

**RICHLAND COUNTY**  
**COUNTY COUNCIL AGENDA**



**Tuesday, FEBRUARY 15, 2022**

**6:00 PM**

**COUNCIL CHAMBERS**

# RICHLAND COUNTY COUNCIL 2021



Bill Malinowski  
District 1  
2018-2022



Derrek Pugh  
District 2  
2020-2024



Yvonne McBride  
District 3  
2020-2024



Paul Livingston  
District 4  
2018-2022



Allison Terracio  
District 5  
2018-2022



Joe Walker III  
District 6  
2018-2022



Gretchen Barron  
District 7  
2020-2024



Overture Walker  
District 8  
2020-2024



Jessica Mackey  
District 9  
2020-2024



Cheryl English  
District 10  
2020-2024



Chakisse Newton  
District 11  
2018-2022





Richland County Council Agenda

Regular Session  
February 15, 2022 - 6:00 PM  
Council Chambers  
2020 Hampton Street, Columbia, SC 29204

1. **CALL TO ORDER**

The Honorable Overture Walker, Chair  
Richland County Council

a. ROLL CALL

2. **INVOCATION**

Pastor Simeon Moultrie  
on behalf of the Honorable Gretchen Barron

3. **PLEDGE OF ALLEGIANCE**

The Honorable Gretchen Barron

4. **APPROVAL OF MINUTES**

The Honorable Overture Walker

a. Special Called Meeting; February 8, 2022 [PAGES 8-15]

5. **ADOPTION OF AGENDA**

The Honorable Overture Walker

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

Patrick Wright,  
County Attorney

*After Council returns to open session, Council may take action on any item, including any subsection of any section, listed on an executive session agenda or discussed in an executive session during a properly noticed meeting.*

- a. Regional Gateway Project - Intergovernmental Agreement (IGA)
- b. City of Columbia V. Richland County (2018-CP-40-5991) [Pursuant to SC Code of Laws §30-4-70 (a)(2)]
- c. Richland County V. City of Columbia (2019-CP-40-0627) [Pursuant to SC Code of Laws §30-4-70 (a)(2)]

7. **CITIZEN'S INPUT** The Honorable Overture Walker
- a. For Items on the Agenda Not Requiring a Public Hearing
8. **CITIZEN'S INPUT** The Honorable Overture Walker
- a. Must Pertain to Richland County Matters Not on the Agenda  
(Items for which a public hearing is required or a public hearing has been scheduled cannot be addressed at this time.)
9. **REPORT OF THE COUNTY ADMINISTRATOR** Leonardo Brown,  
County Administrator  
**[PAGES 16-37]**
- a. Coronavirus Update
- b. Project Updates
- c. **MBLG: Regional Gateway Project - Intergovernmental Agreement (IGA)**
10. **REPORT OF THE CLERK OF COUNCIL** Anette Kirylo,  
Clerk of Council
11. **REPORT OF THE CHAIR** The Honorable Overture Walker
12. **APPROVAL OF CONSENT ITEMS** The Honorable Overture Walker
- a. 21-037MA  
Deborah Stratton  
NC to RM-HD (2 Acres & 2.16 Acres)  
2241 & 2133 Clemson Road  
TMS # R20281-01-24 & R20281-01-27 [THIRD READING] **[PAGES 38-39]**
- b. 21-040MA  
Dr. Alexis Collins  
RU to GC (1.4 Acres)  
1774 Dutch Fork Road  
TMS # R02505-02-05 [THIRD READING] **[PAGES 40-41]**
13. **SECOND READING ITEMS** The Honorable Overture Walker
- a. An Ordinance Amending the Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; to rename the Chapter and replace the language therein to

more clearly reflect the operations and administration of solid waste, recycling, and public sanitation within the County [PAGES 42-66]

**14. REPORT OF RULES & APPOINTMENTS COMMITTEE**

The Honorable Gretchen Barron

**a. NOTIFICATION OF VACANCIES**

1. 1. Accommodations Tax - Seven (7) Vacancies (TWO applicants must have a background in the lodging industry, THREE applicants must have a background in hospitality industry, ONE applicant must have a cultural background and ONE applicant will fill an at-large seat)
2. Airport Commission – Two (2) Vacancies (ONE applicant must reside within one mile of the airport: Rosewood, Shandon or Hollywood-Rose Wales Garden neighborhoods)
3. Board of Assessment Appeals – One (1) Vacancy
4. Board of Zoning Appeals – Two (2) Vacancies
5. Building Codes Board of Appeals – Nine (9) Vacancies (ONE applicant must be from the Architecture Industry, ONE from the Gas Industry, ONE from the Building Industry, ONE from the Contracting Industry, ONE applicant must be from the Plumbing Industry, ONE applicant must be from the Electrical Industry, ONE applicant must be from the Engineering Industry and TWO from Fire Industry as alternates)
6. Business Service Center – Three (3) Vacancies (ONE applicant must be from the Business Industry and TWO applicant must be CPAs)
7. Central Midlands Council of Governments – One (1) Vacancy
8. Community Relations Council – One (1) Vacancy
9. Employee Grievance Committee – Two (2) Vacancies (MUST be a Richland County employee; 1 seat is an alternate)
10. Hospitality Tax – Three (3) Vacancies (ONE applicant must be from the Restaurant Industry)
11. Internal Audit Committee – Two (2) Vacancies (applicant with CPA preferred)
12. Lexington Richland Alcohol and Drug Abuse Council (LRADAC) – Two (2) Vacancies
13. Music Festival – One (1) Vacancy
14. Planning Commission – Three (3) Vacancies

15. Richland Memorial Hospital Board of Trustees – Four (4) Vacancies

16. Township Auditorium – Two (2) Vacancies

17. Transportation Penny Advisory Committee (TPAC) – Five (5) Vacancies

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

The Honorable Overture Walker

a. Atlas Rd. CE&I and Materials Testing [**PAGES 67-78**]

**16. OTHER ITEMS**

The Honorable Overture Walker

a. FY22 - District 7 Hospitality Tax Allocations: [**PAGES 79-80**]

1. Annual Black History Parade and Festival 2022 - \$5,000

2. An Evening of Philanthropy (March 11-13, 2022) - \$5,000

b. Veteran’s Treatment Court Match [**PAGES 81-87**]

**17. EXECUTIVE SESSION**

Patrick Wright,  
County Attorney

*After Council returns to open session, Council may take action on any item, including any subsection of any section, listed on an executive session agenda or discussed in an executive session during a properly noticed meeting.*

**18. MOTION PERIOD**

**19. 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 Meeting  
**MINUTES**  
February 8, 2022  
2020 Hampton Street, Columbia, SC 29202

**COUNCIL MEMBERS PRESENT:** Overture Walker, Chair, Jesica Mackey, Vice-Chair, Bill Malinowski, Derrek Pugh, Yvonne McBride, Paul Livingston, Allison Terracio, Joe Walker, Gretchen Barron, Cheryl English and Chakisse Newton

**OTHERS PRESENT:** Michelle Onley, Angela Weathersby, Stacey Hamm, Judy Carter, Dwight Hanna, Dale Welch, Geo Price, Leonardo Brown, Lori Thomas, Patrick Wright, Shane Kitchen, Justin Landy, Aric Jensen, Betty Etheredge, Steven Gaither, Paul Harris, Anette Kirylo, Ashiya Myers, Jennifer Wladischkin, John Thompson, David Bertolini, Quinton Epps, John Ansell, Michael Maloney, Chris Eversmann, Sandra Haynes, Alexandria Stephens, Terry Graham, Jeff Ruble, Dante Roberts, Syndi Castelluccio, Bill Davis, Michael Byrd and Abhijit Deshpande

1. **CALL TO ORDER** – Chairman O. Walker called the meeting to order at approximately 6:00PM.
2. **INVOCATION** – The Invocation was led by the Honorable Gretchen Barron.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Gretchen Barron.
4. **APPROVAL OF MINUTES:**
  - a. **Special Called Meeting: January 18, 2022** – Mr. Pugh moved, seconded by Ms. Barron, to approve the minutes as distributed.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

5. **ADOPTION OF AGENDA** – Mr. Malinowski noted there is a motion at each Councilmembers’ seat, which needs to be forwarded to the appropriate committee by the Chair.

Mr. O. Walker stated the motion will be added under the “Motion Period.”

Mr. Livingston moved, seconded by Ms. Terracio, to adopt the agenda as amended.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

Special Called  
February 8, 2022



The vote in favor was unanimous.

**PRESENTATION OF PROCLAMATION**

6. a. A Proclamation Recognizing Judge Mildred Weathers McDuffie – Mr. Livingston stated the proclamation was presented at Judge McDuffie’s funeral service. He suggested making this a resolution from full Council instead of just a proclamation.

Mr. J. Walker moved, seconded by Ms. Barron, to adopt a resolution recognizing Judge Mildred Weathers McDuffie.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

7. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION** – Mr. Patrick Wright, County Attorney, stated there were no items for Executive Session.

8. **CITIZENS’ INPUT**

- a. For Items on the Agenda Not Requiring a Public Hearing – No one signed up to speak.

9. **CITIZENS’ INPUT**

- a. Must Pertain to Richland County Matters Not on the Agenda (Items for which a public hearing is required or a public hearing has not been scheduled cannot be addressed at this time)

1. Mr. Wayne Adams, 222 Tally Adams Road, Eastover, SC 29044; spoke regarding the paving of Tally Adams Road.
2. Mr. William Starrett, 1031 Laurens Street, Columbia, SC 29201; spoke regarding the upcoming Motown ballet at the Columbia City Ballet.

10. **REPORT OF THE COUNTY ADMINISTRATOR** – Mr. Leonardo Brown, County Administrator, noted for the record there have been six (6) citations issued in regards to non-compliance with the County’s mask ordinance.

11. **REPORT OF THE CLERK OF COUNCIL** – Ms. Anette Kirylo, Clerk of Council, stated the Council committees have been established. She noted, if any committee wishes to meet, to contact the Clerk’s Office to schedule a meeting.

12. **REPORT OF THE CHAIR** – No report was given.

13. **APPROVAL OF CONSENT ITEMS**

- a. 21-037MA, Deborah Stratton, NC to RM-HD (2 Acres & 2.16 Acres), 2241 & 2133 Clemson Road, TMS # R20281-01-24 & R20281-01-27 [SECOND READING]
- b. 21-040MA, Dr. Alexis Collins, RU to GC (1.4 Acres) 1774 Dutch Fork Road, TMS # R02505-02-05

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[SECOND READING]

- c. RCSD Crisis Intervention Team Grant
- d. Department of Public Works – Stormwater Management – Street Sweeper Procurement
- e. Township Auditorium Theatrical Rigging Installation Project
- f. Vehicle Leasing Negotiations
- g. Department of Public Works – Solid Waste & Recycling Division – Area 1 Collections Agreement Amendment
- h. Department of Public Works – Solid Waste & Recycling Division – Area 3 Collections Agreement Amendment
- i. Department of Public Works – Solid Waste & Recycling Division – Area 6 Collections Agreement Amendment

Mr. Livingston moved, seconded by Ms. Newton, to approve the consent items.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

Ms. Newton moved, seconded by Mr. J. Walker, to reconsider Items 13(c) – 13(i).

In Favor: Malinowski and McBride

Opposed: Pugh, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The motion for reconsideration failed.

14. **THIRD READING**

- a. An Ordinance establishing new electoral districts for the election of members of Richland County Council pursuant to the United States Census of 2020 and in compliance with Section 4-9-90 of the South Carolina Code of Laws, 1976, as amended – Ms. Barron moved, seconded by Ms. Mackey, to approve this item.

In Favor: Malinowski, Pugh, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

Opposed: McBride

The vote was in favor.

**POINT OF PERSONAL PRIVILEGE** – Mr. O. Walker and Ms. McBride expressed their appreciation for Ms. Betty Etheredge’s hard work during the redistricting process.

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Ms. Newton moved, seconded by Ms. Terracio, to reconsider this item.

Opposed: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The motion for reconsideration failed.

Mr. Livingston moved, seconded by Ms. Barron, to authorize the Chair and Vice-Chair to send a letter to the RFA to notify them of the adoption of the redistricting plan.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

15. **SECOND READING**

- a. Authorizing the sale of certain real property owned by Richland County, South Carolina; and other matters related thereto – Ms. McBride moved, seconded by Ms. Barron, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

16. **REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE**

- a. Division of Solid Waste & Recycling – RC Code of Ordinances, Chapter 12 Re-Write [FIRST READING] – Mr. Malinowski noted on p. 17 it states, “The re-written Ordinance is contained in Attachment ‘A’ to this briefing. A Summary of Changes chart is included in Attachment ‘B’, and the current ordinance is included in Attachment ‘C’ to this briefing” However, ‘Attachment A’ (pp. 45 and 100) is not a written ordinance; ‘Attachment B’ (pp. 46 and 101) does not notate any changes; and there is no ‘Attachment C’.

Mr. Malinowski moved, seconded by Mr. Pugh, to defer this item until the February 15<sup>th</sup> Council meeting.

In Favor: Malinowski and J. Walker

Opposed: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

The motion for deferral failed.

Mr. Livingston moved, seconded by J. Walker, to move forward with First Reading and have Mr. Malinowski’s concerns addressed prior to Second Reading.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, English and Newton

Opposed: Mackey

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The vote was in favor.

- b. Richland County Conservation Commission – Cabin Branch Property Purchase – Ms. Newton moved, seconded by Ms. Terracio, to approve this item.

Mr. Malinowski inquired about how this property was found by the Conservation Commission.

Mr. Quinton Epps, Conservation Division Manager, responded the property is adjacent to property the County currently owns; therefore, the Conservation Commission has been looking at, and been in discussions with the landowner, for several years. However, in relation to the current agreement, the landowner's real estate agent approached the County.

Mr. Malinowski inquired if Mr. Epps was aware of the County's rules and regulations related to purchasing property.

Mr. Epps responded in the affirmative.

Mr. Malinowski inquired if Mr. Epps reviewed those rules prior to entering into the current agreement.

Mr. Epps responded he did not review the rules regarding this specific property purchase.

Mr. Malinowski noted, for the future, he would like to ensure the rules are followed.

Mr. Brown noted, this may be one of those areas, if you look at the ordinance, as it relates to the Conservation Commission, when Council approves funding for them, they have the ability to utilize those funds for Conservation efforts, which does not necessarily mixes with the County's specific policies. He indicated he would discuss this matter further with the Legal Department.

Mr. Malinowski inquired if the Legal Department has reviewed the contract.

Mr. Epps responded the Conservation Commission has not entered into the contract, but the Legal Department will review the contract prior to it being executed.

Ms. Newton noted expanding conservation in this particular area is part of the Strategic Conservation Plan.

Ms. McBride inquired if it was proper protocol for the motion to come directly from the Conservation Commission.

Mr. Brown responded this item went through the Committee/Council process. In addition, if you look at the Conservation Ordinance, when you vote on their plan, you are giving them approval to move forward.

Mr. Malinowski inquired about the amount of taxes the County will not be receiving from this property.

Mr. Epps responded it is approximately \$80.

Ms. Barron inquired if it was proper protocol for Council to vote on an item to move forward with a

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purchase prior to reviewing the purchase agreement.

Mr. Wright responded the Conservation Commission has to receive approval to move forward with negotiations regarding the purchase. Once there is an agreement in place, the agreement would come back to Council for approval of the agreement.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous to allow the Conservation Commission to purchase the Cabin Creek property.

Ms. Newton moved, seconded by Mr. J. Walker, to reconsider this item.

In Favor: Malinowski and McBride

Opposed: Pugh, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The motion for reconsideration failed.

## 17. **OTHER ITEMS**

### a. FY22 – District 8 Hospitality Tax Allocations:

1. Columbia Music Festival Association - \$2,500
2. SERCO 2022 Juneteenth Celebration - \$2,000
3. Cola Jazz Foundation – Jazzfest - \$2,500

### b. FY22 – District 7 Hospitality Tax Allocations:

1. Juneteenth Freedom Festival 2022 - \$20,000
2. SERCO Juneteenth Festival 2022 - \$4,000
3. Cakie Scholarship Banquet - \$2,000
4. HUSH NO MORE Run Walk - \$5,000
5. 2022 SC Re-Entry Conference - \$3,500
6. Midlands Heart Walk - \$7,000

### c. FY22 – District 4 Hospitality Tax Allocations:

1. Columbia Museum of Art - \$5,000
2. Auntie Karen Foundation - \$5,000
3. SC Juneteenth Freedom Festival - \$5,000
4. South East Rural Community Outreach (SERCO) - \$4,000

Ms. Newton moved, seconded by Ms. Barron, to approve Items 17(a) – (c).

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: J. Walker

The vote was in favor of Items 17(a) – (c).

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Mr. Livingston moved, seconded by Ms. Barron, to reconsider Items 17(a) – (c).

In Favor: J. Walker

Opposed: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

The motion for reconsideration failed.

- d. Contraband Detection Equipment for Alvin S. Glenn Detention Center – Ms. Mackey moved, seconded by Mr. J. Walker, to approve this item.

Mr. Malinowski noted some of the items discussed at the committee meeting were requested by the Detention Center staff. He indicated one of the items (i.e. tasers) was removed from the list, and the remaining items were recommended for approval. He requested additional discussion regarding the items that were removed.

Mr. Malinowski made a substitute motion to approve this item, and send remaining items not recommended for approval back to committee for further discussion.

The substitute motion died for lack of a second.

In Favor: Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

The vote was in favor of allocating \$330,204 in American Rescue Plan funding to purchase and install two Tek84 body scanning devices at the Alvin S. Glenn Detention Center.

Mr. J. Walker moved, seconded by Ms. Newton, to reconsider this item.

In Favor: Malinowski

Opposed: Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The motion for reconsideration failed.

18. **EXECUTIVE SESSION** – There were no items for Executive Session.

19. **MOTION PERIOD**

- a. To rename the Sewer Ad Hoc Committee the Utilities Committee so that all forms of utilities the county is involved in is covered. This was suggested by Utilities Director Davis as we currently serve a small customer base with water and that may be expanded in the future [MALINOWSKI, TERRACIO and ENGLISH] – This item was referred to the Rules and Appointments Committee.

