

RICHLAND COUNTY

ADMINISTRATION & FINANCE COMMITTEE AGENDA



TUESDAY, FEBRUARY 27, 2018

6:00 P.M.

COUNCIL CHAMBERS 2020

HAMPTON ST.

COLUMBIA, SC 29204

RICHLAND COUNTY COUNCIL 2017-2018



VICE CHAIR
Bill Malinowski
District 1



CHAIR
Joyce Dickerson
District 2



Yvonne McBride
District 3



Paul Livingston
District 4



Seth Rose
District 5



Greg Pearce
District 6



Gwendolyn Kennedy
District 7



Jim Manning
District 8



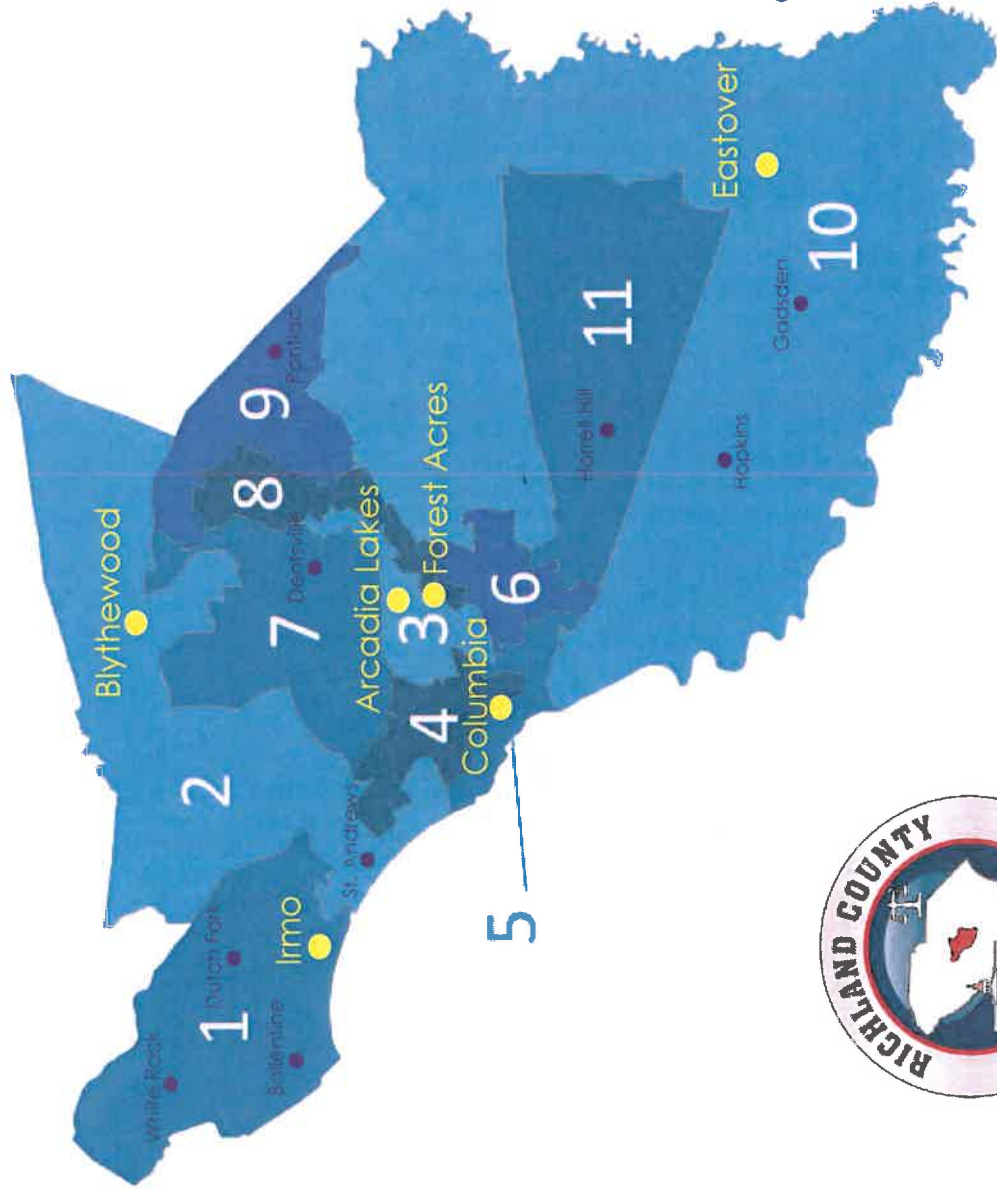
Calvin "Chip" Jackson
District 9



Daihi Myers
District 10



Norman Jackson
District 11





Richland County Administration & Finance Committee

February 27, 2018 – 6:00 PM
Council Chambers
2020 Hampton Street
Columbia, SC 29204

Bill Malinowski
District 1

Paul Livingston
District 4

Dalhi Myers
District 10

Yvonne McBride
District 7

Norman Jackson
District 11

1. **ELECTION OF THE CHAIR** Chair, Administration & Finance Committee
2. **CALL TO ORDER** Chair, Administration & Finance Committee
3. **APPROVAL OF MINUTES** Chair, Administration & Finance Committee
 - a. Administration & Finance Committee Meeting: January 9, 2018 [Pages 1-6]
4. **ADOPTION OF AGENDA** Chair, Administration & Finance Committee
5. **ITEMS FOR ACTION** Chair, Administration & Finance Committee
 - a. Award of Contract for Hunters Run, Phase I Roadway Repairs project [Pages 7-9]
 - b. Approval of Contractor Change Order for Dawson Pond repair project [Pages 10-16]
 - c. Addition of Property to Pauper's cemetery (located at 779 Two Notch Rd) [Pages 17-21]
 - d. Restructuring Ordinance: Phase II [Pages 22-64]
 - e. Council Motion: Without prior notice, in June 2017 the City of Columbia raised the storm water management fees for Hamilton Owens Airport by 74% creating a severe financial hardship on airport operations. This increase amounts to 27% of the airport's annual operating budget even though less than one percent of airport stormwater is managed by the City. Attempts to negotiate these rates have proven unsuccessful at the staff level. Recent studies have shown that a Hamilton Owens Airport has a 14+ million dollar economic impact on the City of Columbia. This Motion requests that further payments of this unreasonable storm water management fee be

Note: Pursuant to Council Rules, Council will record non-electronic roll call voting for all votes that are not unanimous for second and third reading or one time votes; and which are not merely procedural in nature.

withheld until such time as City officials provide a rate structure that is more tenable and consistent with the actual service being provided [Pearce] [Pages 65-67]

- f. Request to waive Section III of Wilson Farms' Declaration of Restrictive Covenants for lot 1 [Pages 68-90]

6. **ITEMS PENDING ANALYSIS – [PAGE 91]**

- a. Council Motion: Richland County funds thirteen mills eight mills more than the five mills required by statute. I move that County Council develop a separate Recreation Commission to manage the eight additional mills if the Recreation Commission does not agree to the MOU or if Council still feels that there is taxation without representation. Note: This is a partial solution to the constant challenge for taxation and representation [N. Jackson]
- b. Move that the agreement with Platinum Plus to operate to perpetuity be reconsidered and that they never reopen at that location. Note: It's next to a graveyard and a church which violates County Ordinance. It was never grandfathered making it noncompliance [N. Jackson]
- c. Do not approve any additional projects from the remainder of the \$50 million Recreation Bond until an explanation is given from the Recreation Commission, why \$1,600,000 was paid for 40 acres of land worth \$255,000 NOTE: The intent was to purchase 40 acres and build a road at the cost of \$1,600,000. The documents might state to purchase land only but if an appraisal was done it would have shown that the land was worth \$255,000 [N. Jackson]
- d. Funding Request for Little Lake Katherine

7. **ADJOURN**



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

ADMINISTRATION AND FINANCE COMMITTEE

January 9, 2018 – 6:00 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29204

COMMITTEE MEMBERS PRESENT: Greg Pearce, Chair; Bill Malinowski, Paul Livingston, Jim Manning and Norman Jackson

OTHERS PRESENT: Brandon Madden, Michelle Onley, Tracy Hegler, Ismail Ozbek, Jamelle Ellis, Sandra Yudice, Dale Welch, Stacey Hamm, Gerald Seals, Brad Farrar, Jennifer Wladischkin, Art Braswell, Quinton Epps, Dwight Hanna, and Kimberly Williams-Roberts

1. **CALL TO ORDER** – Mr. Pearce called the meeting to order at approximately 6:00 PM.

2. **APPROVAL OF MINUTES**

a. **December 19, 2017** – Mr. N. Jackson moved, seconded by Mr. Malinowski, to approve the minutes as distributed.

Mr. Malinowski stated on p. 8 of the agenda Ms. Hegler recommended "... Council approve the proposed agreement..." with the River Station subdivision road repair and paving. We discussed the fact that the agreement was \$11,000 less than the estimate received from the company. Ms. Hegler stated, "...contingent upon the full execution of the proposed agreement as stipulated by Council"; therefore, he wanted to ensure the \$11,000 was included in the repayment.

Mr. Malinowski made a substitute motion to defer the portion of the minutes that relates to the "Award of Rivers Station Subdivision Road Repair and Paving Project".

Ms. Hegler stated she believes the "as stipulated by Council" covers the additional \$11,000. In the minutes it appears Mr. Malinowski's motion to increase it to \$211,000 would address the matter and it is her intention to present the new agreement to Council in February.

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

The vote in favor was unanimous.

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

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

The vote in favor was unanimous.

4. ITEMS FOR ACTION

- a. Negotiate Area Two Solid Waste Collection Contract Extension – Mr. Braswell stated the contract has expired, but they have a 3 month extension in place that will allow time to negotiate the contract. The goal is to negotiate the contract to save the County money by changing some of the conditions in the contract and addressing the CPI, which could save the County approximately \$500,000 over a 5-year period. We are also looking at putting penalty stipulations in the contract to make sure if there is bad service or missed pickups the company will be penalized. One of the big issues is the route management which was approved by Council last year. The route management system allows them to better track the performance of the haulers. The next step will be to include the installation of the system in the Waste Industries trucks. We would like to continue with the same hauler so they can compare how they were doing prior to the route management system versus how they are do with the new route management system.

Mr. Livingston stated all that is being requested at this time is the recommendation to negotiate.

Mr. Braswell stated that is correct. The contract will be brought back to Council.

Mr. Livingston inquired as to why they committed to the 4-year recommendation.

Mr. Braswell stated usually a hauler has a major investment in providing trucks in a service area, so they are basically four 1-year contracts.

Mr. Malinowski stated he does not know where service areas 2 and 4 are. He would also like to see what kind of negative feedback there may be for these areas, which would make a more complete package.

Mr. Braswell stated Service Area 2 is the northern part of the county between the Broad River and Town of Blythewood. He stated he could provide the additional requested information.

Mr. Malinowski moved, seconded by Mr. Livingston, to forward to Council with a recommendation to approve staff's recommendation to proceed with negotiations.

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

The vote in favor was unanimous.

- b. Council Motion: Any entity placing a person in the Alvin S. Glenn Detention Center will be responsible for paying the daily fee as determined by Richland County, as well as all medical costs incurred to include mental needs [MALINOWSKI and MYERS] – Mr. Pearce stated currently there is not a method for tracking that they are working on tracking. It was his understanding it was a bit premature to be taking this up.

Mr. Madden stated that is correct. The manner in which it is tracked now, staff would have to adjust if Council moves forward with the motion as proposed to itemize the way the expenses are tracked. Staff is currently working on this.

Mr. Pearce stated the motion is to request someone to pay for it and we do not have the data, correct?

Mr. Malinowski stated based on the way it is calculated, as explained to him by Mr. Madden, it is included in the overall line item budget divided out by the number of heads over a period of a year

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and we come up with a per diem rate of \$71.00. The fact that we are only charging \$45.00, which is 1/3 less than what we are paying, would should at least be charging the full amount and get the additional information later. Richland County should not be losing over 30% of costs at the Detention Center.

Mr. Pearce inquired if we currently have a MOU with the entities that send people, in terms of costs, which does have an adjustment clause in it.

Mr. Kitchens responded in the affirmative.

Mr. Pearce inquired if we would be talking about completely rewriting all of the MOUs to go to full per diem costs.

Mr. Seals responded in the affirmative.

Mr. Pearce stated for clarification that we do not currently have the data we need to support that.

Mr. Kitchens stated the data they do not have is directly related to medical expenses. At the moment he does have the data to redact medical expenses from the per diem rate in order to charge the entities just for medical expenses.

Mr. Malinowski stated according the agenda documentation it is going to take until 2019 before we recoup our costs.

Mr. Pearce stated he is not opposed to doing that, but he does not want to start negotiations on something without proper information. If you are going from \$45.00 to \$71.00, or higher, and he suspects if you start addressing medical costs it is going to go higher.

Mr. Malinowski stated we have the information that says we are paying \$71.00 a day, so we should get \$71.00 a day. The issue of the medical costs could come later, but for right now we should get the \$71.00 back from the entities.

Mr. Pearce inquired as to what Mr. Kitchen's recommendation is.

Mr. Seals stated the recommendation is charge the entities the \$71.00 and come back at the end of the fiscal year with the rest.

Mr. Malinowski moved, seconded by Mr. N. Jackson, to forward to Council with a recommendation to approve the Administrator's recommendation.

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

Opposed: Pearce

The vote was in favor.

- c. Approval of Change Orders – Mr. Manning moved, seconded by Mr. Livingston, to forward to Council with a recommendation to approve Change Order #'s 4 & 5 in the amount of \$161,722 so that the Decker Center project may be closed out.

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

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The vote in favor was unanimous.

- d. Ordinance Amending Related to the Procurement Review Panel – Mr. Manning inquired if this was coming to the A&F Committee from the Rules & Appointments Committee.

Mr. Madden stated this was a staff initiated request via the Legal Department.

Mr. Manning moved, seconded by Mr. Malinowski, to forward this item to the Rules & Appointments Committee for consideration.

Mr. Pearce inquired as to why we would want to forward this item to the Rules & Appointments Committee.

Mr. Manning stated the item had a lot to do with the appointment of members and the Council approving the members. Pretty much everything else we do around here when we are approving, and when he served on this committee there was discussion about trying to have the years of appointments line up and he did think the committee did realize there were some outliers. But it just seemed he was seeing things in here related to an appointment's process and about years of terms of services and those were things when he was on that committee were things that were within the purview of the committee. And when he is hearing that the committee has not looked at those 2 things specifically, that is the reason he made a motion to send it to a committee that I served on that weighed in on those matters to Council.

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

The vote in favor was unanimous.

- e. Resolution to Distribute \$32,766.27 in Federal Forestry Funds – Mr. Pearce stated this is something that is done every year. It follows a formula with part going to the school districts and part to the General Fund.

Mr. N. Jackson moved, seconded by Mr. Manning, to forward to Council with a recommendation to approve the resolution allocating \$32,766.26, of which 50% (\$16,383.13) will be apportioned to public schools, and the remaining 50% (\$16,383.13) for the construction and/or improvement of public roads.

Mr. Malinowski stated it seems over the years that when he has seen the budgets of the different groups, the school budgets fund balance keeps increasing. He is not so sure they need this small amount when they have fund balances of \$20, \$30 and \$35 million and we have roads in need of repair to get the kids to and from schools.

Mr. Malinowski made a substitute motion to allocate \$32,766.26 to construction and/or improvement of public roads. The motion died for lacks of a second.

In Favor: Pearce, N. Jackson, Livingston

Opposed: Malinowski

The vote was in favor.

- f. Statewide Court Case Management System: Software Support and Hosting Services Memorandum of Understanding for Counties Hosted by SCJD – Mr. Pearce stated this item was added to the agenda

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recently and he does not believe everyone has had opportunity to review the briefing documents and understand what the item pertains to.

Mr. Welch stated the South Carolina Judicial Department (SCJD) hosts their case management system onsite. Some of the larger counties, like Richland County, host their own case management system and communicate back with them.

Mr. Pearce requested Mr. Welch to explain what hosting the case management system means.

Mr. Welch stated the county keeps the software, the data and everything is kept onsite on our servers in our server room. The SCJD came out with e-filing. E-filing allows lawyers to send in a case through an e-file and then staff at the court would look at it and move it along. In the counties that host the system onsite, the e-file takes about 20-25 seconds of downtime whenever a lawyer opens a case, makes an action, etc. When it is hosted by the State, who has a multi-million dollar system dedicated to this alone, it takes about 2-4 seconds. The reason it became an issue here with our Clerk of Court, Ms. McBride, is that the attorneys working on cases in Lexington immediately saw their wait time drop when Lexington County became hosted by the State.

Mr. Pearce stated for clarification that people are not happy about 16 seconds difference.

Mr. Welch stated Greenville County is also being requested to consider being hosted as well. The only way we can decrease our wait time is to invest approximately \$300,000 in our current system or we can be hosted by the State. The cost to be hosted by the State would be an additional \$75,000 per year beginning July 2019.

Mr. Pearce inquired if there would be any financial impact to any current department currently using the system.

Mr. Madden responded in the affirmative.

Mr. Pearce inquired what the impact would be.

Mr. Madden stated the Sheriff Department provides funding to assist in the amount of \$45,000.

Mr. Pearce inquired if the Sheriff was budgeted for the \$45,000.

Mr. Madden responded in the negative.

Mr. Pearce stated for clarification that we would need \$45,000 if this were approved.

Mr. Seals stated you need the \$75,000 plus the \$45,000. The costs will immediately morph to approximately \$140,000 - \$150,000.

Mr. Pearce stated if we approve this are we prepared to accept those costs and can we factor those costs into our current financial program.

Mr. Seals stated Administration does not want to be in a position opposing the Clerk of Court; however, as you know, he has a tendency to say, "let's do things fiscally and look at the budget and know the numbers..."

Mr. Malinowski inquired if there were other departments besides the Sheriff's Department that will be impacted (i.e. Solicitor, Public Defender, Magistrates, etc.)

Administration and Finance

January 9, 2018

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Mr. Seals stated other entities are expressing some concerns because they feel that it is going to impact them and the full impact has not been assessed. The Sheriff's Department has gone a little further than most in calculating.

Mr. Malinowski stated Mr. Welch stated it would cost the County approximately \$300,000 to continue hosting the system. He believes we need to compare, if we are paying upward of \$75,000 per year, we are looking at 4 years or less before we have a breakeven point unless the technology is outdated in less than that time. He further inquired if the Legal Department is responsible for MOUs with the court system. If so, it needs to be held for the Legal Department to review.

Mr. Farrar stated the agreement has a number of parties: Master-in-Equity, Clerk of Court, etc. who can avail themselves of the Legal Department's services. This would have a financial impact to the County more than anything else. It is a policy decision. Do you want to do it in house or have the State do it? There are pros and cons for both. He stated he can personally say that e-filing has hit a number of hiccups, so there may be some concern going forward.

Mr. Pearce inquired if we will, by statute, have to implement this at some point and time.

Mr. Welch stated this is voluntary, but he cannot say they are not pushing the agenda. They would like to have all 46 counties hosted when it is all said and done.

Mr. N. Jackson moved, seconded by Mr. Livingston, to forward to Council without a recommendation.

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

Opposed: Malinowski

The vote was in favor.

5. **ITEMS PENDING ANALYSIS**

- a. Council Motion: Richland County funds thirteen mills eight mills more than the five mills required by statute. I move that County Council develop a separate Recreation Commission to manage the eight additional mills if the Recreation Commission does not agree to the MOU or if Council still feels that there is taxation without representation. Note: This is a partial solution to the constant challenge for taxation and representation [N. JACKSON] – No action was taken.
- b. Council Motion: Without prior notice, in June 2017 the City of Columbia raised the storm water management fee for Hamilton Owens Airport by 74% creating a severe financial hardship on airport operations. This increase amounts to 27% of the airport's annual operating budget even though less than one percent of airport storm water is managed by the City. Attempts to negotiate these rates have proven unsuccessful at the staff level. Recent studies have shown that Hamilton Owens Airport has a 14+ million dollar economic impact on the City of Columbia. This motion requests that further payments of this unreasonable storm water management fee be withheld until such time as City officials provide a rate structure that is more tenable and consistent with the actual service being provided [PEARCE] – No action was taken.
- c. Funding Request for Little Lake Katherine – No action was taken.

6. **ADJOURNMENT** – The meeting adjourned at approximately 6:32 PM.

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January 9, 2018

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RICHLAND COUNTY GOVERNMENT

Office of the County Administrator

February 27, 2018 A&F Committee Briefing Document Award of Contract for Hunters Run, Phase I Roadway Repairs project

Agenda Item

Award of Hunters Run, Phase I Roadway Repairs project.

Background

Over the past several years, the residential subdivision known as Hunters Run, Phase I, has had multiple owners, and the infrastructure has never been constructed to established County Standards. The original owner did not finish the roads, went out of business, and a bank foreclosed on the still-private right of way. Another developer bought the property from the bank, did a substantial amount of work, but ended up in a lawsuit with the County and the roads were still not completed to established County Standards.

In response to this unresolved situation in which Citizens were caused to feel the negative effects of inadequate roads in their neighborhood and limited commitment / response from the developer, the County Administrator directed acceptance of the roads into the County Road Maintenance System and their repair. A copy of this guidance and direction is contained in the attached letter and email.

Based on this, the Department of Public Works (DPW) engineering staff engaged the services of an engineering design firm to perform surveying, geotechnical engineering, and civil engineering design. The scope of the project includes both roadway and sidewalk repairs. