can begin the 2% COLA on January 1, and the remainder of the money will still be there that we institute, if the package is done. If he recalls, it was going to be done in March, then it got pushed to the summer, and now it is getting pushed to the Retreat. Whenever it gets completed, and Council approves it, then the remainder of the money, even though the COLA started in January 1, would still be there for us to institute in the Total Rewards Program.

Mr. Hayes stated, for clarification, that Mr. Manning keeps using “the remainder of the money”, but the \$3.1M is dedicated totally to the 2%, across the board. We have not identified any other funding

for the residual part of the Total Rewards. The 2% was just solely for the across the board COLA.

Mr. Manning inquired, then what in the world are we waiting on to not give it to the employees, because all the money is for the COLA.

Mr. Pearce requested to have the motion restated.

Mr. Malinowski stated the motion is to give all employees the 2% COLA increase, whenever they normally get it in January. The funds are available, and dedicated strictly for that purpose.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

Mr. N. Jackson moved, to reconsider, seconded by Mr. Malinowski, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, N. Jackson, Livingston and McBride

The motion for reconsideration failed.

7. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS** – Mr. Smith stated the following items are eligible for Executive Session.

- a. Contractual Matter: USC Regarding Phase II of Greene Street Project
- b. Township Auditorium Update
- c. Personnel Matter

Ms. Kennedy moved, seconded by Mr. Livingston, to go into Executive Session.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

The vote in favor was unanimous to go into Executive Session.

Council went into Executive Session at approximately 8:15 PM and came out at approximately 8:41 PM.

Mr. Pearce moved, seconded by Mr. C. Jackson, to come out of Executive Session.

In Favor: Malinowski, C. Jackson, Pearce, N. Jackson, Livingston and McBride

The vote in favor of coming out of Executive Session was unanimous.

Contractual Matter: USC Regarding Phase II of Greene Street Project – Mr. Pearce moved, seconded by Mr. Livingston, to approve the agreement between the University of South Carolina and Richland County regarding the Greene Street Phase II Transportation Project, have the Administrator to execute the agreement, and Chair or Vice Chair to execute the resolution.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning N. Jackson, Livingston and McBride

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Mr. Livingston moved, seconded by Mr. C. Jackson, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, N. Jackson, Livingston and McBride

The motion for reconsideration failed.

8. **CITIZENS' INPUT: For Items on the Agenda Not Requiring a Public Hearing**

Mr. Robert Morris spoke in favor of the County paying the \$5.248M due to the COMET. He requested the County give the COMET the \$230,000 interest that accrued over the time you had the \$5.248M. If the COMET had invested the \$5.248M, they would have accrued the \$230,000.

Ms. Barbara P. Jones spoke regarding the Magistrate's Office on Wilson Boulevard. She stated they anticipated a structure that was going to be an asset to the community, but it has turned into an albatross. They are requesting the building be constructed with a brick façade or brick veneer, a few windows, and appropriate landscaping.

Mr. Robert Reese spoke regarding the Lower Richland Water and Sewer Project that is negatively effecting the schools in that area. Hopkins Elementary School is one of the schools that is negatively affected in the community. He urged Council to resolve the water/sewer issue, and to do so, so that they can have structured and intentional development in that area. The second issue is the food deserts in the Lower Richland area. He stated we need to encourage grocers to come into that area that have fresh fruit, fresh food and meats, so we can address some of the health disparities, and issues that are combatting the neighborhoods in that area.

9. **CITIZENS' INPUT: Must Pertain to Richland County Matters Not on the Agenda** – No one signed up to speak.

10. **REPORT OF THE INTERIM COUNTY ADMINISTRATOR**

- a. **DHEC Consent Order: Funding for Corrective Plan of Action/Reimbursement Resolution** – Mr. Gomeau called Council's attention to the Consent Order that was signed and approved with DHEC on issuing a corrective action plan to the wastewater treatment plant. On pp. 67-70 is the plan to repair and renovate the existing system to bring it up standards, so we can get released from the consent agreement. He thinks, from his discussion with officials, that we got 60 days to turn the CAP, when it is usually 45 days. A lot of that has to do with Mr. Khan's reputation in the community. There are 2 actions associated with this, one is a resolution the Vice Chairman has, in terms of allowing us to get the funds needed to implement the Corrective Action Plan (CAP). This requires a loan from the unassigned General Fund over to the General Fund that will be paid back, if you pass the resolution included in the agenda packet. In terms of the bonding, we would bond to pay for these things and pay the money back to the General Fund.

Mr. N. Jackson moved, seconded by Ms. Myers, to increase the FY2019 budget by \$3,103,000 to fund the emergency repairs to address the Broad River Waste Water Treatment Plant Consent Order. The funding will be a loan from the General Fund Unassigned Funds to the Broad River Utility System Proprietary Fund and approve the Reimbursement Resolution as presented to County Council.

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Mr. Livingston inquired if the system has the capacity to repay the debt, or how will the General Fund be paid back.

Mr. Gomeau stated they are now in the process of conducting the rate study, which will be presented to Council at the Retreat. The rate study will have 2 things in it. One will be the ability to pay back this loan, and the other is on a go forward basis to be self-sufficient. Right now you are not able to be self-sufficient.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

Mr. N. Jackson moved, seconded by Ms. Myers to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

The motion for reconsideration failed.

Mr. Gomeau stated you have the resolution for the redemption of paying back the loan, which allows you to take the money out of the bond issue and pay back the General Fund.

Mr. Livingston moved, seconded by Mr. N. Jackson, to approve the Reimbursement Resolution.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

Mr. Pearce moved, seconded by N. Jackson, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

The motion for reconsideration failed.

- b. Township Auditorium Update – This item was taken up in Executive Session.
- c. Financial Update Report – Mr. Gomeau stated staff is going to provide Council a monthly status report, so you will have the ability to look at it and ask questions.
- d. Pinewood Lake Update – Mr. Gomeau stated he was assigned the task of trying to bring together some kind of understanding with regards to Pinewood Lake Park. He has met with the Pinewood Lake Park Foundation and the Conservation Commission Director and Chairman. We are now going through the historical documents, to try to put something together, so when we bring them back together to agree on what their differences are. Right now we cannot get an agreement on what the differences are between the 2 parties. They seem amenable to doing things. We just have to work out the details with them so each side is able to walk away and think they did what they were supposed to do.

11. **REPORT OF THE CLERK OF COUNCIL**

- a. REMINDER: Richland County Magistrates' Holiday Luncheon, December 14, 11:30 AM, Brookland

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Banquet & Conference Center – Ms. Roberts reminded Council of the upcoming Richland County Magistrates’ Holiday Luncheon.

- b. Central SC Holiday Drop-In, December 13, 5:00 PM, CSCA Atrium, 1201 Main Street – Ms. Roberts reminded Council of Central SC’s upcoming Holiday Drop-In.
- c. Council Farewell Drop-In, December 19, 4:00 PM, 4th Floor Conference Room – Ms. Roberts reminded Council of the upcoming Council Farewell Drop-In.
- d. Committee Meetings and Zoning Public Hearing, December 18th – Ms. Roberts reminded Council of the Committee Meetings and Zoning Public Hearing on December 18th.

12. **REPORT OF THE CHAIR**

- a. Personnel Matter – This item was taken up in Executive Session.
- b. Tuition Assistance Program – Mr. Hanna stated the Tuition Reimbursement Program is a benefit offered to County employees. The classes should be related to the employee’s job or enhance their performance in their job. It is on a class by class basis. It is not a degree basis. The employee pays upfront, and then is reimbursed. It is not a pay in advance; it is a reimbursement type program.

Ms. McBride inquired as to what the approval process is for an employee to participate in this program and be reimbursed.

Mr. Hanna stated there is a form, that was included in the agenda packet, the employee and Department Head signs.

Ms. McBride inquired if the approval is necessary prior to the person taking the training. Does he/she get approval for the County to pay upfront.

Mr. Hanna stated the process would be that the request would be submitted prior to the class.

Ms. McBride stated, for clarification, the request would be submitted to the supervisor, who then approves or disapproves the request.

Mr. Hanna responded in the affirmative.

Mr. Manning stated, on pp. 72, in regard to some of the questions that Councilwoman McBride was asking regarding the approval process. He stated, if he was reading this right, “Instructions for Employee”, it is highlighted, #1 is to inform supervisor prior to the budget process of any planned requested for TAP courses during the upcoming fiscal year. He stated, for clarification, when we do a biennial budget, that would not need to be before the whole biennial budget, it would be the fiscal year portion of the biennial budget.

Mr. Hanna stated, one thing he did not say is, the Tuition Reimbursement Program is paid from the respective departments budgets, and that is why that is in there so there would be adequate funding in the department’s budget. Some departments would have enough funding without that, but some may not. That is why we encourage planning in advancement.

Mr. Manning stated, for clarification, that is an encouragement, and not policy.

Mr. Hanna stated what Mr. Manning is reading from is a guideline. There have been some departments that have approved it from the approved funds in their budget.

Ms. McBride stated she knows that if you do not stay with the County for a year you have to pay back. Suppose the person leaves, how does the County recoup the money.

Mr. Hanna stated one way is they are asked to sign a document, which is a commitment to that. If the funding is available in their check, the County is authorized to take it that way. If there is not enough money there, the County will request the employee to pay it back.

Mr. Malinowski stated it says any TAP monies that are paid by the County to, or on behalf, of the employee represents pay advance, and it is deducted from their final paycheck or their paychecks as they go along. He inquired if that is in all cases, or is there some instances where the County actually pays, and reimbursement is not required. Is that only in the case of non-completion that they have to pay back?

Mr. Hanna stated the Human Resources Department is not aware of any of those cases. The reason we have it stated on there that way is because, in talking with outside legal counsel, to withhold money from an employee's check it needs to be stated that way, as a pay advance, so if they were to leave, we can legally withhold the money from their paycheck.

Mr. Malinowski stated his question is, if they successfully complete the course, do they still have to pay back tuition.

Mr. Hanna stated, if they successfully complete the course, and stay with the County, they do not.

Mr. Malinowski inquired if they payback whether they complete or do not complete the course. Do they payback both times.

Mr. Hanna stated they must successfully complete the course to be reimbursed.

Mr. Malinowski stated, for clarification, they will get reimbursement, but only if they complete the course. He inquired if employees are limited to a specific dollar amount annually they can request.

Mr. Hanna stated it is limited, based upon the IRS Regulations. He believes it also states that it can be up to 5 classes.

Mr. Malinowski stated, for clarification, this is only if an employee wants to avail themselves of this loan for tuition. They are perfectly entitled to take courses on their own, if they want to, as long as it is on their own time.

Mr. Hanna responded in the affirmative.

Mr. C. Jackson inquired, if the process is as it was outlined, and someone submits a form to HR that does not have a department heads approval, what do you do. Do you inform them of that? Send it back? Stop the process? What happens if they do not follow the correct outline?

Mr. Hanna stated he cannot recall HR getting one like that, but we would contact the department's

HR Contact and coordinate through them to have the department head to sign the form.

Mr. C. Jackson stated the reason he is asking is, obviously, someone has to check to verify the funds are there. If they are doing it during business hours, that they can free them up to do it.

Mr. Hanna stated he had never heard of that situation.

13. **OPEN/CLOSE PUBLIC HEARINGS**

- a. An Ordinance Amending and Supplementing Ordinance No. 039-12HR to add the requirement that procedures be established for: (I) Entering into Intergovernmental Agreements with other political subdivisions for completion of infrastructure projects within those political subdivisions, (II) Securing required audits from organizations receiving funds from the Transportation Sales and Use Tax, (III) Approving future changes to the infrastructure projects being funded with the Transportation Sales and Use Tax, including cost and scope; and (IV) the annual budgeting process; ratifying prior actions including: (I) changes in cost and scope of infrastructure projects, (II) privatization of said projects, and (III) appropriation of funds for said projects; and other matters related thereto – *This item was removed from the agenda during the Adoption of the Agenda.*
- b. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes and incentive agreement by and between Richland County, South Carolina and Owens Corning Non-Woven-Blythewood, LLC to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters – No one signed up to speak.

14. **APPROVAL OF CONSENT ITEMS**

- a. 18-033MA, Sanjiv Narang, HI to GC (1.46 Acres), 809 Idlewild Boulevard, TMS # R11209-02-04 [THIRD READING]
- b. 18-034MA, Johnathan L. Yates, PDD to PDD (49.27 Acres), 1141 Kelly Mill Road TMS # R23300-03-06 [THIRD READING]
- c. 18-037MA, Ben H. Higgins, RU to NC (1.02 Acres), 1041 McCords Ferry Road, TMS # R38000-03-02 [THIRD READING]
- d. 18-039MA, Gabriel McFadden, RU to NC (1.21 Acres), Dutch Fork Road, TMS # R01507-02-05 [THIRD READING]
- e. 18-040MA, Scott Morrison, GC to RM-HD (7.22 Acres), Brighton Road, TMS # R17004-02-02 (Portion) [THIRD READING]
- f. 18-041MA, Ridgewood Missionary Baptist Church, RU to OI (1.63 Acres), Lawton Street, TMS # R09310-03-14, 16-23 [THIRD READING]
- g. An Ordinance Amending the Richland County Code of Ordinances Chapter 26, so as to permit radio, television, and other similar transmitting towers with special requirements in the Rural (RU), Light Industrial (LI), and Heavy Industrial (HI) Districts and to remove the special exceptions requirements for radio, television, and other similar transmitting towers in the Rural (RU), Light Industrial (LI), and Heavy Industrial (HI) Districts [THIRD READING]

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Mr. Pearce moved, seconded by Ms. Myers, to approve the consent items.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

15 **THIRD READING ITEMS**

- a. An Ordinance Amending and Supplementing Ordinance No. 039-12HR to add the requirement that procedures be established for: (I) Entering into Intergovernmental Agreements with other political subdivisions for completion of infrastructure projects within those political subdivisions, (II) Securing required audits from organizations receiving funds from the Transportation Sales and Use Tax, (III) Approving future changes to the infrastructure projects being funded with the Transportation Sales and Use Tax, including cost and scope; and (IV) the annual budgeting process; ratifying prior actions including: (I) changes in cost and scope of infrastructure projects, (II) privatization of said projects, and (III) appropriation of funds for said projects; and other matters related thereto – *This item was removed from the agenda during the Adoption of the Agenda.*

- b. An Ordinance Authorizing and providing for the combining of Richland County's existing water systems and Richland County's existing sewer systems into a combined system to be known as the Richland County Combined Utilities System; providing for addition of other utility systems to the combined system; providing for the operation thereof; providing for the establishment of rates to be charged for services; providing for issuance of bonds; and other matters related thereto – Ms. Myers moved, seconded by Mr. N. Jackson, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

Ms. Myers moved, seconded by Mr. C. Jackson, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

The motion for reconsideration failed.

- c. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes and incentive agreement by and between Richland County, South Carolina and Owens Corning Non-Woven-Blythewood, LLC to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters – Mr. Livingston moved, seconded by Ms. Kennedy, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- d. 18-038MA, Ken Jones, RS-LD to NC (1.62 Acres), 3409 Hardscrabble Road, TMS # R17300-06-08 – Ms. Myers moved, seconded by Mr. Livingston, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson and McBride

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The vote in favor was unanimous.

- e. Authorizing the execution and delivery of a fee-in-lieu of ad valorem tax agreement by and between Richland County, South Carolina and Miwon Specialty Chemical USA, Inc. (Project Monopoly) to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; the execution and delivery of a purchase and option agreement; the transfer of approximately 15 acres of real property located in Richland County; the granting of an option on an additional approximately 15 acres of adjacent real property; and other related matters – Mr. Livingston moved, seconded by Mr. N. Jackson, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, N. Jackson, Livingston and McBride

Abstain: Kennedy

The vote in favor was unanimous, with Ms. Kennedy abstaining from the vote.

16. **SECOND READING ITEMS**

- a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, in general; so as to standardize this chapter more closely with the Municipal Association of SC's model business license ordinance and to reflect enhanced enforcement priorities to pursue enhanced quality of life for the Richland County Community – Mr. Malinowski stated he requested this item be removed from the consent agenda was because at the Committee meeting, and last week's Council meeting, Council approved, upon the recommendation of the Business Service Center Director, Pam Davis, that it receive First Reading, and then go to a work session. He stated this item was not properly on the agenda until after the work session is held.

Mr. Pearce moved, seconded by Ms. Myers, to defer this item until after the work session is held.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- b. An Ordinance authorizing deed to the City of Columbia water lines for Richland Library Southeast, 7421 Garners Ferry Road; Richland County, TMS # 16409-04-02 (Portion), CF # 19-10A – Mr. N. Jackson moved, seconded by Mr. Pearce, to approve this item.

Mr. Malinowski inquired if there was any detriment to the County.

Mr. Smith stated they are working on the language in the deed, that accompanies this ordinance. They encouraged Council to approve 2nd Reading of the ordinance. It is their understanding, the plan is for the library to open around the middle of February, and we do not want to delay that. They should have the language in the deed by Third Reading.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- c. An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-3, Noise; so as to limit noise in the unincorporated areas of Richland County – Ms. McBride moved, seconded by Mr. Pearce, to approve this item.

In Favor: C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

Opposed: Malinowski

The vote was in favor.

- d. 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 and Commercial Zones of the County; so as to define vehicles subject thereto – Mr. N. Jackson moved, seconded by Ms. McBride, to approve this item.

Mr. Malinowski inquired about where we are on the pilot program. He stated the initial motion out of committee was to have a pilot program, created by staff, followed by legal review and possible signs at the neighborhood entrances stating, “No Overnight Truck Parking”.

Mr. Farrar stated he suggested that we discuss this matter at the Council Retreat.

Mr. N. Jackson stated he has concerns. We have been doing this for the past 2 years.

Mr. Malinowski stated it is not going to get Third Reading until we come back in February anyway.

Mr. N. Jackson stated we may have a Special Called meeting next week.

In Favor: C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

Opposed: Malinowski and Manning

The vote was in favor.

POINT OF PERSONAL PRIVILEGE – Mr. Manning inquired if we have a running list of the things that we are sending to the Retreat.

- e. An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-4, Weeds and Rank Vegetation; so as to amend the time for notification – Ms. McBride moved, seconded by Mr. N. Jackson, to approve this item.

Mr. Pearce inquired if this is the ordinance that has the height in it.

Mr. Malinowski responded in the affirmative.

Mr. Pearce inquired if the height had been adjusted.

Mr. Malinowski responded in the affirmative.

In Favor: C. Jackson, Myers, Pearce, Kennedy, Manning, N. Jackson, Livingston and McBride

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Opposed: Malinowski

The vote was in favor.

- f. An Ordinance Amending the Transportation Tax line item in the Fiscal Year 2019 Budget Ordinance of Richland County, South Carolina; delegation of authority; and matters relating thereto – Mr. Malinowski stated he did not see this on the December 4th agenda, and he does not know where it came from. It was not there when we made up the agenda, so he does not know where it came from.

Mr. Livingston stated, if it is not time sensitive, he would like to defer it.

Ms. Onley stated the item was taken up under the Transportation Ad Hoc Committee at the December 4th meeting.

Ms. Myers stated this is the ordinance telling us to use BAN proceeds first.

Mr. Livingston moved, seconded by Mr. N. Jackson, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

POINT OF CLARIFICATION – Ms. Myers stated this is so we do not incur unnecessary interest on BAN proceeds. This was discussed at the December 4th Council meeting, but reduced to the agenda in a different form. This is just to save the taxpayers money.

17. **REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE**

- a. Intergovernmental Agreement between Richland County, Lexington County and Town of Irmo for Engineering Services and Infrastructure Maintenance (Attachment A) – Mr. Livingston stated the committee’s recommendation is to approve the amended IGA.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy and N. Jackson

The vote in favor was unanimous.

18. **REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE**

- a. Approval of Grant from Fairfield Electric Coop and related Assumption of Agreement from Santee Cooper – Mr. Livingston stated the committee recommended approval of this item.

Mr. Malinowski stated, on pp. 312 of the agenda, it says, “Whereas, Santee Cooper desires to assign to Richland County all of its right, title and interest in and to the Agreement and the Funds held thereunder and Richland County desires to assume the obligations of Santee Cooper under the Agreement.” He did not see where it states what the obligations the County are assuming are.

Mr. Livingston stated there was a discussion about those, but he does not have them with him.

Mr. Ruble stated there is a separate agreement, but essentially it falls under the Utility Tax Credit Agreement. The assumption that we are taking is that we will use those funds, \$300,000, for economic development purposes. If we did not use it for economic development purposes, we would have to owe it back to Fairfield Coop.

Mr. Malinowski stated, for clarification, we are assuming we will use it for economic development. If we do not, we have to pay it back.

Mr. Ruble responded in the affirmative.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Manning, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- b. Award of Northpoint Industrial Park Bid – Mr. Livingston stated the committee recommended approval of this item.

Mr. Malinowski stated, when he goes to pp. 317, none of the figures add to the figures Mr. Ruble has.

Mr. Ruble stated they had to amend it to create an entrance road. He stated Procurement handled it. He did not deal with it directly.

Mr. Malinowski stated we have wrong incorrect figures in all of the line items, or incorrect totals, but it will add up correctly in the end.

Mr. Rubles stated the documents came from the engineering firm. At the end of the day, the recommendation is for the low bid.

In Favor: Malinowski, C. Jackson, Myers, Pearce, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

19. **REPORT OF RULES AND APPOINTMENTS COMMITTEE**

20. **NOTIFICATION OF VACANCIES**

- a. Accommodations Tax – One (1) Vacancy (applicant must have a background in the Cultural Industry)
- b. Hospitality Tax – Three (3) Vacancies (Two applicants must be from the Restaurant Industry)
- c. Employee Grievance Committee – Six (6) Vacancies (Must be a Richland County employee; 2 seats are altnates)
- d. Board of Assessment Appeals – One (1) Vacancy
- e. Board of Zoning Appeals – One (1) Vacancy

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- f. Building Codes Board of Appeals – Eight (8) Vacancies (One applicant must be from the Architecture Industry; One from the Plumbing Industry; One from the Electrical Industry; One from the Engineering Industry; One from the Gas Industry; One from the Building Industry; and Two from the Fire Industry as alternates
- g. Procurement Review Panel – Two (2) Vacancies (One applicant must be from the public procurement arena & one applicant must be from the consumer industry)
- h. Planning Commission – One (1) Vacancy
- i. Internal Audit Committee – One (1) Vacancy (applicant with CPA preferred)
- j. Richland Memorial Hospital Board – Three (3) Vacancies
- k. Midlands Workforce Development Board – One (1) Vacancy (Private Sector Business seat; must represent private sector business with policy-making or hiring authority)

The Notification of Vacancies was not taken up, at the Council meeting, due there not being a Rules and Appointments Committee meeting held to make a recommendation to full Council.

21. **REPORT OF THE TRANSPORTATION AD HOC COMMITTEE**

- a. Approval to Continue the Shop Road Extension Phase I Project, Without Delaying it Based on Jushi’s Request – Mr. C. Jackson stated the committee recommended not to delay the project, unless the Jushi Corporation is willing to support the additional costs, at \$30,000 a month for 2 inspectors, to delay it.

Ms. Myers stated, for clarification, we would not incur the \$30,000 a month.

Mr. N. Jackson stated the project will not be delayed, and Jushi will work with SCDOT to do their piece.

Mr. C. Jackson stated the representative from Jushi is here, if he would like to speak to the item. He stated our last understanding was that was the case.

Mr. Ray Wierzbowski, Jushi VP of Operations, thanked the County for the Shop Road Extension. It is the only access on to their site. He asked Council to consider delaying the opening of Shop Road because that is their only access into Columbia. If we continue with opening Shop Road, as planned, it will cut off truck access. They will no longer have truck access onto their property. They are requesting time to install, at their cost, a truck entrance, to access their site, off of Shop Road. It would be devastating, if we open Shop Road, to our business, prior to allowing us to install that truck entrance. Without truck entrance, they would have to stop construction of their site.

Mr. C. Jackson stated, one of the requests they made of the company was, if they were willing to incur the costs for the 2 inspectors, we would be willing to delay. Secondly, if we did not delay, would it not be possible to continue with our work, and move with cones, to allow them to continue to build the lane they suggested. As Chair of the committee, no report was given back to him in response to whether or not the company is willing to incur the costs. He has no choice but to recommend what the committee suggested, unless Mr. Wierzbowski is offering up tonight that the company is willing to cover the costs for those 2 inspectors.

Mr. Wierzbowski stated he was not prepared tonight to make that offer.

Mr. Malinowski stated he knows, in committee, the motion was that the PDT would do what they need to do, and turn over the road to SCDOT when it is ready. Following that, Jushi can do whatever they need to do to get the road ready for them.

Mr. N. Jackson stated his concern is stopping construction at the plant. It is an important investment in Richland County, and to stop construction, which will delay the plant, because we have a disagreement. He stated it is cheaper for them to do their turning lane, and storage lane now, rather than to allow it to be built, and then go and tear it up. It is going to cost additional money, and it is a waste. You just build a median, and then tear it back out to put this project in. That is a waste of money. He thinks we should, at least, have some discussion to see how we can have this thing resolved. If they cannot have access to their plant, that is a major problem. He would support us meeting with the Jushi staff to resolve this thing. It has to be fixed before we move forward.

Mr. Livingston stated he is extremely concerned about shutting the door without trying to come up with some kind of resolution. He inquired if we know the anticipated time the PDT will be finished with the road.

Staff responded that it will be completed in March.

Mr. Livingston inquired, if we think we will be ready to close it out in March.

Dr. Thompson responded in the affirmative.

Mr. Livingston inquired as to how long Jushi will need to complete their portion.

Mr. Wierzbowski stated their plan is to be completed by March 31st, based on when SCDOT approves their turn lane. They still have to get that approved.

Mr. Livingston stated he thinks there was some discussion, in the committee meeting, about a cost.

Dr. Thompson inquired, for clarification, if Mr. Wierzbowski was referring to getting the permits from SCDOT in March, and not completing construction.

Mr. Wierzbowski stated it is their expectation, again it depends on SCDOT, to obtain approval in January and complete the work by March 31st.

Mr. Livingston inquired, if someone is traveling the road now, why is so important for it to be opened, other than the extra costs. Is there any other factor?

Dr. Thompson stated not to his knowledge. The bottom line is he does not want to incur any costs, related to the delays, so as long as we have a meeting of the mind on that, with China Jushi, they are good. The \$30,000, as Mr. C. Jackson alluded to, is the only concern. From his vantage point, it is the cost and the safety issue of placing cones out there. He stated that is a safety issue from the engineers. If we are going to delay, let us do a full-fledged delay, and yield to Jushi for them to do what they have to do. Of course, Jushi is at the mercy of SCDOT to be able to get the permit to add this entrance to their plant. They are hoping to get it in January. He is hoping they get it in January, but that could be a delay.

Mr. C. Jackson stated one of the things they have attempted to do, in being good neighbors, was to have this sort of deliberate discussion and conversation. It was his understanding, at the end of that deliberate discuss and conversation, that the next step was that we would hear back from China Jushi, in terms of their willingness to pick up these costs. We have already talked tonight about additional costs that are being incurred on Penny Projects, and we do not know where the funds are going to come from. Although it may not be a lot of money, we do not want add any additional costs, if we can avoid it, and then come back to Council trying to explain why we went over budget. This is a perfect example of that. If we are going to be on budget with this project, we need to be able to keep it moving. If there is overrun, of that budget, then someone needs to incur that costs. The motion is based upon not having gotten any response back to the request we made of China Jushi, in terms of whether or not they would incur the costs.

Ms. McBride stated, Mr. C. Jackson just said what she was about to say. We had a long conversation, in the ad hoc committee, regarding the costs and Mr. Wierzbowski was to take that back to his people to determine whether you would be able to pay the costs or not.

Ms. Myers stated she knows that everyone on Council shares this sentiment. Jushi, of course, sits in Council District 10. She knows everyone is excited about the opening. This Council, as you well know, has gone a long way down the road to make sure that Jushi is well taken care of in Richland County, and you find a happy home here. Her question would be has anyone had the discussion, or have you not had the discussion, or have you not had any answer back, because she is obviously concerned with not closing the door to getting this done efficiently, and it seems like the lag is just a few weeks.

Mr. Wierzbowski stated he has requested if we could pay the additional amount, and they are still in consideration of that. The challenge was the date. How long is it from the date of when it was going to open to the March 31st date?

Dr. Thompson responded the opening date is March 1st.

Mr. Livingston inquired as to what the committee's recommendation was.

Mr. C. Jackson stated the committee's recommendation is to not delay the project, and continue with construction until completion.

Mr. Livingston stated he does not want to say, at this point, not to delay project, because they may c come up with the money. He inquired if we can say we will delay the construction contingent upon Jushi's incurring the additional costs.

Mr. C. Jackson moved, seconded by Mr. N. Jackson, to continue with the construction of the project until completion.

Mr. Livingston stated his concern is, if the project is completed, and they come up with something, they still cannot do their entrance.

Mr. C. Jackson responded they still will be able to do their entrance.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Manning, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

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- b. Approval of Letter Recommending Awarding Bid for Candlewood Neighborhood Phase 3 Improvement – Mr. C. Jackson stated the committee recommended approval of the letter and award the bid for Candlewood Neighborhood Phase 3.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- c. Approval of Letter Recommending Awarding Bid for Pedestrian Improvements 2 – Mr. C. Jackson stated the committee recommended approving the letter and awarding the bids for the Pedestrian Improvements 2, as listed.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- d. Approval of Letter for Recommending Awarding Bid for Clemson Road Widening Project, Contingent on South Carolina Department of Transportation Concurrence of the Lowest Bid – Mr. c. Jackson stated the committee recommended approving the letter and awarding the bid for the Clemson Road Widening Project.

Mr. Malinowski stated he does not recall that one being in the committee. He inquired if it was, and if it was listed that way.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

22. **OTHER ITEMS**

- a. FY19 – District 10 Hospitality Tax Allocation – Ms. Myers moved, seconded by Mr. C. Jackson, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

Ms. Myers moved, seconded by Mr. C. Jackson, to reconsider this item.

Opposed: Malinowski, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

The motion for reconsideration failed.

- b. FY19 – District 3 Hospitality Tax Allocation – Ms. McBride moved, seconded by Mr. N. Jackson, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston and McBride

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The vote in favor was unanimous.

Mr. Pearce moved, seconded by Ms. Myers, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson and McBride

The motion for reconsideration failed.

- c. Conservation Commission manage County-owned historic and conservation properties [N. JACKSON] {Tabled at the April 24, 2018 D&S Committee – Councilman N. Jackson and Councilwomen McBride and Kennedy are requesting placement of the item on the Council agenda for action} – Mr. Malinowski inquired if the Clerk's Office received written requests for this item to be placed back on the agenda.

Ms. Onley stated the only Councilmember she received written notice from was Councilman C. Jackson.

Mr. Malinowski stated if only Mr. C. Jackson gave written request, then this item would not be properly before us because the rules do state...

Mr. C. Jackson stated he did not submit a request; he responded to a request.

Mr. Malinowski stated, then we do not have any written request, and the rules specifically state the Clerk's Office has to receive written request from 3 members. An email would be fine, but she did not get them.

Ms. Onley stated that Mr. N. Jackson requested her to send out the request.

Mr. Malinowski stated he is going to declare this not properly before us.

Mr. N. Jackson stated Ms. Onley contacted Ms. McBride and Ms. Kennedy, as well as himself.

Ms. Onley responded in the affirmative. She stated she had verbal confirmation from Ms. McBride and Ms. Kennedy.

Mr. Malinowski stated the rules state the Clerk has to receive written requests. We are being a stickler on other rules, if that is the rule that is the rule. It is made as a written request to show that you are seriously interested.

Mr. N. Jackson stated, for clarification, when he asked the Clerk what needed to be done, she said she would send out an email and if the person agrees when she calls them, that confirms that they agree to it. That is the rule that was followed. Three people, Mr. C. Jackson would make four, agreed to it.

Mr. Malinowski stated Mr. C. Jackson responded to an email.

Mr. N. Jackson stated he responded to the email because he sent the email.

Mr. Malinowski stated he would ask for the Parliamentarian's opinion on this. The rule says it must be written. It does not say you can call 5 people, and get 5 people to say yes in a phone call.

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Mr. N. Jackson stated 3 emails were sent out.

Mr. Malinowski stated there were no written requests received, except Mr. N. Jackson's, and a response to the email from Mr. C. Jackson.

Mr. N. Jackson stated, and Ms. Kennedy.

Mr. Malinowski stated Ms. Kennedy said she talked on the phone, there is not a written. Ms. McBride said she spoke on the phone, there is not a written request.

Mr. N. Jackson stated, but her email.

Mr. Malinowski stated he was going to be a stickler for the rules, just as other people were.

Mr. Smith stated he thinks the rule says that you must have a request, in writing, from 3 Councilmembers, to remove an item from committee. Now, whether or not what was sent in the form of emails, because he has not seen them, meets that he does not know.

Mr. N. Jackson stated the email was generated for the Councilmembers who were involved. He inquired if Ms. Onley received voice confirmations regarding email.

Ms. Onley responded in the affirmative.

Ms. Kennedy stated the email was sent on their behalf.

Mr. Malinowski stated not according to what Mr. Smith just stated as what the rule is. He inquired if, based on the rules, that this request is properly before the Council or not.

Mr. Smith stated the rules reads as follows, "Any not reported out to the full council by a committee within 90 days of that item having first appeared on the committee's agenda may be placed on the Council agenda when the Clerk's Office has received a written request signed by three members of Council, not less than 24 hours prior to the scheduled meeting."

Mr. Malinowski inquired, based upon that rule, would Mr. Smith say this is properly before us.

Mr. Smith stated he has not seen the document, which is being referred to as the item which came forth in writing.

Mr. Malinowski stated Ms. Onley has it, if you would like to see it.

Mr. Smith stated this appears to be an email from Ms. Onley that she sent to Mr. C. Jackson that says, "Please find below the verbiage the Clerk's Office was requested to forward to you, in order to remove this item from the table. If you are in agreement with the language, please respond in the affirmative to this email...". He stated he does not see anything in here that shows a response.

Mr. C. Jackson stated, for the record, he did respond to the email saying he concurred.

Ms. McBride stated, for the record, she talked with Ms. Onley. She did not realize she had to

respond in writing.

Mr. Malinowski stated he understands Ms. McBride gave verbal approval, as did Ms. Kennedy, but according the rules verbal does not count as this point.

Mr. Pearce stated, based on the ruling of the Parliamentarian, he requested to move the agenda.

23. **EXECUTIVE SESSION** – Mr. Smith stated the following items are eligible for Executive Session.
Mr. Smith stated the following items are eligible for Executive Session.

- a. Township Auditorium Update
- b. Personnel Matter

In Favor: Malinowski, C. Jackson, Myers, Pearce, Livingston and McBride

Opposed: Manning

The vote was in favor of going into Executive Session.

Council went into Executive Session at approximately 9:51 PM and came out at approximately 10:40 PM.

In Favor: Malinowski, Kennedy, Manning, N. Jackson, Livingston and McBride

The vote in favor of coming out of Executive Session was unanimous.

- a. Township Auditorium Update – No action was taken.
- b. Personnel Matter – No action was taken.

24. **MOTION PERIOD**

- a. I move that all RC contracts must be reviewed and approved by the Office of the County Attorney and that all notices under or modifications to RC contracts must be sent to the County Attorney, but may be copied to external counsel as desired. [MYERS] – This item was referred to the D&S Committee.
- b. I move that the County engage a third party to conduct an audit of all penny expenditures as required under the ordinance and contract and that such future audits be calendared to occur during the normal RC audit cycle [MYERS] – This item was referred to the A&F Committee.
- c. I move that the Clerk move forward with hiring the required staff for the Clerk of Council's Office. The Clerk started the process and was told to stop because there needed to be a workshop. County Council does not have the authority to tell or stop the Clerk from hiring her staff. Council cannot place a hold unless there is not a slot available. The Clerk is not interim, acting, Deputy or Assistant. Richland County now has a full time permanent Clerk of Council who has a responsibility to do her job without interference. NOTE: This does not have to go to committee and not necessary to even vote on. There is a contract which all council members approved and I am informing my colleagues

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that we cannot interfere. If the Clerk was in an interim position then I think Council has the authority to suspend hiring, place a freeze on hiring, or if there appears to be some sort of mismanagement in the process of hiring then Council has the discretion to interrupt the process and make necessary changes through the interim Clerk until we appoint a permanent Clerk. This is not the case. During the period of an interim there was never an attempt to hire anyone. Now that the position is permanently filled the new Clerk of Council has that right to hire, per State law. We as a Council, nor the Chair, has that authority to halt that process and if in doubt please check with the County Attorney. [N. JACKSON] – This item was referred to Legal.

- d. Nearly 30,000 Richland County citizens live in USDA designated “food deserts”. The absence of ready/easy access to fresh fruits, vegetables and meats in these areas is statistically connected to additional costs in driving to grocery stores, and/or tax or bus fares to reach grocers that are 10 – 15 miles away. Additionally, there are negative health and welfare costs associated with this lack of access. I move that Richland County offer SSRs, aggressive FILOTs or specific property and/or business tax holidays to incentivize and attract the location of independent, full service grocers in areas of unincorporated Richland County designated by USDA as “food deserts” [MYERS] – This item was referred to the Economic Development Committee.
- e. Move that funds from the Penny Tax funds on Green Space be used to repair trails and emergency spillway for the Public Park at 1151 Old Garners Ferry Road. There is a fund balance of \$2.3 million left with the removal of a section of the Gills Creek project. NOTE: There is not any greenway trails or walkway in the Rural communities only Urban and Suburban [N. JACKSON] – This item was referred to the TPAC Committee.

25. **ADJOURN** – The meeting adjourned at approximately 10:46 PM.



Richland County Council

ZONING PUBLIC HEARING
December 18, 2018 – 7:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Joyce Dickerson, Chair; Bill Malinowski, Vice Chair; Norman Jackson, Dalhi Myers, Greg Pearce, Yvonne McBride, and Jim Manning

OTHERS PRESENT: Michelle Onley, Geo Price, Tommy DeLage, Ashley Powell, Kimberly Williams-Roberts, and Brian Crooks

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 7:00 PM.
2. **ADDITIONS/DELETIONS TO THE AGENDA** – Ms. Powell stated there were no additions or deletions.
3. **ADOPTION OF THE AGENDA** – Ms. Myers moved, seconded by Mr. Pearce, to adopt the agenda as published.

In Favor: Malinowski, Myers, Pearce, Dickerson, N. Jackson, and McBride

The vote in favor was unanimous.

4. **MAP AMENDMENTS**

- a. 18-042MA
Cynthia Watson
RS-HD to MH (1.5 Acres)
Bluff Road
TMS# R16103-05-03 [FIRST READING]

Ms. Dickerson opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Ms. Myers moved, seconded by Mr. Malinowski, to defer this item until the February Zoning Public Hearing.

In Favor: Malinowski, Myers, Pearce, Dickerson, N. Jackson and McBride

The vote in favor was unanimous.

- b. 18-043MA
Margaret Chichester
RU to LI (2 Acres)
Congaree Road
TMS# R32404-01-01 (Portion) [FIRST READING]

Ms. Dickerson opened the floor to the public hearing.

The floor to the public hearing was closed.

Mr. Price stated the applicant has requested this item be withdrawn. It could not be withdrawn administratively because it was within the 15-day window.

Ms. Myers moved, seconded by Mr. Malinowski, to accept the applicant's withdrawal of this item.

In Favor: Malinowski, Myers, Pearce, Dickerson, N. Jackson and McBride

The vote in favor was unanimous.

- c. 18-044MA
Kevin Corley
RU to OI (2.6 Acres)
1820 Crane Church Road
TMS # R09600-02-07 (Portion) [FIRST READING]

Ms. Dickerson opened the floor to the public hearing.

Ms. Chiquita Boyles and Mr. Timothy Boyles spoke against this item.

Ms. Libby Corley and Mr. Kevin Corley spoke in favor of this item.

The floor to the public hearing was closed.

Mr. N. Jackson inquired if this a house, business or community center.

Mr. Price stated it is a residential structure.

Mr. N. Jackson inquired if it is properly zoned for the uses that were outlined in the comments.

Mr. Price stated it is not properly zoned for those uses.

Mr. Pearce stated, for clarification, the structure on the map is a residential structure, and they are operating a business on the site.

Mr. Price stated that is what was purported to staff. He stated it was brought to staff's attention that the building was being used outside of its permitted uses. Staff has inspected the site, and has sent a notification to the property owner the use was prohibited, other than residential. The applicant is here to re-zone the property, so they can continue with the uses they have identified.

Mr. Malinowski inquired if they have a business license for the business being operated at that location.

Mr. Price stated not that he is aware of.

Ms. Roberts stated, for clarification, this item should be RU to OI (2.6 Acres). It is incorrect on what is being displayed on the screen.

Mr. N. Jackson moved, seconded by Mr. Malinowski, to deny the re-zoning request.

In Favor: Malinowski, Myers, Pearce, Manning, Dickerson, N. Jackson and McBride

The vote in favor was unanimous.

- d. 18-046MA
Kenyatte Jones
GC to RM-MD (.4 Acres)
5406 Monticello Road
TMS # R09310-07-14 (Portion) [FIRST READING]

Ms. Dickerson opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Mr. N. Jackson moved, seconded by Mr. Malinowski, to approve this item.

In Favor: Malinowski, Myers, Pearce, Dickerson, N. Jackson and McBride

The vote in favor was unanimous.

- e. 18-047MA
Inga Black
RS-HD to GC (1.21 Acres)
Bluff Road and Harlem Street
TMS # R13509-02-07, 42 & 43 [FIRST READING]

Ms. Dickerson opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Ms. Myers moved, seconded by Mr. Pearce, to approve this item.

Mr. Malinowski stated on pp. 35 it states, "The parcel abuts property already owned by the applicant which is already zoned for commercial use." Then, when you go over pp. 38, what abuts the property on 2 sides is RS-HD. There is no commercial property abutting the site. If that is the reason for the Planning Commission recommendation, then someone got it wrong.

Mr. Price stated what the Planning Commission is referring to is the parcels in "red" are also owned by the applicant.

Mr. Malinowski inquired if Ms. Myers is concerned with staff's conclusion that it could adversely impact the surrounding residential uses and zoning districts along Harlem Street.

Ms. Myers stated she has talked with the residents in the area, and she knows the area. She stated his property is the frontage property, and this property goes around to the back. He is

already making use of it, and it has not been controversial in the community; therefore, she is not concerned.

In Favor: Malinowski, Myers, Pearce, Dickerson, N. Jackson and McBride

The vote in favor was unanimous.

5. **ADJOURNMENT** – The meeting adjourned at approximately 7:23 PM.



Richland County Council

SPECIAL CALLED MEETING
January 8, 2019 – 4:45 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Paul Livingston, Chair; Dalhi Myers, Joyce Dickerson, Calvin “Chip” Jackson, Gwen Kennedy, Bill Malinowski, Jim Manning, Yvonne McBride, Chakisse Newton, Allison Terracio, and Joe Walker

OTHERS PRESENT: Michelle Onley, Sandra Yudice, Dale Welch, Kim Williams-Roberts, Beverly Harris, Trenia Bowers, Donny Phipps, Quinton Epps, Eden Logan, John Thompson, Mohammed Al-Tofan, Tim Nielsen, Nancy Stone-Collum, Ashiya Myers, Edward Gomeau, Shahid Khan, Larry Smith, Jennifer Wladischkin, Melissa Watts, Geo Price, Erica Wade, Cheryl Cook, Bryant Davis, Alicia Pearson, Michael Niermeier, Ashley Powell, James Hayes, and Ismail Ozbek

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 4:45 PM.

Ms. Dickerson thanked everyone for the privilege of serving as Chair. It may not have been pleasing to all, but she did the best she could. She welcomed the new members, and hopes they will enjoy working with the Council members.

She stated, for clarification, she will Chair the meeting until after the election of the Chair. Once the Chair has been elected, she will turn the gavel over to them.

Ms. Myers thanked Ms. Dickerson for her service.

Ms. Dickerson thanked Mr. Malinowski for his service as the Vice Chair. She stated they have had a very good working relationship, and he has been her right hand.

2. **ADOPTION OF THE AGENDA** – Mr. Malinowski moved, seconded by Mr. Livingston, to adopt the agenda as published.

In Favor: Terracio, Malinowski, Jackson, Newton, Myers, Kennedy, Manning, Walker, Dickerson, Livingston and McBride

The vote in favor was unanimous.

3. **ELECTION OF CHAIR** – Ms. Dickerson moved, seconded by Ms. Myers, to nominate Mr. Jackson for the position of Council Chair.

In Favor: Jackson, Newton, Myers, Walker and Dickerson

Opposed: Terracio, Malinowski, Kennedy, Manning, Livingston and McBride

The motion failed.

Ms. Kennedy moved, seconded by Mr. Malinowski, to nominate Mr. Livingston for the position of Chair.

In Favor: Terracio, Malinowski, Jackson, Newton, Myers, Kennedy, Manning, Walker, Livingston and McBride

Opposed: Dickerson

The vote was in favor of electing Mr. Livingston to the position of Chair.

Mr. Livingston thanked Ms. Dickerson for her leadership for the last 2 years. He stated it takes a lot away from family duties, jobs, and other things you have to do. He stated he understood what a challenge it is. He also thanked his colleagues for their vote of confidence. It is his intent to work closely with all of the Council members, and not make decisions that does not include everyone. He hopes to meet with each Council member, individually, to talk, in detail, about their concerns and issues, so we can move forward. We have a lot of challenges ahead of us, but he is convinced we can meet all those challenges. We have done so in the past, and he thinks we can do the same in the future.

4. **ELECTION OF VICE CHAIR** – Ms. Dickerson moved, seconded by Mr. Jackson, to nominate Ms. Myers for the position of Vice-Char.

Mr. Malinowski moved to nominate Ms. Kennedy for the position of Vice-Chair.

Ms. Kennedy stated she appreciated the nomination, but she was going to have to decline the nomination, at this time.

In Favor: Terracio, Jackson, Newton, Myers, Kennedy, Walker, Dickerson, Livingston and McBride

The vote was in favor of electing Ms. Myers to the position of Vice Chair.

6. **SELECTION OF SEATS:**

1. Malinowski
2. Walker
3. McBride
4. Jackson
5. Myers
6. Livingston
7. Kennedy
8. Newton
9. Terracio
10. Manning
11. Dickerson

7. **ADJOURNMENT** – The meeting adjourned at approximately 4:58 PM

**RICHLAND COUNTY GOVERNMENT
UTILITIES DEPARTMENT**

7525 Broad River Road, Irmo, SC 29063
T 803-401-0050 | F 803-401-0030
rcu_services@richlandcountysc.gov | richlandcountysc.gov



December 28, 2018

TO: Edward Gomeau, Interim County Administrator

FROM: Utilities Department

RE: Uranium testing of Well water

In October 16th County Council meeting, the Council has approved the well testing in areas potentially impacted by Westinghouse's 2011 uranium leak. With the approval from the Council, Administrations encumbered the funds for the testing. RCU began receiving the addresses who has requested to have their well water tested and arranged for third party to collect the samples.

Of the 66 homes originally signed up for the testing, we have tested 62 homes for Uranium and all samples' results are within limit of 30 ug/L. Four addresses were not tested due to either a homeowner opted out of testing, no home was on site, well was not working, or could not access the water source.

Enclosed are the letter from Access Analytical confirming the results and the results from the lab of the homes.



ACCESS
ANALYTICAL, INC.

December 20, 2018

Richland County Utilities
7525 Broad River Rd.
Irmo, SC 29063

Attn: Jessica Mancine

RE: Hopkins Uranium Testing Results

Dear Ms. Mancine:

This letter is to confirm that all samples collected to date as part of the Hopkins Uranium testing project have been within the acceptance limit of 30 ug/L. I have attached, along with this letter, an export showing all results for this project. All samples to date have had a result of <1 ug/L for Uranium.

We appreciate your assistance with this project and please let me know if you have any questions.

Thank you,

Bryant Boyd
Laboratory Director
Access Analytical, Inc.

15 Thames Valley Rd. ~ Irmo, SC 29063
Phone: 803-781-4243 Toll Free: 888-315-4303 Fax: 803-781-4303
www.axs-inc.com

STATE OF SOUTH CAROLINA)
) **INTERGOVERNMENTAL AGREEMENT**
RICHLAND COUNTY) **(Animal Care)**

THIS AGREEMENT entered into this ____ day of _____, _____, by and between Richland County (hereinafter the “County”) and the Town of Blythewood (hereinafter the “Town”).

RECITALS

WHEREAS, the County and the Town previously entered into an agreement for animal care services within the Town; and

WHEREAS, the Town desires to continue utilizing the services of the County Animal Care Department for animal care services; and

WHEREAS, the County is willing to continue providing the Town said animal care services as described in this Agreement; and

WHEREAS, S.C. Code of Laws Ann. Section 4-9-41 provides that, “(A) Any county, incorporated municipality, special purpose district, or other political subdivision may provide for the joint administration of any function and exercise of powers as authorized by Section 13 of Article VIII of the South Carolina Constitution,” and that the provisions of Section 4-9-41 “(B)...may not be construed in any manner to result in diminution or alteration of the political integrity of any of the participant subdivisions which agree to and become a part of the functional consolidation, nor may any constitutional office be abolished by it”; and

WHEREAS, Article VIII, Section 13 of the South Carolina Constitution prescribes the joint administration of functions and exercise of powers such that, “(A)” Any county, incorporated municipality, or other political subdivision may agree with the State or with any other political subdivision for the joint administration of any function and exercise of powers and the sharing of the costs thereof”;

NOW, THEREFORE, it is agreed by and between the parties hereto as follows:

1. The Animal Care Department of the County shall provide such services to secure the enforcement and uniformity of animal control regulations within the Town in compliance with the animal control ordinances of the County and in accordance with the laws of the State of South Carolina. The Town consents to and requests herein that Richland County enforce Chapter 5, Animal Care, of the Richland County Code of Ordinances within the jurisdiction of

the Town, and authorizes such enforcement pursuant to Article VIII, Section 13 of the South Carolina Constitution, and S.C.Code Ann. Section 4-9-41.

The County shall provide the same degree, type and level of service as customarily provided residents of the unincorporated areas of Richland County, which shall include:

a) Field services to include patrolling for stray, injured, nuisance and vicious animals and enforcing the County Animal Care Ordinance, issuing violation notices and citations pursuant to the authority prescribed in S.C.Code Ann. Sections 4-9-145 and 56-7-80, and processing pet license applications. The County shall be responsible for the investigation and enforcement of animal cruelty, neglect and abandonment of animals. The County shall be responsible for the disposal of deceased animals prepared according to guidelines. The County shall be responsible for public education in the areas of responsible pet ownership.

b) Licensing of animals of the Town shall be in accordance with the County Ordinance. The County staff shall be responsible for maintaining records, receiving payment and issuing tags.

c) Animal Housing/Veterinary Services – County shall transport animals to locations designated by the County. The County shall ensure veterinary services for sick or injured animals as set forth in any veterinary contracts it may have.

d) Rabies Control – The County shall act as agent of the Town in relation to animal bites and rabies testing to investigate reported bites and quarantining of biting animals pursuant to the Department of Health and Environmental Services of South Carolina guidelines and performing of such duties as necessary to prepare and deliver animals for rabies testing.

2. The Town shall, within a reasonable time after signing of this Agreement, amend its Town of Blythewood Code of Ordinances, to adopt the current Richland County Animal Care Ordinance, and all subsequent amendments thereto.

3. This Agreement shall commence on the date set forth above and shall continue unless terminated by either party upon such party giving six months written notice to the other party of its intent to terminate this agreement. Written notices must be forwarded to:

Richland County

Town of Blythewood

Attn: County Administrator

Attn: Town Manager

2020 Hampton Street
P.O. Box 192
Columbia, SC 29202

171 Langford Road
P.O. Box 1004
Blythewood, SC 29016

4. This Agreement may be amended, modified or changed only upon the written agreement between the parties.

5. The County shall continue to assess, levy, and collect property taxes from the residents of that portion of the Town of Blythewood which lies within the boundaries of Richland County for the above services. Such assessment and levy shall not exceed that which is assessed and levied on property in the unincorporated areas of Richland County. The taxes generated by such assessment and levy shall be designated as an offset to the costs of providing these services and shall constitute the compensation to the County for the undertaking of these services.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

WITNESSES:

RICHLAND COUNTY

By: _____, Richland
County Council Chairperson

TOWN OF BLYTHEWOOD

K. Brian Cook
Town Administrator

By: J. Michael Ross
Mayor

1. The County Department of Public Works, Solid Waste & Recycling Division will provide and service rollcarts and recycling bins for each household in the Town for the purpose of providing a recycling and solid waste collection and disposal system in accordance with the Richland County Code of Ordinances.

2. The County shall assess and collect an annual fee and millage from each household in the Town for these services. The fee shall be equal to the fees established by the County Council for solid waste services within the County. The revenues generated therefrom shall be deposited with the Richland County Treasurer and shall be used for the purpose of operating the rollcart and recycling system and all other costs associated with the solid waste program.

3. This Agreement shall commence once executed by the parties and shall continue unless terminated by either party upon giving the other party ninety (90) days' written notice of termination. Notices must be sent to:

Richland County
Attn: County Administrator
2020 Hampton Street
P.O. Box 192
Columbia, SC 29202

Town of Blythewood
Attn: Town Manager
171 Langford Road
P.O. Box 1004
Blythewood, SC 29016

4. This Agreement supersedes all previous agreements for the services described herein. All other such agreements are null and void.

5. This Agreement may be amended, modified or changed in writing by the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

WITNESSES:

RICHLAND COUNTY

By:
Chair, Richland County Council

TOWN OF BLYTHEWOOD

K. Brian Cook
Town Administrator

By: J. Michael Ross
Mayor

DRAFT

1. The County will provide support on an as available basis and dependent upon County's operational priorities, resources, needs and tempo. Such support includes:

- a) Assisting the Town in sorting zoning map designation issues such as: (1) updating spatial data to include evolving Town designations; and (2) establishing data maintenance procedure to provide for Richland County zoning codes in parallel with Town zoning codes;
- b) Assisting the Town in clarifying and maintaining parcel boundaries for use in GIS within the Town to include issues that exist along the County Boundary with Fairfield County;
- c) Assisting the Town in creating, procuring, and maintaining cloud-based GIS applications;
- d) Assisting the Town with Future Land Use mapping and modeling; and
- e) Providing the Town with drone-based imagery and models, on an ad-hoc basis, as resources are available.

2. County provides the information, maps, data and services herein as a public service. County makes no claims, representations or guarantees about the accuracy or currency of the contents of this information or the quality of the services provided for herein and expressly disclaims liability for errors and omissions in its contents or performance. No warranty of any kind, express or implied, including but not limited to the warranties of non-infringement of third party rights, title, merchantability, fitness for a particular purpose and freedom from computer virus, is given with respect to the information or services provided for herein. Neither the County nor its officers, employees or agents shall be liable for any loss or injury caused in whole or in part by use of the information or services described or provided for in this Agreement.

The Town understands and agrees that the information and services obtained by virtue of this Agreement is used at Town's risk and discretion and that Town will be solely responsible for any damages to Town's or any third party's computer systems or loss of data that results from any use of the services set forth herein. Town is responsible for ensuring that anyone using the

information resulting from the services provided for in this Agreement is informed that the burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the user accessing the information or services. Further, that the user acknowledges and accepts all inherent limitations of the maps, data, information and services, including the fact that the maps and data are periodically updated, corrected and revised.

The maps and associated data provided herein do not represent or constitute a survey, nor anything that should be relied upon as establishing a legal right or interest in property. Plans and maps are produced for posting on the Internet and are not necessarily the most complete. County assumes no liability for the accuracy of the data delineated on any map, information or services provided herein, either expressed or implied.

Within the limits of statutes prescribing liability, The Town indemnifies and holds harmless the County of and from any and all claims, demands, damages, attorneys' fees, costs, actions, cause of action, or suit in law or equity of whatsoever kind or nature whether heretofore or hereafter accruing or whether now known or not known for the use of any information, data, maps or services provided by County pursuant to this Agreement.

3. The parties may enter into additional agreements on a project-by-project basis, or otherwise as may be appropriate, such as a Richland County GIS Data License Agreement (in a form substantially similar to that set forth in Attachment A), a Richland County GIS Data Product Licensing and Services Agreement (in a form substantially similar to that set forth in Attachment B), or any other agreement that may be needed or helpful to facilitate the intent of the parties set forth in this Agreement. Such agreements may, where appropriate, include

provisions for the payment of fees for services provided hereunder to reflect the actual costs thereof.

4. This Agreement shall commence on the date set forth above and shall continue unless terminated by either party upon such party giving thirty (30) days' written notice to the other party of its intent to terminate this agreement. Written notices must be forwarded to:

Richland County
Attn: County Administrator
2020 Hampton Street
P.O. Box 192
Columbia, SC 29202

Town of Blythewood
Attn: Town Manager
171 Langford Road
P.O. Box 1004
Blythewood, SC 29016

5. This Agreement may be amended, modified or changed in writing by the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

WITNESSES:

RICHLAND COUNTY

By:
Chair, Richland County Council

TOWN OF BLYTHEWOOD

K. Brian Cook
Town Administrator

By: J. Michael Ross
Mayor

ATTACHMENT A

Richland County GIS Data License Agreement

	Date _____
User's Name _____	
Company/Agency _____	
Address _____	
City _____	Zip _____
Phone _____	Fax _____
Email _____	

PRODUCT LICENSING AGREEMENT TERMS AND CONDITIONS

THIS LICENSING AGREEMENT is made as of the date specified on the cover hereof between Richland County (hereinafter referred to as "COUNTY") and _____ (hereinafter referred to as the "USER").

Whereas, COUNTY is the designer and developer of the product(s) delivered under this agreement (hereinafter referred to as "DATA") with the right to license and distribute the DATA; and

Whereas, the USER will make use of the DATA in its business activity according to the following restrictions and obligations;

Whereas, the USER desires a license to use the DATA and the COUNTY desires to grant such a license to the USER for the sole purpose of permitting the USER to use the DATA in its business activity;

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree to the following terms and conditions:

ARTICLE 1. PRODUCT DEFINITION

- 1.1 DATA includes COUNTY *digital* databases, graphic files, associated documentation, and programs which are made available for distribution.

ARTICLE 2. REPRESENTATIONS AND WARRANTIES

2.1 Limited Warranty

- (A) COUNTY shall make reasonable efforts to ensure that the DATA is delivered in a condition suitable for its proper use.
- (B) COUNTY disclaims any other warranties, express or implied, respecting this agreement or the DATA.
- (C) The DATA and ASSOCIATED MATERIALS ARE PROVIDED "AS IS", WITHOUT WARRANTY AS TO THEIR PERFORMANCE, MERCHANTABILITY, OR FITNESS FOR ANY PARTICULAR PURPOSE. The entire risk as to the uses, results or performances of DATA is assumed by the USER.

2.2 The execution, delivery and performance of this Agreement are within the USER's power and authority, and the USER has duly authorized, executed, and delivered such Agreements and has taken or will take all action necessary to carry out and give effect to the transactions contemplated by the Agreement.

ARTICLE 3. USE

3.1 Permitted Use

- (A) This license is granted for the sole purpose of permitting the USER to use the DATA in its business activity and for no other purpose whatsoever. Permitted use does include customized research and analysis. Additional permitted uses include the generation of map products and reports through the manipulation of DATA, subject to all restrictions in this agreement.
- (B) This agreement constitutes a single-user license. The USER is permitted use of the DATA, as per the conditions of this agreement, as an individual or within a single business unit or agency. The licensed use of the DATA is not governed by any inter-governmental agreements or policies.

3.2 Restrictions on Use

- (A) The USER shall not disclose, lease, sell, distribute, make, transfer, or assign the DATA or engage in any other transaction which has the effect of transferring the right of use of all or part of the DATA.
- (B) The USER shall inform COUNTY of any inaccuracies which are identified in the DATA. COUNTY will make the required changes upon appropriate verification and make corrected data available.
- (C) All USER designed materials and output (internal reports, maps, products, etc.) will bear all copyright, trademark, and other proprietary notices required by COUNTY.
- (D) USER may not publish, in the public domain, COUNTY data in any form without written approval of the County. This restriction includes data from COUNTY sources transferred or copied to non-COUNTY data for publication.
- (E) All USER materials will bear the date of the DATA. (Example: "Source: Richland County, insert date the DATA was most recently acquired).
- (F) All USER materials are required to be updated according to the most recent DATA available from the COUNTY.

3.3 Reserved Rights

- (A) COUNTY shall retain all rights, title and interest in the DATA, including the right to license the DATA covered by this license to other USERS.
- (B) COUNTY shall retain the right to embed copyright, ownership, transactional, and licensee information in the DATA using watermarking, steganographic, or other digital techniques that do not diminish the functional capacity of the DATA.

ARTICLE 4. TERM/TERMINATION

- 4.1 This Agreement may be terminated by COUNTY at any time if the USER fails to comply with any of the terms of the Agreement.

ARTICLE 5. REMEDY

- 5.1 USER'S sole and exclusive remedy for breach of this limited warranty will be to return the DATA, which may be replaced by COUNTY at its discretion.
- 5.2 Any available remedy to COUNTY shall be cumulative and shall be in addition to every other remedy given under this Agreement now or hereafter existing at law or in equity or by statute. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver thereof; nor shall any single or partial exercise of any right hereunder preclude any other or further exercise thereof or the exercise of any other right. In order to entitle the COUNTY to exercise any remedy available to them in this Article, it shall not be necessary to give notice other than such notice as may be required by law.

ARTICLE 6. RELEASE AND INDEMNIFICATION

- 6.1 COUNTY shall not be liable for any activity involving the DATA with respect to the following:
 - (A) Lost profits, lost savings or any other consequential damages.
 - (B) The fitness of the DATA for a particular purpose.
 - (C) The installation of DATA, its use or the results obtained.
- 6.2 COUNTY shall not be liable for indirect, special, incidental, compensatory, or consequential damages or third party claims resulting from the use of DATA, even if they have been advised of the possibility of such potential loss or damage.
- 6.3 **RELEASE AND INDEMNIFICATION.** The USER, *to the extent allowed by state law*, hereby releases the COUNTY and the State and their respective officers, directors, members, employees, attorneys and agents, (hereinafter collectively referred to as "Indemnified Parties") from, and agrees that such Indemnified Parties shall not be liable for, and agrees to indemnify and hold harmless the Indemnified Parties against any or all liability or loss, cost or expense, including without limitation, attorney's fees, fines, penalties and civil judgments, resulting from or arising out of or in connection with or pertaining to any loss or damage resulting from the use of the DATA.

ARTICLE 7. MISCELLANEOUS

- 7.1 **Invalidity.** To the extent that any provision of this Agreement is determined to be in contradiction of, or in conflict with the Code, any State law, or any regulation, the Code, State law or regulation shall control.
- 7.2 **Entire Agreement.** This LICENSE contains the entire agreement of the parties hereto with respect to the matters covered hereby, and no other agreement, statement or promise made by any party hereto, which is not contained herein, shall be binding or valid.
- 7.3 **Governing Laws.** This Agreement is made under and shall be construed in according with the laws and regulations of the State of South Carolina. By executing this Agreement, the USER agrees to submit to the jurisdiction of the COUNTY and the Courts of South Carolina for all matters arising hereunder. In the event of a dispute, the COUNTY shall have standing to represent the State of South Carolina.
- 7.4 **Amendment.** This Agreement may be changed or amended only by written agreement of the parties.

Witness the hands and seals of the parties this day and date first above written:

**Richland County, South Carolina
Information Technology/GIS Department**

USER

Signature

Signature

Title

Title

Date

Date

ATTACHMENT B

11

Richland County GIS Data Product Licensing and Services

Data Organization/format

Licensing fees for year 2000, 2004, and 2007 digital orthophotos and thematic layers are per 5,000 ft. x 5,000 ft. tile. Year 1996 digital orthophotos are licensed per 2,500 ft. (urban areas only) and 10,000 ft. tiles. Other layers are licensed as full County coverages and require a single (tile-less) fee.

Image files are delivered in uncompressed .tif. Thematic layers are delivered in ArcInfo Export format (.e00), ESRI shapefiles, or personal geodatabases. CAD (.dxf) files may be delivered for linework of some layers upon request. Due to limitations in CAD file formats, attributes may not be available for all .dxf requests.

All Richland County data are based on the South Carolina State Plane coordinate system and reference the North American datum of 1983 (NAD83/ original 1986 adjustment) and North American vertical datum of 1988 (NAVD88).

Aerial Photography and Imagery (per tile fee, .tif file format, .tfw world files included)

Current Digital Orthophoto (1 foot pixel)	Color	\$90.00/tile
	Color & Near Infrared	\$110.00/tile
Previously Collected Imagery	Color/NIR	\$40.00/tile
	BW	\$30.00/tile
Year 2004 Digital Orthophoto (1 foot pixel)		
Year 2000 Digital Orthophoto (1 foot pixel)		
Year 1996 Digital Orthophoto (2 foot pixel)		

Note: 2004 and 2007 imagery was collected using digital collection technologies. Therefore, the raw imagery is 12bit (R,G,B,NiR) stored in 16bit format. For aesthetic purposes, the raw imagery is converted to 8bit (R,G,B) and (NiR, R, G) TIFF images. The 8bit images (similar to 2000 photography) will be licensed by default. If the raw imagery is required, please note that request in the special instructions portion of the data licensing application.

Thematic Layers – per unit fee

Parcels \$0.50/parcel with minimum 100 parcels (linework and tax map number)

Thematic Layers – per tile fee

Soils	\$100.00	
Building Footprints	\$100.00	
Streets	\$20.00 (linework)	\$40.00 (w/street names & address ranges)
Hydro	\$15.00 (linework)	\$25 (w/feature names)
Rail	\$15.00	
Elevation (2 ft. Contours)	\$800.00	
Elevation (DTM points)	\$700.00 *	
Hard/soft Breaklines	\$100.00 *	* Requires proof of SC Photogrammetric Surveyor License
Digital Elevation Model (15 ft cells)	\$200.00	

Thematic Layers – Full County Coverage

Bridges (polygons)	\$100.00
County Boundary	\$100.00
County Council Districts	\$100.00

Municipal Boundaries	\$100.00
Education (public/private schools)	\$100.00

-- Other layers by theme -- Fees TBD As they are developed by Richland County and are made available.

Full County Coverage Reference Layers

2,500 ft. Photo Grid (1996 Ortho)	FREE
5,000 ft. Photo Grid (2000/2004 Ortho)	FREE
10,000 ft. Photo Grid (1996 Ortho)	FREE

USGS Digital Raster Graphic (DRG) Quad Maps with Elevation Hillshading

7.5 minute quad image (.tif)	\$100.00
Full County image (.sid)	\$2000.00

Paper Maps (materials and services)

8 ½" x 11" (photos only)	\$5.00 each
up to 34" x 44" (photos only)	\$25.00 each
up to 34" x 44" (photos only)	\$75.00 each (gloss paper stock)

All custom paper maps (beyond stock thematic maps and aerial photos) will require an hourly service fee in addition to the materials fee as stated above.

Hourly service fee (2 hr. minimum)	\$65.00 per hour
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Animations

Previously developed Fly-throughs	\$25.00 each
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Request Processing

Processing of standard data products and paper maps are completed within **three to six business days**.

RUSH Orders

If possible, data or map requests may be filled in less than three business days (Rush Order). A 'Rush Order' fee (Order Fee x 3) is required for such requests. All 'Rush Orders' require a minimum of twenty-four (24) hours to complete.

**RICHLAND COUNTY GOVERNMENT
ADMINISTRATION**

2020 Hampton Street, Suite 4069, Columbia, SC 29204
P 803-576-2050 | F 803-576-2137 | TDD 803-576-2045
richlandcountysc.gov



December 17, 2018

Teresa Wilson
City Manager
City of Columbia
P.O. Box 147
Columbia, SC 29217

Dear Ms. Wilson: *Teresa*

Richland County's contractor has made significant progress on the Three Rivers Greenway and the County looks forward to releasing the completed greenway to the City of Columbia in 2019. However, as you already know, as a result of the South Carolina Department of Revenue's Guidelines For Use of Transportation Tax Revenue, all expenses funded with the penny tax must be "tethered" to specific transportation projects. Therefore, Richland County is prohibited from expending penny funds on the greenway's amenities including restrooms, ranger building, fire/rescue building, and parking lot/driveway/gate.

Attached is an overview map of the project showing the location of the facilities and the costs of each facility totaling \$850,257.00. In order to continue work on the project, Richland County Council is requesting the City of Columbia pay its pro-share of 50% of the costs for these facilities, \$425,128.50.

Please feel free to contact me on this matter, or if there are specific questions on the project, Dr. John Thompson.

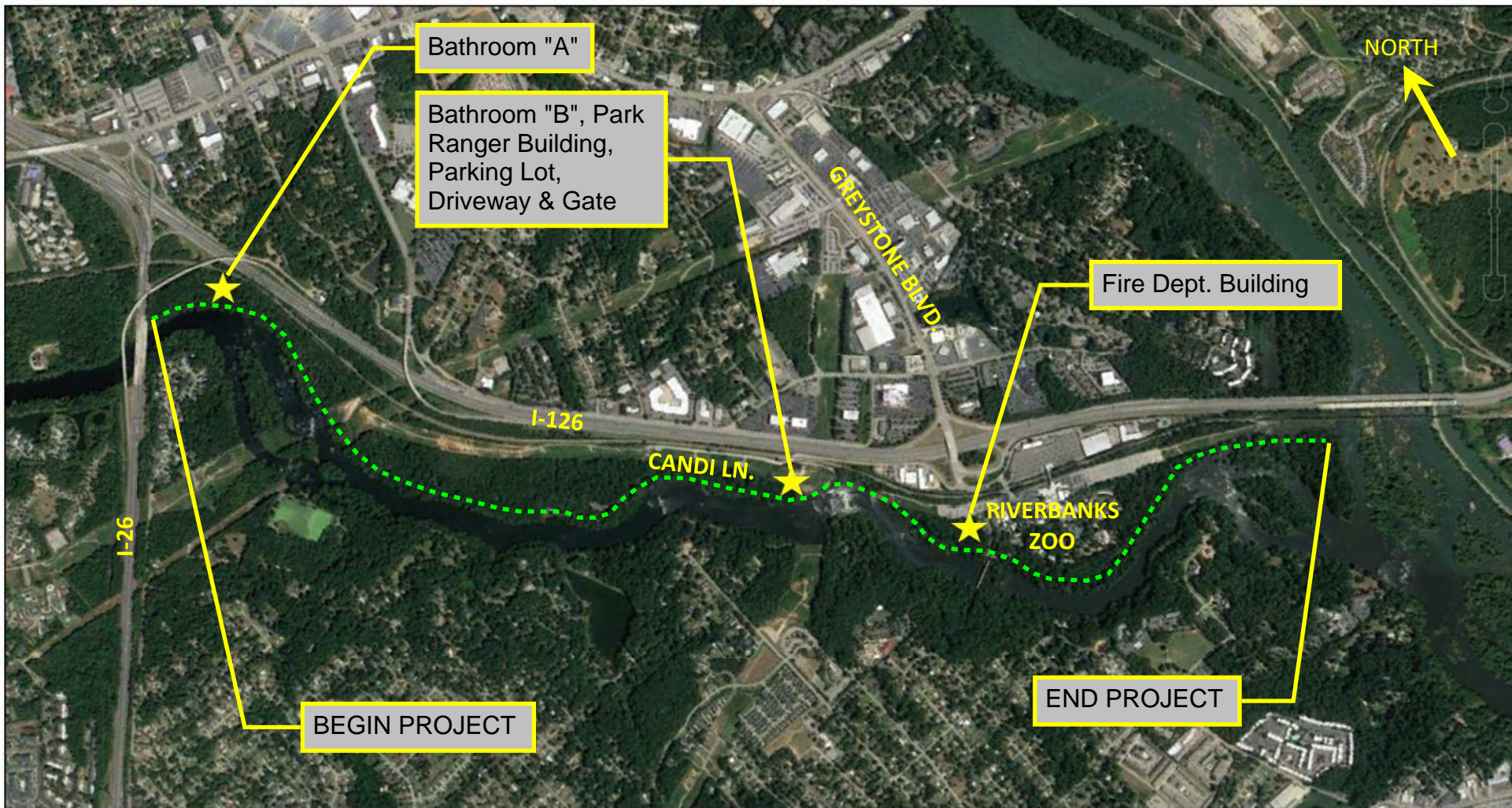
Sincerely,

A handwritten signature in black ink, appearing to read "E. Gomeau".

Edward Gomeau
Interim County Administrator

cc: Members of Richland County Council
Ashiya Myers, Assistant to the County Administrator
Dr. Sandra Yudice, Richland County Assistant County Administrator
Dr. John M. Thompson, Richland County Transportation Director

THREE RIVERS GREENWAY



SEE BACK FOR OVERVIEW OF COSTS.

THREE RIVERS GREENWAY

Total Project Cost = \$ 5,921,467.00

Facilities Costs:

- Bathroom "A" = \$ 178,018.00
- Bathroom "B" = \$ 167,414.00
- Park Ranger & Fire Dept. Buildings ¹ = \$ 383,535.00
- Parking Lot, Driveway & Gate = \$ 121,290.00

Total Facilities Costs = \$ 850,257.00

Total Cost (Less Facilities)² = \$ 5,071,210.00

¹ Both buildings included in shown contract price

² Costs include mobilization, bonds/insurance, staking & grading, clearing, removal & disposal, concrete, boardwalks, bridges, electrical work, benches, picnic tables, drinking fountains, trash receptacles, signage, erosion control items, grassing, guardrail, etc.



PO Box 147 | Columbia, SC 29217 | (803) 545-3300

January 22, 2019

Mr. Edward Gomeau, Interim County Administrator
Richland County Government
2020 Hampton Street, Suite 3014
Columbia, South Carolina 29204

RE: Three Rivers Greenway

Dear Mr. Gomeau:

The City of Columbia has received your letter dated December 17, 2018 requesting assistance with the Three Rivers Greenway amenities. The City fully supports this project and will maintain all facilities after completion of construction and acceptance by the City (please see enclosed letter stating such). The City believes the public use of the linear park for the designed distance warrants bathroom facilities and due to the proximity of the river, the project must include an avenue for emergency response. Therefore, the amenities as outlined in your letter are essential for operating a greenway such as this one and should be considered critical to the project. It was our understanding the project was fully funded at its inception to include these critical amenities. Therefore, the City has no funding identified at this time for your request. We respectfully request a review of the interpretation of the Department of Revenues definition of eligible expenses to a project. We look forward to the successful completion of this project. If you have any questions, please feel free to contact me at 733-8682.

Very truly yours,

Clint E. Shealy, PE
Assistant City Manager for Columbia Water
City of Columbia

Enclosures

cc: Teresa Wilson, City Manager
Dana R. Higgins, PE Director of Engineering Columbia Water
Randy Davis, Director of Parks and Recreation

ColumbiaSCWater.Net





We Are Columbia

August 24, 2016

Mr. Rob Perry, P.E.
Director of Transportation
Richland County Government
2020 Hampton Street
Columbia, SC 29201

RE: City of Columbia Ownership and Maintenance of Saluda Riverwalk and Gills Creek Trail A

Dear Mr. ^{Rob}Perry:

Please allow this letter to confirm the City's commitment to the Saluda Riverwalk and the Gills Creek Trail A. The City will accept ownership and maintenance of the trails, only within the City limits of Columbia, at the completion of construction.

We request participation of our construction management group in final inspection of the project before we accept ownership.

Please let us know if you need additional information.

Sincerely,

Teresa B. Wilson
City Manager

cc: S. Allison Baker, Senior Assistant City Manager
Melissa Smith Gentry, PE Assistant City Manager
Randy Davis, Director of Parks and Recreation
Dana R. Higgins, PE City Engineer
Michael Dawson, River Alliance Chief Executive Officer

Teresa Wilson • City Manager
1737 Main Street • P.O. Box 147 • Columbia, South Carolina 29217
Office: 803.545.3026 • Fax: 803.545.3051 • Email: tbwilson@columbiasc.net

PROJECT AGREEMENT

This Agreement (this "Agreement") entered into this 26 day of May, 2016, by and between Richland County, South Carolina (the "County") and the City of Columbia, South Carolina (the "City").

WITNESSETH THAT:

WHEREAS, a one percent (1%) special sales and use tax (the "Penny Tax") was imposed by and throughout the County pursuant to a successful referendum held in the County on November 6, 2012. One of the projects identified to be completed with a portion of the proceeds of the Penny Tax is the Three Rivers Greenway Extension for which \$7,902,242 of the proceeds of the Penny Tax will be available; and

WHEREAS, the Three Rivers Greenway Extension involves a number of projects among which is the Saluda Riverwalk Project which has been divided into a Phase I and a Phase II; and

WHEREAS, the Three Rivers Greenway Saluda Riverwalk Phase I, an approximately 3.0 mile trail along the Saluda River as further described in Attachment A (the "Project"), is the subject of this Agreement; and

WHEREAS, the County proposes to construct, reconstruct, alter, or improve certain segments of the Project by utilizing certain funds derived from the Penny Tax; and

WHEREAS, the City wishes to authorize the construction and improvements of the aforesaid Project in accordance with the plans prepared by a consultant and approved by the City (the "Project Plans") as illustrated in Attachment A; and within the budget (the "Project Budget") as shown on Attachment B;

NOW THEREFORE, in consideration of the foregoing and of the mutual covenants herein set forth, the County and the City agree as follows:

1. The City hereby acknowledges that the Project Plans have been through the City's approval process including but not limited to zoning requirements, public input, etc. and no further action or approvals are needed. The City further acknowledges that the Project Budget is accurate and sufficient to complete the Project Plans.
2. The City hereby consents to the construction of or improvements to the aforesaid Project within its corporate limits in accordance with the Project Plans and within the Project Budget. The foregoing consent shall be the sole approval necessary from the City for the County to complete the Project under the Project Plans and within the Project Budget and also constitutes a waiver of any and all other requirements with regard to this construction and improvements within the City's limits. The foregoing waiver and consent shall also apply to utility companies and construction companies engaged in relocating utility lines or constructing the Project in accordance with the Project Plans and within the Project Budget.
3. Prior to the publication of the advertisement for the construction of the Project, the City shall certify that all rights-of-way necessary for the Project have been acquired. Acquisition of any additional rights-of-way not presently available shall be the responsibility of the City.

4. The City shall exempt all existing rights-of-way, a new right-of-way, and all other properties purchased in connection with the right-of-way for the Project from any general or special assessment against real property for municipal services.

5. In connection with the Project, the City shall, at its expense and without delay, relocate any City-owned utilities as necessary. Those City-owned utilities may be re-placed upon the "Project right-of-way" at such locations as may be agreed upon by the County and the City. All privately-owned utilities including, but not limited, gas pipes, manholes, cables, fiber optics, and power lines or poles located within the existing right-of-way shall be relocated at the utility's expense. Payment for the relocation of privately-owned utilities will only be made if the private utility can demonstrate a prior right of occupancy. The City will cooperate and facilitate the relocation of all utilities. The County shall not be liable for damages to property or injuries to persons as a consequence of the City or its Contractors in placing, maintaining, or removing any utility.

6. The County shall conduct the procurement process for all aspects of the Project which shall provide for a base bid and bid alternates. Decisions made by the County regarding this process will be at the sole discretion of the County.

7. The County will provide no more than \$7,902,242 toward the cost of the Project from the Penny Tax as reflected in the Project Budget (the "Maximum Contribution"). Of the Maximum Contribution, any amounts not needed to complete the Project will be available to pay the costs of other projects within the Three Rivers Greenway Extension. The County does not guarantee completion of the Project within the Project Budget. If actual construction costs as reflected in the low bid is over budget, the County will work with the City to revise the Project Plans as necessary to bring the cost within the Project Budget. Until the Project Plans have been revised such that bid for the Project is within the Project Budget, a Notice of Proceed will not be issued.

8. If, during construction, circumstances arise or conditions are discovered which cause the Project Budget to be insufficient to complete the Project, the County shall not be responsible for obtaining and providing additional funding. In such case, the County will cooperate with the City in revising the Project Plans as necessary to complete the Project within the Project Budget. If the parties cannot agree on revisions to the Project Plans, the County may, in its sole discretion, approve revisions to the Project Plans as necessary to complete the Project within the Project Budget. In no event will the County provide any funds over and above the Maximum Contribution; however, the City may provide additional legally-available funds to be used as directed by the City.

9. The County may, in its sole discretion, authorize change orders that it deems necessary to complete the Project so long as such change order is within the scope of the Project and the Project Budget.

10. Upon completion of the Project, and inspection of the Project proving the new facilities are in accordance with plans and specifications, the City will accept the Project and all improvements associated therewith and shall permanently operate and maintain the Project as a public greenway within the City. The County has no obligation to operate or maintain the Project after its acceptance by the City.

11. The parties hereby acknowledge that they have reviewed this Agreement and concur that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of any provision of this Agreement.

12. If any provision of this Agreement or any obligation or agreement contained herein is determined by a court of competent jurisdiction to be invalid or unenforceable, that determination shall

not affect any other provision, obligation or agreement, each of which shall be construed and enforced as if the invalid or unenforceable portion were not contained herein. That invalidity or unenforceability shall not affect any valid and enforceable application thereof, and each such provision, obligation, or agreement shall be deemed to be effective, operative, made, entered into, or taken in the manner and to the full extent permitted by law.

13. This Agreement may be executed in several counterparts, all or any of such shall be regarded for all purposes as one original and shall constitute and be but one and the same instrument.

14. This Agreement represents the entire and integrated agreement between the County and the City and supersedes and replaces all terms and conditions of any prior agreements, arrangements, negotiations, or representations, written or oral, with respect to the Project.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

RICHLAND COUNTY, SOUTH CAROLINA

By: W. Anthony McDonald
Printed Name: W. Anthony McDonald
Title: County Administrator

City of Columbia, South Carolina

By: Teresa Wilson
Printed Name: Teresa Wilson
Title: City Manager

Richland County Attorney's Office
[Signature]
Approved As To LEGAL Form Only.
No Opinion Rendered As To Content.

APPROVED AS TO FORM
[Signature]
Legal Department City of Columbia, SC

ATTACHMENT A

**Project Plans
For
Three Rivers Greenway Saluda Riverwalk Phase 1 Project**

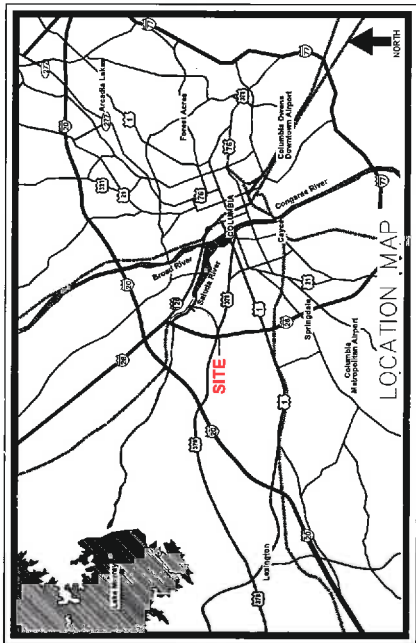


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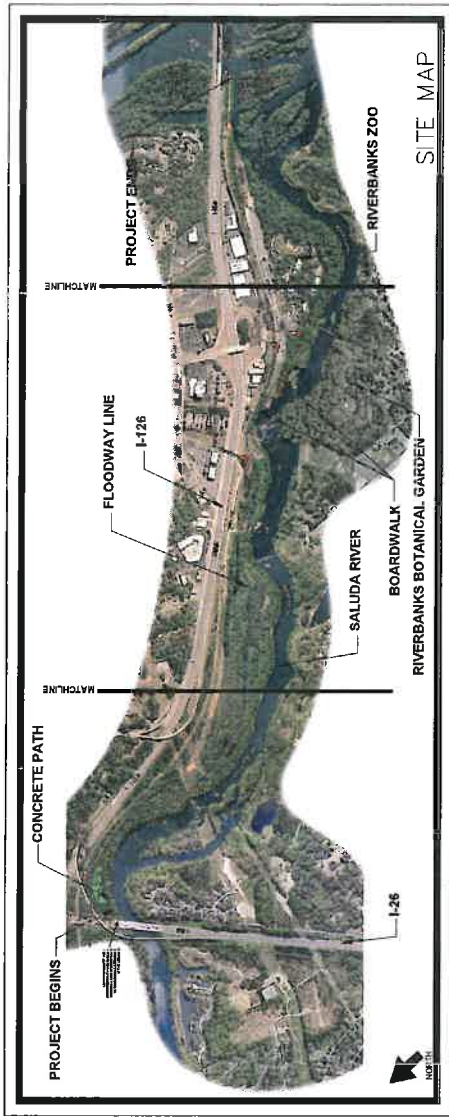
COVER SHEET	C-1
GENERAL NOTES	N-1
LAYOUT PLAN	L-1 THRU L-7
GRADING PLAN	G-1
EROSION CONTROL PLAN	EC-1 THRU EC-5
DETAILS	DT-1 THRU DT-4
GEO-SYSTEMS DRAWINGS	GS-1 THRU GS-12
ELECTRICAL PLAN	E-1 THRU E-9

DATE:	9/10/15
PROJECT #:	169244
DRAWN BY:	JMC
CHECKED BY:	JGS
REVISIONS:	

SEALS

SALUDA RIVERWALK PHASE I (SITE WORK) COLUMBIA, SC

A Component of The Three Rivers Greenway



COVER SHEET

Sheet
C-1

SALUDA RIVERWALK PROJECT NO. 169244 (AUG. 5, 2015)

ADA
200 STANFORD DRIVE
COLUMBIA, SOUTH CAROLINA 29210
803.742.3337 FAX 803.742.3316
WWW.RIVERBANKS.ZOO

ADA COMPLIANCE
ARCHITECTURAL DESIGN ASSOCIATES, PA
1000 W. 10TH STREET
COLUMBIA, SC 29201
803.742.3371 FAX 803.742.3379

JOHN RAY WILLIAMS, PE
COLUMBIA, SOUTH CAROLINA
ARCHITECTURAL DESIGN ASSOCIATES, PA

GENESIS CONSULTANTS GROUP

PENNIES IMPACTING PEOPLE

RIVER ALLIANCE
400 Rivermont Drive
Columbia, South Carolina 29210
(803) 742-3300

RIVERBANKS ZOO AND GARDEN

WE ARE COLUMBIA

THE UNIVERSITY OF SOUTH ALABAMA

THE UNIVERSITY OF SOUTH ALABAMA

THE UNIVERSITY OF SOUTH ALABAMA

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ATTACHMENT B

Project Budget

2012 Bike / Pedestrian / Greenway Projects

Type	Location	Highway Name 1	Highway Name 2	Cost
Intersection	Broad River Rd and Bush River Rd			\$94,536
Intersection	Huger St and Gervais St			\$94,536
Intersection	Elmwood Ave and Park St			\$94,536
Intersection	Main St and Elmwood Ave			\$94,536
Intersection	Elmwood Ave and Bull St			\$94,536
Intersection	Two Notch Rd and Alpine Rd			\$94,536
Intersection	Two Notch Rd and Maingate Dr/Windsor Lake Blvd			\$94,536
Intersection	Two Notch Rd and Brickyard Rd			\$94,536
Intersection	Two Notch Rd and Sparkleberry Ln			\$94,536
Intersection	Blossom St and Saluda Ave			\$94,536
Intersection	Devine St and Harden St/Santee Ave			\$94,536
Intersection	Two Notch Rd and Decker Blvd/Parklane Rd			\$94,536
Intersection	Huger St and Blossom St			\$94,536
Intersection	Huger St and Greene St			\$94,536
Intersection	Huger St and Lady St			\$94,536
Intersection	Assembly St and Gervais St			\$94,536
Intersection	Assembly St and Washington St			\$94,536
Intersection	Assembly St and Laurel St			\$94,536
Intersection	Assembly St and Calhoun St			\$94,536
Intersection	Main St and Blanding St			\$94,536
Intersection	Main St and Laurel St			\$94,536
Intersection	Main St and Calhoun St			\$94,536
Intersection	Rosewood Dr and Marion St			\$94,536
Intersection	Rosewood Dr and Pickens St			\$94,536
Intersection	Rosewood Dr and Harden St			\$94,536
Intersection	Rosewood Dr and Holly St			\$94,536
Intersection	Rosewood Dr and Ott Rd			\$94,536
Intersection	Rosewood Dr and Kilbourne Rd			\$94,536
Intersection	Rosewood Dr and Beltline Blvd			\$94,536
Intersection	Harden St and Gervais St			\$94,536
Intersection	Garners Ferry and Atlas Road (1)			\$0
Intersection	Garners Ferry Rd and Hallbrook Dr / Pineview Rd (2)			\$0
Intersection	Two Notch Rd and Polo Rd (3)			\$0
Intersection	Polo Rd and Mallet Hill Rd (4)			\$0
Intersection	Assembly St and Greene St (5)			\$0
Intersection	Assembly St and Pendleton St (6)			\$0
Greenways	Crane Creek			\$1,541,816
Greenways	Crane Creek			\$460,315
Greenways	Crane Creek			\$793,908
Greenways	Gills Creek A			\$2,246,160
Greenways	Gills Creek B			\$2,785,897
Greenways	Smith/Rocky Branch			\$431,183
Greenways	Smith/Rocky Branch			\$1,415,316
Greenways	Smith/Rocky Branch			\$901,122
Greenways	Three Rivers Greenway Extension*			\$7,902,242
Greenways	Lincoln Tunnel Greenway			\$892,739
Greenways	Dutchman Blvd Connector			\$105,196
Greenways	Columbia Mall Greenway			\$648,456
Greenways	Polo/Windsor Lake Connector			\$385,545
Greenways	Gills Creek North Greenway			\$344,667
Greenways	Woodbury/Old Leesburg Connector			\$116,217
Sidewalk	Assembly St	Whaley St	Beltline Blvd	\$1,920,257
Sidewalk	Clemson Rd	Longtown Rd	Two Notch Rd	\$465,696
Sidewalk	Colonial Dr	Harden St	Academy St	\$1,012,704
Sidewalk	Columblana Dr	Lexington County Line	Lake Murray Blvd	\$486,272
Sidewalk	Broad River Rd	Greystone Blvd	Broad River Bridge	\$109,367
Sidewalk	Blossom St	Williams St	Huger St	\$41,564
Sidewalk	Gervais St	450' west of Gist St	Gist St	\$8,638
Sidewalk	Alpine Rd	Two Notch Rd	Percival Rd	\$452,075
Sidewalk	Blythewood Rd	I-77	Main St	\$191,601
Sidewalk	Broad River Rd	Harbison Blvd	Bush River Rd	\$2,408,361
Sidewalk	Superior St	Whaley St	Airport Blvd	\$778,852
Sidewalk	Leesburg Rd	Garners Ferry Rd	Semmes Rd	\$475,200
Sidewalk	Two Notch Rd	Alpine Rd	Spears Creek Church Rd	\$2,703,507
Sidewalk	Gervais St	Gist St	Huger St	\$84,100
Sidewalk	Huger St	Blossom St	Gervais St	\$256,861
Sidewalk	Broad River Rd	I-26	Harbison Blvd	\$2,499,420
Sidewalk	Park St	Gervais St	Senate St	\$170,570
Sidewalk	Polo Rd	Mallet Hill Rd	Alpine Rd	\$403,444
Sidewalk	Clemson Rd	Two Notch Rd	Percival Rd	\$564,728
Sidewalk	Bratton St	King St	Maple St	\$386,602
Sidewalk	Calhoun St	Gadsden St	Wayne St	\$91,106
Sidewalk	Franklin St	Sumter St	Bull St	\$785,585
Sidewalk	Fort Jackson Blvd	Wildcat Rd	I-77	\$343,543
Sidewalk	Grand St	Shealy St	Hydrick St	\$714,622
Sidewalk	Jefferson St	Sumter St	Bull St	\$381,242
Sidewalk	Laurel St	Gadsden St	Pulaski St	\$359,066
Sidewalk	Lincoln St	Heyward St	Whaley St	\$198,475
Sidewalk	Lyon St	Gervais St	Washington St	\$194,410
Sidewalk	Magnolia St	Two Notch Rd	Pinehurst Rd	\$828,458
Sidewalk	Maple St	Kirby St	Gervais St	\$132,502
Sidewalk	Mildred Ave	Westwood Ave	Duke Ave	\$151,536
Sidewalk	Royster St	Mitchell St	Superior St	\$95,357
Sidewalk	School House Rd	Two Notch Rd	Ervin St	\$482,882
Sidewalk	Senate St	Gladden St	Kings St	\$476,230
Sidewalk	Shandon St	Wilmot St	Wheat St	\$179,071
Sidewalk	Tryon St	Catawba St	Heyward St	\$354,446

Sidewalk	Wayne St	Calhoun St	Laurel St	\$366,828
Sidewalk	Wildwood Ave	Monticello Rd	Ridgewood Ave	\$264,449
Sidewalk	Wiley St	Superior St	Edisto Ave	\$280,896
Sidewalk	Windover St	Two Notch Rd	Belvedere Dr	\$187,942
Sidewalk	Shandon St	Rosewood Dr	Heyward St	\$268,514
Sidewalk	Lower Richland Blvd	Rabbit Run Rd	Garners Ferry Rd	\$260,077
Sidewalk	Harrison Road	Harrison Rd	Harrison Rd	\$600,000
Sidewalk	Koon	Malinda Road	Farmview Street	\$92,891
Sidewalk	Pelham	Gills Creek Parkway	Garners Ferry Road	\$346,774
Sidewalk	Pinehurst	Harrison Road	Forest Drive	\$1,649,672
Sidewalk	Prospect	Wilmot Avenue	Yale	\$137,938
Sidewalk	Sunset	Elmhurst Road	River Drive	\$364,522
Sidewalk	Veterans	Garners Ferry Road	Wormwood Drive	\$171,602
Sidewalk	Veterans	Coachmaker Road	Coatsdale Road	\$45,915
Sidewalk	Percival Road	Forest Dr	Decker Blvd	\$700,000
Sidewalk	Polo Rd (7)	Two Notch Rd	Mallet Hill Rd	\$0
Sidewalk	Bluff Rd (8)	Rosewood Dr	Beltline Blvd	\$0
Sidewalk	Atlas Rd (9)	Fountain Lake Way	Garners Ferry Rd	\$0
Sidewalk	Broad River Rd (10)	Royal Tower Rd	Woodrow St	\$0
Sidewalk	Broad River Rd (11)	Lake Murray Blvd	Western Ln	\$0
Bikeways	Broad River Rd	Greystone Blvd	Broad River Bridge	\$320,811
Bikeways	Harden St	Devine St	Rosewood Dr	\$696,821
Bikeways	Senate St	Sumter St	Laurens St	\$462,572
Bikeways	Trenholm Rd	South of Dent Middle School	Decker Blvd	\$123,919
Bikeways	Two Notch Rd	Beltline Blvd	Parklane Rd	\$2,435,039
Bikeways	Hampton St	Pickens St	Harden St	\$31,699
Bikeways	Pendleton St	Lincoln St	Marion St	\$31,680
Bikeways	Pickens St/Washington St/Wayne St	Hampton St (west)	Hampton St (east)	\$68,391
Bikeways	Sumter St	Washington St	Senate St	\$19,306
Bikeways	Beltline Blvd/Devine St	Rosewood Dr	Chateau Dr	\$24,158
Bikeways	Beltline Blvd	Forest Dr	Valley Rd	\$1,101
Bikeways	Beltline Blvd/Colonial Dr/Farrow Rd	Harden St	Academy St	\$6,636
Bikeways	Catawba St/Tryon St/Whaley St/Williams St	Church St	Blossom St	\$5,547
Bikeways	Bonham Rd/Devereaux Rd/Heathwood Cir/Kilbourne Rd/Rickenbaker Rd/Sweetbriar Rd	Blossom St	Fort Jackson Blvd	\$21,691
Bikeways	Chester St/Elmwood Ave/Wayne St	Hampton St	Park St	\$12,094
Bikeways	Clement Rd/Duke Ave/River Dr	Main St	Monticello Rd	\$30,427
Bikeways	College St/Laurens St/Dak St/Taylor St	Greene St	Elmwood Ave	\$16,331
Bikeways	Edgefield St/Park St	Calhoun St	River Dr	\$16,464
Bikeways	Gervais St/Gladden St/Hagood Ave/Page St/Senate St/Trenholm Rd/Webster St	Millwood Ave	Beltline Blvd	\$22,913
Bikeways	Heyward St/Marion St/Superior St	Whaley St	Wiley St	\$9,748
Bikeways	Sumter St	Blossom St	Wheat St	\$276,972
Bikeways	Huger St/Lady St/Park St	Gervais St (east)	Gervais St (west)	\$7,295
Bikeways	Lincoln St	Blossom St	Lady St	\$487,105
Bikeways	Ott Rd	Jim Hamilton Blvd	Blossom St	\$17,872
Bikeways	Saluda Ave	Wheat St	Greene St	\$3,934
Bikeways	Wheat St	Sumter St	Assembly St	\$133,189
Bikeways	Wheat St	Harden St	King St	\$4,351
Bikeways	Blossom St	Williams St	Huger St	\$41,564
Bikeways	Gervais St	450' west of Gist St	Gist St	\$17,276
Bikeways	Assembly St	Blossom St	Rosewood Dr	\$27,986
Bikeways	Beltline Blvd	Rosewood Dr	Devine St	\$25,547
Bikeways	Broad River Rd	Bush River Rd	Greystone Blvd	\$37,908
Bikeways	Broad River Rd	Harbison Blvd	Bush River Rd	\$321,115
Bikeways	Calhoun St	Wayne St	Harden St	\$88,292
Bikeways	Decker Blvd/Parklane Rd/Two Notch Rd	Two Notch Rd	Percival Rd	\$129,698
Bikeways	Fort Jackson Blvd	Devine St	Newell Rd	\$84,224
Bikeways	Garners Ferry Rd	Rosewood Dr	True St	\$66,826
Bikeways	Gervais St	Park St	Millwood Ave	\$91,378
Bikeways	Greene St	Assembly St	350' west of Lincoln St	\$19,388
Bikeways	Main St	Pendleton St	Whaley St	\$49,814
Bikeways	Oneil Ct	Decker Blvd	Parklane Rd	\$85,675
Bikeways	Rosewood Dr	Bluff Rd	Garners Ferry Rd	\$211,179
Bikeways	Coontal Dr	Bull St	Slights Ave	\$395,430
Bikeways	Holt Dr/Superior St	Wiley St	Airport Blvd	\$453,594
Bikeways	Leesburg Rd	Garners Ferry Rd	Semmes Rd	\$63,360
Bikeways	Gervais St	Gist St	Huger St	\$84,100
Bikeways	Huger St	Blossom St	Gervais St	\$256,861
Bikeways	Shop Rd	Beltline Blvd	Pineview Dr	\$657,212
Bikeways	Blossom St	Assembly St	Sumter St	\$86,381
Bikeways	Bull St	Elmwood Ave	Victoria St	\$20,218
Bikeways	Main St	Elmwood Ave	Sunset Dr	\$75,646
Bikeways	Elmwood Ave	Wayne St	Proposed Greenway Connector	\$3,893
Bikeways	Main St	Calhoun St	Elmwood Ave	\$1,025
Bikeways	Dutchman Blvd	Broad River Rd	Lake Murray Blvd	\$115,138
Bikeways	Columbiana Dr	Lake Murray Blvd	Lexington County Line	\$713,199
Bikeways	Broad River Rd/Lake Murray Blvd	I-26	Harbison Blvd	\$14,282
Bikeways	Blythehood Rd	Winnsboro Rd	Main St	\$402,526
Bikeways	Clemson Rd	Longtown Rd	Brook Hollow Dr	\$1,099,106
Bikeways	Clemson Rd	Summit Pky	Percival Rd	\$1,641,468
Bikeways	Alpine Rd	Two Notch Rd	Percival Rd	\$1,536,100
Bikeways	Polo Rd	Two Notch Rd	640' south of Mallet Hill Rd	\$1,075,853
Bikeways	Clemson Rd	Brook Hollow Dr	Summit Pky	\$116,481
Bikeways	Two Notch Rd	Alpine Rd	Spears Creek Church Rd	\$360,804
Bikeways	Pickens St	Washington St	Rosewood Dr	\$1,179,744
Bikeways	College St	Lincoln St	Sumter St	\$280,795
Bikeways	Assembly St	Blossom St	Rosewood Dr	\$689,224
Bikeways	Greene St	Assembly St	Bull St	\$273,278
Bikeways	Bull St/Henderson St/Rice St	Wheat St	Heyward St	\$5,991
Bikeways	Greene St	Bull St	Saluda Ave	\$359,251

Bikeways	Catawba St	Sumter St	Lincoln St	\$250,145
Bikeways	Blossom St	Huger St	Assembly St	\$2,619,323
Bikeways	Whaley St	Lincoln St	Pickens St	\$438,198
Bikeways	Whaley St	Lincoln St	Church St	\$147,587
Bikeways	Craig Rd	Harrison Rd	Covenant Rd	\$6,684
Bikeways	Shop Rd (12)	George Rogers Blvd	Northway Rd	\$0
Bikeways	Bluff Rd (13)	Berea Rd	Beltline Blvd	\$0
Bikeways	Shop Rd (14)	Northway Rd	Be'tline Blvd	\$0
Bikeways	Bluff Rd (15)	Rosewood Dr	Berea Rd	\$0
Bikeways	Wilson Blvd (16)	I-77	Farrow Rd	\$0
Bikeways	Broad River Rd (17)	Woodrow St	I-26 (Exit 97)	\$0
Bikeways	Hardscrabble Rd (18)	Farrow Rd	Lee Rd	\$0
Bikeways	Hardscrabble Rd (19)	Lee Rd	Lake Carolina Blvd	\$0
Bikeways	Pineview Rd (20)	Bluff Rd	Garners Ferry Rd	\$0
Bikeways	Atlas Rd (21)	Bluff Rd	Garners Ferry Rd	\$0
Bikeways	Broad River Rd (22)	Royal Tower Rd	Woodrow St	\$0
Bikeways	Broad River Rd (23)	Lake Murray Blvd	Western Ln	\$0
Bikeways	Dutch Fork Rd (24)	Broad River Rd	Rauch Metz	\$0
Total Bike / Pedestrian / Greenway Projects				\$72,742,004

Notes

- (1) Will be completed as part of the Atlas Road Widening Project.
- (2) Will be completed as part of Pineview Road Widening Project
- (3) Will be completed as part of Polo Road Widening Project
- (4) Will be completed as part of Polo Road Widening Project
- (5) Will be funded by City and USC
- (6) Will be funded by City and USC
- (7) Will be completed as part of Polo Road Widening Project
- (8) Will be completed as part of Bluff Road Widening Project
- (9) Will be completed as part of Atlas Road Widening Project
- (10) Will be completed as part of US 176 Widening Project
- (11) Will be completed as part of US 176 Widening Project
- (12) Will be completed as part of Shop Road Widening Project
- (13) Will be completed as part of Bluff Road Widening Project
- (14) Will be completed as part of Shop Road Widening Project
- (15) Will be completed as part of Bluff Road Widening Project
- (16) Will be completed as part of Wilson Blvd. improvements
- (17) Will be completed as part of US 176 Widening Project
- (18) Will be completed as part of Hardscrabble Widening Project
- (19) Will be completed as part of Hardscrabble Widening Project
- (20) Will be completed as part of Pineview Widening Project
- (21) Will be completed as part of Atlas Road Widening Project
- (22) Will be completed as part of 176 Widening Project
- (23) Will be completed as part of 176 Widening Project
- (24) Will be completed as part of Dutch Fork Road Widening Project. (This widening project is not currently funded in the Roadway projects list.)

*This amount is to include costs associated with the following Three Rivers Greenway projects: West Columbia through local public agency apartment North side of Elmwood Avenue connection to Three Rivers Greenway without having to cross Elmwood Avenue or Huger Street. West Columbia through local public agency agreement; links Gervais Street access point to Granby Park; West Columbia through local public agency agreement; Saluda River Walk project

Other: Town of Blythewood to provide input on its projects. Completed projects - Intersection Projects: Millwood and Gervais, Taylor and Main, Garners Ferry and Woodland, Fort Jackson Blvd. and Beltline; Sidewalk Projects: Broad River Road Bridge; Bike Lanes: Broad River Road Bridge. Emphasis is to be placed on local / small / minority firms. A process is to be developed to ensure participation by these firms. A partnership with DOT is recommended. The type and level of partnership is TBD. An in-house Transportation Director was approved. The recommendation to procure outside Program / Project Management firm(s) was approved. An oversight / accountability / "watchdog" committee was approved. Membership / duties of this Committee TBD.

A RESOLUTION

RELATING TO THE REIMBURSEMENT OF THE
TRANSPORTATION FUND FOR UNALLOWABLE
EXPENSES WITH FUNDS FROM THE GENERAL FUND.

WHEREAS, on October 2, 2018, Richland County Council approved the assignment of \$1,000,000.00 (ONE MILLION DOLLARS) to partially reimburse the Transportation Fund in FY 2019 with funds from the General Fund for unallowable transportation expenses; and

WHEREAS, Richland County Council will appropriate funds in its Biennium Budget II for Fiscal Year 2020 and Fiscal Year 2021 and future Biennium Budgets, if and as necessary, to continue reimbursing the Transportation Fund with funds from the General Fund until the Transportation Fund is completely reimbursed;

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

Section 1. Richland County Council hereby approves the transfer of \$1,000,000.00 (ONE MILLION DOLLARS) from the Assigned Fund Balance in the General Fund to the Transportation Fund in FY 2019.

Section 2. The County Council authorizes the Interim County Administrator or his designee to take the necessary steps to effect this transfer upon adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED THIS _____ DAY OF _____,
2019.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____

Paul Livingston, Chair
Richland County Council

(SEAL)

ATTEST THIS DAY OF _____ 2019

Kim. W. Roberts
Clerk to Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

STATE OF SOUTH CAROLINA)
)
TOWN OF BLYTHEWOOD)

RESOLUTION NO. 2019.001

A RESOLUTION TO RECOMMEND TO RICHLAND COUNTY COUNCIL A PENNY PROJECT PRIORITY LIST FOR BLYTHEWOOD (AS PART OF THE TRANSPORTATION PENNY PROGRAM)

Whereas, Richland County Council adopted Ordinance 039-12HR on 7/26/2012 for the purpose of financing road improvements and other transportation benefits for the residents of Richland County; and,

Whereas, Richland County Council has approved and prioritized a project list for road improvement projects which includes Blythewood Road, McNulty Street and Creech Road; and

Whereas, the Town of Blythewood is experiencing an unprecedented rate of residential development that is increasing the volume of traffic into and out of the Town Center district; and,

Whereas, the Town Center District south of Blythewood Road is planned for significant economic development as envisioned in the Town Master Plan; and,

Whereas, the Blythewood Penny Projects have no formal priority ranking it appears necessary and desirable to declare Town Council's priority preferences to best serve the interests and need of all impacted by, and benefitting from the road improvement program;

NOW THEREFORE, BE IT RESOLVED by Blythewood Town Council, in Council duly assembled this 28th day of January, 2019 as follows:

FIRST priority: to widen and make improvements to McNulty Street from Main Street to Blythewood Road;

SECOND priority: to widen and improve Creech Road from Blythewood Road to Main Street;

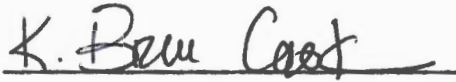
THIRD priority: to widen and improve Blythewood Road from I-77 to Main Street;

FORTH priority: to widen and improve Blythewood Road from Syrup Mill to Fulmer Road (e.g. addition of bike lanes, etc.

ATTEST:

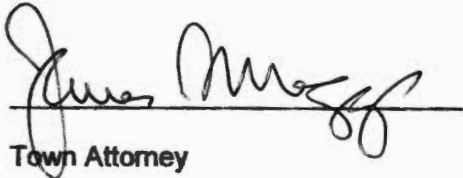


Mayor



Town Administrator

APPROVED AS TO FORM:



Town Attorney

Richland County Council Request for Action

Subject:

18-046MA
Kenyatte Jones
GC to RM-MD (.4 Acres)
5406 Monticello Road
TMS #R09310-07-14

Notes:

First Reading: December 18, 2018
Second Reading: February 5, 2019 {Tentative}
Third Reading: February 19, 2019 {Tentative}
Public Hearing: December 18, 2018

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-18HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # R09310-07-14 (PORTION OF) FROM GENERAL COMMERCIAL DISTRICT (GC) TO RESIDENTIAL MULTI-FAMILY MEDIUM DENSITY DISTRICT (RM-MD); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # R09310-07-14 (portion of) from General Commercial District (GC) to Residential Multi-Family High Density District (RM-MD).

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 _____, 2019.

RICHLAND COUNTY COUNCIL

By: _____
Joyce Dickerson, Chair

Attest this _____ day of
_____, 2019

Michelle M. Onley
Deputy Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: December 18, 2018
First Reading: December 18, 2018
Second Reading: February 5, 2019
Third Reading: February 19, 2019

Richland County Council Request for Action

Subject:

18-047MA
Inga Black
RS-HD to GC (1.21 Acres)
Bluf Road and Harlem Street
TMS # R13509-02-07, 42 & 43

Notes:

First Reading: December 18, 2018
Second Reading: February 5, 2019 {Tentative}
Third Reading: February 19, 2019 {Tentative}
Public Hearing: December 18, 2018

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-18HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # R3509-02-07, 42, and 43 FROM RESIDENTIAL SINGLE-FAMILY HIGH DENSITY DISTRICT (RS-HD) TO GENERAL COMMERCIAL DISTRICT (GC); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # R3509-02-07, 42, and 43 from Residential Single-Family High Density District (RS-HD) to General Commercial District (GC).

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 _____, 2019.

RICHLAND COUNTY COUNCIL

By: _____
Joyce Dickerson, Chair

Attest this _____ day of
_____, 2019

Michelle M. Onley
Deputy Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: December 18, 2018
First Reading: December 18, 2018
Second Reading: February 5, 2019
Third Reading: February 19, 2019

Richland County Council Request for Action

Subject:

An Ordinance Amending the Fiscal Year 2019 Fire Service Fund Annual Budget by \$368,410 to cover the personnel expenses for the 11 positions under the SAFER Grant from January 1 to June 30, 2019 with funds from Fund Balance in the Fire Services Fund

Notes:

December 18, 2018 – The Committee recommended Council move forward with funding the 11 positions, in the current budget cycle, and taking up the 2nd half of the question in the upcoming budget cycle.

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

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-19HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2019 FIRE SERVICE FUND ANNUAL BUDGET BY \$368,410 TO COVER THE PERSONNEL EXPENSES FOR THE 11 POSITIONS UNDER THE SAFER GRANT FROM JANUARY 1 TO JUNE 30, 2019 WITH FUNDS FROM FUND BALANCE IN THE FIRE SERVICES FUND.

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

SECTION I. That the amount of Three Hundred Sixty Eight Thousand Four Hundred Ten Dollars (\$368,410) be appropriated to cover cost of 11 fire fighters positions under the SAFER Grant from January 1, 2019 to June 30, 2019 with funds from the Fire Services Fund Balance. Therefore, the Fiscal Year 2018-2019 Fire Service Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated as of July 1, 2018 as approved:	\$26,757,330
Increase appropriation:	\$368,410
Total Amended Revenue Budget	\$27,125,740

EXPENDITURES

Expenditures appropriated as of July 1, 2018 as approved:	\$26,757,330
Increased Expenditures:	\$368,410
Total Amended Expenditures Budget	\$27,125,740

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

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

SECTION IV. Effective Date. This ordinance shall be enforced upon the approval of Richland County Council.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THE _____ DAY OF _____, 2019

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 for Action

Subject:

An Ordinance Amending the Fiscal Year 2019 Broad River Utility System Fund Annual Budget to fund a corrective action plan in the amount of \$3,103,000 incident to a South Carolina Department of Health and Environmental Control Administrative Process responded to by the Department of Utilities with funds from the unassigned funds from General Fund Fund Balance

Notes:

December 18, 2018 – The committee recommended Council approve funding the Corrective Action Plan and the reimbursement resolution.

First Reading: February 5, 2019 {Tentative}

Second Reading: February 19, 2019 {Tentative}

Third Reading: March 5, 2019 {Tentative}

Public Hearing: March 5, 2019 {Tentative}

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO

AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BROAD RIVER UTILITY SYSTEM FUND ANNUAL BUDGET TO FUND A CORRECTIVE ACTION PLAN IN THE AMOUNT OF \$3,103,000 INCIDENT TO A SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL ADMINISTRATIVE PROCESS RESPONDED TO BY THE DEPARTMENT OF UTILITIES WITH FUNDS FROM THE UNASSIGNED FUNDS FROM GENERAL FUND FUND BALANCE

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

SECTION I. That the amount of Three Million One Hundred Three Thousand Dollars (\$3,103,000) be appropriated to fund a corrective action plan in the amount of \$3,103,000 incident to a South Carolina Department of Health and Environmental Control Consent Order. Therefore, the Fiscal Year 2018-2019 Broad River Sewer Enterprise Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2018 as approved:	\$7,211,038
Unassigned General Fund Fund Balance	<u>\$3,103,000</u>
Total Broad River Sewer Revenue as Amended:	\$10,314,038

EXPENDITURES

Expenditures appropriated July 1, 2018 as approved:	\$7,211,038
Increase in Budgeted Expenditures	<u>\$3,103,000</u>
Total Broad River Sewer Expenditures as Amended:	\$10,314,038

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

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

SECTION IV. Effective Date. This ordinance shall be enforced upon the approval of Richland County Council.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THE _____ DAY OF _____, 2019

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 for Action

Subject:

An Ordinance authorizing deed to the City of Columbia water lines for Richland Library Southeast, 7421 Garners Ferry Road; Richland County TMS#16409-04-02 (PORTION); CF#191-10A

Notes:

November 15, 2018 – The committee recommended Council approve the ordinance.

First Reading: December 4, 2018

Second Reading: December 11, 2018

Third Reading: February 5, 2019 {Tentative}

Public Hearing: February 5, 2019



Development & Services Committee Meeting Briefing Document

Agenda Item

An Ordinance authorizing deed to the City of Columbia water lines for Richland Library Southeast, 7421 Garners Ferry Road; Richland County TMS#16409-04-02 (PORTION); CF#191-10A

Background

Richland Library has operated a library at 7421 Garners Ferry Rd. since 1992 when it renovated a former building supply store. The water line and easement were deeded to the City of Columbia by action of County Council. Richland Library has again renovated the building and added new domestic water service as well as fire sprinkler water service, the old water line was repurposed as an irrigation meter. The City requires that a deed be executed conveying the new water lines including valves, valve boxes, fire hydrants, meter boxes, service lines to meter boxes and easement boundaries leading to fire hydrant lines and all components to complete the system.

This transfer is typical of all projects services by the City of Columbia Water Department and is a requirement for the Library to receive a Certificate of Occupancy and open to the public.

Issues

Requirement for the Library to receive a Certificate of Occupancy and open to the public.

Fiscal Impact

None.

Past Legislative Actions

None.

Alternatives

1. Consider the request and approve the ordinance.
2. Consider the request and do not approve the ordinance.

Staff Recommendation

Staff recommends approval of the ordinance.



STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. _____-18HR

AN ORDINANCE AUTHORIZING DEED TO THE CITY OF COLUMBIA FOR CERTAIN WATER LINES TO SERVE THE RICHLAND COUNTY PUBLIC LIBRARY SOUTHEAST BRANCH; RICHLAND COUNTY TMS #16409-04-02 (PORTION).

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

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant a deed to certain water lines to The City of Columbia, as specifically described in the attached DEED TO WATER LINES FOR THE RICHLAND COUNTY LIBRARY SOUTHEAST BRANCH; RICHLAND COUNTY TMS #16409-04-02 (PORTION); CF#191-10A, incorporated herein. Such deed shall conform to and protect the integrity of Richland County's designated service area pursuant to S.C.Code Ann. Section 5-7-60, as defined in Richland County Code of Ordinances, Chapter 24, Utilities.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____.

RICHLAND COUNTY COUNCIL

By: _____
Joyce Dickerson, Chair

Attest this _____ day of _____, 2018.

Kimberly Williams-Roberts
Clerk of Council

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

Richland County Council Request for Action

Subject:

An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-3, Noise; so as to limit noise in the unincorporated areas of Richland County

Notes:

First Reading: December 4, 2018
Second Reading: December 11, 2018
Third Reading: February 5, 2019 {Tentative}
Public Hearing: February 5, 2019

Sec. 18-3. Noise.

~~(a) It shall be unlawful for any individual within any residential zone of the unincorporated areas of the county to use or operate any radio, receiving set, musical instrument, phonograph set, television set, or other machine or device for the producing or reproducing of sound, or to create, assist in creating, permit, continue, or permit the continuance of any noise, including vehicular noise, in excess of sixty-two (62) decibels between the hours of 7:00 a.m. and 10:00 p.m. of one day and in excess of fifty-five (55) decibels between the hours of 10:00 p.m. of one day and 7:00 a.m. of the following day, or in a manner which is deemed to be excessive by the county sheriff's department.~~

~~—(b) This section does not apply to industrial, commercial, or manufacturing noise; noise on construction sites; or noise generated from the lawful operation of farm equipment.~~

~~—(c) Notwithstanding the inclusion of the term "commercial" in subsection (b), above, the unlawful generation of noise as described in section [18-3\(a\)](#) explicitly applies to nightclubs that sell alcoholic beverages.~~

~~—(d) This section shall be enforced by the county sheriff's department. A deputy sheriff responding to a complaint of excessive noise shall have the discretion to enforce this section by one of two means:~~

~~—(1) If the noise complained of appears to be excessive, the deputy may charge the violator with a misdemeanor;~~

~~—(2) If the noise violates the decibel levels set forth in subsection (a) hereof, the deputy sheriff responding to a complaint of excessive noise may charge the violator with a misdemeanor.~~

(a) Definitions.

As used below, *plainly audible* means any sound that can be detected by a person using his or her unaided hearing facilities.

(b) Noise-Amplified sound from vehicles.

It shall be unlawful for any person to play, operate, or cause to be played or operated, any radio or other vehicular music or sound amplification or reproduction equipment in such a manner as to be plainly audible at a distance of 50 feet in any direction from the vehicle or plainly audible within the residential dwelling of another. The detection of the rhythmic bass component of the music or sound is sufficient to constitute a plainly audible sound. Prohibitions contained in this section shall not be applicable to emergency or public safety vehicles for sound emitted during job-related operation.

(c) Noise

(1) It shall be unlawful for any persons to make, continue, or cause to be continued, any loud, excessive, unnecessary, or disturbing noise, or any noise which either annoys, disturbs,

- injures, or endangers the comfort, repose, health, peace or safety of others, within the limits of the unincorporated area of the county, except with the permit of the sheriff.
- (2) A loud, excessive, unnecessary, or disturbing noise is defined as any sound regulated by paragraph (1) above, which is plainly audible at a distance of 50 feet from its source.
- a. The following noises shall be exempt from the prohibitions of paragraph (1), even when they cause a disturbance:
- i. Noise from domestic power equipment including, but not limited to, chain saws, sanders, grinders, lawn and garden tools or similar devices operated after 6:00 a.m. and no later than 10:00 p.m.
 - ii. Noise generated by any construction, demolition equipment, or mineral extraction (including crushing, screening, or segregating) or industrial or manufacturing noise.
 - iii. Emergency maintenance, construction or repair work.
 - iv. Noises resulting from any authorized emergency vehicles.
 - v. Noise from school bells, church bells or chimes.
 - vi. Any noise resulting from activities sponsored or co-sponsored by the county.
 - vii. Noise created by any government-sponsored events or privately organized sports, recreation, or athletic events.
 - viii. Noise generated by licensed hunting on property where it is allowed.
 - ix. Noise generated by agricultural or farming activities.
 - x. **Noise generated by military operations, training or activities.**
- (3) The complaints of three or more persons, or of one or more persons when combined with the complaint of the county sheriff or any lawful officer serving under him, is prima facie evidence that a sound regulated by paragraph (a) annoys, disturbs, injures, or endangers the comfort, repose, health, peace and safety of others, in violation of this section.
- (4) Noises audible in public streets or public places which violate the standards of this section are hereby declared to be public nuisances, which may be abated by the county sheriff or any lawful officer serving under him.
- (d) This section shall be enforced by the Richland County Sheriff's Department. Violations of this section shall be punishable by a fine of up to \$500.00 or imprisonment not to exceed 30 days. Each violation shall constitute a separate offense.

Richland County Council Request for Action

Subject:

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 and Commercial Zones of the County; so as to define vehicles subject thereto

Notes:

First Reading: December 4, 2018
Second Reading: December 11, 2018
Third Reading: February 5, 2019 {Tentative}
Public Hearing: February 5, 2019

Sec. 17-10. Parking in residential and commercial zones of the county.

(a) For the purpose of this section, the following definitions shall apply:

(1) *Fitted cover*, for the purpose of this section, means a cover that conforms to the basic shape of the vehicle and covers all portions of such vehicle.

(2) *Motor Vehicle* means every vehicle which is self-propelled, except mopeds, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(3) *Semi-trailer* means every vehicle, with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle, and constructed that some part of its weight and that of its load rests upon or is carried by another vehicle; and exceeds a gross weight of 10,000 pounds, or a manufacturer's gross vehicle weight rating (GVWR) of 10,000 pounds.

(4) *Trailer* (other than semi-trailer) means every vehicle, with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle; and which does not exceed a gross weight of 10,000 pounds, or a manufacturer's gross vehicle weight rating (GVWR) of 10,000 pounds. This definition excludes camping trailers, boat trailers, travel trailers, and utility trailers, as such are regulated in the Richland County Land Development Code at Section [26-173](#) (f).

(5) *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 drawn.

(b) It shall be unlawful for a truck tractor, a semi-trailer, or a trailer 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.

(c) Except as is provided in subsection (d), below, it shall be unlawful for any truck tractor, semi-trailer or trailer to be parked, stored or located on a lot in any residential zoning district in the unincorporated areas of the county [except for those parcels that are ~~one (1)~~ *three (3) acres* or greater in the (RU) Rural zoning district] unless the entire portion of such truck tractor, semi-trailer or trailer is parked, stored or located in an enclosed garage or in a carport at die residence, or is enclosed under a fitted cover.

(d) Notwithstanding subsections (b) and (c), above, truck tractors, semitrailers or trailers that are in active use in the provision of a service or delivery or removal of property or material at or from a residence in a residential zoning district may park on the public street, road, right-of-way or lot at which the service is being provided or the delivery or removal is being made, for only the duration of the service provision or delivery or removal as provided for herein. For purposes of this section, "active loading or unloading" shall include, but not be limited to, the delivery or removal of furniture, yard trash or debris, household or building materials, tangible personal property and the like, evidenced by the active involvement (e.g., the loading, unloading, service provision or supervision thereof) of the owner, operator, delivery personnel, service provider, or other person responsible for parking or causing to be parked the truck tractor, semi-trailer or trailer while the truck tractor, semi-trailer or trailer is parked on the public street, road, right-of-way or lot subject to this section. For purposes of this section, "active loading

and unloading” does not include parking or “staging” a truck tractor, semi-trailer or trailer, leaving the same unattended and then engaging in loading, unloading, removal or service provision at a subsequent point beyond twenty-four (24) hours.

(e) It shall be unlawful for a motor vehicle, or wheeled conveyance of any kind required by law to be licensed that is unlicensed, or is displaying an expired or invalid license to be parked on any public street or 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.

(f) All motor vehicles 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 three (3) 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. Licensed ~~automobile dealerships, automobile dealerships, body or mechanical repair shops, towing services,~~ 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.

(g) Any motor vehicle or trailer that is not capable of operating in accordance with South Carolina law or, in the case of a motor vehicle, not 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 or commercial zoning district in the unincorporated areas of the county (except for those parcels that are three (3) acres or greater in the (RU) Rural zoning district) for more than ~~forty-five (45) thirty (30)~~ consecutive days unless it is kept in an enclosed garage, in a carport, or protected from the elements by a fitted cover. ~~Licensed automobile dealerships, body or mechanical repair shops, towing services, 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.~~

(h) *Penalties:* Upon a finding by a deputy sheriff of a violation, any offender shall have an opportunity to cure the violation within a prescribed period of time; provided that the period of time allowed shall not begin to run until notice of the violation is provided to the offender. Notice shall be sufficient if provided by personal contact directly with the offender or by talking on the telephone with the offender, by the offender having accepted written notice by certified mail, or by placement of a notice of violation on the vehicle, motor vehicle, truck tractor, semitrailer, or trailer. If the offender, resident, owner of the vehicle, motor vehicle, truck tractor, semi-trailer, or trailer or owner of the real property on which the violation occurred fails to take proper corrective action, in the prescribed time, such person shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred (\$500.00) dollars or imprisoned for

not more than thirty (30) days, or both. Each day such violation continues after due notice shall be considered a separate offense. Any owner and/or operator of a vehicle, motor vehicle, truck tractor, semi-trailer, or trailer which is in violation of this section (or if the offender is unable to be located, any owner of land on which the violation occurred), and any person who commits, participates in, assists in, or maintains that violation may each be found guilty of a separate offense and suffer the penalties set forth herein. In the event that an offender has been previously cited for or given notice of a violation of this section, enforcement action may be taken immediately without the requirement of an opportunity to cure the violation.

(i) *Administration and enforcement:* The Sheriff of Richland County shall be authorized to enforce the provisions of this section and to 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.

(Ord. No. 061-01HR, § I, 9-4-01; Ord. No. 054-02HR, § II, 10-1-02; Ord. No. 040-03HR, § I, 6-3-03; Ord. No. 053-06HR, § I, 6-6-06; Ord. No. 009-10HR, § I, 2-16-10; Ord. No. 001-15HR, § I, 2-10-15)

RICHLAND COUNTY PROPOSED AREA TYPES

The Proposed Area Types on this map consolidate detailed uses put forth and adopted in the 2015 Comprehensive Plan. More information of the detailed Future Land Uses can be found in Section 5 [Pg. 19-61] of the Comprehensive Plan.

Nine [9] Future Land Uses are consolidated as:

Urban

- Mixed Residential (High Density)
- Mixed-Use Corridor









Suburban

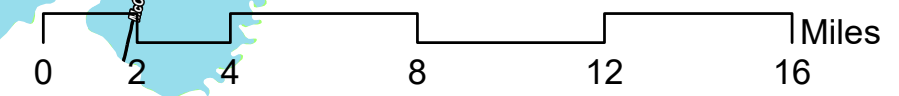
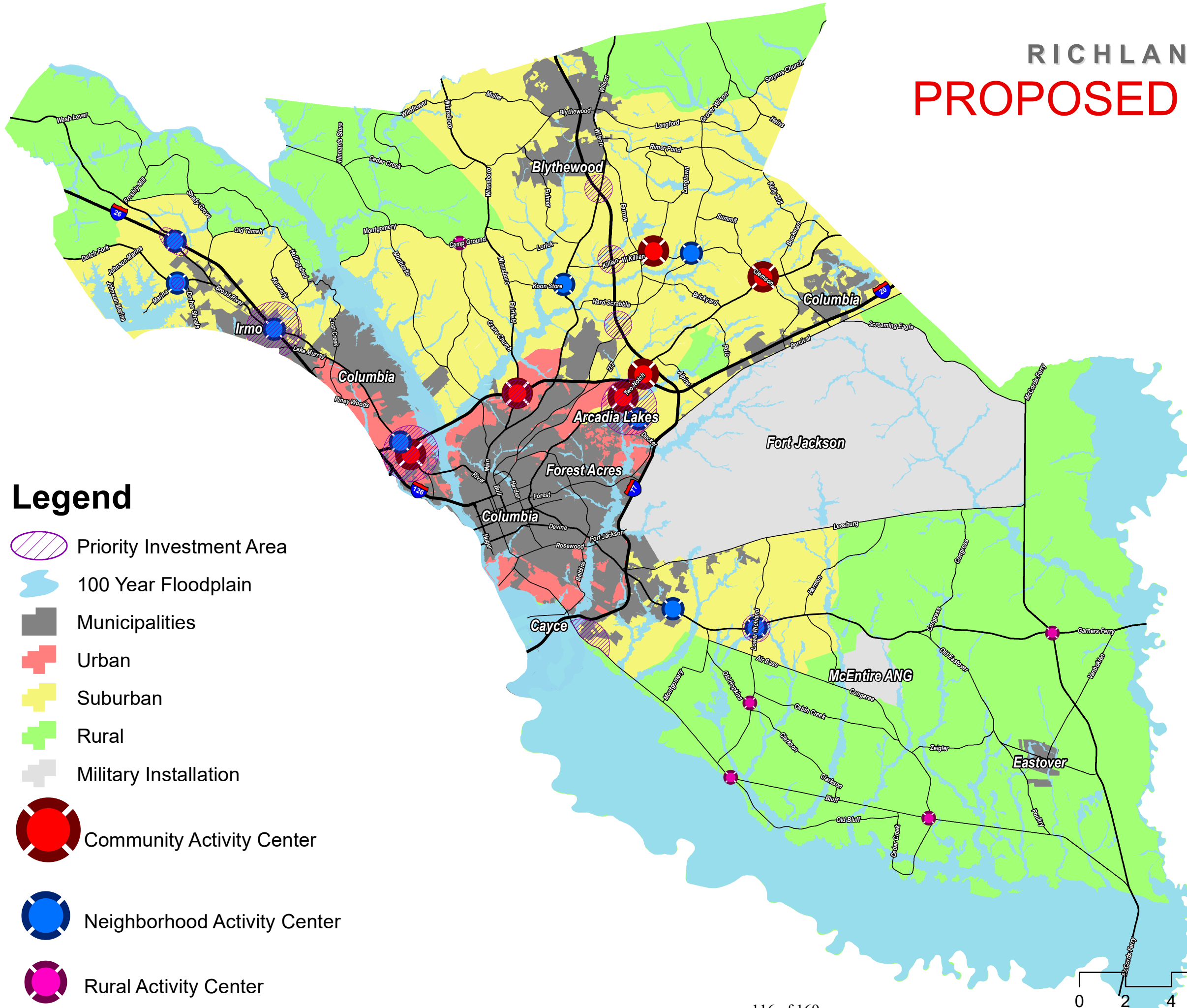
- Neighborhood (Low Density)
- Neighborhood (Medium Density)
- Mixed-use Corridor
- Economic Development Center/Corridor

Rural

- Conservation
- Rural (Large Lot)
- Rural (Small Lot)

Legend

-  Priority Investment Area
-  100 Year Floodplain
-  Municipalities
-  Urban
-  Suburban
-  Rural
-  Military Installation
-  Community Activity Center
-  Neighborhood Activity Center
-  Rural Activity Center



Richland County Council Request for Action

Subject:

An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-4, Weeds and Rank Vegetation; so as to amend the time for notification

Notes:

First Reading: December 4, 2018
Second Reading: December 11, 2018
Third Reading: February 5, 2019 {Tentative}
Public Hearing: February 5, 2019

Sec. 18-4. Weeds and rank vegetation.

(a) *Definition.* For purpose of this section, the term “weeds and rank vegetation means dense, uncultivated, herbaceous overgrowth over ~~two~~ one (21) feet foot in height, or briars and trailing vines exceeding ten (10) feet in length.

(b) *Declaration of nuisance.* Weeds and other rank vegetation allowed to grow to a height of one ~~two~~ (21) feet foot and stand upon any lot or parcel of land in a developed residential area or commercial area within the county may be deemed and declared a nuisance in the judgment of the sheriff. For the purpose of this action, “residential area” is defined as property zoned for a residential use, platted for residential use with a plat having been begun, installation of utilities having been begun and construction of residential units being commenced. “Commercial area” shall be defined as it is in section [26-21](#) of this code.

(c) *Duty of owner, etc., to cut.* It shall be the duty of any owner, lessee, occupant, agent, or representative of the owner of any lot or parcel of land in a developed residential area or commercial area within the county to cut, or cause to be cut, all weeds and other rank vegetation, as described in this section, as often as may be necessary to prevent the growth of such weeds and other rank vegetation. However, lots of one acre or more are not required to be cut back more than fifty (50) feet from the road and each side property line.

(d) *Notice to owner, etc., to cut.* Whenever the sheriff shall find that weeds or other rank vegetation has been allowed to stand upon any lot or parcel of land in a developed residential area or commercial area within the county in such a manner as to constitute a nuisance, s/he may serve written notice upon the owner, or the occupant of the premises, or upon the agent or representative of the owner of such land having control thereof to comply with the provisions of this section. It shall be sufficient notification to deliver the notice to the person to whom it is addressed or to deposit a copy of such in the United States mail, properly stamped, certified, and directed to the person to whom the notice is addressed, or to post a copy of the notice upon such premises. In the event that an offender has been previously cited within the last twelve months for or given notice of a violation of this section and has not cured the violation, enforcement action may be taken immediately without the requirement of an opportunity to cure the violation.

(e) *Failure to comply with notice.* If the person to whom the notice is directed, under the provisions of the preceding subsection, fails or neglects to cause such weeds or other rank vegetation to be cut and removed from any such premises within ~~thirty~~(30) fourteen (14) calendar days after such notice has been served or deposited in the United States mail, or posted upon premises, such person shall be deemed guilty of a misdemeanor and subject to the penalty provisions of section [1-8](#) of this code.

(f) *Removal by county.* In the event any property is determined to be a nuisance, and ~~thirty~~ (30) fourteen (14) calendar days has elapsed after such notice has been served, deposited in the United States Mail, or posted upon the premises, then the department of ~~public works~~ special services or its duly authorized agent or representative may enter upon any such lands and abate such nuisance by cutting and removing such weeds or other rank vegetation, and the cost of doing so may become a lien upon the property affected, or may be recovered by the county through judgment proceedings initiated in a court of competent jurisdiction.

(g) *Work may be done by county upon request.* Upon the written request by the owner or the person in control of any lot or parcel of land covered by this section, and the payment to the county for the services, the department of ~~public works~~ special services may enter upon any such lands and cut and remove the weeds or other rank vegetation therefrom, the charge and cost of such service to be paid into the county treasury.

Richland County Council Request for Action

Subject:

An Ordinance Amending the Transportation Tax line item in the Fiscal Year 2019 Budget Ordinance of Richland County, South Carolina; delegation of authority; and matters relating thereto

Notes:

First Reading: December 4, 2018
Second Reading: December 11, 2018
Third Reading: February 5, 2019 {Tentative}
Public Hearing: February 5, 2019

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-18HR

AN ORDINANCE AMENDING THE TRANSPORTATION TAX LINE ITEM IN THE FISCAL YEAR 2019 BUDGET ORDINANCE OF RICHLAND COUNTY, SOUTH CAROLINA; DELEGATION OF AUTHORITY; AND MATTERS RELATING THERETO.

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

a. Pursuant to Section 4-9-10, Code of Laws of South Carolina, 1976, as amended (the “Code”), the Council/Administrator form of government was selected and the County Council constitutes the governing body of the County.

b. On February 28, 2018, the County issued its \$250,000,000 General Obligation Bond Anticipation Notes, Series 2018 (the “BAN”), the proceeds of which are to be used for the referendum-approved transportation projects (“Transportation Projects”).

c. On June 21, 2018, the County Council enacted Ordinance No. 032-18HR (the “Budget Ordinance”) which contained a transportation tax line item approving the expenditure of approximately \$148.9 million on Transportation Projects for the fiscal year ending June 30, 2019, with \$83.8 of that amount being paid from BAN proceeds and \$65.1 million being paid from revenue from the Transportation Penny,

d. Since the enactment of the Budget Ordinance, the County Council has been advised that in light of certain Internal Revenue Service Regulations related to the expenditure of the proceeds of tax-exempt debt, it would be in the County’s best interest to expend the proceeds of the BAN for the Transportation Projects before expending revenues received from the Transportation Penny.

SECTION 2. Amendment of Budget Ordinance. The County Council hereby authorizes and directs that the revenue sources in the transportation tax line item of the Budget Ordinance shall be amended to reflect that BAN proceeds shall be used to fund the Transportation Projects prior to the expenditure of revenues received from the Transportation Penny.

SECTION 3. Delegation of Authority. The Chair of County Council, the Interim County Administrator, the County Finance Director, the County Transportation Director and the County Director of Budget and Grants Management are hereby authorized and directed to take any necessary action to effectuate the expenditures authorized in this Ordinance.

SECTION 4. Severability. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. Miscellaneous. All rules, regulations, resolutions and parts thereof, procedural or otherwise, in conflict herewith, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its adoption.

Enacted this _____ day of _____, 2018.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Joyce Dickerson, Chair
Richland County Council

(SEAL)

ATTEST THIS _____ DAY OF

_____, 2018:

Kim W. Roberts, Clerk to County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Date of First Reading:
Date of Second Reading:
Date of Third Reading:

Richland County Council Request for Action

Subject:

Upper Township Magistrate Office

Notes:

December 18, 2019 – The committee instructed staff provide renderings on how to improve the façade of the building to Council. The renderings should also include the costs for each option.



**Administration and Finance Committee Meeting
Briefing Document**

Agenda Item:

During its November 13, 2018 County Council meeting, Councilwoman Gwendolyn Kennedy brought forth the following motion:

“I move that the Magistrate’s Office on Wilson Blvd. be constructed with brick siding and not metal”

Additionally, during its December 4, 2018 County Council meeting, Councilwoman Gwendolyn Kennedy brought forth the following motion:

“To make a change order to the Upper Township Magistrate contract to include brick for the outside of the entire structure. Additional funding associated with this change order must be identified and approved by County Council. Unanimous consent as an agenda item for action to the Dec. 4, 2018 meeting is requested.”

Background:

At the July 28, 2015 Special Called County Council meeting, Richland County Council authorized three new magistrate offices (Dentsville, Hopkins, and Upper Township) for design/build. Staff identified the property at 7615 Wilson Blvd for the Upper Township Magistrate location. On April 25, 2017, the Administration and Finance committee voted in favor of the proposed location and sent the contract to full council for approval. County Council approved and clinched the property purchase contract on May 2, 2017. The County closed on the property in May 2017.

In spring 2017, the County released a RFQ for selection of a design/ build contractor team to provide professional design, management, and construction services for the design and construction of the three magistrate facilities. In May 2017, the County selected a contractor. Upon selection, design work ensued resulting in three designs that were accepted by the magistrate and staff. Following design approval, phase two of the project began with establishing a construction narrative (description of the project) and a guaranteed maximum price. The November 21, 2017 project design narrative included “exterior metal wall and roof panels will be replaced with new painted metal wall and roof panels” in reference to the Upper Township renovation. The Chief Magistrate and Capital Projects Manager approved the original designs and rendering.

A reduced scope due to budget resulted in the inclusion of the current storefront entry and metal panels. The new design narrative now stated, “The exterior metal roof panels and metal wall panels will be replaced with new roof and wall panels.” Staff presented the construction contract to the Administration and Finance Committee on April 24, 2018, approved 5-0, and sent to full council for approval. The Schematic Project Design Narrative and Budget Estimates used in the committee decision was dated April 13, 2018. (Item 4.e, pp. 113 and 114 of the Committee agenda).

At the May 1, 2018, regular session meeting, Council approved the recommendation with a unanimous vote (Item 13.e on the agenda). The same material presented at committee was included in the Council Agenda documentation (pp.152-220). The final contract was signed in June 2018.

In October, there were conversations about the desire for a brick building instead of the approved metal siding design. The Capital Projects Program Manager requested and received a cost estimate from the contractor for the replacement of siding for the front of the Upper Township Magistrate facility with brick.

Issues:

If approved, there is no known funding source for this change order. If the entire building is re-faced in brick as the motions state, costs may exceed \$1 million.

Fiscal Impact:

The budget for the two projects totaled \$2,894,140 for design and construction with an additional \$65,880 in contingency to cover furniture, fixtures, and equipment. As of November 13, 2018, an estimate for the additional scope of adding brick just to the front of the magistrate portion of the building range from \$100,000 to \$120,000 in hard costs, approximately \$10,000 in design costs, and an additional \$1,331.37 plus operating costs per month for the current Upper Township Magistrate leased property.

Past Legislative Actions:

See background information.

Alternatives/Solutions:

1. Take no action and continue as contracted.
2. Identify funding and modify the contract to include brick siding and all other changes required thereto. A determination needs to be made on whether or not the brick will be for the entire building or just the front.

Staff Recommendation:

The staff recommends continuing as contracted due to the lack of additional funding for this project. However, should County Council approve additional funding for a change order, staff will implement Council's directive.

Submitted By: Michael Niermeier, Capital Projects Manager

Date: December 12, 2018

A RESOLUTION

CERTIFYING A PETITION RECEIVED BY RICHLAND COUNTY, SOUTH CAROLINA, PURSUANT TO SECTION 4-9-30(5)(a) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, AND OTHER MATTERS RELATING THERETO.

BE IT RESOLVED BY THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AS FOLLOWS:

Section 1 – Findings of Fact

Incident to the adoption of this resolution (this “*Resolution*”), the Richland County Council (the “*Council*”), the governing body of Richland County, South Carolina (the “*County*”), finds that the facts set forth in this Article exist and the statements made with respect to thereto are in all respects true and correct:

A. The County is a body politic and corporate of the State of South Carolina (the “*State*”) and as such possesses all general powers granted to counties of the State.

B. The Council has received a petition (the “*Petition*”) requesting that a referendum be held with respect to the establishment of a special tax district (the “*District*”) within the area of the County commonly known as “Windsor Lake.” The Petition, including a map of the proposed District and a list of the properties to be located in the District, is attached hereto as Exhibit A.¹ The Petition requests the formation of the District, the delivery of public services within the District, including but not limited to the rehabilitation of the Windsor Lake Dam and ongoing maintenance, repairs and improvements related to the operations of the District, the levy and collection of taxes and/or service charges within the area of the District and the issuance of general obligation bonds of the County for the benefit of the District, as the case may be.

C. Section 4-9-30(5)(a)(i) of the Code of Laws of South Carolina, 1976, as amended (“*Section 4-9-30(5)(a)(i)*”) provides that the Petition must contain a description of the proposed District and each signatory’s signature and address. Section 4-9-30(5)(a)(i) further provides that the Petition must be signed by at least fifteen percent of the electors in the proposed District.

Section 2 – Determinations Regarding the Petition

The Council has determined that:

- A. the Petition satisfies the basic requirements of Section 4-9-30(5)(a)(i);
- B. on the basis of the certificate from the Richland County Voter Registration and

¹ Currently, the District would consist of 61 parcels of property. The Petition states 63 parcels, but parcels 2, 3 and 4 were consolidated subsequent to the initial development of the Petition.

Elections Commission (the “*Election Commission*”), as attached hereto as Exhibit B, there are 645 qualified electors within the proposed District and 107 valid signatures on the Petition; and

C. the Petition has been signed by the requisite number of electors, representing 16.59% of the electors in the proposed District.

Section 3.- Certification of Petition

Having found that the Petition meets the requirements of Section 4-9-30(5)(a)(i), the Council certifies the Petition to the Election Commission and orders that a referendum or referenda be held on the questions generally presented in the Petition. The referendum shall be held on such date as may be determined by the Election Commission in consultation with the persons submitting the Petition on behalf of the proposed District.

Section 4 – Public Purpose for the District

Subject to the results of the referendum creating the District, the County believes that the operations of the District shall constitute a governmental and public purpose in compliance with the provisions of Section 4-9-30(5)(a) of the Code of Laws of South Carolina, 1976, as amended. Specifically, the District’s delivery of public services by and through the reconstruction of the Windsor Lake Dam and the ongoing maintenance, repairs and improvements related to the operations of the District directly involve, indirectly aid or are otherwise related to the following functions: roads, drainage, public health, transportation, economic development, planning, public safety and disaster preparedness.

Section 5 – Approval of Fee Agreement with the Windsor Lake Owners’ Association

In addition to the authorizations recited herein, the County and the Windsor Lake Owners’ Association, LLC (the “*HOA*”) may determine to enter into an agreement regarding costs of the referendum (the “*Fee Agreement*”), the form of which is attached hereto as Exhibit C. The County Administrator is hereby granted all such powers and authority as may be necessary and appropriate to further negotiate and execute the Fee Agreement and related documents and to take such other actions as may be needed to deliver the Fee Agreement.

[Remainder of Page Intentionally Left Blank]

DONE IN A MEETING DULY ASSEMBLED, this 5th day of February, 2018.

RICHLAND COUNTY, SOUTH CAROLINA

[SEAL]

Chairman, County Council of
Richland County, South Carolina

Attest:

Clerk to County Council
Richland County, South Carolina

Exhibit A – Copy of Petition

PETITION

TO THE COUNTY COUNCIL OF RICHLAND COUNTY REQUESTING A REFERENDUM TO ESTABLISH A SPECIAL TAX DISTRICT PURSUANT TO SECTION 4-9-30(5)(a)(i) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED

We, the undersigned electors residing in that certain area generally referred to as Windsor Lake, located in Richland County, South Carolina, and more particularly shown on the attached map incorporated herein by reference, hereby petition the County Council of Richland County, as the governing body of Richland County, to hold a referendum to create a special tax district pursuant to Section 4-9-30(5)(a)(i) of the Code of Laws of South Carolina, 1976, as amended. The area constituting the special tax district, which shall be known as the "Windsor Lake Special Tax District", includes sixty-three (63) parcels surrounding Windsor Lake, all as more specifically described in the attached list of tax-map numbers, addresses and names incorporated herein by reference. The purpose of the special tax district is to provide funds for the delivery of public services affecting such district, including monies necessary to pay for the costs of rehabilitating the Windsor Lake Dam and to provide for ongoing maintenance, repairs and improvements related to the operations of the area constituting the special tax district. The question of creating a special tax district shall authorize: (a) the purposes for the district; (b) the issuance of general obligation bonds of the tax district in an amount not exceeding one million dollars (\$1,000,000); and (c)(i) an annual tax levy not to exceed 150 mills for the life of the special tax district, or (ii) an annual user service charge levied against each parcel within the special tax district in an amount not exceeding \$2,500 for the life of the special tax district.

By affixing your signature below, you acknowledge that you have read this Petition in its entirety and are petitioning Richland County Council for the creation of the Windsor Lake Special Tax District.

NAME	ADDRESS	NO.	SIGNATURE
Jamie Cox	7809 Lock Lane	29	Jamie Cox
Steven Junis	7809 Lock Lane	29	[Signature]

PETITION

TO THE COUNTY COUNCIL OF RICHLAND COUNTY REQUESTING A REFERENDUM TO ESTABLISH A SPECIAL TAX DISTRICT PURSUANT TO SECTION 4-9-30(5)(a)(i) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED

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NAME	ADDRESS	NO.	SIGNATURE
Judy DEMERS	2810 Chatsworth	36	Judy K Demers
Randy DEMERS	" "	36	Randy Demers
ROBERT KRAMER	2834 CHATSWORTH Rd	41	Robert Kramer
Della Kramer	2834 Chatsworth Rd.	41	Della Kramer
Cynthia Morgan	7937 Bay Springs Rd	15	Cynthia Morgan
WILLIAM BROWN	7917 Bay Springs Rd	20	William Brown
Michael Toliver	2828 Chatsworth	40	Michael Toliver
Ugleria Jacobs	2820 Chatsworth Rd.	38	Ugleria Jacobs
Michael Taylor	2820 Chatsworth Rd.	38	Michael Taylor

PETITION

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By affixing your signature below, you acknowledge that you have read this Petition in its entirety and are petitioning Richland County Council for the creation of the Windsor Lake Special Tax District.

NAME	ADDRESS	NO.	SIGNATURE
Cordiro Harrison	1406 OAKCREST DR 1201	5	Cordiro Harrison
Andrena Harrison	1460 OAKCREST DR 1201	5	Andrena Harrison
Stone Christopher	1460 Oakcrest Dr 2322	5	Chris Stone
Dominic JASINSKI	1460 Oakcrest Dr 1801	5	Dominic Jasinski
Johnny Muddrew	1460 Oakcrest 1813	5	Johnny Muddrew

PETITION

TO THE COUNTY COUNCIL OF RICHLAND COUNTY REQUESTING A REFERENDUM TO ESTABLISH A SPECIAL TAX DISTRICT PURSUANT TO SECTION 4-9-30(5)(a)(i) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED

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By affixing your signature below, you acknowledge that you have read this Petition in its entirety and are petitioning Richland County Council for the creation of the Windsor Lake Special Tax District.

NAME	ADDRESS	NO.	SIGNATURE
Anthony James	1460 OakCrest Dr #1110	5	<i>[Signature]</i>
Kendrick CLARK	1460 OakCrest Dr 1121	5	<i>[Signature]</i>
Felicia Clark	" " 1121	5	<i>[Signature]</i>
Lir Dering	" " 2324	5	<i>[Signature]</i>
KENT INABINET	" " 1808	5	<i>[Signature]</i>
Barbara Inabinet	" " 1808	5	<i>[Signature]</i>
Barbara Jo D'Aurora	1000 WindsorShores APT 57B	2	<i>[Signature]</i>

PETITION

TO THE COUNTY COUNCIL OF RICHLAND COUNTY REQUESTING A REFERENDUM TO ESTABLISH A SPECIAL TAX DISTRICT PURSUANT TO SECTION 4-9-30(5)(a)(i) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED

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By affixing your signature below, you acknowledge that you have read this Petition in its entirety and are petitioning Richland County Council for the creation of the Windsor Lake Special Tax District.

NAME	ADDRESS	NO.	SIGNATURE
Shirley Rolk	7929 Bay Springs Rd	18	<i>Shirley Rolk</i>
Jolly, Denise	7909 Bay Springs	21	<i>Denise Jolly</i>
Jolly, Kendon	7909 Bay Springs	21	<i>Kendon Jolly</i>
Tim Williams	7935 Bay Springs	21	<i>Tim Williams</i>

PETITION

TO THE COUNTY COUNCIL OF RICHLAND COUNTY REQUESTING A REFERENDUM TO ESTABLISH A SPECIAL TAX DISTRICT PURSUANT TO SECTION 4-9-30(5)(a)(i) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED

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NAME	ADDRESS	NO.	SIGNATURE
Kiara James	1460 Oakerest Dr 1110	11105	Kiara James
Anthony James	1460 Oakerest Dr. 110	1105	Anthony James
Barbara White	1460 Oakerest Dr 2204	22045	Barbara White
Carlton Wilson	1460 Oakerest Dr 119	21195	Carlton Wilson
George Elmore	1460 Oakerest Dr. 190	19015	George Elmore
Angela Mitchell	1460 Oakerest Dr. 1807	5	Angela Mitchell
David Watts	1460 Oakerest Dr. 1224	5	David Watts
LaTanya Love	1460 Oakerest Dr. 1218	5	LaTanya Love
Amanda Swedo	1460 Oakerest Dr. 1608	5	Amanda Swedo

PETITION

TO THE COUNTY COUNCIL OF RICHLAND COUNTY REQUESTING A REFERENDUM TO ESTABLISH A SPECIAL TAX DISTRICT PURSUANT TO SECTION 4-9-30(5)(a)(i) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED

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NAME	ADDRESS	NO.	SIGNATURE
JOHN PARADIS	1310 OAKCREST DR. 112	1	<i>[Signature]</i>
CYNDI PARADIS	1310 OAKCREST DR	1	<i>[Signature]</i>
Omar Figueroa	1310 Oakcrest DR 116	1	<i>[Signature]</i>
LAJOYCE ST JULIAN	1310 OAKCREST DR 126	1	<i>[Signature]</i>
Josh Grice	1310 Oakcrest Dr 231	1	<i>[Signature]</i>
Kayla Grice	1310 Oakcrest Dr 234	1	<i>[Signature]</i>
George Gallo	1310 Oakcrest Dr. 218	1	<i>[Signature]</i>
Frank Gallo	1310 Oakcrest 218	1	<i>[Signature]</i>
Monet Bayby	1310 Oakcrest 227	1	<i>[Signature]</i>

PETITION

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NAME	ADDRESS	NO.	SIGNATURE
Crystal Stephens	7801 LOCH LN	30	Crystal Stephens
Jacqueline Blankenship	7801 LOCH LN	30	Jacqueline Blankenship
CHARCE S. ERIKSEN	7801 LOCH LN	30	Chace Erikson
JOHN H. ALLEN	7845 LOCH LN	22	John H. Allen
May Allen	7845 LOCH LN	22	May Allen
Glenda E. Spodetti	7841 Loch Ln	23	Glenda E. Spodetti
Peter L. Spodetti Sr.	7841 Loch Ln.	23	Peter L. Spodetti
JERRY WRIGHT	7841 Loch Ln.	23	Jerry Wright
Barbara Gamble	7811 Loch Ln	28	Barbara A. Gamble

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NAME	ADDRESS	NO.	SIGNATURE
Amanda Palma	720 Windsor Point Rd	12	Amanda Palma
Patrick Palma	720 Windsor Point Rd	12	Pat Palma
Tonia Cheeks	1460 Oakcrest Dr	5	Tonia Cheeks
Brandon Cheeks	1460 Oakcrest Dr	5	Brandon Cheeks
Anthony Kiprono	1460 Oakcrest Dr	5	Anthony Kiprono
Ramona Cuevas	1460 Oakcrest Dr	5	Ramona Cuevas
David Hank Robinson	1460 Oakcrest Drive 2315	5	David Hank Robinson
Shanita Grimes	1460 Oakcrest Dr. 2305	5	Shanita Grimes
Angela Figueroa	1460 2305	5	Angela Figueroa

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NAME	ADDRESS	NO.	SIGNATURE
James V Heffelfinger	37 Windsor CV	37	<i>James V Heffelfinger</i>
Samuel Heffelfinger	37 Windsor CV	37	<i>Samuel Heffelfinger</i>
Collin A. Hamm	33 Windsor CV	33	<i>Collin A. Hamm</i>
Virginia Samuel	100 Windsor Point Rd	44	<i>Virginia Samuel</i>
Louis W. Hammond	130 Windsor Pt. Rd.	47	<i>Louis W. Hammond</i>
Loretta T. Hammond	130 Windsor Point Road	47	<i>Loretta T. Hammond</i>
Naël Estes	200 Windsor Point Rd	50	<i>Naël Estes</i>
Noël Estes	200 Windsor Point Rd	50	<i>Noël Estes</i>
Mike Behtel	120 Windsor Point Rd	46	<i>Mike Behtel</i>

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NAME	ADDRESS	NO.	SIGNATURE
Karen Taylor	5-C 1000 Windsor shore	2	Karen Taylor
Stacy Maness	6 H "	2	Stacy Maness
Zola Thigpen	6 E "	2	Zola Thigpen
Clarence Thigpen	6 E "	2	Clarence Thigpen
FRANK BREWIT	8 F "	2	Frank Brewit
ALMA BURAN	12 B "	2	Alma Buran
Carol Manning	15 F "	2	Carol Manning
Repon Hadue	16 B "	2	Repon Hadue
Ann Richardson	7923 Bay Springs	19	Ann Richardson

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NAME	ADDRESS	NO.	SIGNATURE
Loretta Johnson	1000 Windsor Shores Dr. Apt 5A	2	Loretta Johnson
Kenisha Tillman	1000 Windsor Shores Dr 2B	2	Kenisha Tillman
Christen Warren	1000 Windsor Shores 3F	2	Christen Warren
Jeremy Warren	1000 Windsor Shores 3F	2	Jeremy Warren
Jaylan Thomas	5 D	2	Jaylan Thomas
Christine Abdelmoneem	POB Windsor Shores lot	2	Christine Abdelmoneem
Suzanne Sheller	1000 Windsor Shores 20A	2	Suzanne Sheller
Kaci Harty	1000 Windsor Shores 23	2	Kaci Harty
Sik EUNG	1000 Windsor Sh 23D	2	Sik EUNG

PETITION

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NAME	ADDRESS	NO.	SIGNATURE
	7701 Lock Lane		
CHERYL MARTINO	7701 Lock Lane	35	Cheryl D. Martino
Sherwy A Daughtry	1310 Oakwood 626	1	Sherwy Daughtry
Carol Daughtry	11 11 626	1	Carol Daughtry

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NAME	ADDRESS	NO.	SIGNATURE
Tony Lawrence	2850 Chatsworth	43	

PETITION





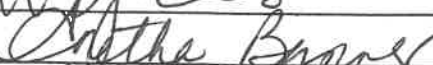
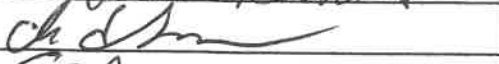
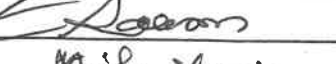
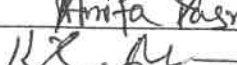
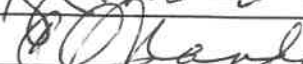

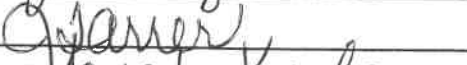
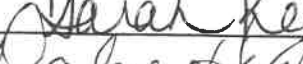
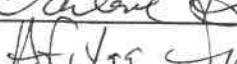







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NAME	ADDRESS	NO.	SIGNATURE
Shirley C. Robinson	29 Windsor Cv, W/L, SC	58	Shirley C. Robinson
Leisundra Jamison	234 Windsor point Rd 6	54	Leisundra Jamison
Donnie Davis	234 Windsor point	54	Donnie Davis
Charlene Jefferson	231 Windsor point Rd	1954	Charlene Jefferson
ARJA Russee	254 Windsor point	1954	ARJA Russee
WARREN BAILEY	234 Windsor Pt. Rd #	1454	Warren Bailey
Paul Etheridge	234 Windsor Pt Rd	1454	Paul Etheridge
Manison Robinson Jr	29 Windsor Cv	58	Manison Robinson Jr
Kenya M. Robinson	29 Windsor Cv	58	Kenya M. Robinson

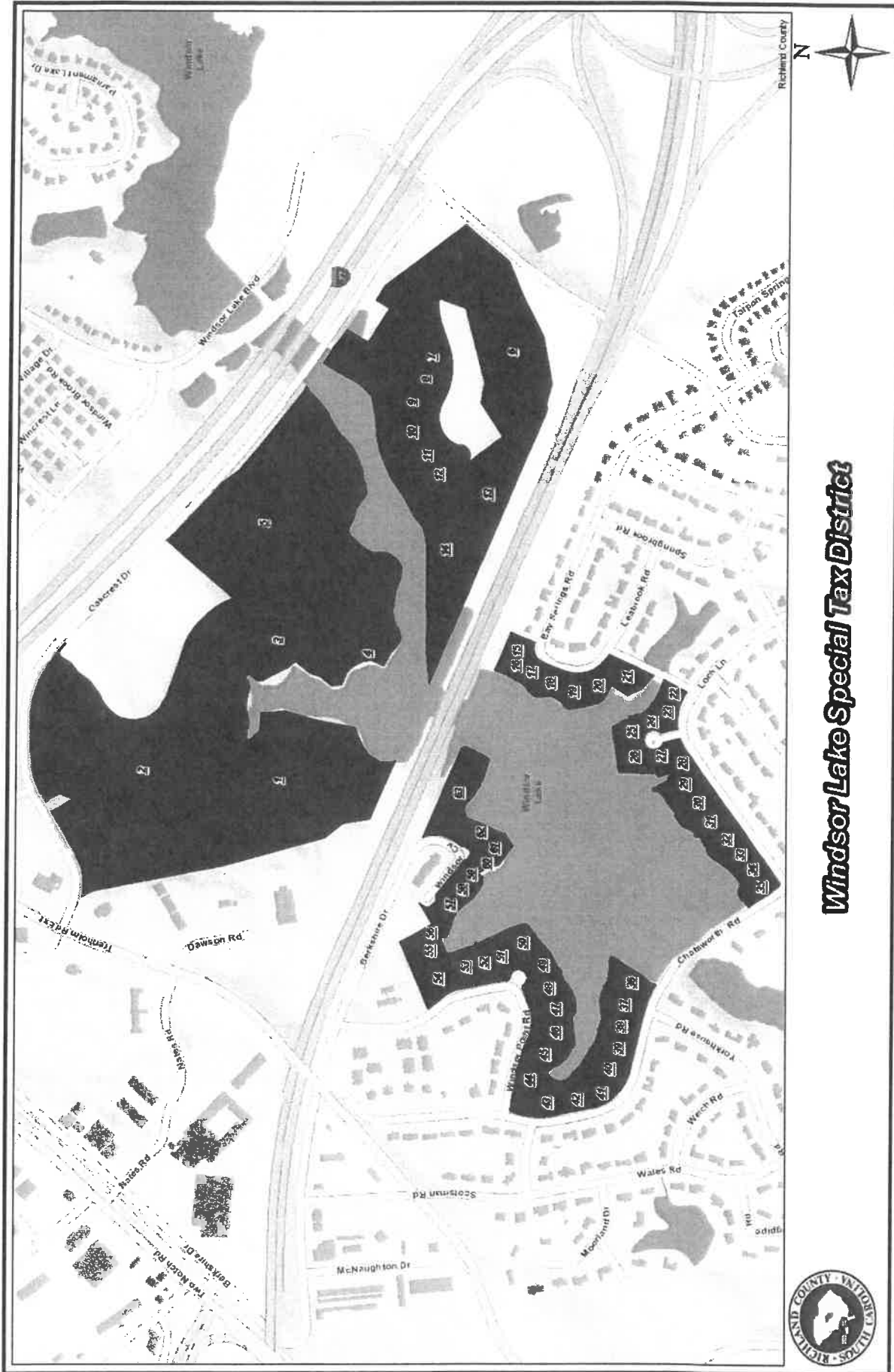
PETITION SIGNATURES – PAGE 2

NAME	ADDRESS	NO.	SIGNATURE
Hodges R. Bush	1000 Windsor 4 A	2	
Jenny L. Bow-Brown	" 5 F	2	
Said Abdelmonem	" 6 F	2	
Mark Taylor	" 5 C	2	
WYNNE TRICE STEELE	" 16 E	2	
Arretha Barnes	" 11 B	2	
Ian Samson	" 14 A	2	
Eric Samson	" 14 A	2	
Arifa Yasmin	15 B 15 B	2	
RIZALINO MANDANAS	2824 Chatsworth	39	
CONSOLACION MANDANAS	2824 CHATSWORTH RD	39	
JAS Livingston	1460 Oakcrest 2223	5	
Jennifer Tarrar	1460 OAKCREST 2201	5	
Sarah Keefe	1460 Oakcrest dr. # 2104	5	
Darlene Hayes	1460 Oakcrest 2111	5	
Atiyah Fickling	" " "	5	
KYLE RYAN	" 2120	5	
Gary Purvis	1917	5	
John Simonds	1721	5	
Kelsea Gremard	1724	5	

PETITION SIGNATURES - PAGE 2

NAME	ADDRESS	NO.	SIGNATURE
Donna L. Gold	Apt 11 Windsor Pt. 234	54	<i>Donna L. Gold</i>
Lakeisha Haven	234 Windsor point rd	54	<i>Lakeisha Haven</i>
Marion Okere	234 Windsor Point Rd	54	<i>Marion U. Okere</i>
William E. Hall	234 Windsor	54	<i>William E. Hall</i>
Sarene Cobbs	234 Windsor Point Rd	54	<i>Sarene Cobbs</i>
Luz Elie Matero	11 Windsor CV Columbia SC	62	<i>Luz Elie Matero</i>
Sade Hollis	25 Windsor cv Columbia	59	<i>Sade Hollis</i>
Octavian Hollis	25 Windsor cove Columbia	59	<i>Octavian Hollis</i>

Map of Proposed Tax District



Windsor Lake Special Tax District



List of Properties included in the Proposed Windsor Lake Special Tax District

<u>#</u>	<u>Parcel</u>	<u>Address</u>	<u>Name</u>
1	R17014-01-02	1310 OAKCREST DR	PC CROWNE LAKE LLC %STONEWEG US LLC
2	R17015-04-03	1000 WINDSOR SHORES DR	TRE WINDSOR SHORES LLC
3	Consolidated	Consolidated into #2	N/A
4	Consolidated	Consolidated into #2	N/A
5	R17015-04-11	1460 OAKCREST DR	WINDSOR LAKE/LP WM LLC
6	R19802-01-03	NW/S WINDSOR LAKE BLVD	PALMER HUGH A TRUSTEE
7	R19802-01-04	W/S WINDSOR LAKE BLVD	DENNIS R. & MARY IRENE LETTS
8	R19802-01-05	N/S WINDSOR LAKE BLVD	PALMER FRANCES FREW ETAL
9	R19802-01-06	W/S WINDSOR LAKE BLVD	PALMER HUGH ALLEN
10	R19802-01-07	N/S WINDSOR LAKE BLVD	TURNER SADIE VONDILEE
11	R19802-01-08	N/S WINDSOR LAKE BLVD	BERRY JONNIE CAROL
12	R19802-01-09	W/S WINDSOR LAKE BLVD	PALMER PATRICK TILLMAN
13	R19802-01-18	NW/S WINDSOR LAKE BLVD	SEVEN ACRE CUT LLC WINDSOR LAKE OWNERS ASSOCIATION INC
14	R19802-01-11	N/S WINDSOR LAKE BLVD	
15	R17013-01-10	7937 BAY SPRINGS RD	SESSIONS CYNTHIA
16	R17013-01-11	N7935 BAY SPRINGS RD	WATSON HOLLY ETAL %TIMOTHY D WILLAIMS
17	R17013-01-12	7935 BAY SPRINGS RD	WATSON HOLLY ETAL %TIMOTHY D WILLAIMS
18	R17013-01-13	7929 BAY SPRINGS RD	KLIMA HEIKE
19	R17013-01-14	7923 BAY SPRINGS RD	RICHARDSON ANN M TRUST
20	R17013-01-15	7917 BAY SPRINGS RD	BROWN WILLIAM R NAPOLITANO MICHAEL N & RACHEL L
21	R17013-01-16	7909 BAY SPRINGS RD	
22	R17013-01-17	7845 LOCH LN	ALLEN MARY E ETAL
23	R17013-01-18	7841 LOCH LN	THE PETER LYNN SPADETTIE TRUST ATTN: SPADETTI OLINDOG
24	R17013-01-19	7837 LOCH LANE CIR	WYLIE RUSSELL & PAMELA F
25	R17013-01-20	7833 LOCH LANE CIR	PALMER HUGH A

List of Properties included in the Proposed Windsor Lake Special Tax District

26	R17013-01-22	7829 LOCH LANE CIR	MOORE FRANCES L & FRANCES LEGRAND MOORE TRUST
27	R17013-01-23	7825 LOCH LANE CIR	DAVIS MARION L & MARY I
28	R17013-01-24	7817 LOCH LN	GAMBLE ROSS A & BARBARA A COX, JAMIE ELIZABETH & STEVEN CASEY JUNIS
29	R17013-01-25	7809 LOCH LN	STEPHENS CHRYSTAL R
30	R17013-01-37	7801 LOCH LN	SHIRLEY JAMES O
31	R17013-01-26	7735 LOCH LN	SELF BRAIN T & KATHARINE A
32	R17013-01-27	7729 LOCH LN	BONNIE'S BOUTIQUE LLC
33	R17013-01-28	7723 LOCH LN	ALLAWOS WILLIAM A & JACQUELINE C
34	R17013-01-29	7717 LOCH LN	MARTINO CHERYL D
35	R17013-01-30	7701 LOCH LN	DEMERS RANDALL J & JUDY K
36	R17013-01-33	2810 CHATSWORTH RD	MTGLQ INVESTORS LP
37	R17013-01-34	2816 CHATSWORTH RD	JACOBS VALERIA
38	R17013-01-35	2820 CHATSWORTH RD	MANDANAS RIZALINO M
39	R17013-01-36	2824 CHATSWORTH RD	TOLIVER MICHAEL
40	R17009-03-05	2828 CHATSWORTH RD	KRAMER ROBERT & DELLA
41	R17009-03-04	2834 CHATSWORTH RD	FELDER, CALVIN
42	R17009-03-03	2840 CHATSWORTH RD	LAWRENCE FRANKLIN D
43	R17009-03-02	2850 CHATSWORTH RD	SAMUEL VIRGINIA K
44	R17009-03-01	100 WINDSOR POINT RD	KIM JUNG WON
45	R17013-01-01	110 WINDSOR POINT RD	HOFFMAN RICHARD F & SONIA R
46	R17013-01-02	120 WINDSOR POINT RD	HAMMOND LOUIS W & LORETTA T
47	R17013-01-03	130 WINDSOR POINT RD	SOX JOHN T JR
48	R17013-01-04	140 WINDSOR POINT RD	SOX JOHN T JR
49	R17013-01-05	140 WINDSOR POINT RD	ESTES DOUGLAS AND NOEL
50	R17013-01-06	200 WINDSOR POINT RD	HARLEY DOUGLAS & CECILIA RENEE
51	R17013-01-07	210 WINDSOR POINT RD	PALMER AMANDA M
52	R17014-02-18	220 WINDSOR POINT RD	

List of Properties included in the Proposed Windsor Lake Special Tax District

53	R17014-02-17	230 WINDSOR POINT RD	CHUN SUNG C & SUN H
54	R17014-02-16	234 WINDSOR POINT RD	HOUSING AUTHORITY OF THE CITY OF COLUMBIA SC
55	R17014-02-15	E/S WINDSOR POINT RD	WINDSOR LAKE OWNERS ASSO
56	R17014-02-14	37 WINDSOR COVE	HEFFELFINGER JAMES J & SANG N
57	R17014-02-13	33 WINDSOR COVE	WUNDERLICH, COLLEEN A
58	R17014-02-12	29 WINDSOR COVE	ROBINSON SHIRLEY C
59	R17014-02-11	25 WINDSOR COVE	HOLLIS OCTAVIAN A & SADE M
60	R17014-02-19	21 WINDSOR COVE	PRUITT ERVIN D
61	R17014-02-10	15 WINDSOR COVE	TIMMERMAN NORMA & OTIS H
62	R17014-02-09	11 WINDSOR COVE	VASQUEZ LUZ ELSIE & LUZ ELSIE MATOS
63	R17014-02-05	1 WINDSOR COVE	1 WINDSOR COVE RD LLC

Exhibit B – Certificate of Election Commission

**CERTIFICATE OF
RICHLAND COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS
COMMISSION**

I, Rokey W. Suleman II, Director of the Richland County of Voter Registration and Elections Commission,

HEREBY CERTIFY THAT:

1. On November 20, 2018, I was presented with a petition requesting a referendum to be held on the question of creating the Windsor Lake Special District (The District;)
2. There are 645 qualified electors within the proposed District; and
3. The petition contains 148 petition signatures and such petitioners, 107 of the signatures are registered voters (excluding duplicate signatures and unregistered/unauthorized voters) within the proposed District and determined to be valid.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of December, 2018.

RICHLAND COUNTY BOARD OF
VOTER REGISTRATION AND ELECTIONS


By:  _____
Director

Exhibit C – Fee Agreement

FEE AGREEMENT AMONG RICHLAND COUNTY, SOUTH CAROLINA, THE RICHLAND COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS AND THE WINDSOR LAKE OWNERS' ASSOCIATION RELATED THE PAYMENT OF THE COSTS OF A SPECIAL ELECTION

This Fee Agreement ("*Agreement*") is entered into this ___ day of February, 2018 among Richland County, South Carolina (the "*County*"), the Richland County Board of Voter Registration and Elections (the "*Elections Board*") and the Windsor Lake Owners' Association, LLC (the "*HOA*") and together with the County and the Elections Board, each a "*Party*" or acting collectively, the "*Parties*").

WHEREAS, the Elections Board conducts elections, from time to time, for various entities as may be requested by those entities;

WHEREAS, the County provides the annual budget for the Elections Board;

WHEREAS, elections cost money and County policy dictates that the entities requesting elections shall bear the costs of holding such elections;

WHEREAS, the HOA, acting through a consortium of petitioners, has requested a special election to be held regarding the creation of a special taxing district (the "*Special Election*"); and

WHEREAS, the Parties have determined to enter into this Agreement regarding responsibility for payment of the costs of the Special Election.

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, each of which are acknowledged by the Parties, the Parties hereto agree as follows:

1. For the Special Election, the HOA shall pay to the County (for the benefit of the Elections Board) all election expenses associated with the conducting of the Special Election, including, but not limited to, clerk and manager pay, paper ballot expenses, mailing costs, office supplies, rent for polling places, and County employee overtime, if necessary.
2. The Elections Commission may, prior to the Special Election, provide an itemized estimate of expenses for the Special Election. After the Special Election, either the County or the Elections Commission will invoice the HOA, payable to the County, for all actual expenses incurred in conducting the Special Election. Personnel expenses for County or Elections Commission employees under this section shall be compiled at the hourly rate of the amount budgeted in the County's annual budget, or at an overtime rate as applicable.
3. The HOA shall reimburse the County within 30 days of receipt of the invoice.
4. The term of this Agreement shall be for a period of one (1) year commencing on the date of execution, and for such extension of time and upon such terms as may be mutually agreed upon in writing by the Parties.

5. Any Party may terminate this agreement with thirty (30) days written notice to the other Parties.

6. In the event any Party shall fail to comply with its obligations set forth in the Agreement, and such default shall continue for a period of thirty (30) days after written notice of default has been provided by the other Parties, then the complaining party shall be entitled to pursue any and all remedies provided under South Carolina law and/or terminate this Agreement.

7. The failure of any Party to insist upon the strict performance of any provision of this Agreement shall not be deemed to be a waiver of the right to insist upon strict performance of such provisions or of any other provision of this Agreement at any time. Waiver of any breach of this Agreement by either party shall not constitute waiver of subsequent breach.

8. If any provision of this Agreement or any obligation or agreement contained herein is determined by a court of competent jurisdiction to be invalid or unenforceable, that determination shall not affect any other provision, obligation or agreement, each of which shall be construed and enforced as if the invalid or unenforceable portion were not contained herein. That invalidity or unenforceability shall not affect any valid and enforceable application thereof, and each such provision, obligation, or agreement shall be deemed to be effective, operative, made, entered into, or taken in the manner and to the full extent permitted by law.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, in duplicate original, the day and year first above written.

WITNESSES:

Edward Gomeau, Interim Administrator
Richland County, South Carolina

WITNESSES:

Rokey W. Suleman II, Executive
Director, Richland County Board of
Voter Registration and Elections

WITNESSES:

Judy Demers, President
Windsor Lake Owners' Association,
LLC

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

**A RESOLUTION OF THE
RICHLAND COUNTY COUNCIL**

**A RESOLUTION TO APPOINT AND COMMISSION JUAN PABLO TORRES AS
A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY,
GENERAL WELFARE, AND CONVENIENCE OF RICHLAND COUNTY.**

WHEREAS, the Richland County Council, in the exercise of its general police power, is empowered to protect the health and safety of the residents of Richland County; and

WHEREAS, the Richland County Council is further authorized by Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many code enforcement officers as may be necessary for the proper security, general welfare, and convenience of the County;

NOW, THEREFORE, BE IT RESOLVED THAT Juan Pablo Torres is hereby appointed and commissioned a Code Enforcement Officer of Richland County for the purpose of providing for the proper security, general welfare, and convenience of the County, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this County, including the enforcement of the County’s animal care regulations, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended. Provided, however, Juan Pablo Torres shall not perform any custodial arrests in the exercise of his duties as a code enforcement officer. This appointment shall remain in effect only until such time as Juan Pablo Torres is no longer employed by Richland County to enforce the County’s animal care regulations.

ADOPTED THIS THE 5th DAY OF FEBRUARY, 2019.

Paul Livingston, Chair
Richland County Council

Attest: _____
Michelle Onley
Deputy Clerk of Council

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

**A RESOLUTION OF THE
RICHLAND COUNTY COUNCIL**

**A RESOLUTION TO APPOINT AND COMMISSION NICHOLAS JACKSON AS
A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY,
GENERAL WELFARE, AND CONVENIENCE OF RICHLAND COUNTY.**

WHEREAS, the Richland County Council, in the exercise of its general police power, is empowered to protect the health and safety of the residents of Richland County; and

WHEREAS, the Richland County Council is further authorized by Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many code enforcement officers as may be necessary for the proper security, general welfare, and convenience of the County;

NOW, THEREFORE, BE IT RESOLVED THAT Nicholas Jackson is hereby appointed and commissioned a Code Enforcement Officer of Richland County for the purpose of providing for the proper security, general welfare, and convenience of the County, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this County, including the enforcement of the County’s animal care regulations, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended. Provided, however, Nicholas Jackson shall not perform any custodial arrests in the exercise of his duties as a code enforcement officer. This appointment shall remain in effect only until such time as Nicholas Jackson is no longer employed by Richland County to enforce the County’s animal care regulations.

ADOPTED THIS THE 5th DAY OF FEBRUARY, 2019.

Paul Livingston, Chair
Richland County Council

Attest: _____
Michelle Onley
Deputy Clerk of Council

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

**A RESOLUTION OF THE
RICHLAND COUNTY COUNCIL**

A RESOLUTION TO APPOINT AND COMMISSION DANTRELL LAQUINN JONES AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY, GENERAL WELFARE, AND CONVENIENCE OF RICHLAND COUNTY.

WHEREAS, the Richland County Council, in the exercise of its general police power, is empowered to protect the health and safety of the residents of Richland County; and

WHEREAS, the Richland County Council is further authorized by Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many code enforcement officers as may be necessary for the proper security, general welfare, and convenience of the County;

NOW, THEREFORE, BE IT RESOLVED THAT Dantrell Laquinn Jones is hereby appointed and commissioned a Code Enforcement Officer of Richland County for the purpose of providing for the proper security, general welfare, and convenience of the County, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this County, including the enforcement of the County’s animal care regulations, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended. Provided, however, Dantrell Laquinn Jones shall not perform any custodial arrests in the exercise of his duties as a code enforcement officer. This appointment shall remain in effect only until such time as Dantrell Laquinn Jones is no longer employed by Richland County to enforce the County’s animal care regulations.

ADOPTED THIS THE 5th DAY OF FEBRUARY, 2019.

Paul Livingston, Chair
Richland County Council

Attest: _____
Michelle Onley
Deputy Clerk of Council

Richland County Council Request for Action

Subject:

PDT's Wage Increase Request

Notes:

October 23, 2018 – The committee recommended Council to approve the salary increases, consistent with the contract and the County's raises for FY 17 -18.

**RICHLAND COUNTY GOVERNMENT
ADMINISTRATION**

2020 Hampton Street, Suite 4069, Columbia, SC 29204
P 803-576-2050 | F 803-576-2137 | TDD 803-576-2045
richlandcountysc.gov



**Administration & Finance Committee Meeting
Companion Document**

During its July 24, 2018 meeting, the D&S Committee considered the Richland Program Development Team (PDT) request for a wage rate increase for Calendar Year (CY) 2018 and retroactive payment for wage rate increases for CYs 2016 and 2017.

Pursuant to its deliberations on this request, the Committee deferred this item. Also, the Committee requested verification that staff did not get an increase during any of the years PDT is requesting an increase.

Staff's review revealed that a countywide cost of living adjustment was provided in FY17 (4%) and FY18 (3%).



**Administration and Finance Committee Meeting
Briefing Document**

Agenda Item

The Richland Program Development Team (PDT) requests a wage rate increase for Calendar Year (CY) 2018 and retroactive payment for wage rate increases for CYs 2016 and 2017.

Background

Section VIII.A.4 (Compensation) of the Program Management Agreement (“Agreement”) between Richland County and the Program Development Team dated November 3, 2014, states:

Compensation for Task I was based on 2014 wage rates. The Contractor shall be eligible on the following dates for cost of wage increases to be added to the compensation from the base rate established at the date of this Agreement. (The base rate is the salary of the respective position as of the date of this Agreement.) The dates on which the Contractor shall be eligible for the increase are January 1, 2016 and January 1 of each subsequent year of this Agreement. Wage rate increases shall be calculated for each position based on the US Bureau of Labor Statistics, NAICS as most applicable to each position, plus two (2%) of the base salary for each such position. Wage rate increases shall be limited to those PDT positions assigned full-time to the Program (as mutually agreed to between the County and the Contractor) and physically located in the PDT office.

On December 29, 2016, the PDT requested a wage rate increase as stated in the Agreement for 2016 and 2017. The total increase for the two years was \$128,423.32. On January 31, 2017, former County Administrator Gerald Seals advised the PDT that he could not recommend wage rate increases for either year because the County did not grant cost of living increases to County personnel for 2016 and had not considered pay increases for County personnel for 2017.

On May 4, 2018, the PDT requested a wage rate increase for 2018, which totals \$100,716.22 in addition to requesting retroactive wage rate increases for the previous two years. The total for the increases for all three years is \$229,139.53.¹

Issues

The issue is whether County Council will grant the PDT’s request for retroactive wage rate increases for 2016-2018.

Fiscal Impact

The fiscal impact can range from none (if Council decides to not grant the wage rate increases) to spending the 3% administrative budget for the Penny Program at a faster rate. For example, should the County Council decide to grant the wage rate increases retroactive for all three years, then, the County would immediately pay the PDT an additional \$229,139.53 in administrative costs plus an additional \$100,716.22 per year for subsequent years. Please note that there is a maximum amount of \$32,100,000 to cover both administrative costs (i.e., for the PDT and the County’s Transportation

¹ A review of PDT’s request for wage rate increase calculations revealed that the formula used in PDT’s calculations is inaccurate. Richland County’s figures (see Attachment A) reflect the proper methodology as stated in the Agreement.

Department) and debt service on bonds issued to pay for Penny projects during the lifetime of the program. Should Council wish to consider granting a wage rate increase just for 2017, the fiscal impact would be an additional \$96,863.52 (see Attachment B).

Note that in the nearly five years of the program, Richland County has expended \$15,639,776.75 (\$13,611,856.28 in administrative costs and \$2,027,920.47 in debt service on bonds) or 48.7% of the total budget of \$32,100,000 with \$16,460,223.25 remaining for the life of the program. Moreover, it is anticipated that the County will spend approximately \$3,000,000 in administrative costs and \$3,571,667 in debt service in FY 2019, for an estimated total of \$6,571,667.

Alternatives

1. Provide no salary increase.
2. Provide salary increase request by PDT with correct calculations. Fiscal impact: \$229,139.53.
3. Provide salary increase just for 2017 using the 3.0% change for 2017 per the NAICS plus 2.0% of the base salary of the date of the Program Management Agreement, which is November 3, 2014. Fiscal impact: \$96,863.52.

Staff Recommendation

The intent of staff is to institute County Council's directive. Staff does not have a recommendation regarding this matter.



Position	Base Rate	Current Salary	2% of the Base Rate as of 11/3/2014 (a)	2015			2016			2017			New Annual Salary with Retroactive Increase	Increase from Current Salary
				NAICS Percent Change (b)	Increase: NAICS Percent Change + 2% of Base Rate	New Salary	NAICS Percent Change (c)	Increase: NAICS Percent Change + 2% of Base Rate	New Salary	NAICS Percent Change (d)	Increase: NAICS Percent Change + 2% of Base Rate	New Salary		
Program Manager	\$ 81.18	\$ 168,854.40	\$ 1.62	\$ 1.95	\$ 3.57	\$ 84.75	\$ 1.70	\$ 3.32	\$ 88.07	\$ 2.64	\$ 4.27	\$ 92.34	\$ 192,059.45	\$ 23,205.05
Deputy Program Manager	\$ 76.31	\$ 158,724.80	\$ 1.53	\$ 1.83	\$ 3.36	\$ 79.67	\$ 1.59	\$ 3.12	\$ 81.26	\$ 2.44	\$ 3.96	\$ 85.23	\$ 177,268.05	\$ 18,543.25
Program Administrator	\$ 60.28	\$ 125,382.40	\$ 1.21	\$ 1.45	\$ 2.65	\$ 61.73	\$ 1.23	\$ 2.44	\$ 64.17	\$ 1.93	\$ 3.13	\$ 67.30	\$ 139,978.72	\$ 14,596.32
Assistant Program Director	\$ 62.72	\$ 130,457.60	\$ 1.25	\$ 1.51	\$ 2.76	\$ 64.23	\$ 1.28	\$ 2.54	\$ 66.76	\$ 2.00	\$ 3.26	\$ 70.02	\$ 145,644.74	\$ 15,187.14
Assistant Program Director	\$ 62.72	\$ 130,457.60	\$ 1.25	\$ 1.51	\$ 2.76	\$ 64.23	\$ 1.28	\$ 2.54	\$ 66.76	\$ 2.00	\$ 3.26	\$ 70.02	\$ 145,644.74	\$ 15,187.14
Assistant Program Director	\$ 31.36	\$ 65,228.80	\$ 0.63	\$ 0.75	\$ 1.38	\$ 32.11	\$ 0.64	\$ 1.27	\$ 33.38	\$ 1.00	\$ 1.63	\$ 35.01	\$ 72,822.37	\$ 7,593.57
Assistant Program Director	\$ 31.36	\$ 65,228.80	\$ 0.63	\$ 0.75	\$ 1.38	\$ 32.11	\$ 0.64	\$ 1.27	\$ 33.38	\$ 1.00	\$ 1.63	\$ 35.01	\$ 72,822.37	\$ 7,593.57
Assistant Program Director	\$ 31.36	\$ 65,228.80	\$ 0.63	\$ 0.75	\$ 1.38	\$ 32.11	\$ 0.64	\$ 1.27	\$ 33.38	\$ 1.00	\$ 1.63	\$ 35.01	\$ 72,822.37	\$ 7,593.57
Assistant Program Director	\$ 31.36	\$ 65,228.80	\$ 0.63	\$ 0.75	\$ 1.38	\$ 32.11	\$ 0.64	\$ 1.27	\$ 33.38	\$ 1.00	\$ 1.63	\$ 35.01	\$ 72,822.37	\$ 7,593.57
Ass. Public Information Director	\$ 42.16	\$ 87,692.80	\$ 0.84	\$ 1.01	\$ 1.86	\$ 43.17	\$ 0.86	\$ 1.71	\$ 44.88	\$ 1.35	\$ 2.19	\$ 47.07	\$ 97,901.50	\$ 10,208.70
Construction Manager	\$ 63.07	\$ 131,185.60	\$ 1.26	\$ 1.51	\$ 2.78	\$ 64.58	\$ 1.29	\$ 2.55	\$ 67.14	\$ 2.01	\$ 3.28	\$ 70.41	\$ 146,457.49	\$ 15,271.89
Program Controls	\$ 62.02	\$ 129,001.60	\$ 1.24	\$ 1.49	\$ 2.73	\$ 63.51	\$ 1.27	\$ 2.51	\$ 66.02	\$ 1.98	\$ 3.22	\$ 69.24	\$ 144,019.24	\$ 15,017.64
Scheduler	\$ 35.19	\$ 73,195.20	\$ 0.70	\$ 0.84	\$ 1.55	\$ 36.03	\$ 0.72	\$ 1.42	\$ 37.46	\$ 1.12	\$ 1.83	\$ 39.29	\$ 81,716.18	\$ 8,520.98
Estimator	\$ 46.34	\$ 96,387.20	\$ 0.93	\$ 1.11	\$ 2.04	\$ 47.45	\$ 0.95	\$ 1.88	\$ 49.33	\$ 1.48	\$ 2.41	\$ 51.73	\$ 107,608.06	\$ 11,220.86
Accountant	\$ 32.75	\$ 68,120.00	\$ 0.66	\$ 0.79	\$ 1.44	\$ 33.54	\$ 0.67	\$ 1.33	\$ 34.86	\$ 1.05	\$ 1.70	\$ 36.56	\$ 76,050.15	\$ 7,930.15
Ass. Procurement Manager	\$ 23.35	\$ 48,568.00	\$ 0.47	\$ 0.56	\$ 1.03	\$ 23.91	\$ 0.48	\$ 0.95	\$ 24.86	\$ 0.75	\$ 1.21	\$ 26.07	\$ 54,222.01	\$ 5,654.01
Office Manager	\$ 31.36	\$ 65,228.80	\$ 0.63	\$ 0.75	\$ 1.38	\$ 32.11	\$ 0.64	\$ 1.27	\$ 33.38	\$ 1.00	\$ 1.63	\$ 35.01	\$ 72,822.37	\$ 7,593.57
Secretary	\$ 25.09	\$ 52,187.20	\$ 0.50	\$ 0.60	\$ 1.10	\$ 25.69	\$ 0.51	\$ 1.02	\$ 26.71	\$ 0.80	\$ 1.30	\$ 28.01	\$ 58,262.54	\$ 6,075.34
Project Utility Manager	\$ 45.65	\$ 94,952.00	\$ 0.91	\$ 1.10	\$ 2.01	\$ 46.75	\$ 0.93	\$ 1.85	\$ 48.59	\$ 1.46	\$ 2.37	\$ 50.96	\$ 106,005.78	\$ 11,053.78
ROW Manager	\$ 55.75	\$ 115,960.00	\$ 1.12	\$ 1.34	\$ 2.45	\$ 57.09	\$ 1.14	\$ 2.26	\$ 59.34	\$ 1.78	\$ 2.90	\$ 62.24	\$ 129,459.41	\$ 13,499.41
Totals		\$ 1,937,270.40											\$ 2,166,409.93	\$ 229,139.53
Total Hours/Year	2080												PDT's Total:	\$ 266,550.18
													RC's Correct Figures	\$ 229,139.53
Notes:													Difference between PDT's Total and RC's correct figures:	\$ 37,410.65

(a) Wage rate increases shall be calculated for each position based on the US Bureau of Labor Statistics, NAICS as most applicable to each position, plus two (2%) of the base salary for each such position.

The base rate is the salary of the respective position as of the date of the Agreement (November 3, 2014).

(b) NAICS Percent Change for 2015: 2.4%

(c) NAICS Percent Change for 2016: 2.0%

(d) NAICS Percent Change for 2017: 3.0%

	Position	Base Rate	Current Salary	2% of the Base Rate as of 11/3/2014 (a)	2017			New Annual Salary with 2017 Increase Only	Increase from Current Salary
					NAICS Percent Change (b)	Increase: NAICS Percent Change + 2% of Base Rate	New Salary		
	Program Manager	\$81.18	\$168,854.40	\$1.62	\$2.44	\$4.06	\$85.24	\$177,297.12	\$8,442.72
	Deputy Program Manager	\$76.31	\$158,724.80	\$1.53	\$2.29	\$3.82	\$80.13	\$166,661.04	\$7,936.24
	Program Administrator	\$60.28	\$125,382.40	\$1.21	\$1.81	\$3.01	\$63.29	\$131,651.52	\$6,269.12
	Assistant Program Director	\$62.72	\$130,457.60	\$1.25	\$1.88	\$3.14	\$65.86	\$136,980.48	\$6,522.88
		\$62.72	\$130,457.60	\$1.25	\$1.88	\$3.14	\$65.86	\$136,980.48	\$6,522.88
	Assistant Program Director	\$31.36	\$65,228.80	\$0.63	\$0.94	\$1.57	\$32.93	\$68,490.24	\$3,261.44
	Assistant Program Director	\$31.36	\$65,228.80	\$0.63	\$0.94	\$1.57	\$32.93	\$68,490.24	\$3,261.44
	Assistant Program Director	\$31.36	\$65,228.80	\$0.63	\$0.94	\$1.57	\$32.93	\$68,490.24	\$3,261.44
	Assistant Program Director	\$31.36	\$65,228.80	\$0.63	\$0.94	\$1.57	\$32.93	\$68,490.24	\$3,261.44
	Ass. Public Information Director	\$42.16	\$87,692.80	\$0.84	\$1.26	\$2.11	\$44.27	\$92,077.44	\$4,384.64
	Construction Manager	\$63.07	\$131,185.60	\$1.26	\$1.89	\$3.15	\$66.22	\$137,744.88	\$6,559.28
	Program Controls	\$62.02	\$129,001.60	\$1.24	\$1.86	\$3.10	\$65.12	\$135,451.68	\$6,450.08
	Scheduler	\$35.19	\$73,195.20	\$0.70	\$1.06	\$1.76	\$36.95	\$76,854.96	\$3,659.76
	Estimator	\$46.34	\$96,387.20	\$0.93	\$1.39	\$2.32	\$48.66	\$101,206.56	\$4,819.36
	Accountant	\$32.75	\$68,120.00	\$0.66	\$0.98	\$1.64	\$34.39	\$71,526.00	\$3,406.00
	Ass. Procurement Manager	\$23.35	\$48,568.00	\$0.47	\$0.70	\$1.17	\$24.52	\$50,996.40	\$2,428.40
	Office Manager	\$31.36	\$65,228.80	\$0.63	\$0.94	\$1.57	\$32.93	\$68,490.24	\$3,261.44
	Secretary	\$25.09	\$52,187.20	\$0.50	\$0.75	\$1.25	\$26.34	\$54,796.56	\$2,609.36
	Project Utility Manager	\$45.65	\$94,952.00	\$0.91	\$1.37	\$2.28	\$47.93	\$99,699.60	\$4,747.60
	ROW Manager	\$55.75	\$115,960.00	\$1.12	\$1.67	\$2.79	\$58.54	\$121,758.00	\$5,798.00
Totals			\$1,937,270.40					\$2,034,133.92	\$96,863.52

Total Hours/Year	2080							PDT's Total with Retroactive Increases:	\$ 266,550.18
								2017 Wage Rate Increase Only:	\$ 96,863.52
								Difference between PDT's Total and 2017 Wage Rate Increase Only:	\$ 169,686.66

Notes:

(a) Wage rate increases shall be calculated for each position based on the US Bureau of Labor Statistics, NAICS as most applicable to each position, plus two (2%) of the base salary for each such position. The base rate is the salary of the respective position as of the date of the Agreement (November 3, 2014).

(b) NAICS Percent Change for 2017: 3.0%