**POINT OF PERSONAL PRIVILEGE** – Mr. Livingston was presented a ceremonial gavel in recognition of his service as Chair for the past 3 years. Ms. McBride was presented with a bouquet of flowers in

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recognition of her service as Vice-Chair.

**POINT OF PERSONAL PRIVILEGE** – Ms. English expressed her appreciation to the County Staff and Community Leaders for their assistance at her vaccination event on Saturday, February 5, 2022.

**POINT OF PERSONAL PRIVILEGE** –Vice Chair Mackey stated that County Council attended the Council Retreat at the end of January and was able to work on the Strategic Planning and goals for the year as well as having the opportunity to spend time together, learn about each other and come together as a body, in that time we played a couple of team building exercises that led to a competition in which she wanted to celebrate Team Mackey’s winning and point out that her team defeated Team O. Walker and her team will enjoy the win this year.

Mr. Pugh thanked Mr. Brown for thinking outside of the box in utilizing the team building “games” as part of the team building exercise.

20. **ADJOURNMENT** – Ms. Mackey moved, seconded by Ms. Barron, to adjourn the meeting.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

The meeting adjourned at approximately 6:57 PM.



## Report of the County Administrator

Regular Session Meeting – February 15, 2022

### CORONAVIRUS UPDATE:

#### 1. COVID 19 Statistical Data for Current Reporting Period

\*Incidence Rate for current reporting period is at 1,714 per 100,000 keeping Richland County's Level of Incidence in the High Tier (>200), for confirmed cases

\*Percent Positive is 19.9% for current reporting period of 1-31-2022 to 02-07-22

56.3% of Richland County residents eligible to be vaccinated have completed their vaccination

220,753/391,862

53.3% of South Carolina residents eligible to be vaccinated have completed their vaccination

2,590,783/4,856,250

#### 2. Emergency Rental Assistance Program

Submitted U.S. Treasury forms requesting additional funds as all of our funds have been exhausted.

Submitted request to the State ERA Program to request voluntary reallocation of funds from their program. Participated in Zoom meeting with the State to discuss the request.

Received notification from the U.S. Treasury in January that our request was approved and to await further instructions:

Dear ERA1 Recipient:

The U.S. Department of the Treasury ("Treasury") issued [Reallocation Guidance](#) for the Emergency Rental Assistance (ERA1) program under the Consolidated Appropriations Act, 2021, on October 4, 2021. Your jurisdiction requested to receive funds being reallocated by another grantee in your state. This letter is to notify you that Treasury approved your request. After Treasury receives the funds from the transferring entity, you will receive instructions on how to receive the funds.

We also received confirmation from Mr. Larry Huff, Director of Emergency Housing, SC Housing that their request to voluntarily reallocate some of their ERA 1 funding to Richland County has been



approved. SC Housing was instructed to return the money to the U.S. Treasury to handle the remainder of the process. We are currently waiting to receive the funding from the U.S. Treasury. There was no estimated transfer date given by the U.S. Treasury.

Assuming that we receive the funding, if County Council approves staff's recommendation to continue with the current vendor to help administer the program, then the restart of the program will happen quickly, as the personnel and programmatic details will largely be intact and may require minor adjustments.

Applications already in queue will be processed first, using a priority model based on ERA 1 requirements. Based on our past experience with ERA 1 and ERA 2 payouts to residents, we do not anticipate being able to accept new applications. The average payout to requestors needing rental and/or utilities assistance was approximately \$5,800/requestor.

### **3. Redistricting Process**

Included is the Demographic and Registration Handbook provided by the Voter Registration and Elections (VR&E) Director. It outlines the next steps in the Redistricting process which are handled by the Voter Registration and Elections Office, SC Elections Commission, and the Revenue Fiscal Affairs Office. Also included is an email from VR&E Director Stephens that summarizes the remaining process. Richland County has completed all ten (10) steps listed in the attached RFA REDISTRICTING PROCESS WITH LOCAL GOVERNMENTS document.

## **PROJECT UPDATES:**

### **1. Lobbyist Solicitation(s)**

Richland County has solicited responses to two (2) separate Request for Proposals for representation at the state government level and the federal government level to help the County receive available funding to complete projects to improve the quality of life for Richland County residents.

The solicitation anticipates that the selected vendor will lobby for Richland County to receive funding from all eligible sources, with an immediate focus on funding made available under the American Rescue Plan Act (ARPA).

## **2. Culinary Arts Institute**

Economic Development Director Jeff Ruble referenced this matter during the recent Council Retreat. Since that time, I have met with the President of Midlands Technical College (MTC), Dr. Ron Rhames, to discuss the project's potential. I inquired about the process to bring this project to fruition and what would be required of Richland County. The meeting was informative. MTC will perform some initial due diligence on the potential of this project and has communicated they will research the following unknowns:

- Market Demand;
- Potential Program participants (RCSD 1 and RCSD 2);
- Financial and Physical Resources needed (space, equipment, faculty);
- Curriculum development.

Dr. Rhames and his team will also visit other community partners who have expressed their interest in partnership with MTC for this potential program and other programs are already in place.

## **3. Connecting Communities Initiative**

Panelist for Leadership Columbia: Political Systems Day  
Speaker for Irmo Chamber Luncheon

### **ATTACHMENTS:**

1. COVID-19 Statistical Data
2. Email about Redistricting Next Steps from Voter Registration and Elections
3. Demographic and Redistricting Handbook
4. RFA REDISTRICTING PROCESS WITH LOCAL GOVERNMENTS

Number of Tests

207,564

Select earliest and latest test dates

Earliest

1/31/2022

Latest

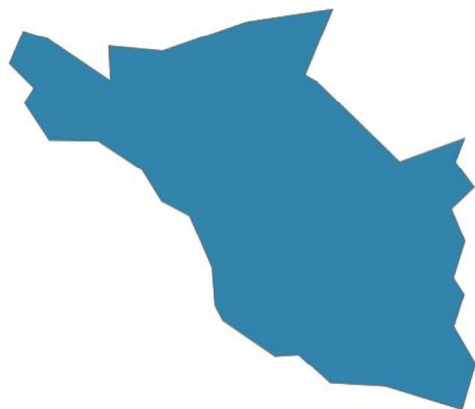
2/7/2022

Percent Positive

19.9%

Richland

Rate of COVID-19 Tests Performed per 1,000 population, b..



49.19

Type of COVID-19 Tests Being Performed

	Negative	Positive	Grand Total
<b>Antibody (Serology)</b>	51	31	82
<b>Antigen</b>	2,340	646	2,986
<b>Viral (Molecular)</b>	13,931	3,454	17,385
<b>Grand Total</b>	16,322	4,131	20,453

3.0% of all COVID-19 diagnostic testing has occurred at the Public Health Laboratory

Note: This table represents volume of tests received and not distinct individuals tested. Individuals may have multiple tests.

\*Unknown Test Types refer to tests with an unrecognized test type. As we continue to investigate unknown test types they will be reassigned as more information becomes available.

Moving 7 Day Average Percent Positive of COVID-19 Tests

Displaying county: Richland

Note: Tooltips Display Percent Positive for the current day and moving 7 day average. Percent Positive is calculated using the Test/Test method.

- Count PCR Tests
- Positive PCR Tests
- Moving Average of Percent Positive

# COVID-19 in South Carolina

As of 11:59 PM on 2/7/2022

Tests

1,556,133

Cases

117,506

Hospitalizations

1,872

Deaths

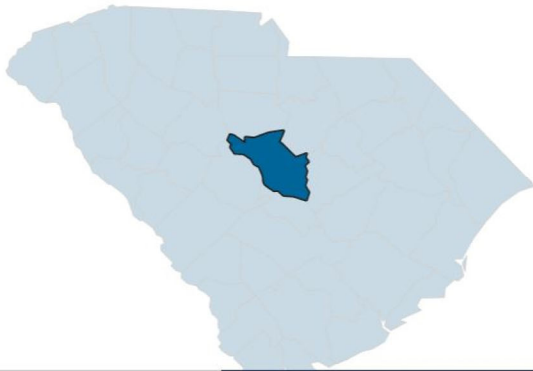
855

## Two Week Cumulative Incidence Rate

The Two-Week Cumulative Incidence Rate includes new (confirmed & probable) cases reported in the past two weeks (1/25/2022 - 2/7/2022) per 100,000 people. The rate describes recent incidence of COVID-19 infection to capture the potential burden of currently ill people who may be infectious and/or accessing healthcare.

Select a county to display county-specific information

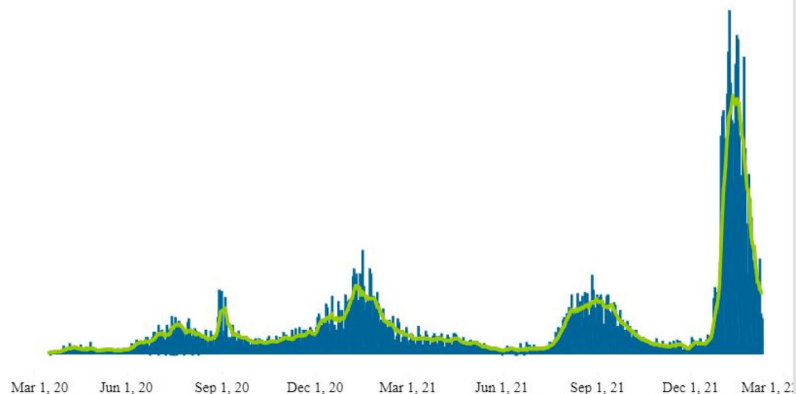
Click the county again to return to the full state map



## COVID-19 Cases per Day

County Displayed: Richland

Count of Confirmed Cases  
Count of Probable Cases  
Moving Average 7 day



7-Day Moving Average of reported COVID-19 Cases, by Public Health Region

Midlands

Good afternoon Mr. Brown,

As a follow up to our phone conversation, below are the steps that the County Board of Voter Registration and Elections will take in the redistricting process.

Once the districts are approved (Senate, House, County Council, etc.), the County Board of Voter Registration and Elections reviews the changes and consults with the GIS department to print updated maps to show the changes listing all precincts and district numbers.

From there, VR&E downloads the decode list from the voter registration system to identify those changes. (The decode list is a list that identifies specific districts by a code number and what is included in them.) A decode change form is then completed and sent the State Election Commission (SEC) for approval. Once approved, the street files are then updated. We then let the SEC know all street files are updated. The SEC will redistrict everything overnight in a mass output. A report is then run to ensure no voters are left out. This report is ran until all voters are assigned to district. Lastly, we notify the SEC again and they send the files to the Office of Research and Fiscal Affairs (RFA). The RFA then signs for approval.

If RFA identifies any errors, these will be relayed to the SEC, and then sent back to the county for correction. The county will then need to submit any new decode change forms (if needed) and proceed through the process of modifying their street file and resubmitting their data until RFA indicates that all street file issues within the county have been resolved.

In layman's terms, once the new districts are approved, VR&E reviews the changes and makes the necessary updates in the Voter Registration System. Voters of the affected precincts will be notified via mail of any changes.

I have attached a guide we received from the SEC that breaks in down in more detail if you would like to review it. Terry and I will be in attendance virtually at tonight's council meeting.

Thank you,

**Alexandria Stephens**

Director - Voter Registration & Elections

# DEMOGRAPHICS & REDISTRICTING

# S M E R V

Demographics are the foundation of everything that happens in elections. Demographics begins with districts, but also includes the streets and houses that fall into those districts, and ultimately the voters themselves.

## Demographics

Demographics are the foundation of elections.

Every county is divided into voting precincts.

Precincts contain a number of streets or street segments.

Each street or street segment is assigned its own set of districts.

A voter is assigned districts based on where they live within a given street segment.

Without districts, there would be nothing to vote for.

## District Types

Nationwide

County Council

Statewide

School District

U.S. Senate Districts

Municipality

S.C. House / Senate

City / Town Council

Countywide

Fire, Water, etc.

## How do we Assign Districts?

SEC creates districts / assigns to counties

SEC enables districts for precincts

Counties identify street segments that will be affected

Counties create / update street segments for districts

SEC updates voters within street segment to new district

## Precincts

Contains precinct number, name, polling location name, and polling location address

This information is sent to SCVotes.gov for voters to look up their precinct and polling location

Precinct numbers are never reused

Precinct name is set in legislation

Report 120 contains precinct names, polling locations for those precincts, and their addresses

## Decode

Decode is the list of all districts available within a precinct

To maintain a historical record, districts are never deleted- only made inactive.

Changes are requested using a Decode Change Form that is sent to the SEC

Report 26 contains a list of all districts assigned to a precinct by district type

## Redistricting

Used to match voters to the street file when changes are made to the street file and / or districts

If changes are made with no redistricting, voters may not show up on poll list or may show up in the wrong place

Countywide redistricting must be run overnight, but individual voters may be updated in real time

## Statewide Redistricting

Every ten years, following the U.S. Census, the South Carolina Legislature assesses the census data and draws new district maps.

These maps can be any district type, and thus, require that many districts in VREMS be updated.

**NOTE: Some district codes are tied to functionality outside of VREMS and should not be changed. For example, municipality codes are used by SC Courts for jury lists and by the Revenue & Fiscal Affairs office for mapping purposes. Before any changes are made to district codes, be sure that management as well as any relevant agencies are consulted.**



## Identifying District Changes Within a County

Districts may be added or changed within a county at any time. This may come as the result of something relatively small like annexations at the municipal level, all the way up to statewide redistricting, which takes place following the U.S. Census every ten years.

Elections officials at both the county and state level may find out about these changes a variety of ways, including from the districts or municipalities, through county or state GIS, or by contacting any of these agencies on their own.

Once official lines have been determined, it will be necessary to identify the impact that these changes will have to your decode and your street file so that the appropriate voters can be updated.

## Identifying Necessary Decode Changes

Any time that a district boundary changes within a county, there is the potential that the county's decode may need to change as well.

A decode change is necessary:

When a district boundary moves **into** a precinct where that district was not already present.  
(Adding a district)

When a district boundary moves **out of** a precinct where that district had previously been.  
(Removing a district)

A decode change is NOT necessary:

When a district boundary moves **within** a precinct where it already existed.

## Completing and Submitting a Decode Change Form

Once new district boundaries have been decided, counties should relay any necessary changes to the SEC using the Voter Registration Request Form, more commonly called the "Decode Change Form".

The form may be filled out electronically from ElectionNet, but is also included in printable form on the following pages for easy access.

While the form has multiple functions, for the sake of making changes to a county's decode, only the user information portion at the top of page one, as well as any changes needed on page two, are required.

Submit completed decode change forms to the SEC helpdesk, at <https://scsec.happyfox.com>.

## Voter Registration Request Form

The purpose of this form is to order:  
1. Voter Registration Cards  
2. Decode/Mass Changes  
3. Board Use Books.

DO NOT PRINT AND COMPLETE FORM, FORM MUST BE FILLED IN ELECTRONICALLY!

County:

Type of Request:

Contact Name:

Phone Number:

Email Address:

Fax Number:

**1. Voter Registration Cards**

Date to mail card to voters:

**Instructions:**

1. Select "**Reason**" for the printed voter registration cards and define if "**Countywide**" cards are needed.
2. Choose the method of shipment for the voter registration cards.
3. Complete **Precinct #**, **Precinct Name**, **Polling Location**, and **Quantity of Voters** for the cards to be printed.

**Note: Only ONE reason allowed per form.**

Reason for Printing:

**Additional Instructions or Comments:**

Need countywide cards printed?

Mailing Options:

Precinct #	Precinct Name	Polling Location	Quantity of Voters

**Procedure for ordering Voter Registration Cards:**

**SEC USE ONLY!**

- Order submitted to DSIT(formally CIO) office
- Notification from DSIT of job viewing availability
- Notify county via E-mail to check job on DocView
- Notification received from county to start print job
- Cards shipped either to voters via DSIT or to the SEC  
*(if shipped to the SEC, SEC will forward cards to the county office)*

DSIT Help Desk  
Work Order #:

SELVR 544  
and Job #:

**2. Decode/Mass Changes**

Change Request Date:

**Instructions:**

(Note: If any change is countywide, insert "Countywide" in the **Precinct Name** column.)

1. For **Mass Changes** (making decode changes and moving voters at the same time) Follow these steps:

- Complete **Precinct #** and **Name**.
- In the "**District**" box, select the District that will be changing (ex: House, Senate, etc.)
- In the "**Old Codes**" box, list the current codes that are in the District now.
- In the "**New Codes**" box, fill in the new code that all voter records will be **Changed** to.

2. For **Street Match** Only:

- Fill in the **Precinct #**, **Name**, and **District**.
- In the **Action Requested** column, select the appropriate option for the type of job needed.
- E-mail **SC SEC VSD** the details of a street change if that is the type of change needed to [bleach@elections.sc.gov](mailto:bleach@elections.sc.gov)

3. For **Decode Change** Only:

- Fill in the **Precinct #**, **Name**, "**Old Codes**" and in the "**New Codes**" box list the changing code(s).
- To add or remove a precinct, select the appropriate option in the "**Action Requested**" box.
- To add or remove a district, select the appropriate option in the "**Action Requested**" box.
- To **Rename a Precinct**, enter the old precinct name in the "**Old Codes**" box, and enter the new name in the "**New Codes**" box.

Precinct #	Precinct Name	District	Old Codes/Name	New Codes/Name	Action Requested
		▼			▼
		▼			▼
		▼			▼
		▼			▼
		▼			▼
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		▼			▼

**Further Instructions or Comments:**

**3. Board Use Only Books**

Book Request Date:

**Instructions:**

1. Fill in the "Quantity of Books Needed."
2. Select the appropriate option in the "Definition of Books" box.  
(This defines how the information is displayed in the books)
3. In the "Precincts #" box, list the precincts that need to be included on the books.  
(ex. Precincts 001-004, 006, 010-012 or ALL.)

Countywide	Quantity of Books Needed	Definition of Books	Precinct #
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**Further Instructions or Comments:**

[Submit by E-mail](#)

[Click here to print form](#)

SEC Voter Services Division

Brian Leach

(803) 734-9059

bleach@elections.sc.gov

## Understanding Street Ranges

After a district has been added to a county's precinct(s), it must be added to the street file before any voters will be assigned to the district.

The example on the following page depicts the various ways that a street segment may be, or may need to be, divided to accommodate the districts within a certain set of addresses. While the illustration, for the sake of simplicity, only uses four different "districts", in practice, each of these areas would more likely represent "splits". A "split" is a unique combination of districts within a precinct. As the illustration is broken into four parts, perhaps they all share the same combination of districts, with the exception of being on the borders of four different city council districts. Any variation whatsoever in regards to this combination of districts for a set of addresses would be regarded as a "split" and would require a range to be created or modified accordingly.

As you can see in the illustration, there is no need to create a street range for each house when there are multiple houses on a street that are assigned to the same districts. Sometimes, an entire street may fall within a particular combination of districts. Inversely, if an entire street is not all assigned to the same districts, portions of that street may be broken into separate ranges, each with their own combination of districts.

Through the use of street ranges, if, at some point, one of the districts assigned to a particular range were to change, the entire range could be updated to the new district all at once, instead of having to touch each address individually.

## Creating or Modifying Street Ranges

When preparing to modify the street file for your county, it is recommended to coordinate with your county's GIS department (if applicable) for street level data to identify any necessary changes.

To make changes to the street file within a county, click on "Demographics" from the blue navigation bar along the top of the VREMS screen, hover over "Street File", and select "Maintain Street File".

To search for or update an existing street range, select the county from the dropdown (if applicable) and select a radio button based on how the street should be located. The user may either search by street name within a county with the "Search by Street" option, or by all streets within a precinct by selecting the "Search by Precinct" option.

Upon clicking the "Search" button, a list of street ranges will appear below it. Some of these ranges may appear to be duplicates, but it is more likely that these ranges represent two sides of the same street, represented as "(Even)" and "(Odd)" so it is important to maintain an awareness of not only the range being edited, but the neighboring segments as well.

Each result has two icons next to it. The icon of the pencil and paper is used to edit a particular street range. The red "X" icon is used to delete a particular street range.

Once the edit icon is clicked, all details pertaining to that particular range will appear on the right side of the “Maintain Street File” screen.

At the top of the screen are two more radio buttons. One is “Street File Entry”, which allows for modification of all data related to the street range, including street name, zip code, beginning and ending address range for street numbers, a drop-down to indicate what portion of the street segment is being modified (“Odd”, “Even”, or “All”), a beginning and ending unit number (for apartments, etc.), the precinct to which the range is assigned, followed by drop-downs for all possible district options that have been assigned to that precinct. Only districts that have been assigned to the decode will be listed as options for these drop-down menus.

Once any necessary changes have been made, the user should click on the “Save” icon in the top left corner of the screen to commit their changes.

In addition to the “Street File Entry” radio button is a “History” button, which can be used to track changes to a particular street segment over time, along with the method in which it was changed, when it was changed, and who initiated the change.

**NOTE: To prevent conflicting district assignments, VREMS does not allow overlapping street ranges. If a particular street segment will be expanded into a neighboring street segment, the second segment will need to be adjusted and saved before the first will be able to move into it.**

## Modifying Street Ranges in Bulk

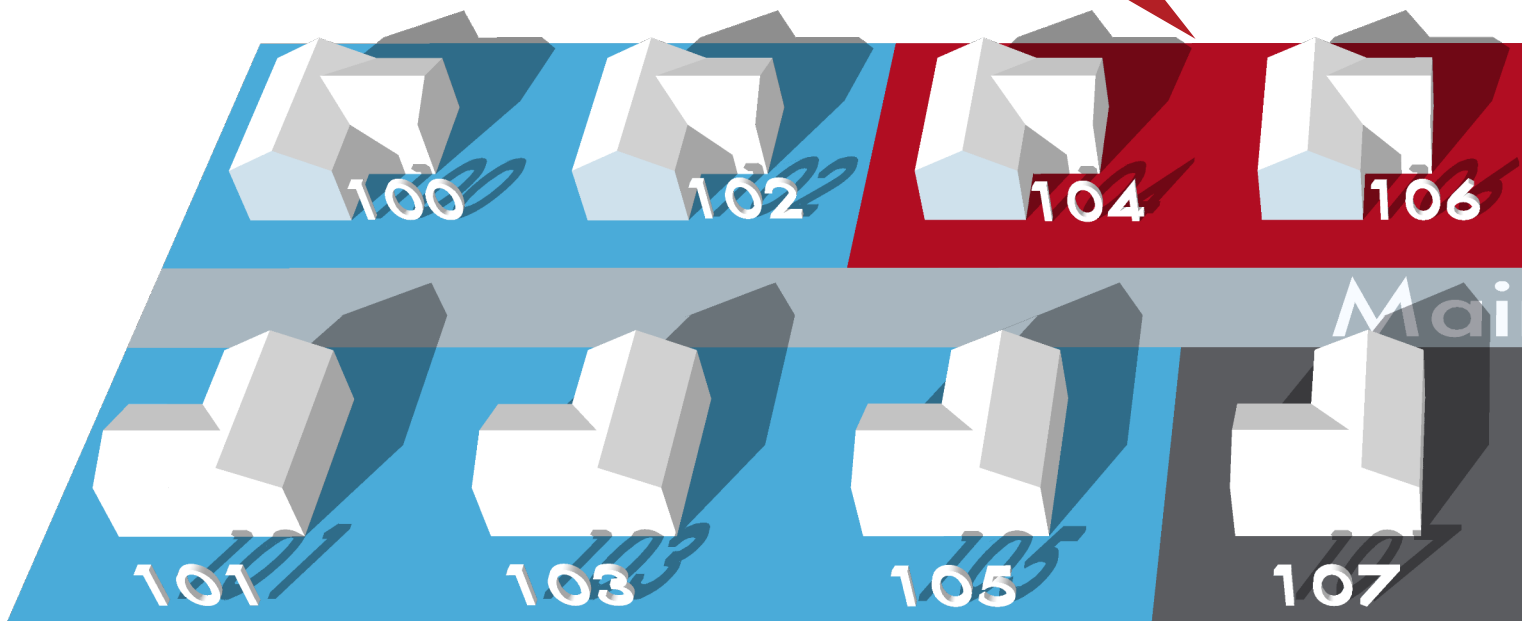
Depending on the portion of a precinct that needs to be updated, VREMS also allows street file changes to be made in bulk using the “Mass Street File Update” screen. This tool is useful when a majority of a precinct or precincts will be assigned to a new district, and will allow the county to modify the streets that will *not* be assigned to a particular district, rather than modifying each individual street that *will*.

This screen also provides the ability to combine precincts, in the event that a precinct or precincts within a county are being made inactive. The “combine precincts” functionality will move all streets from the selected precinct(s) into another one within the same county as chosen from the drop-down menu.

In the event that this option is desired while performing redistricting in a county, it should be communicated via the helpdesk either accompanying a decode change form, or after any pertinent decode changes have been updated by the SEC.

## District 1

This district encompasses four houses- 104, 106, 108, and 110. As the other side of the street is a different district, use **104 - 110 EVEN**.

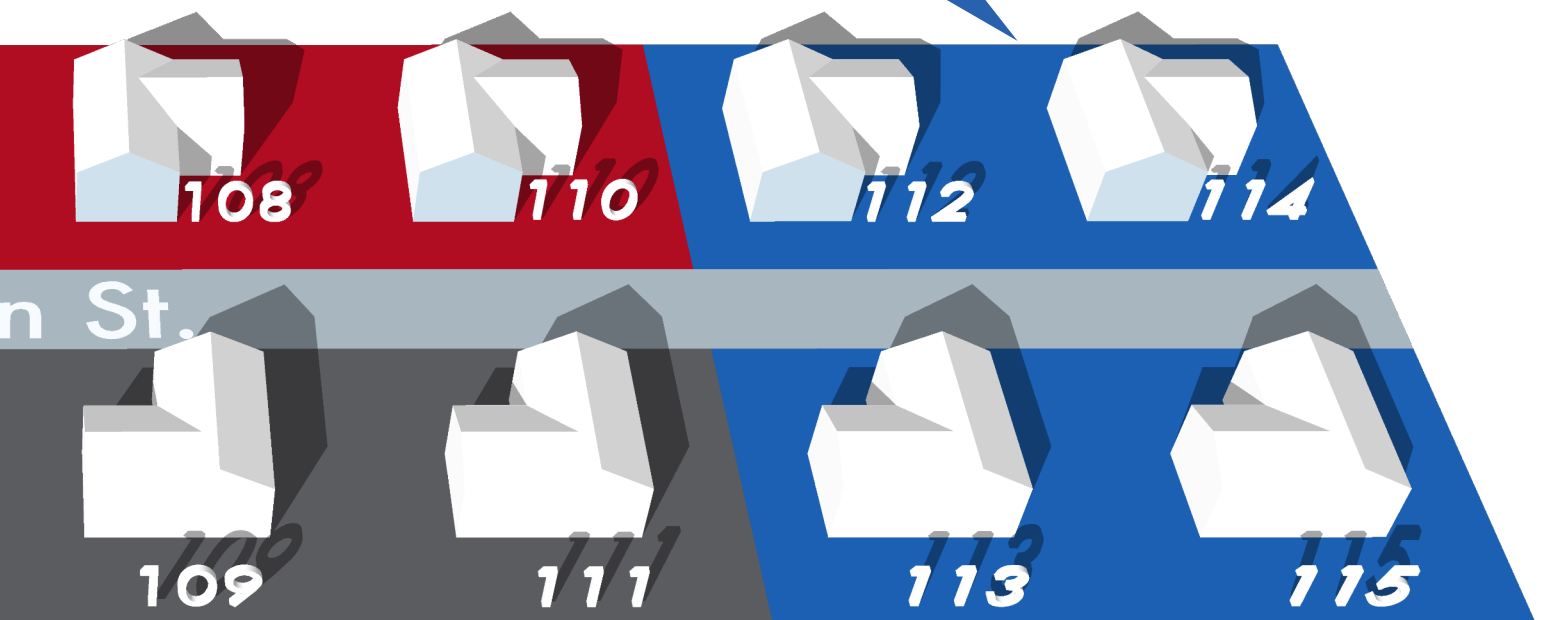


## District 3

This district encompasses five houses- 100, 101, 102, 103, and 105. This does not include 104, so 100 - 105 ALL is not an option. Instead, the combination of **100 - 102 EVEN** and **101 - 105 ODD** is the best way to address this segment.

## District 2

This district encompasses four houses- 112, 113, 114, and 115. Because there are no gaps in the numbering, the simplest option is to use **112 - 115 ALL**. However, you could also use **112 - 114 EVEN** and **113 - 115 ODD** to accomplish the same thing.



## District 4

This district encompasses three houses- 107, 109, and 111. This range is the opposite of District 1 in that it is all ODD numbers. For this segment, use **107 - 111 ODD**.



## Matching Individual Voters to the Street File

After any necessary changes have been made to the street file, an additional step is required before a voter is placed into their new district(s). To update an individual voter when only a handful of voters, need to be updated, pull up the voter's record and click on the "Addresses / Districts" tab at the top of the screen. Here, all districts currently assigned to the voter will be listed. If a change has been made to the street range for the voter's address, but it is not reflecting on the voter record, click on the "Match Street File" button near the top of the page. If the voter's districts are no longer current, they will be updated by comparing the voter's address to the street file, and the new districts will be displayed. If the districts on the voter's record already match what is in the street file, a message to that effect will be displayed along the top of the screen.

## Requesting Countywide Redistricting

When changes affecting a large number of voters are made, the SEC has the ability to redistrict or mass-match an entire county. This will compare all voters in the county to the street file, and populate the voters' records with their current districts. This job will run overnight, and by morning all voters will be moved into their districts as designated in the county's street file.

## Resolving Street File Errors & Mismatches

Following the redistricting process above, counties should run report 119, "Addresses Not Matching Street File" to identify any addresses that encountered errors in the matching process. There may be a variety of reasons for an address to appear in this report, ranging from typographical errors or non-standard punctuation, to streets that simply have not been added to the county street file, or streets that failed to resolve due to being added after the VREMS street file software was updated. Once any issues have been corrected, either by a county or with the help of the SEC, the report should be run again and confirmed to indicate that there are no errors present in the county.

## Street File Validation from RFA

Once a county deems that their street file is free of errors, they should request that the SEC send their voter registration list to the Office of Research and Fiscal Affairs (RFA) for comparison against the state's official maps. This will identify if any voters are assigned to incorrect districts based on the county's street file.

If RFA identifies any errors, these will be relayed to the SEC, and then sent back to the county for correction. The county will then need to submit any new decode change forms (if needed) and proceed through the process of modifying their street file and resubmitting their data until RFA indicates that all street file issues within the county have been resolved.



**Revised: 2/7/22**

## RFA REDISTRICTING PROCESS WITH LOCAL GOVERNMENTS

### GENERAL EXPECTATIONS:

- Process, data, and plans are to be transparent
- RFA to provide clear and detailed documentation to Council and the public

#### 1. PROJECT INITIATION

- Local Government requests consultation or redistricting services from RFA
- RFA sends Local Government a confirmation letter
- Council may adopt a resolution engaging RFA (optional)

#### 2. PRIOR TO RELEASE OF THE 2020 CENSUS DATA AND BEFORE PROJECT IS STARTED, LOCAL GOVERNMENT WILL PROVIDE TO RFA:

- A designated liaison
- Notice of potential issues that may affect project timeline (filing deadline, next election)
- Names and residential street addresses of incumbents
- Council will coordinate and verify that RFA has the GIS data accurately reflecting current districts

#### 3. COUNCIL HAS THREE OPTIONS FOR MOVING FORWARD DEPENDING OF THE LEVEL OF RFA INVOLVEMENT AND THE SPEED AT WHICH COUNCIL WOULD LIKE TO PROCEED:

- **OPTION 1:** Council may conduct its own redistricting and use RFA in a consulting role as appropriate.
- **OPTION 2:** RFA can create a Benchmark Report, criteria, and council can then draft its own plan.
- **OPTION 3:** Council may first review the Benchmark Report created by RFA then adopt a set of criteria and request RFA to create a preliminary redistricting plan based on these criteria. This option has the largest time commitment.

#### 4. RFA WILL COORDINATE A TENTATIVE ACTION PLAN AND PROJECT TIMELINE BASED ON THE OPTION SELECTED.

FURTHER STEPS ARE DETERMINED BASED ON THE PLAN SELECTED; THE STEPS OUTLINED BELOW ARE BASED ON OPTION 3.

#### 5. AT THE REQUEST OF COUNCIL AND WITHIN THIRTY DAYS AFTER THE 2020 CENSUS DATA IS RELEASED RFA WILL:

- Create a Benchmark Report showing the new population in the current districts and notating the population adjustments needed in each district to achieve the one person, one vote standard and an appropriate acceptable deviation standard

- Provide statistical analyses and guidelines to consider to comply with the Voting Rights Act, specifically Section 2
- Provide a proposed set of traditional redistricting principles

6. BENCHMARK PLAN RELEASE:

- RFA will share the Benchmark Report with Council for review prior to the public meeting.

7. AT THE FIRST PUBLIC MEETING

- RFA will provide a briefing for Council and the public on redistricting
  - Traditional Redistricting Principles
  - Constitutional and Statutory Requirements
- RFA will provide a report to include:
  - A proposed set of criteria determined by either Council or RFA
  - An analysis (Benchmark Report) of existing districts with 2020 Census data
- RFA will solicit feedback from Council and the public on key issues, including communities of interest

8. AFTER THE FIRST PUBLIC MEETING

- Local Government liaison will notify RFA of key issues to consider when drafting the preliminary plan.
- RFA will provide the liaison with the preliminary plan
- Liaison will share solicited feedback from Council
- RFA will amend the plan to best achieve the constitutional requirements and local preferences.

9. AT THE SECOND OR SUBSEQUENT MEETING(S)

- Council can decide when the plan should be presented at a public meeting
- Final plan presented for Council to adopt (RFA may or may not need to attend)

10. AFTER ADOPTION

- Council will provide a letter notifying RFA of adoption of the plan
- Council will notify local voter registration office and other affected entities

## Richland County Council Request for Action

**Subject:**

21-037MA  
Deborah Stratton  
NC to RM-HD (2 Acres & 2.16 Acres)  
2241 & 2133 Clemson Road  
TMS # R20281-01-24 & R20281-01-27

**Notes:**

First Reading: December 16, 2021  
Second Reading: February 8, 2022  
Third Reading:  
Public Hearing: December 16, 2021

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-22HR

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 # R20281-01-24 AND R20281-01-27 FROM NEIGHBORHOOD COMMERCIAL DISTRICT (NC) TO RESIDENTIAL MULTI-FAMILY HIGH DENSITY (RM-HD); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # R20281-01-24 and R20281-01-27 from Neighborhood Commercial District (NC) to Residential Multi-Family High Density (RM-HD).

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 \_\_\_\_\_, 2022.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Overture Walker, Chair

Attest this \_\_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
Anette A. Kirylo  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: December 16, 2021  
First Reading: December 16, 2021  
Second Reading: February 8, 2022  
Third Reading: February 15, 2022

## Richland County Council Request for Action

**Subject:**

21-040MA  
Dr. Alexis Collins  
RU to GC (1.4 Acres)  
1774 Dutch Fork Road  
TMS # R02505-02-05

**Notes:**

First Reading: December 16, 2021  
Second Reading: February 8, 2022  
Third Reading:  
Public Hearing: December 16, 2021



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-22HR

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 # R02505-02-05 FROM RURAL DISTRICT (RU) TO GENERAL COMMERCIAL (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 # R02505-02-05 from Rural District (RU) 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 \_\_\_\_\_, 2022.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Overture Walker, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2022

\_\_\_\_\_  
Anette A. Kirylo  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: December 16, 2021  
First Reading: December 16, 2021  
Second Reading: February 8, 2022  
Third Reading: February 15, 2022

## Richland County Council Request for Action

**Subject:**

An Ordinance Amending the Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; to rename the Chapter and replace the language therein to more clearly reflect the operations and administration of solid waste, recycling, and public sanitation within the County

**Notes:**

First Reading: February 8, 2022

Second Reading: February 15, 2022 {Tentative}

Third Reading: March 1, 2022 {Tentative}

Public Hearing: March 1, 2022

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-22HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 12, GARBAGE, TRASH AND REFUSE; TO RENAME THE CHAPTER AND REPLACE THE LANGUAGE THEREIN TO MORE CLEARLY REFLECT THE OPERATIONS AND ADMINISTRATION OF SOLID WASTE, RECYCLING, AND PUBLIC SANITATION WITHIN THE COUNTY.

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

SECTION I. The Richland County Code of Ordinances, Chapter 12, Garbage, Trash and Refuse; is renamed Solid Waste, Recycling, and Public Sanitation; and the language therein amended by its deletion and the insertion new language to read as follows:

**ARTICLE I. ADMINISTRATION**

**Sec. 12-1. In General.**

Richland County shall manage the solid waste stream on behalf of its citizens in order to preserve and protect public health and welfare and to promote a suitable quality of life for residents and visitors. It shall perform these missions with appropriate staff, equipment, programs, and facilities and in accordance with applicable Federal and State Laws and Regulations. The task of solid waste management shall be discharged by the Director of Public Works.

**Sec. 12-2. Definitions.**

Any definitions contained herein shall apply unless specifically stated otherwise. In addition to the definitions contained in this chapter, the articles of this chapter shall adopt by reference the definition of terms (to the extent they are not inconsistent with definitions specifically contained herein) defined in the South Carolina Solid Waste Policy and Management Act of 1991, South Carolina Code Section 44-96-10, *et seq.* and in any regulations promulgated pursuant thereto. Any term not specifically defined will be construed pursuant to its plain and ordinary meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural include the singular, and words used in the singular include the plural. The word "shall" is always mandatory and not merely discretionary.

*Agricultural operation:* Raising, harvesting, or storing crops or feed, breeding or managing livestock, including the preparation of the products raised thereon for human use and disposed of by marketing or other means. It includes, but is not limited to, agriculture, grazing, horticulture, forestry, and dairy farming.

*Apartment:* Any building containing more than four (4) contiguous dwelling units or any group of buildings or mobile homes located on a single parcel that contains a total of six (6) or more dwelling units regardless of ownership of the dwelling units.

*Bulk Waste (“Bulk Items”):* Large appliances, air conditioners, furniture, mattresses, box springs, yard furniture, large toys, grills, push mowers, bicycles, and playground equipment. The following items are not considered bulk waste: Gym / exercise equipment, pianos, organs, pool tables, electronics, riding mowers, automotive equipment, fencing, decks, swimming pools (any size except small form plastic pools), animal shelters, demolition debris, building debris and any other item of such weight that two adults cannot easily lift.

*Bulk Waste Container (a.k.a. – “Roll Off container”):* A manufactured container suitable for emptying by mechanical equipment.

*Class Three Waste:* Non-hazardous commercial and industrial wastes that are permitted by SCDHEC to be disposed of in a Class Three landfill. See also: Municipal Solid Waste (MSW) and Garbage.

*Class Two Waste:* The waste streams listed in Appendix I, Acceptable Waste For Class Two Landfills, of SC Regulation 61-107.19, Solid Waste Management: Solid Waste Landfills and Structural Fill. The list will be posted at each County disposal facility. See also: Construction and Demolition (C&D) Waste.

*Code:* The Richland County, South Carolina Code of Ordinances.

*Collection Area:* A quasi-official subdivided area of the County for the purpose of solid waste management program administration.

*Commercial Establishment:* Any hotel, apartment, rooming house, business, industrial, public or semi-public establishment of any nature. See also: Apartment.

*Commercial Waste:* Trash and garbage generated by apartments, operation of stores, offices, restaurants and other places of business and industrial establishments (excluding industrial waste as defined herein).

*Construction and Demolition (C&D) debris:* Any discarded solid wastes resulting from construction, remodeling, repair, and demolition of structures, and road construction. The wastes include, but are not limited to, bricks, concrete, other masonry materials, lumber, road spoils, and paving materials, but do not include solid waste from agricultural operations or Garbage.

*Contaminant / Contamination:* Generally applied in the context of recycling. Items, to include plastic bags, garbage, or items not approved for the County’s Recycling Program, intermingled with items intended for pickup. The presence of this contamination may preclude pickup, causing an

interruption of efficient collection operations. See also: “Non-compliant Pile / Roll Cart”, “Mixed Pile”, and “Mixed Waste.”

*County:* Richland County, South Carolina.

*County Administrator:* The Richland County Administrator.

*County Council:* The governing body of Richland County, South Carolina.

*Curbside:* The area within the right-of-way or easement immediately adjacent to a public road, highway, street, etc. For purposes of this ordinance chapter, curbside will be considered as the area within six (6) feet of the edge of the public road, highway, street, etc., unless deemed otherwise by the Director. Curbside shall not extend past the road right-of-way or easement except in those cases where the road right-of-way or easement ends at the edge of the traveled way of the road.

*Curbside Collector:* (a.k.a. – Collections Contractor) The person that has entered into a contract with the County to provide specified solid waste curbside collection services. The solid wastes eligible for curbside service from dwelling units and small businesses are: garbage, household waste, yard waste, recyclables, bulk items, and white goods as defined herein.

*Debris:* Includes, but is not limited to, miscellaneous equipment, yard toys, furniture, packaging items, shipping containers, waste tires, construction and demolition (C&D) waste, bricks, blocks, concrete, asphalt, metals, lumber, trees, tree limbs, tree stumps, brush or parts thereof, or stumps, and/or building materials or solid waste of any description that are deemed by the Director or designee to be a nuisance, potentially deleterious to public health, public sanitation and/or public safety.

*Department:* The Richland County Department of Public Works.

*DHEC:* The South Carolina Department of Health and Environmental Control.

*Director:* The Richland County Director of Public Works.

*Disposal:* The discharge, deposition, injection, dumping, spilling, or placing of any solid waste into or on any land or water, whether intentional or unintentional, so that the substance or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwater.

*Disposal Facility:* All contiguous land, structures, other appurtenances and improvements on the land used for treating, storing, or disposing of solid waste pursuant to a solid waste disposal permit issued by DHEC. A facility may consist of several treatment, storage, or disposal operational units, including, but not limited to, one or more landfills, surface impoundments, or combination thereof.

*Domicile:* A residential dwelling to include single and multi-family configurations.

*Dumpster:* A type of movable waste container designed to be brought and taken away by a special collection vehicle, or to a bin that a specially designed garbage truck lifts, empties into its hopper, and lowers, on the spot. The word is a generic trademark of Dumpster, an American brand name for a specific design.

*Dwelling unit:* One or more habitable rooms which are intended to be occupied by one (1) family with facilities for living, sleeping, cooking, and eating and from which the County would collect solid waste; excludes commercial, industrial and manufacturing establishments.

*Garbage:* All accumulations of animal, fruit or vegetable matter that attend the preparation, use, cooking and dealing in, or storage of meats, fish, fowl, fruit, vegetables and any other matter of any nature whatsoever which is subject to decay, putrefaction and the generation of noxious and offensive smells or odors, or which during and after decay may serve as breeding or feeding material for flies and/or germ-carrying insects or vermin; bottles, cans or food containers which due to their ability to retain water can serve as a breeding place for mosquitoes and other water-breeding insects.

*Hazardous waste:* Those wastes that are defined as hazardous in Section 44-56-20 of the South Carolina Hazardous Waste Management Act.

*Household:* One or more people who occupy a dwelling unit as their usual place of residence.

*Household Hazardous Waste:* Any commonly used household hazardous material that is not regulated as hazardous waste when disposed of. This includes, but is not limited to, insecticides, pesticides, petroleum-based paints, lubricants, fertilizers, cleaning agents and polishing compounds. For purposes of this definition, household hazardous waste does not include gasoline or motor oil.

*Household Quantities:* Quantities of solid waste reasonably generated in the course of typical daily domestic activities from a dwelling unit. Household quantities typically would fit into the assigned roll cart.

*Illegal Dump:* A solid waste or debris pile of any size that was placed in an unauthorized location for an unauthorized purpose.

*Illegal Pile:* A non-compliant pile of solid waste that has not been made compliant for collection over a 15-day period of time and is, therefore, in violation of this ordinance and subject to enforcement action.

*Industrial waste:* Solid waste generated from industrial or manufacturing processes including, but not limited to, factories and treatment plants.

*Intergovernmental Agreement (IGA):* An agreement for services between the County and another governmental entity (often contained herein) whether Federal, State, or local and any department, division, unit or subdivision thereof.

*Legal residence:* A residential dwelling unit that is occupied by the owner of the dwelling unit, thus designated their legal residence by the county Tax Assessor. Owners may designate only one legal residence in the state.

*Litter:* Waste products that have been discarded, intentionally or unintentionally, without consent, at an unsuitable location. Includes items blown or thrown from a vehicle or property.

*Materials Recovery Facility (MRF):* A specialized facility that receives, separates and prepares recyclable materials for marketing to end-user manufacturers.

*Mixed Pile:* A solid waste pile, placed at curbside by the homeowner for the purpose of collection as part of the Residential / Small Business Curbside Collection Program, but which intermingles incompatible waste types and, therefore, cannot be efficiently collected for transportation and disposal. See also “Non-compliant Pile.”

*Mixed Waste:* The intermingling of incompatible waste types (such as yard waste and garbage).

*Municipal Solid Waste (MSW):* Everyday items that are used and then throw away, such as product packaging, grass clippings, furniture, clothing, bottles, food scraps, newspapers, appliances, paint, and batteries. See also “Garbage.”

*Municipal Solid Waste Management (MSWM):* A broad term that describes various policies, procedures, programs, and services that are directly or indirectly related to the safe and efficient management of the Solid Waste Stream on behalf of a Community.

*Non-compliant Pile / Roll Cart:* A solid waste pile or Roll Cart, placed at curbside by the homeowner for the purpose of collection as part of the Residential / Small Business Curbside Collection Program, but which does not comply with applicable standards contained herein.

*Recovered Material:* Those solid wastes which have known use, reuse, or recycling potential; can be feasibly used, reused, or recycled; and have been diverted or removed from the solid waste stream.

*Recyclable Material (Recyclables):* Those wastes which are capable of being recycled and which would otherwise be processed or disposed of as solid waste. For purposes of this ordinance chapter, only those recyclables specifically listed by the county will be collected for recycling.

*Residential / Small Business Curbside Collection Program:* An MSWM Program, administered by the County, by which various types of solid waste (garbage, yard waste, recycling, bulk items, and white goods) are picked up by Curbside Collection contractors from single family residences and some small businesses for transportation to an appropriate disposal facility.

*Residential Property:* Property which contains residential dwelling units other than those defined in this section as apartments.

*Roll Cart:* A container, mounted on wheels, which is issued to citizens by the County for the storage of garbage or recyclables between pick up by Collection Contractors.

*Roll Cart Fee:* An individual fee charged for the delivery of a roll cart (garbage or recycling) for a new, or newly re-activated, service in the Residential / Small Business Curbside Collection Program. The fee is for the delivery, handling, and management of the Roll Cart; not for its purchase.

*Sanitary landfill:* The method of disposing of solid waste in an SCDHEC Permitted Disposal Facility by the placement of an earth cover thereon which meets the regulations promulgated by that Agency.

*Scavenging:* Rummaging through, taking or gathering items from County owned or privately owned solid waste management facilities or solid waste containers, including, but not limited to, bags, roll carts, bins, or roll-offs, or dumpsters of solid waste (which also includes recyclables).

*Small Business:* Any business entity registered with the South Carolina Secretary of State that produces no more garbage and household type waste during any county-defined solid waste collection cycle than will fill two (2) 90-gallon roll carts and has only one location inside the County. A small business becomes an “eligible small business” when a request for curbside collection service has been made and the initial Solid Waste Service Initiation Fee and Roll Cart Fee have both been paid.

*Solid Waste:* Garbage, household waste, debris, commercial waste, industrial waste, yard waste, white goods, ashes, rubbish, paper, junk, building materials, glass or plastic bottles, other glass, cans and any other discarded or abandoned material, including solid, liquid, semisolid or contained gaseous matter.

*Solid Waste Service Fee (a.k.a. – Residential / Small Business Curbside Collection Program Fee):* The annual charge established by County Council for all single family households and eligible small businesses to fund the Residential / Small Business Curbside Collection Program in the Unincorporated Area of the County.

*Solid Waste Service Initiation Fee:* The initial curbside collection service fee established by County Council for new households or small businesses or to re-establish service for existing single family households and small businesses where service was discontinued and Roll Carts have been removed in the Unincorporated Area of the County. Computed on a *per diem, pro rata* basis and payable before service is commenced.



*Solid Waste Stream:* The entire life cycle flow of the garbage produced – from putting out the garbage and recycling for pickup to landfilling, energy production, and the reuse of recycled materials.

*Special Waste:* Items of solid waste permitted in the solid waste stream for disposal, but not collected as part of the Residential / Small Business Curbside Collection Program such as carpet or C&D Debris.

*Vehicle:* Any device capable of being moved upon a public highway or road and in, upon or by which any person or property is or may be transported or drawn upon a public highway or road.

*White Goods:* Large appliances, usually electrical or natural gas powered, that are used domestically such as refrigerators and washing machines (often white in color).

*Yard waste:* Any and all accumulations of grass, leaves, pine straw, small trees, branches, limbs, brush, shrubs, vines and other similar items generated by the typical maintenance of lawns, shrubs, gardens, and trees from residential properties or eligible small business properties. Includes branches, sticks, and limbs less than four (4) inches in diameter and less than four (4) feet in length.

### **Sec. 12-3. Enforcement.**

- (a) Appointed Solid Waste & Recycling Code Enforcement Officers (hereinafter “Refuse Control Officers”) shall have the authority to enforce all the provisions of this chapter and may issue warning letters, warning tickets, and citations for violations of those provisions. The violator may either appear in the designated magistrate's court of the County on a date determined by the court to answer to the charged violation(s) of the appropriate article and section of this chapter or may pay the fine and associated court costs at the magistrate court office prior to the court hearing.
- (b) If any solid waste improperly or illegally disposed of in violation of this chapter can be identified as having last belonged to, been in the possession of, sent to, or received by, or to have been the property of any person prior to its being disposed of as prohibited herein, such identification shall be presumed to be *prima facie* evidence that such person disposed of or caused to be disposed of such solid waste in violation of this chapter.
- (c) Solid waste placed at curbside for collection shall be considered property of Richland County unless reclaimed by the generator of the waste. Solid waste delivered to any county owned solid waste management facility shall be considered property of Richland County. It shall be unlawful for anyone to take solid waste belonging to Richland County without prior written authorization of Richland County.
- (d) Proof of means used for proper disposal of solid wastes at businesses and commercial enterprises shall be presented to a County Refuse Control Officer when requested. This

includes, but is not limited to, businesses engaged in lawn maintenance, landscaping, tree trimming / removal, and transporting of any solid waste in Richland County.

- (e) Refuse Control Officers shall use Form S-438 when issuing citations unless approved otherwise in writing by the County Administrator. These Officers may, when they deem appropriate, issue a warning letter or a warning tickets for violations of this chapter. The warning ticket shall be of a design and content approved by the County Administrator.

**Sec. 12-4. Penalties.**

Any person who violates any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be imprisoned for not more than thirty (30) days or fined not more than one thousand, ninety-two and 50/100 (\$1,092.50) dollars, or both. Each day's continuing violation constitutes a separate and distinct offense, unless otherwise specified.

**Sec. 12-5. Applicability.**

Provisions of this Ordinance shall apply to all Unincorporated areas within the County as well as Municipalities that subscribe to County Solid Waste Management Programs through Intergovernmental Agreement (IGA).

**Sec. 12-6. Reserved for Future Use.**

**Sec. 12-7. Reserved for Future Use.**

**ARTICLE II. FINANCE**

**Sec. 12-8. In General.**

Richland County shall assess such taxes and fees necessary to manage, administer, and enforce in an equitable and effective manner, a Municipal Solid Waste Management (MSWM) Program as described herein.

**Sec. 12-9. Solid Waste Fund.**

Richland County shall maintain a Solid Waste Fund for the purpose of paying for a Municipal Solid Waste Management (MSWM) Program, and associated support activities. The Fund shall be maintained through the collection of various fees, taxes, and other revenues such as grants. A fund balance equal to half of the average annual operating costs of the Solid Waste & Recycling Division over the past three-year period shall be the financial goal. Bond revenue for solid waste related

capital projects shall be otherwise accounted for and not considered as part of the Solid Waste Fund. Current and future Host County Fee payments for the siting of solid waste facilities within the County shall be directed to the Solid Waste Fund.

**Sec. 12-10. Millage.**

Richland County shall levy a countywide millage, to include all municipalities therein, for the purpose of raising revenue to generally cover the cost of:

- i. Countywide-generated residential Municipal Solid Waste (MSW) disposal in a Class Three Landfill
- ii. Administration of a Countywide Solid Waste Management Program
- iii. Countywide-generated residential disposal of C&D Debris and Yardwaste in an appropriate, SCDHEC permitted Landfill (this does NOT include Contractor-generated waste from residential construction, or tree removal / pruning / trimming)
- iv. Operation of County Drop-Off and Recycling Centers
- v. Processing of recyclable materials generated by the County Residential / Small Business Curbside Collection Program and Special Recycling Events

This charge shall appear on County Real and Personal Property Tax Notices.

**Sec. 12-11. Fees.**

A schedule of solid waste related fees charged by Richland County is contained in Attachment ‘A’ to this Chapter. These fees shall be reviewed and established on an annual basis in order to cover the cost of associated solid waste services. These fees shall generally cover the cost of:

- i. The Residential / Small Business Curbside Collection Program
- ii. Disposal of C&D Debris and Yardwaste in a County Operated Landfill (generated by non- residential customers – businesses and governmental entities)
- iii. Processing of other specialized recycling material such as Electronic Waste, Tires, or Mattresses

The fee for the Residential / Small Business Curbside Collection Program shall appear on County Real Property Tax Notices. All other fees will be collected or invoiced at the point of sale.

**Sec. 12-12. Grants.**

The Director of Public Works shall participate in applicable grant programs, either recurring or individual, administered by SCDHEC, or other entities, for the purpose of mitigating local costs and projects associated with MSW Management and solid waste reduction and recycling on behalf of Richland County.

**Sec. 12-13. Partial Year Assessments for the Residential / Small Business Curbside Collection Program.**

- (a) All new service Residential / Small Business Curbside Collection Program customers (new residence or newly activated service) shall be charged a Partial Year Fee for the initial, partial year of curbside collection service received at the designated service level.
- (b) Partial year service fees for new residences shall be computed on a *pro rata* basis and paid along with the Roll Cart Fee following the issuance of the Certificate of Occupancy (CO).
- (c) Thereafter, annual fees will be charged on the Real Property Tax Notice. It shall be the duty of the Auditor to include the assessment with the annual property tax notices.

**Sec. 12-14. Annual schedule of fees and assessments.**

The Director of Public Works shall, on an annual basis and concurrent with the Budget Process, review and update a Master Schedule of all solid waste fees for the purpose of ensuring adequate revenue for associated, fee-based solid waste management programs established herein. This schedule shall be reviewed and approved by County Council annually.

**Sec. 12-15. Determination of assessments; inclusion in tax notice.**

- (a) The Director of Public Works shall maintain and reconcile, on at least an annual basis, a complete list of all Residential / Small Business Curbside Collection Program customers and their designated program level of service. This list shall serve as the basis for monthly contractor payment and annual tax notice issuance by the Auditor. The levels of service and their associated multipliers follow:
  - i. Standard (S) curbside placement / collection of MSW and Recycling (1.0 multiplier);
  - ii. Backyard (B) placement / collection of MSW and Recycling (1.8 multiplier);
  - iii. Disability – Backyard (DB) placement / collection of MSW and Recycling (1.0 multiplier).

(b) These levels of service and their associated multipliers of the uniform fee shall be applied by the Auditor to Annual Real Property Tax Notices.

**Sec. 12-16. Reserved for Future Use.**

**Sec. 12-17. Reserved for Future Use.**

### **ARTICLE III. RESIDENTIAL / SMALL BUSINESS CURBSIDE COLLECTION PROGRAM**

**Sec. 12-18. In General.**

The County shall provide a program of regular collection of Municipal Solid Waste (MSW) from single family residences as well as from eligible small businesses and local entities such as churches and neighborhood facilities within the unincorporated County. This service may be extended to like customers within small municipalities based on Intergovernmental Agreement (IGA) and assessment of program fees. No solid waste of any kind, or roll cart, shall be placed in or near a stormwater drainage course so as to impede the flow thereof. All Roll Carts, piles, and bulk items placed at curbside with the intention of pickup as part of the Residential / Small Business Curbside Collection Program are subject to inspection by County Solid Waste Staff or their agents for compliance with standards contained herein.

**Sec. 12-19. Conditions for Residential / Small Business Curbside Collection Program.**

Solid Waste collection shall be provided under the following conditions:

- a) Unincorporated areas of the County, or
- b) Small Municipalities covered by an IGA for solid waste services, and Residential, Single family homes, or
- c) Residential, Duplexes, Triplexes, or Quadraplexes, or
- d) Small / home-based businesses located within residential areas, or
- e) Ancillary facilities located within residential areas such as recreation centers or
- f) Churches that generate small volumes of solid waste, or
- g) Other facilities located within residential areas that generate small volumes of solid waste and, in the judgment of the Director of Public Works, would practically benefit from participation in this program.

**Sec. 12-20. Garbage.**

- (a) Garbage shall only be collected from residential and small businesses in residential areas by Collection Contractors who are employed by the County.
- (b) Garbage shall be collected in the unincorporated portion of the County by roll cart service under the following conditions:
  - 1) One (1) Roll Cart shall be issued to each single family residential household / small business in the unincorporated area of the County. These roll carts shall remain the property of the County for use by the household to which they are issued. Residents who damage roll carts issued to them shall pay for repairing or replacement of the carts. Carts that are damaged as a result of mishandling by collection contractors will be repaired at County's expense.
- (c) Eligible Small Business entities participating in this program may receive up to two (2) roll carts if requested and paid for.
- (d) Roll Carts shall be placed at curbside of the nearest public road, no later than 7:00 a.m. on the day of collection. Roll Carts shall be removed from the curbside by the residents no later than 7:30 p.m. on the designated day of collection.
- (e) For residential collection, small quantities of garbage in excess of the capacity of the roll cart will be collected if neatly placed in tied plastic bags and placed at curbside along with the roll cart.

**Sec. 12-21. Yard waste.**

- (a) Yard waste shall only be collected from residential and small businesses in residential areas by Collection Contractors who are employed by the County.
- (b) Yard waste shall be collected in the unincorporated portion of the County under the following conditions:
  - 1) Yard waste (Sticks, hedge clippings, and small brush) shall be neatly stacked and placed in order to facilitate efficient pick up. A volume roughly equivalent to two (2) roll carts (192 gallons / or a pile measuring approximately six feet (6') in length, three feet (3') in width, and two feet (2') in height) / or six, 30-gallon yard waste bags) shall be placed within six (6) feet of curbside of the nearest public road and shall be collected on a designated day. Yard waste shall not be placed within the traveled way of the road. Bagging, boxing, or bundling of yard waste is encouraged.
  - 2) Larger tree branches and heavy brush which do not exceed four (4) inches in diameter shall be cut in lengths not exceeding four (4) feet and stacked in a neat,

compact pile in front of the residence adjacent to the curb, but such piles shall not extend into the streets.

- 3) Exclusions: Tree trunks, branches and limbs having a length greater than four (4) feet and diameter greater than four (4) inches are not deemed yard waste, thus are not eligible for curbside collection. Waste generated from either a tree removal (including the stump) or de-limbing of a tree greater than four (4) inches in diameter at the tree base at ground level is not considered yard waste, thus is not eligible for curbside collection. Re-sizing waste from a tree removal, from a stump removal or from de-limbing an ineligible tree to make it meet the above dimensions does not make it eligible for curbside collection. Waste generated from clearing a lot or cutting shrubbery back to the stump or trunk is not considered yard waste, thus is not eligible for curbside collection.
- (c) Dirt, sand, and mulch, other than those small residual quantities incidental to yard waste collection, shall not be accepted for curbside collection.

#### **Sec. 12-22. Recycling.**

- (a) Recycling shall only be collected from residential and small businesses in residential areas by Collection Contractors who are employed by the County.
- (b) Recycling shall be collected in the entire unincorporated portion of the County by roll cart service under the following conditions:
  - 1) One (1) Roll Cart shall be issued to each single family residential household / small business in the unincorporated area of the County. These roll carts shall remain the property of the County for use by the household to which they are issued. Residents who damage roll carts issued to them shall pay for repairing or replacement of the carts. Carts that are damaged as a result of mishandling by collection contractors will be repaired at County's expense.
- (c) Roll carts shall be placed at curbside of the nearest public road, no later than 7:00 a.m. on the day of collection. Roll Carts shall be removed from the curbside by the residents no later than 7:30 p.m. on the designated day of collection.
- (d) Authorized recyclable materials previously containing food or beverages shall be properly prepared by the resident prior to placement in the recycling roll cart. Aerosol cans shall be excluded from the recycling stream. Cardboard shall be broken down / flattened for efficient handling and collection. Recycling shall not be mixed with garbage or other contaminants. Recyclable materials shall not be placed in bags.
- (e) Collection Contractors may refuse to collect curbside recycling if the material is found to be contaminated by non-recyclables. Collectors may attach information to the Roll Cart explaining why the material was not collected. The resident shall remove the non-recyclable material identified as contamination before the next scheduled recycling

collection day in order to be serviced.

- (f) The Director of Public Works shall, on an annual basis, review the official list of commodities eligible for recycling based on market conditions and recommend additions or deletions to the County Administrator. The Director of Public Information shall lead and manage the public information campaign necessary to this program.

**Sec. 12-23. Bulk Items (a.k.a. “Brown Goods”).**

Residential / Small Business curbside collection customers may request, at no extra charge, the pickup and disposal of Bulk Items such as indoor and outdoor furniture, large yard toys, mattresses, *etc* by requesting an appointment for pickup. Bulk Items shall only be placed at curbside following a confirmed, scheduled appointment for pickup and shall not remain at curbside indefinitely. Limit of four items per appointment request.

**Sec. 12-24. White Goods.**

White Goods shall be collected and managed in the same manner as Bulk Items. All large appliances, such as refrigerators, shall have doors removed prior to placement at curbside.

**Sec. 12-25. Enhanced (“Backyard”) Service.**

- (a) An enhanced level of service (a.k.a. – “Backyard Service”) shall be made available to neighborhoods that request it and have established Homeowners’ Association (HOA) covenants supporting same as well as to individual homes in which the occupants cannot physically place their garbage or recycling roll carts at curbside for standard pickup.
- (b) Neighborhoods desiring a higher level of service may request backyard pick-up pursuant to the following conditions:
  - 1) The subdivision must have a duly organized, active Homeowners Association (HOA) and such request shall be made by said association.
  - 2) At the time that the HOA requests the higher level of service, said association shall provide either a certified true copy of the results of a certified ballot mailed to each homeowner and tallied by a certified public accountant (CPA), or a certified true copy of the minutes of the meeting where the decision was made by majority vote to request said higher level of service. Said minutes shall be signed and attested by the President and Secretary of the HOA; the association must also certify that all homeowners were notified of the meeting at least ten (10) days in advance and must furnish a copy of the notice.
  - 3) At the time that the HOA makes the request, said association shall clearly define



the geographic boundaries of the area encompassed in the request, including tax map sheet references.

- 4) All requests for an enhanced level of service (backyard pick-up) shall be made to the Director of Public Works and approved by the County Administrator.
  - 5) Under no circumstances shall the county provide the higher level of roll cart service (backyard pick-up) to any subdivision which does not have deed restrictions which prohibit curbside pick-up.
- (c) Disabled citizens may receive enhanced (“backyard”) service for roll cart (garbage and recycling) service collection at no extra charge. This special exception may be granted when the General Manager of Solid Waste & Recycling determines that there is no capable adult readily available who is physically capable of rolling the cart to and from the curb. Application for this consideration must be in the form of a letter from the attending physician and needs to be updated annually.

#### **Sec. 12-26. Uniform Fee Structure.**

The Fee Structure used to generate revenue for the Residential / Small Business Curbside Collection Program shall be normalized and uniform throughout all areas served (Unincorporated County and Small Municipalities through IGAs) such that variations in collection area locations, collection contractor bids, or development density or do not cause undue financial burden to individual customers. The Director of Public Works shall, on an annual basis, update the calculation of the fee in advance of annual distribution of real property tax notices. A multiplier to the uniform fee for basic service shall be applied for neighborhood Enhanced (“Backyard”) Service. A sample calculation is contained in Attachment ‘B’ to this Chapter.

#### **Sec. 12-27. Small Business (Quasi-Residential) Service.**

- (a) Though the intent of the Residential / Small Business Curbside Collection Program is to primarily serve single family residential customers, there are others for whom providing this service is appropriate, convenient, and efficient. Such quasi-residential customers are generally referred to as “eligible small businesses” (even though they might not technically be a “small business”, *per se*) and may include:
- i. Duplex through Quadraplex residential customers;
  - ii. Other residential customers besides Apartments;
  - iii. Neighborhood pavilions or recreation centers;
  - iv. Small, home-based businesses;
  - v. Small local government facilities such as fire / EMS stations;
  - vi. Churches.
- (b) Additionally, in order to participate in this program, such facilities must:

- i. Be physically located along an established residential collection route;
- ii. Generate quantities and types of solid waste consistent with typical single family residences;
- iii. Pay all associated solid waste fees and taxes;
- iv. Be approved by the Director of Public Works for participation in the program.

**Sec. 12-28. Roll Carts.**

Roll Carts of approximately 96-gallon capacity shall be used in the collection of solid waste when deemed efficient and effective. Roll Carts shall be purchased, owned, delivered, and collected by the County or its designated agent. Fees may be charged for initial Roll Cart delivery or replacement. A fee for repair, replacement and delivery may be charged to the home owner in the event of damage or destruction due to negligence or theft. Roll Carts shall be kept clean and free of accumulated waste and shall be treated with an effective insecticide by the user thereof, if necessary, to prevent nuisance.

**Sec. 12-29. Items ineligible for Residential / Small Business Curbside Collection Service.**

- (a) Dead animals. Dead animals shall not be collected. Dead household pets shall be collected by the County Department of Animal Care if placed in plastic bags at curbside and if that Department is notified. Proper disposal of all other dead animals shall be the responsibility of property owners.
- (b) Building materials. The County shall not be responsible for collecting or hauling discarded building material, dirt, rock, or industrial and hazardous waste.

**Sec. 12-30. Exemption from roll cart service and fees for disabled homeowners.**

- (a) An exemption from roll cart service and fees for disabled homeowners in the unincorporated areas of the county is available. Such handicapped homeowners shall apply for said exemption to the General Manager of Solid Waste & Recycling. Such applicant must be handicapped and housebound and must live next to a relative or caretaker who shall agree to assume responsibility for the handicapped homeowner's garbage disposal. Application for this consideration must be in the form of a letter from the attending physician and needs to be updated annually.
- (b) The Director of Public Works shall recommend approval or denial of the handicapped homeowner's application for exemption from roll cart service and fees. Final approval or denial of exemption from Roll Cart service and fees shall be made by the County Administrator.

## **ARTICLE IV. DROP-OFF CENTERS AND SPECIAL COLLECTION EVENTS**

### **Sec. 12-33. In General.**

The Director of Public Works may maintain additional solid waste facilities and conduct such special events for the purpose of augmenting the efficient collection of various types of Solid Waste and recyclable materials from County residential customers. These facilities may collect materials that are permitted in the waste stream for disposal or recycling, but not included for collection at curbside. These facilities shall not receive garbage. These facilities shall not receive any waste generated outside of the County. Only County residents are authorized to use County Operated Drop-Off Centers.

### **Sec. 12-34. Construction & Demolition (C&D) Debris.**

Drop-Off Centers may accept for disposal or recycling Construction & Demolition (C&D) Debris generated by County Residents, performing home improvement projects on their Residential Property. The Director of Public Works may prescribe quantity limitations based on efficiency and facility limitations.

### **Sec. 12-35. Yard waste and landscaping debris.**

Drop-Off Centers may accept for disposal, Yard Waste and Landscaping Debris generated by County Residents, performing yard maintenance at their Residential Property. The Director of Public Works may prescribe quantity limitations based on efficiency and facility limitations.

### **Sec. 12-36. Recycling.**

Drop-Off Centers may accept for recycling, various items, generated by County Residents at their domiciles. The Director of Public Works may prescribe commodity and quantity limitations based on efficiency and facility limitations.

### **Sec. 12-37. Bulk Items.**

Drop-Off Centers may accept for disposal, Bulk Items generated by County Residents at their domiciles. The Director of Public Works may prescribe quantity limitations based on efficiency and facility limitations.

**Sec. 12-38. White Goods.**

Drop-Off Centers may accept for disposal, White Goods generated by County Residents at their Residential Property. The Director of Public Works may prescribe quantity limitations based on efficiency and facility limitations.

**Sec. 12-39. Special Collection Events.**

The Director of Public Works may conduct on occasion, either on an individual basis or in partnership with municipalities or neighboring counties, Special Collection Events to promote the proper collection and disposal or recycling of items such as paint, household hazardous waste, sensitive documents for shredding, tires, electronic waste (eWaste), and scrap metal / white goods. The Director of Public Works may prescribe commodity and quantity limitations based on efficiency and facility limitations.

**Sec. 12-40. Community “Clean Sweep” Events.**

The Director of Public Works may conduct a program to support volunteer citizens efforts at the neighborhood level to clean up and beautify their communities.

**Sec. 12-41. Reserved for Future Use.**

**ARTICLE V. RECYCLING**

**Sec. 12-42. In General.**

- (a) The County shall, consistent with State Law, conduct a program of residential recycling in order to:
  - i. Conserve Natural Resources and Landfill Space;
  - ii. Promote economic development and security;
  - iii. Protect the environment;
  - iv. Conserve energy
  
- (b) The County shall also promote and encourage commercial and business recycling. Participation in recycling programs is encouraged and voluntary.

**Sec. 12-43. Residential Recycling.**

Residential recycling will primarily be promoted through the Residential / Small Business Curbside Collection Program and may be supplemented through collections at Special Collection Events and Drop Off Centers.

**Sec. 12-44. Commercial and Business Recycling.**

Commercial and Business Recycling will primarily be promoted through education and voluntary reporting.

**Sec. 12-45. Commodities.**

The Director of Public Works shall, on an annual basis, and in consultation with the General Manager of Solid Waste & Recycling, recommend to the County Administrator, a list of commodities to be included in the Residential / Small Business Curbside Collection Program. This recommendation shall be based on forecasts of recycling commodities' market conditions. The County Director of Public Information shall promote and publicize current information regarding commodities for recycling.

**Sec. 12-46. Recovered Materials.**

Materials collected through all County Recycling Programs are County property. The County shall ensure the services of a Materials Recovery Facility (MRF) in order to process recovered materials for recycling. Any revenue generated from the sale of recovered materials shall be deposited into the Solid Waste Fund.

**Sec. 12-47. Reporting.**

The County shall account for and report recycling activity in a form and manner consistent with State and Federal law.

**Sec. 12-48. Reserved for Future Use.**

**Sec. 12-49. Reserved for Future Use.**

## **ARTICLE VI. TRANSPORTATION AND DISPOSAL OF SOLID WASTE**

### **Sec. 12-50. In General.**

The transportation and disposal of solid waste shall be conducted by authorized personnel and in accordance with all applicable State and Federal Laws.

### **Sec. 12-51. Transportation of Solid Waste.**

- (a) It shall be unlawful for any person to haul, convey or cause to be conveyed any refuse upon or along the public streets and roadways except when the material transported is adequately secured in such a manner as to prevent it from falling, leaking, or being blown from transporting vehicles. The owner or driver of the offending vehicle shall be personally responsible for any violation of this section.
- (b) It shall be a violation of this article for any person not authorized by the County to collect and haul any refuse other than that arising from his or her own accumulation within any area of the County in which solid waste collection service is provided by the County.

### **Sec. 12-52. Use of County operated solid waste management facilities.**

Only County residents or specifically authorized agents of the County (*i.e.* – Curbside Collection Contractors) are authorized to use County operated solid waste management facilities, including landfills, as determined by the Director of Public Works. Such solid waste management facilities shall, under non-emergent conditions, only accept solid waste that is generated within the County. Fees may be charged in a consistent, uniform, and equitable manner.

### **Sec. 12-53. Garbage.**

Garbage shall only be disposed of in an appropriate Class Three Landfill permitted by the South Carolina Department of Health and Environmental Control (SCDHEC).

### **Sec. 12-54. Construction & Demolition (C&D) Debris.**

C&D Debris shall only be disposed of in an appropriate Class Two Landfill permitted by the South Carolina Department of Health and Environmental Control (SCDHEC).

### **Sec. 12-55. Other Common Waste Types.**

Other commonly generated waste types, such as Electronic Waste (e-waste), Tires, Mattresses, or “Household Quantities” of Hazardous Waste shall be accepted and disposed of (or recycled) by the County in appropriate manners at permitted facilities.

**Sec. 12-56. Reserved for Future Use.**

**Sec. 12-57. Reserved for Future Use.**

## **ARTICLE VIII. ENFORCEMENT**

**Sec. 12-58. In General.**

The Director of Public Works shall maintain a Refuse Control Section composed of duly appointed Codes Enforcement Officers who shall enforce the provisions of this Chapter.

**Sec. 12-59. Littering.**

It shall be unlawful for any person to discharge litter, in any quantity, from their person, vehicle, property, or any other conveyance.

**Sec. 12-60. Illegal Dumping.**

- (a) It shall be unlawful for any person to dump, allow another person to dump, or cause to be dumped any garbage, debris, household trash, litter, junk, appliances, equipment, cans, bottles, paper, trees, tree limbs, tree stumps, brush or parts thereof, or any other solid waste, anywhere in the unincorporated area of the county, except at an SCDHEC approved landfill. Failure of the owner to sufficiently limit access to the property where dumping is occurring shall be considered to be allowing another person to dump, thus would be unlawful.
- (b) The above provisions shall not apply to the dumping on private property, with the owner's written permission of sand, dirt, and stone for use as a fill to raise the elevation of land; provided, the same is not maintained in an unsightly condition and, further provided, the owner of the property on which such material is dumped agrees to level such dumped material with appropriate grading equipment to ensure compliance with best management practices for stormwater management.

**Sec. 12-61. Covering vehicle loads.**

It shall be unlawful for vehicles of any kind, transporting solid waste in any quantity, to fail in ensuring that said waste is contained therein by maintaining an adequate cover and containment throughout transit.

**Sec. 12-62. Debris on Lots.**

- (a) Declaration of nuisance. Debris allowed to accumulate and remain on any lot or parcel of land in a developed residential area within the county may be deemed and declared a nuisance in the judgement of the County Director of Public Works. 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.
- (b) Duty of owner, etc, to remove. 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 within the county to remove such debris as often as may be necessary to prevent the accumulation of such debris.

- (c) Notice to owner, etc, to remove. Whenever the Director of Public Works shall find that debris has been allowed to accumulate and remain upon any lot or parcel of land in a developed residential area within the county in such a manner as to constitute a nuisance, 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.
- (d) 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 debris to be removed from any such premises within ten (10) 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 this chapter.
- (e) Removal by County. In the event any property is determined to be a nuisance, and twenty (20) 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 or its duly authorized agent or representative may enter upon any such lands and abate such nuisance by removing the debris, and the cost of doing so may become a charge to the property owner, or may be recovered by the county through judgment proceedings initiated in a court of competent jurisdiction.

**Sec. 12-63. Scavenging.**

It shall be unlawful for any person to rummage through, take or gather items from County-owned or privately owned solid waste management facilities or any County-owned or privately owned solid waste management containers, including, but not limited to, bags, roll carts for garbage or recycling, bins, roll-off containers, or dumpsters.

**Sec. 12-64. Evictions.**

The placement of household goods and contents from a lawful eviction process, may, if necessary, be addressed in the same manner of the provision of Debris on a Lot (Sec. 12-62. above). Debris resulting from the lawful eviction process is assumed to be a mixed pile and therefore ineligible for collection under the Residential / Small Business Curbside Collection Program.

**Sec. 12-65. Collected Solid Waste is County Property.**

Once picked up for collection from the Residential / Business Curbside Collection Program, or disposed of in any County Solid Waste Management Facility, all Solid Waste is County Property whose disposition is the responsibility of the County.

**Sec. 12-66. Penalties.**

- (a) If any of the matter or material dumped in violation of this Chapter can be identified as having last belonged to, been in the possession of, sent to, or received by, or to have been the property of any person, firm, or corporation prior to its being dumped as prohibited herein, such identification shall be presumed to be *prima facie* evidence that such owner dumped or caused to be dumped such matter or material in violation of this Chapter.
- (b) Appointed Refuse Control Officers shall have the authority to enforce all the provisions of this chapter and shall issue summons to violators of any provision to appear in the Magistrate's Court of the County to answer to the charge of violation of the appropriate section of this chapter.
- (c) Any person who violates the provisions of this Chapter shall be deemed guilty of a



misdeemeanor and, upon conviction, shall be imprisoned for not more than thirty (30) days or fined not more than one thousand, ninety-two and 50/100 (\$1,092.50) dollars, or both. Each day's continuing violation shall constitute a separate and distinct offense, unless otherwise specified.

**Sec. 12-67. Miscellaneous Enforcement Provisions.**

- (a) If a non-compliant solid waste pile or roll cart, placed at curbside as part of the Residential / Small Business Curbside Collection Program, is not, in whole, brought into compliance for collection within a 15-day period following notification of non-compliance by the County, it shall be deemed to be an Illegal Pile and considered Illegal Dumping.
- (b) Preparation and storage of residential and/or small business solid waste for collection. It shall be the duty of the occupant or owner of any residential premises, or the owner or operator of any small business, to store all garbage properly, pending collection and disposal. Residential excess garbage beyond that which can be placed in the roll cart shall be neatly placed in sealed plastic bags alongside carts on designated collection days.
- (c) All garbage receptacles except single-use paper or plastic bags and cardboard boxes shall be kept clean and free of accumulated waste and shall be treated with an effective insecticide, if necessary, to prevent nuisance.
- (d) Proof of means used for disposal of solid wastes by businesses and commercial enterprises shall be presented to the Refuse Control Officers when requested by said Officer.
- (e) Each property owner shall prevent the continued, excessive and unsightly accumulation of refuse upon the property occupied by him (or her) or on a public thoroughfare adjoining his or her property.
- (f) It shall be a violation of this article to place or cause to be placed in any dumpster, solid waste receptacle, or bulk container for collection any acid, explosive material, flammable liquids or dangerous or corrosive material of any kind, or any other hazardous waste.
- (g) No person other than the owner thereof, his or her agents or employees, or employees of contractors of the county for the collection of solid waste shall tamper or meddle with any garbage container or the contents thereof, or remove the contents of the container from the location where the same shall have been placed by the owner thereof or his agents.
- (h) Property owners shall be prohibited from receiving for deposit in their refuse containers any type refuse that originates outside their designated collection area.
- (i) Property owners shall be responsible for policing any strewn refuse resulting from broken bags, garbage not properly prepared for collection or from any other cause other than contractor mishandling.
- (j) It shall be unlawful for a Resident / Small Business Owner to repeatedly leave Roll Carts at curbside in residential areas beyond the prescribed daily period for collection.

**ARTICLE IX. CONSTRUCTION, MODIFICATION, EXPANSION, AND/OR  
OPERATION OF SOLID WASTE MANAGEMENT FACILITIES, BENEFICIAL  
LANDFILLS, AND COMPOSTING FACILITIES**

**Sec. 12-68. In General.**

All solid waste management facilities, beneficial landfills, and composting facilities shall adhere to all Federal and State rules and regulations, and all local zoning land use and other applicable local ordinances.

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 \_\_\_\_\_.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Overture Walker, Chair

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

OF \_\_\_\_\_, 2022

\_\_\_\_\_  
Anette Kirylo  
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  
ADMINISTRATION**

2020 Hampton Street, Suite 4069  
Columbia, SC 29204  
803-576-2050



**Agenda Briefing**

<b>Prepared by:</b>	Michael Maloney, PE	<b>Title:</b>	Interim Director
<b>Department:</b>	Transportation	<b>Division:</b>	
<b>Date Prepared:</b>	November 24, 2021	<b>Meeting Date:</b>	December 16, 2021
<b>Legal Review</b>	Patrick Wright via email	<b>Date:</b>	December 01, 2021
<b>Budget/Finance Review</b>	Stacey Hamm via email	<b>Date:</b>	December 02, 2021
<b>Approved for consideration:</b>	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCCEM	
<b>Committee</b>	Transportation Ad Hoc		
<b>Subject:</b>	Atlas Rd. CE&I and Materials Testing		

**STAFF'S RECOMMENDED ACTION:**

Staff requests Council to approve the award of the Construction, Engineering & Inspection and the Materials Testing Work Authorization to F&ME for the Atlas Rd. Widening Project in the amount of \$1,179,994.00. Staff also requests Council approve a 15% contingency in the amount of \$176,999.10 for a total amount of \$1,356,993.10.

Request for Council Reconsideration:  Yes

**FIDUCIARY:**

Are funds allocated in the department's current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

This will come from the \$6,955,438.65 currently available in the FY22 budget. (JL 13320001)

**COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:**

None.

**REGULATORY COMPLIANCE:**

None applicable.

**MOTION OF ORIGIN:**

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

#### **STRATEGIC & GENERATIVE DISCUSSION:**

The Atlas Rd. Widening project is anticipated to take 3 years to complete construction. This project is in the final permitting stage, and construction advertisement is expected to take place in January 2022.

Due to the size and complexity of this project, it will require full-time inspection every day that construction is taking place. On average, during the majority of the project a minimum of 2 inspectors will be required daily, and during some of the heavier construction periods the project will require 3 inspectors.

This project will also require materials sampling and testing in accordance with SCDOT specifications. This will require field density testing, asphalt plant sampling, and concrete sampling\testing.

The fee included in attachment 1 covers both the CE&I services and the materials sampling\testing required for this project.

#### **ADDITIONAL COMMENTS FOR CONSIDERATION:**

F&ME is currently on both Transportation's approved on-call CE&I and on-call Materials Testing lists.

#### **ATTACHMENTS:**

1. F&ME Fee Proposal

September 15, 2021

Ms. Allison Steele  
Assistant Director  
Richland County Transportation Department  
2009 Hampton Street  
Columbia, SC 29204

Re: Proposal for Construction Engineering and Inspection Services, Sampling and Testing  
Atlas Road Widening  
Atlas Road  
Richland County, South Carolina  
FME Proposal No.: C2021037 R2

Dear Ms. Steele:

FME Consultants, Inc. (FME) is pleased to provide this proposal for construction engineering and inspection (CE&I) services and sampling and testing during the construction phase of the Atlas Road Widening Project in Richland County, South Carolina. We have provided a project description, scope of services, and fee for FME's proposed services.

Sincerely,  
**FME**



Jeffrey D. Kinard, PE  
Senior Project Engineer



Madison P. DeVine, PE  
Special Inspections Manager

Acceptance of this proposal can be acknowledged by the client signing and returning a copy of this document.

\_\_\_\_\_  
Authorized Representative

\_\_\_\_\_  
Date



## PROJECT INFORMATION

FME understands that this project consists of the widening of Atlas Road and associated intersections improvements from approximately one thousand feet southwest of the intersection of Atlas Road and Shop Road to the intersection of Atlas Road and Garners Ferry Road. The project consists of widening Atlas Road from the existing two lanes to four travel lanes with a median, bicycle paths, and sidewalks. Also included in the project is the extension of two major drainage culverts as well the relocation of associated utilities and storm drainage.

FME understands that a Project Manager will be provided by Richland County. FME will support this project with multiple Senior Inspectors, Mid-Level Inspectors, a Survey Crew, an Administrative Assistant, and an Assistant Project Manager. FME also understands the manpower needed on this project will fluctuate as the project progresses. FME will also be providing material sampling and laboratory testing and asphalt plant inspection on this project.

FME was provided with a set of construction plans prepared by Cox and Dinkins, Inc. dated May 19, 2021. A construction schedule was not provided at the time of this proposal; Richland County developed an estimated construction schedule, and this schedule was used as a baseline for the assumptions used in the estimate.

## SCOPE OF WORK

FME's services will be provided on a full-time basis with the number of inspectors dependent upon the magnitude of work. FME proposes the following scope of work:

### Construction Engineering and Inspection and Material Sampling and Testing

#### CEI Group Manager

- Coordination with Richland County on schedule
- Administer Contract with Richland County.
- Review and process F&ME's invoice to Richland County

#### Assistant Project Manager Duties

- Coordination with Richland County, Contractor and FME staff on Inspection for project.
- Coordination with Richland County, Contractor and FME staff on sampling and testing for the project.
- Coordination with Richland County, Contractor and FME staff on asphalt plant inspection for the project.
- Coordination with Richland County on issues with construction.
- Track and record daily pay quantities for monthly Construction pay application verification.
- Verify and make a recommendation to Richland County on monthly contractor pay quantities.
- Proof Daily Work Reports from inspection staff.
- Collect required paperwork such as material tickets, required construction forms from staff.
- Proof required paperwork from inspection staff.
- Attend project meetings as requested.
- Proof sampling and testing reports.

- Proof plant inspection reports and test results
- Coordination with administrative assistant for transmittal of required reports and forms.

#### **Administrative Assistant Duties**

- Collection of files from inspection staff including Daily Work Reports, Project Construction Forms (traffic control and erosion control inspection reports, daily tonnage verification reports, asphalt roadway reports, 700 forms, concrete tickets, asphalt tickets, proof roll verifications reports, etc.).
- Collection of material sampling and testing reports
- Collection of asphalt plant inspection reports
- Organization and transmittal of all reports to Richland County.
- Proof and transmit weekly timesheets to Richland County.

#### **Inspector Duties**

- Perform inspection in accordance with SCDOT specifications for contractor pay items
- Complete daily work report to record job progress, conditions, and to record daily pay items
- Complete required construction forms including but not limited to the following:
  - Proof Roll Verification Reports
  - Compaction by Nuclear Gage Reports
  - Pipe Compaction Installation Reports
  - Depth Check Records
  - Density Test Reports for Base
  - HMA Daily Tonnage Verification Reports
  - HMA Asphalt Roadway Reports
  - Concrete Pre-pour Checklist
  - Structural Concrete 700 forms
  - Traffic Control Inspection Reports (weekly and monthly nighttime)
  - Erosion Control Inspection Reports (weekly)
  - Rain Log
  - Seeding Inspection Forms
  - Sediment and Grading Stabilization Log
- Obtain and deliver required sample for testing.
- Log collected samples for testing.
- SCDOT Level III certified asphalt inspector will perform asphalt plant testing and sampling as required by SCDOT specifications.
- Asphalt plant inspector will provide proper documentation of tests performed and samples collected.

#### **Survey Crew**

- Survey verification of required items as requested by the Richland County Project Manager.

## FEE

The actual cost of our services is dependent on the construction schedule, final material quantities for the project, and the quality of construction (workmanship) of the contractor/subcontractor(s). We propose to provide our services on a unit cost basis according to the **unit rates** included with this proposal. FME recommends a **budget of \$1,179,994.00** that is based upon the below assumptions. A breakdown is provided in Exhibit B. Invoices will be submitted monthly.

## LIMITATIONS AND ASSUMPTIONS

- a) FME assumes project duration is 3 years/36 months (18 months of inspection and material sampling and testing) with a work schedule of Monday through Friday at 8 hours per day/40 hours per week as needed for inspections per inspector.
- b) Project duration is based on a preliminary schedule provided by Richland County of 18 months of utility relocation (no inspection) and 18 months of construction.
- c) The FME budget was developed utilizing the previously approved Richland County Penny Transportation rates. These unit rates are attached in Exhibit A.
- d) A representative of Richland County will be responsible for scheduling FME staff with the assistant project manager with at least 48-hour notice.
- e) FME staff will be responsible for following FME and SCDOT safety policies. Site safety will be the responsibility of the contractor.
- f) Materials Sampling and Testing is included in this proposal.
- g) Laboratory Testing is included in this proposal.
- h) Material sampling and testing included in this proposal is limited to the quantities shown on the estimate sheet below. FME will not exceed these estimated quantities without written consent from Richland County.
- i) Utility coordination is excluded from this proposal.
- j) Final submission of Daily Work Reports and other SCDOT Forms will be the responsibility of the Richland County Project Manager and is excluded from this proposal.
- k) Reviewing or evaluating Change Orders from the contractor is excluded from this proposal.
- l) Reviewing or evaluating the Construction Schedule is excluded from this proposal.
- m) Evaluating plan reviews and value engineering submittals is excluded from this proposal.
- n) Coordination with railroad owner is excluded from this proposal. (Ex: CSX or Norfolk Southern).
- o) Inspection of work within the Railroad ROW, with exception of permitted work related to this contract, is excluded from this proposal.
- p) Retention of project files will be the responsibility of Richland County.



# EXHIBIT A

# F&ME Consultants, Inc

Date: 11/1/2019

## UNIT RATE SHEET

Classification			Pay Unit		Consult. Unit Rates
Senior Principal			\$ per hour		\$250.00
Project Principal			\$ per hour		\$225.00
Senior Geotechnical Engineer			\$ per hour		\$175.00
Geotechnical Engineer			\$ per hour		\$150.00
Junior Geotechnical Professional			\$ per hour		\$95.00
Project Geologist			\$ per hour		\$90.00
Engineering Technician			\$ per hour		\$85.00
Senior Environmental Specialist			\$ per hour		\$125.00
Environmental Specialist			\$ per hour		\$85.00
CEI Group Manager			\$ per hour		\$200.00
CEI Project Manager			\$ per hour		\$195.00
CEI Assistant Project Manager			\$ per hour		\$185.00
Sr. Inspector			\$ per hour		\$110.00
Mid-Level Inspector			\$ per hour		\$85.00
Jr. Inspector			\$ per hour		\$75.00
Plant Inspector			\$ per hour		\$105.00
Graphics Designer			\$ per hour		\$72.00
Administrative Assistant			\$ per hour		\$65.00

# EXHIBIT B

**F&M Consultants**  
**Materials Field Sampling and Testing**  
**Atlas Road Widening**  
**Project Summary**  
**Thursday, September 16, 2021**  
Prepared by: JDK



**Project Summary**

**Summary of Estimated Cost From Task Detail**

F&M Office Total	\$312,780.00
F&M FIELD TOTAL	\$528,840.00
Materials Field Sampling and Laboratory Testing	\$280,084.00
Survey Verification	\$38,400.00
CEPSCI Inspection	\$19,890.00
CPM Schedule Review	\$0.00
PDA Testing	\$0.00
<b>Project Total</b>	<b>\$1,179,994.00</b>

**Classification**

	Hourly Rate
Senior Principle Engineer	\$250.00
Project Principle	\$225.00
Senior Geotechnical Engineer	\$175.00
Geotechnical Engineer	\$150.00
Junior Geotechnical Professional	\$95.00
Project Geologist	\$90.00
Engineering Technician	\$85.00
Senior Environmental Specialist	\$125.00
Environmental Specialist	\$85.00
CEI Group Manager	\$200.00
CEI Project Manager	\$195.00
CEI Assistant Project Manager	\$185.00
Senior Inspector	\$110.00
Mid-Level Inspector	\$85.00
Junior Level Inspector	\$75.00
Asphalt Plant Inspector	\$105.00
Graphics Designer	\$72.00
Administrative Asssistant	\$65.00

**Unit Rates**

	Units	Rate	
<b>Testing</b>			
Soil Classification	each	\$199.50	
Loss of Ignition	each	\$105.00	
Bulk Unit Weight	each	\$100.00	
Specific Gravity	each	\$65.00	
Grain Size Distribution w/o Hyd.	each	\$65.00	
Grain Size Distribution w/ Hyd.	each	\$180.00	
Grain Size Distribution w/ wash 200 Sieve	each	\$105.00	
Atterburg Limits	each	\$82.00	
Moisture Contents	each	\$12.50	
Triaxial - CU w/ pore pressure measurements	each	\$1,000.00	
Direct Shear	each	\$910.00	
Standard Proctor Test	each	\$105.00	
Modified Proctor	each	\$155.00	
CBR Test @ 90%, 95%, 100%	each	\$550.00	
Unconfined Rock Compressive Strength	each	\$385.00	
Unconfined Compressive Strength of Soils	each	\$110.00	
Cement Testing	each	\$1,250.00	
Flyash Testing	each	\$1,200.00	
4" Concrete Compression Strength Testing of Cylinders (SET OF 3)	each	\$75.00	
Rebar Testing up to #10	each	\$300.00	
Rebar testing Greater than #10	each	\$350.00	
Bituminous Mixture Extraction	each	\$150.00	
Organic Content	each	\$77.00	
Aggregate Sieve Analysis	each	\$95.00	
<b>PDA Testing</b>			
Dynamic Pile Analyzer	per day	\$600.00	
<b>Geophysical</b>			
Field Operation of Ground Penetrating Radar	hour	\$220.00	Includes equipment and tech, no data reductions or processing
<b>General</b>			
Survey Verification	per day	\$1,280.00	
Pavement Coring	each	\$170.00	

**F&ME Consultants**  
**Materials Field Sampling and Testing**  
**Atlas Road Widening**  
**Task Detail**  
**Thursday, September 16, 2021**



Prepared by: JDK

**Project Duration** 1.50 years

Task	Item	Quantity	Units	Rate	Total	Comments	
1	<b>Main Office Support</b>						
		Project Principle	0	hours	\$225.00	\$0.00	
	F&ME	CEI Group Manager	156	hours	\$200.00	\$31,200.00	Coordination with Richland County, invoice review, attend meetings as required 2 hrs per week
		CEI Project Manager		hours	\$195.00	\$0.00	
	F&ME	CEI Assistant Project Manager	1,248	hours	\$185.00	\$230,880.00	Coordination for inspection, reviewing invoice, scheduling inspectors, tracking of monthly pay quantities, meetings, construction pay app review, proofing field reports, 16 hr per week
		Senior Geotechnical Engineer	0	hours	\$175.00	\$0.00	
	F&ME	Administrative Asssistant	780	hours	\$65.00	\$50,700.00	Field reports collection and organization and transmittal - 10 hours per week, added review for planmt inspection reports
		<b>Salary Total</b>				<b>\$312,780.00</b>	
		Travel		miles		\$0.00	
		Motel Expense		days		\$0.00	
	Per Diem		days		\$0.00		
	<b>Directs</b>				<b>\$0.00</b>		
	<b>Task Total</b>				<b>\$312,780.00</b>		
2	<b>Inspection</b>						
		<b>Roadway Inspection</b>					
	FME01	Senior Inspector	3,120	hours	\$110.00	\$343,200.00	40 hours per week for 18 months - Full time
	FME02	Junior Level Inspector	1,560	hours	\$75.00	\$117,000.00	40 hours per week for 12 months - Storm Drain, curb, misc
	FME03	Senior Inspector	624	hours	\$110.00	\$68,640.00	40 hours per week for 4 months - Asphalt
		<b>Salary Total</b>				<b>\$528,840.00</b>	
		Vehicle Charge	0	Days	\$38.07	\$0.00	Local Project in Richland County - Daily Rate Waved
		<b>Directs</b>				<b>\$0.00</b>	
		<b>Subtotal</b>				<b>\$528,840.00</b>	
		<b>Additional Inpection Support As Needed</b>					
		not used	0	hours	\$0.00	\$0.00	
		not used	0	hours	\$0.00	\$0.00	
		not used	0	hours	\$0.00	\$0.00	
		not used	0	hours	\$0.00	\$0.00	
		<b>Salary Total</b>				<b>\$0.00</b>	
	<b>Task Total</b>				<b>\$528,840.00</b>		
3	<b>Materials Field Sampling and Laboratory Testing</b>						
		CEI Assistant Project Manager	390	hours	\$185.00	\$72,150.00	Coordination for sampling and testing, reviewing invoice, scheduling staff, proofing field and test reports, added coordination for plant inspection
		Senior Inspector	468	hours	\$110.00	\$51,480.00	Inspection staff for sampling and testing
		Mid-Level Inspector	468	hours	\$85.00	\$39,780.00	Inspection staff for sampling and testing
		Geotechnical Engineer		hours	\$150.00	\$0.00	
		Administrative Asssistant	156	hours	\$65.00	\$10,140.00	Sampling and testing reports organization and transmittal to Richland County 2 hours per week
		<b>Direct Salary + OH + Fee</b>				<b>\$173,550.00</b>	
		<b>ASPHALT PLANT INSPECTION</b>					
		Asphalt Plant Inspector	360	hours	\$105.00	\$37,800.00	Assume 4 hours/day of production
		not used		hours	\$0.00	\$0.00	
		<b>Salary Total</b>				<b>\$37,800.00</b>	
		Pavement Coring		each	\$170.00	\$0.00	
		Vehicle Charge		Days	\$38.07	\$0.00	
		<b>Directs</b>				<b>\$0.00</b>	
		<b>LABORATORY TESTING</b>					
		Allowance for Laboratory Testing <b>Concrete Testing</b>	1	each	\$42,650.00	\$42,650.00	Laboratory testing
		Allowance for Laboratory Testing <b>Roadway</b>	1	each	\$26,084.00	\$26,084.00	Laboratory testing
		<b>Non-Salary</b>				<b>\$68,734.00</b>	
		<b>Task Total</b>				<b>\$280,084.00</b>	<b>Total for Materials Sampling and Testing</b>
	4	<b>Survey Verification CSS</b>	30	days	\$1,280.00	\$38,400.00	For survey verification of grades and alignments
CSS J. Joshi	<b>Task Total</b>				<b>\$38,400.00</b>	<b>Total for Survey Verification</b>	
5	<b>CEPSCI Inspection</b>						
	DESA	Mid-Level Inspector	234	hours	\$85.00	\$19,890.00	Erosion Control Inspection and report, 3 hours per week for 18 months
		Not Used	0	hours	\$0.00	\$0.00	
		<b>Direct Salary + OH + Fee</b>				<b>\$19,890.00</b>	
		Travel		miles	\$0.50	\$0.00	
		<b>Subtotal</b>				<b>\$0.00</b>	
	<b>Task Total</b>				<b>\$19,890.00</b>		



**Testing Cost Breakdown**

Description	Unit	Cost Each	Est. No. Req.	Subtotal	Comments
Soil Classification	each	\$199.50	92	\$18,354.00	Borrow Testing and onsite soils testing
Loss of Ignition	each	\$105.00		\$0.00	
Bulk Unit Weight	each	\$100.00		\$0.00	
Specific Gravity	each	\$65.00		\$0.00	
Grain Size Distribution w/o Hyd.	each	\$65.00		\$0.00	
Grain Size Distribution w/ Hyd.	each	\$180.00		\$0.00	
Grain Size Distribution w/ wash 200 Sieve	each	\$105.00	35	\$3,675.00	Concrete Materials Testing
Atterburg Limits	each	\$82.00		\$0.00	
Moisture Contents	each	\$12.50		\$0.00	
Triaxial - CU w/ pore pressure measurements	each	\$1,000.00		\$0.00	
Direct Shear	each	\$910.00		\$0.00	
Standard Proctor Test	each	\$105.00	4	\$420.00	Earthwork, Unclassified and Borrow Stone Base
Modified Proctor	each	\$155.00	2	\$310.00	
CBR Test @ 90%, 95%, 100%	each	\$550.00		\$0.00	
Unconfined Rock Compressive Strength	each	\$385.00		\$0.00	
Unconfined Compressive Strength of Soils	each	\$110.00		\$0.00	
Cement Testing	each	\$1,250.00	7	\$8,750.00	
Flyash Testing	each	\$1,200.00	7	\$8,400.00	
4" Concrete Compression Strength Testing of Cylinders (SET OF 3)	each	\$75.00	236	\$17,700.00	
Rebar Testing up to #10	each	\$300.00	26	\$7,800.00	
Rebar testing Greater than #10	each	\$350.00		\$0.00	
Bituminous Mixture Extraction	each	\$150.00		\$0.00	
Organic Content	each	\$77.00		\$0.00	
Aggregate Sieve Analysis	each	\$95.00	35	\$3,325.00	Stone Base and Concrete Materials
<b>Geophysical</b>					
Field Operation of Ground Penetrating Radar	hour	\$220.00		\$0.00	
<b>Total</b>				<b>\$68,734.00</b>	



## **REQUEST OF ACTION**

**Subject:** FY22 - District 7 Hospitality Tax Allocations

### **A. Purpose**

County Council is being requested to approve a total allocation of **\$10,000** for District 7.

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

For the 2021 - 2022 Fiscal Year, County Council approved designating the Hospitality Discretionary account funding totaling \$82,425.00 for each district Council member. The details of these motions are listed below:

**Motion List (3<sup>rd</sup> reading) for FY17:** Hospitality Tax discretionary account guidelines are as follows: (a) Establish a H-Tax discretionary account for each Council District; (b) Fund the account at the amount of \$164,850.00; (c) Council members will recommend Agencies to be funded by their allocation. Agencies and projects must meet all of the requirements in order to be eligible to receive H-Tax funds; (d) All Council recommendation for appropriations of allocations to Agencies after the beginning of the fiscal year will still be required to be taken back to Council for approval by the full Council prior to the commitment of funding. This would only require one vote.

**Motion List (3<sup>rd</sup> reading) for FY22, Special Called Meeting – June 10, 2021:** Establish Hospitality Tax discretionary accounts for each district in FY22 at the amount of \$82,425. Move that all unallocated district specific H-Tax funding for FY20-21 be carried over and added to any additional funding for FY21-22.

Pursuant to Budget Memorandum 2017-1 and the third reading of the budget for FY22 each district Council member was approved \$82,425.00 to allocate funds to Hospitality Tax eligible organizations of their own discretion. As it relates to this request, District 7 H-Tax discretionary account breakdown and its potential impact is listed below:

Initial Hospitality Account Funding	\$ 82,425
FY2021 Remaining	\$114,975
FY2022 Allocations	\$ 84,425
	Annual Black History Parade and Festival 2022 \$ 5,000
	An Evening of Philanthropy \$5000 (March 11-13, 2022)
<b>Total Allocation</b>	<b>\$ 10,000</b>
<b>Remaining Balance</b>	<b>\$92,900</b>

**C. Legislative / Chronological History**

- 3<sup>rd</sup> Reading of the Budget – June 8, 2017
- Regular Session - May 15, 2018
- 3<sup>rd</sup> Reading of Budget FY19 June 21 ,2018
- 3<sup>rd</sup> Reading of the Budget FY20 June 10, 2019
- 3<sup>rd</sup> Reading of the Budget FY21 June 11, 2020

**D. Alternatives**

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

**E. Final Recommendation**

Staff does not have a recommendation regarding this as it is a financial policy decision of County Council. The funding is available to cover the request. Staff will proceed as directed.





**Agenda Briefing**

<b>Prepared by:</b>	Karen Pendleton	<b>Title:</b>	Grants Manager
<b>Department:</b>	Fifth Judicial Circuit Solicitor's Office	<b>Division:</b>	Click or tap here to enter text.
<b>Date Prepared:</b>	February 2, 2022	<b>Meeting Date:</b>	February 15, 2022
<b>Legal Review</b>	Patrick Wright via email	<b>Date:</b>	February 3, 2022
<b>Budget Review</b>	Abhijit Deshpande via email	<b>Date:</b>	February 3, 2022
<b>Finance Review</b>	Stacey Hamm via email	<b>Date:</b>	February 4, 2022
<b>Approved for consideration:</b>	Assistant County Administrator	Leonardo Brown, MBA, CPM	
<b>Committee</b>	Choose an item.		
<b>Subject:</b>	Veteran's Treatment Court Match		

**RECOMMENDED/REQUESTED ACTION:**

We are requesting approval for an increase in the amount of funding match for a grant that was awarded for the 2021-2022 grant year.

Request for Council Reconsideration:  Yes

**FIDUCIARY:**

Are funds allocated in the department's current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If no, is a budget amendment necessary?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

The budget and object codes will be assigned once the grant is accepted. The budget amendment is needed because the grant award is larger than expected and thus an increase in match is required.

**COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:**

None.

**REGULATORY COMPLIANCE:**

Not applicable.

**MOTION OF ORIGIN:**

There is no associated Council motion of origin.

<b>Council Member</b>	Click or tap here to enter text.
<b>Meeting</b>	Click or tap here to enter text.
<b>Date</b>	Click or tap here to enter text.

#### **STRATEGIC & GENERATIVE DISCUSSION:**

We applied for and received a grant award the Adult Drug Court and Veterans Treatment Court Discretionary Grant from the Bureau of Justice Assistance/US Department of Justice for the grant year 2021-2022. Council previously approved the Adult Drug Court and Veterans Treatment Court Discretionary Grant in the Recommended Budget Book for FY22-23 accepting funds in the amount of \$64,200.00 with county match of \$21,400.00. We were expecting this award amount. The grantor, the Department of Justice, increased our grant award to \$156,250.00 in funds with a required match of \$41,663.00. This grant is now covering 2 year's expenses vs the one that were expecting. We therefore are asking County Council to approve accepting the funds and increased match from the original amount of \$21,400 to \$41,663. If the increase in match is not approved, we will be unable to accept the award. No ordinance amendment is required.

#### **ADDITIONAL COMMENTS FOR CONSIDERATION:**

Not applicable.

#### **ATTACHMENTS:**

1. Copy of the minutes from the June 10, 2021 meeting approving the 2022 budget
2. Correspondence from Solicitor Byron E Gipson



**Richland County Council**  
FY2022 Recommended Budget  
THIRD READING FY22 BUDGET  
June 10, 2021 – 6:00PM  
Zoom Meeting

- 1. **CALL TO ORDER** The Honorable Paul Livingston
- 2. **ADOPTION OF AGENDA** The Honorable Paul Livingston
- 3. **An Ordinance to raise revenue, make appropriations, and adopt an Annual Budget (FY2022) for Richland County, South Carolina for Fiscal Year beginning July 1, 2021 and ending June 30, 2022”. So as to raise revenue, make appropriations and Adopt the General Fund, Millage Agencies, Special Revenue Funds, Enterprise Funds, and Debt Service Funds Budget for Richland County, South Carolina for Fiscal Year Beginning July 1, 2021 and ending June 30, 2022.** Director James Hayes
- 4. **Millage Agencies** Director James Hayes
- 5. **Grants - Grant Recommendations & County Grants** Director James Hayes
- 6. **General Funds** Director James Hayes
- 7. **Special Revenue Funds** Director James Hayes
- 8. **Debt Service Funds** Director James Hayes
- 9. **Enterprise Funds** Director James Hayes
- 10. **ADJOURNMENT** The Honorable Paul Livingston



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) 576-2068, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.

### 3rd READING BUDGET MOTIONS LIST FY22

Item	Sponsor	Page	Fund	Department Impacted	Item/Action	Notes	FY22 Second Reading Amt.	FY22 Second Reading Action	FY22 Third Reading Amount
<b>MILLAGE AGENCIES</b>									
1		176	Millage Agency	Richland Cnty Recreation Comm		County Auditor Adjusted No Mill increase \$15,950,000	16,129,600	\$ 15,900,000	\$ 15,900,000
1A	Barron	176	Millage agency	Richland Cnty Recreation Comm	Additional amount to cover Capital Project at Tennis Facility	Amount exceeds Cap Millage; other funding mechanisms could possibly be considered	325,000	Tabled	325,000
2		176	Millage Agency	Columbia Area Mental Health		County Auditor Adjusted No Mill increase \$2,562,500	2,462,500	2,462,500	2,462,500
3		176	Millage Agency	Public Library		County Auditor Adjusted No Mill increase \$30,100,000	30,700,000	30,700,000	30,700,000
4		176	Millage Agency	Riverbanks Zoo		County Auditor Adjusted No Mill increase \$2,825,000	2,625,000	2,625,000	2,625,000
5		176	Millage Agency	Midlands Technical College		County Auditor Adjusted No Mill increase \$7,393,600	6,993,600	6,993,600	6,993,600
6		176	Millage Agency	Midlands Tech Capital/Debt Service		County Auditor Adjusted No Mill increase \$3,670,000	3,630,000	3,630,000	3,630,000
7		176	Millage Agency	School District One			238,771,833	\$ 236,593,833	\$ 236,593,833
8		176	Millage Agency	School District Two		County Auditor Adjusted No Mill increase \$168,105,055	167,105,055	167,105,055	167,105,055
<b>GRANTS</b>									
9	Administration	92-93	Special Revenue Fund	Accommodations Tax Grants	Approval of A-tax Committee Recommendations		\$ 100,000	\$ 100,000	\$ 100,000
9A	Livingston		Special Revenue Fund	Accommodations Tax Grants	Motion to Fund Columbia Metropolitan Convention Center and Vistors Bureau		\$ 92,000	Tabled	
10		96	Special Revenue Fund	Hospitality Tax	Approval of the funding level for the Ordinance Agencies	Columbia Museum of Art, Historic Columbia, Edventure, Township(Admin has no recommendation)	\$ 1,921,186	\$ 1,921,186	\$ 1,921,186
10A	Livingston	96	Special Revenue Fund	Hospitality Tax	Motion to Fund Ordinance Agencies at the FY21 Level		\$ 1,921,186	\$ 1,921,186	\$ 1,921,186
11	Administration	98-104	Special Revenue Fund	Hospitality Tax	Approval of H-tax Committee Recommendations	This is the total value of all committee recommendations	\$ 500,000	\$ 500,000	\$ 500,000
11A	Administration		Special Revenue Fund	Hospitality Tax	Move to award funding of Fiscal Year 2021 Accommodation Tax Awardees at the minimum of their FY '21 funding level for Fiscal Year 2022, using \$100,000 of available Accommodation Tax funding and using Hospitality Tax fund balance totaling \$225,000	This recommendation will allow the approved groups to receive funding consistent with current year levels, while allowing Richland County to balance the Accommodation Tax fund.	\$225,000		\$225,000
12		96	Special Revenue Fund	Hospitality Tax	Approval of recommended funding level for Special Promotions Agencies at FY21	Columbia Metropolitan Convention Center and Visitor's Bureau (\$104,091) & Columbia International Festival \$151K(Admin has no recommendations)	\$ 255,091	\$ 255,091	\$ 255,091
12A	Livingston	96	Special Revenue Fund	Hospitality Tax	Motion to Fund Columbia Metropolitan Convention Center and Columbia International Festival	Columbia Metropolitan Convention Center and Visitors Center and Columbia International Festival	\$ 351,000	Tabled	
13		96	Special Revenue Fund	Hospitality Tax	Approval of SERCO (Tier 3) funding level	Admin has no recommendations	\$ 67,895	\$ 67,895	\$ 67,895
14		97	Special Revenue Fund	Hospitality Tax	Approval of Gateway Pocket Park/Blight Removal Project	Admin has no recommendations	\$ 250,000	\$ 250,000	\$ 250,000
15		97	Special Revenue Fund	Hospitality Tax	Approval of Historical Corridor funding level	Admin has no recommendations	\$ 372,715	\$ 372,715	\$ 372,715
16		97	Special Revenue Fund	Hospitality Tax	Approval of Famously Hot New Year (Tier 3) funding level	Admin has no recommendations	\$ 75,000	\$ 75,000	\$ 75,000
16A	Livingston	97	Special Revenue Fund	Hospitality Tax	Motion to Fund Famously Hot New Years		\$ 75,000	\$ 75,000	\$ 75,000
17		97	Special Revenue Fund	Hospitality Tax	Approval of Councilmember H-tax allocations funding level	Admin has no recommendations/Reduced by 50% in FY21; we will need clarification of Council's desire to rollover any unexpended Council allocations	\$ 906,675	\$ 906,675	\$ 906,675
18	Administration	97	Special Revenue Fund	Hospitality Tax	Approval of Reserve for Future Years/Contingency funding level		\$ 150,000	\$ 150,000	\$ 150,000
19	Administration	97	Special Revenue Fund	Hospitality Tax	Approval of Transfers Out funding level/Cost Allocation	Htax Debt Service and Support of the General Fund	\$ 4,487,750	\$ 4,487,750	\$ 4,487,750
20		97	Special Revenue Fund	Hospitality Tax	RC Volley ball Complex	Admin has no recommendation; new group seeking Council funding	\$ 3,950,000	motion passed to send to committie for vetting.	motion passed to send to committie for vetting.
21		97	Special Revenue Fund	Hospitality Tax	SC Kings Foundation Nexx Level Sports Center	Admin has no recommendation; new group seeking Council funding	\$ 9,500,000	motion passed to send to committie for vetting.	motion passed to send to committie for vetting.
22	Barron		Special Revenue Fund	Hospitality Tax	I would like to make a motion we fund the Big Red Barn out of Htax Funding				
23	Barron		Special Revenue Fund	Hospitality Tax	I would like to make a motion that any non profit that cannot be funded out of Htax funding I n the FY2022 Budget and Council chooses to fund be considered to be funded with relief funds				
24	Administration	105-106	Special Revenue Fund	Richland County Conservation Commission	RCCC Community Conservation Grants and Historic Preservation Grants	Part of the Overall Conservation Commission Budget	\$ 250,000	\$ 250,000	\$ 250,000

Item	Sponsor	Page	Fund	Department Impacted	Item/Action	Notes	FY22 Second Reading Amt.	FY22 Second Reading Action	FY22 Third Reading Amount
24A	Administration	106	Special Revenue Fund	Richland County Conservation Commission	Rollover of Conservation Grant	Part of the Overall Conservation Commission Budget	\$ 6,500	\$ 6,500	\$ 6,500
25	Administration	108-111	Special Revenue Fund	Richland County Neighborhood Redevelopment	Neighborhood Improvement matching grants Committee	Part of the Overall Neighborhood Redevelopment Budget	\$ 37,388	\$ 37,388	\$ 37,388
26	Administration	112-118	Special Revenue	Grants	Approve grants departments are applying for FY22	* Departments requesting approval of \$330,889 in matching funds for grants requiring cash match. * Departments requesting approval of grants departments are applying for totalling incoming potential revenue of \$28,212,127 including associated matching needed	\$28,212,127	\$28,212,128	\$28,212,128
<b>GENERAL FUND</b>									
27	Administration	5	General Fund	County Departments	Approve as presented in Budget Work Sessions	Admin Base amount; will increase per Council Motions	\$179,413,664	\$179,413,664	\$179,413,664
27A	Administration	5	General Fund	Transfer Out	Approve as presented in Budget Work Sessions	General Fund support of other Funds; Will increase per other Motions	\$8,517,112	\$8,517,112	\$8,517,112
27B	Administration		General Fund	Transfers Out	Motion to appropriate \$925,000 to be added to the vehicle replacement fund to enable the execution of a vehicle lease program in FY2022. These funds would be sourced from the additional State appropriation to the local government fund. Additional funding for this project will be from the vehicle replacement fund FY2022 appropriation and funds that exist in the vehicle replacement fund.	Any additional funds from the additional local government funds will be used to reduce the overall budget impact on the general fund fund balance. Will increase Item 27A			\$925,000
27C	Terracio		General Fund	Soil and Water Conservation District	Move to restore \$154,217 to the salaries and benefits line items associated with providing staff support for the RCSWCD staffing; with the expectation that any increases not explicitly approved by Council must be funded from another funding source provided by the RCSWCD.	These recommendations will allow RCCC and RCSWCD to function independent of one another, as requested. Will increase Item 27			\$154,217
28	Administration	86-88	General Fund	Discretionary Grant	Approve total of \$200,000 in discretionary grant committee recommendations		\$200,000	\$200,000	\$200,000
29	Administration	90	General Fund	Contractual & Statutory Grant – Central Midlands COG, City Center Partnership, LRADAC	Approve as presented in budget work sessions	City Center would remain at the annual \$47,500 and not the requested \$75K	\$848,326	\$848,326	\$848,326
30		89	General Fund	Lump Sum Allocations	Base amount approved FY21 \$2,310,364	Admin has no recommendations	\$2,281,993		
30A	McBride		General Fund	Lump Sum Allocations	Move to allocate \$75K to St. John Community Development Corporation	to help fund "Project URGENCY" "1) Move to allocate \$75,000 to Saint John Community Development Corporation to help fund "Project URGENCY" (Understanding Real Generational Educational and Economical Needs of Community and Youth). The funding is to be designated as a Lump Sum Outside Agency Appropriation."	\$75,000	\$75,000	\$75,000
30B	McBride		General Fund	Lump Sum Allocations	Move to allocate \$60K to Wiley Kennedy Foundation	Expansion of its Embrace and Engage Richland County Community Initiative "Move to allocate a total of \$60,000 to Wiley Foundation for the expansion of its Embrace and Engage Richland County Community Initiative to strengthen the community's Civic engagement, economic growth and well-being beyond preventing violence or crime. The funding is to be designated as a Lump Sum Outside Agency Appropriation."	\$60,000	\$60,000	\$60,000
30C	McBride		General Fund	Lump Sum Allocations	Move to allocate an additional \$10K to Greenview Swim Team	Expand the number of children and free lessons for families that cannot afford. "Move to allocate an additional \$10,000 to Greenview swim team request to expand the number of children and free lessons that will be available for families who can't afford to pay for swimming lessons and activities. This is a countywide project contingent on availability of county and city swimming pools. Arrangements will be negotiated with appropriate parks and recreation directors. The funding is to be designated as a Lump Sum Outside Agency Appropriation." Third Amount represents the total requested by Group	\$10,000	\$10,000	\$20,000
30D	Livingston		General Fund	Lump Sum Allocations	Move to fund the following groups at the FY21 level: Capitol Senior Center, Clemson University Extension, Columbia Urban League, Communities in School, Engenuity, Greater Columbia Community Relations, Palmetto Aids Life Support, SC HIV Aids Council, Senior Resources, Transitions Homeless Shelter		\$1,451,439	\$1,451,439	\$1,451,439
30E	Livingston	89	General Fund	Lump Sum Allocations	Move to fund United Way at amount requested		\$281,445	Motion didn't pass.	Motion didn't pass.
30F	Terracio/Mackey		General Fund	Lump Sum Allocations	MIRCI (Mental Illness Recovery Center)	MIRCI (Mental Illness Recovery Center) for services to youth and adults aged 17 and above, including Homeless Outreach, Permanent Housing, Behavioral Healthcare, and care for those with severe and persistent mental illness.			\$250,000
30G	Terracio		General Fund	Lump Sum Allocations	Animal Mission	Funding for spay/neuter program			\$21,000
31		79	Various	Various	To allocate Lump sum funding to various groups that have historically been funded in multiple funds: \$53,000 Columbia Chamber of Commerce for BRAC; \$20,000 for Congaree River Keeper, \$42,900 Keep the Midlands Beautiful, \$53,000 River Alliance	Groups also awarded lump sum discretionary allocations from other funds or another portion of the General Fund represents the FY21 funding level; Admin has no recommendations	\$168,900	\$168,900	\$168,900

Item	Sponsor	Page	Fund	Department Impacted	Item/Action	Notes	FY22 Second Reading Amt.	FY22 Second Reading Action	FY22 Third Reading Amount
31A	Livingston		Various	Various	Move to Fund the River Alliance at the FY21 Level	Funded in Item 31	\$53,000	\$53,000	\$53,000
<b>SPECIAL REVENUE FUNDS</b>									
32	Administration	132	Special Revenue	Victim's Rights	Allocate funding to approve Victims Assistance Budget		1,094,789	1,094,789	1,094,789
33	Administration	132	Special Revenue	Tourism Development	Allocate funding to approve Tourism Development Budget		1,000,000	1,000,000	1,000,000
34	Administration	132	Special Revenue	Temporary Alcohol Permits	Allocate funding to approve Temporary Alcohol Permits Budget		170,000	170,000	170,000
35	Administration	132	Special Revenue	Emergency Telephone System	Allocate funding to approve Emergency Telephone System Budget		6,943,223	6,943,223	6,943,223
36	Administration	132	Special Revenue	Fire Service	Allocate funding to approve Fire Service Budget		29,794,288	29,794,288	29,794,288
37	Administration	132	Special Revenue	Stormwater Management	Allocate funding to approve Stormwater Management Budget		3,511,977	3,511,977	3,511,977
38	Administration	132	Special Revenue	Conservation Commission Fund	Allocate funding to approve Conservation Commission Fund Budget		1,033,470	1,033,470	1,033,470
38A	Terracio		Special Revenue	Conservation Commission Fund'	Move to restore \$100,000 to the Professional Services line item and approve the annual General Fund transfer in of \$143,988 to manage Pinewood Lake Park, Mill Creek, and Cabin Branch, as previously approved by Council; with the expectation that any unused General Fund dollars transferred shall be returned back to the General Fund balance at the end of each fiscal year, unless otherwise approved by Council	Will increase Item 38 by \$100K and will increase Item 27A by \$143,988			\$100,000
39	Administration	132	Special Revenue	Neighborhood Redevelopment Fund	Allocate funding to approve Neighborhood Redevelopment Fund Budget		850,792	850,792	850,792
40	Administration	122	Special Revenue	Hospitality Tax	Allocate funding to approve Hospitality Tax Budget	Will change per Council and Admin HTAX Motions	7,400,000	7,400,000	7,400,000
41	Administration	123	Special Revenue	Accommodation Tax	Allocate funding to approve Accommodation Tax Budget	Total projected revenue	325,000	325,000	325,000
42	Administration	132	Special Revenue	Title IVD - Sheriff's Fund	Allocate funding to approve Title IVD - Sheriff's Fund Budget		55,000	55,000	55,000
43	Administration	132	Special Revenue	Road Maintenance Fee	Allocate funding to approve Road Maintenance Fee Budget		8,051,033	8,051,033	8,051,033
44	Administration	132	Special Revenue	Public Defender	Allocate funding to approve Public Defender Budget		5,191,765	5,191,765	5,191,765
45	Administration	124	Special Revenue	Transportation Tax	Allocate funding to approve Transportation Tax Budget		73,000,000	73,000,000	73,000,000
46	Administration	132	Special Revenue	School Resource Officers	Allocate funding to approve School Resource Officers Budget		6,795,405	6,795,405	6,795,405
47	Administration	132	Special Revenue	Economic Development	Allocate funding to approve Economic Development Budget		1,857,915	1,857,915	1,857,915
<b>DEBT SERVICE</b>									
48	Administration	174	Debt Service	General Debt Service	Allocate funding to fund debt debt service		15,335,648	15,335,648	15,335,648
49	Administration	174	Debt Service	Fire Bonds Debt Service	Allocate funding to fund debt debt service		549,000	549,000	549,000
50	Administration	174	Debt Service	Hospitality Refund 2013A B/S	Allocate funding to fund debt debt service		1,486,550	1,486,550	1,486,550
51	Administration	174	Debt Service	RC IP Bonds 2019	Allocate funding to fund debt debt service		1,604,590	1,604,590	1,604,590
52	Administration	174	Debt Service	East Richland Public Svc Dist	Allocate funding to fund debt debt service		1,438,560	1,438,560	1,438,560
53	Administration	174	Debt Service	Recreation Commission Debt Svc	Allocate funding to fund debt debt service		3,240,125	3,240,125	3,240,125
54	Administration	174	Debt Service	Riverbanks Zoo Debt Service	Allocate funding to fund debt debt service		2,529,374	2,529,374	2,529,374
55	Administration	174	Debt Service	School District 1 Debt Service	Allocate funding to fund debt debt service		41,891,138	41,891,138	41,891,138
56	Administration	174	Debt Service	School District 2 Debt Service	Allocate funding to fund debt debt service		65,822,488	65,822,488	65,822,488
57	Administration	174	Debt Service	Transportation Bonds	Allocate funding to fund debt debt service		31,832,222	31,832,222	31,832,222
<b>ENTERPRISE</b>									
58	Administration	154	Enterprise	Solid Waste Enterprise Fund	Allocate funding to approve Solid Waste Budget		37,067,254	37,067,254	37,067,254
59	Administration	154	Enterprise	Richland County Utilities	Allocate funding to approve Richland County Utilities Budget		10,850,000	10,850,000	10,850,000
60	Administration	154	Enterprise	Hamilton-Owens Airport Oper	Allocate funding to approve Airport Budget	Includes Transfer In from the GF	577,446	577,446	577,446

*The State of South Carolina*



Byron E Gipson  
Solicitor

April Sampson  
Deputy Solicitor

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Daniel R. Goldberg  
Deputy Solicitor

Curtis Pauling  
Deputy Solicitor

January 11, 2022

Richland County Council  
ATTN: Honorable Overture Walker and Leonardo Brown  
2020 Hampton Street  
Columbia, South Carolina 29201

**RE: Request for Action to Increase grant match for FY 2022 (Veteran's Treatment Court)**

Dear Richland County Council:

The county was notified on December 17, 2021 via email to Steven Gaither that the Bureau of Justice (BJA) had awarded the Solicitor's office a one hundred and fifty-six thousand two hundred and fifty (\$156,250) dollar Discretionary grant for the Veteran's Treatment Court (VTC). The total funding is now \$208,332.00 (including county match) for FY 2022.

Our estimated grant budget request submitted to council in December 2020 (before the VTC application was available) was for \$64,200.00 federal funds/\$21,400.00 county match for a total \$85,600.00.

Our VTC application budget was submitted March 2021: \$125,006.00/\$41,663.00 = \$166,669.00 to BJA.

We were awarded \$156,250.00 in federal monies on December 17, 2021. Our match is only \$41,663.00 from the original submitted budget of (March 2021 at \$125,006) so **we are requesting for the additional \$20,263 in match to be added to the \$21,400 already approved by county council in FY 22.** The grant is giving us an additional \$31, 244 without a county match required.

Yours very truly,

A handwritten signature in blue ink, appearing to read "Byron E. Gipson".

Byron E. Gipson  
Solicitor, Fifth Circuit Solicitor's office  
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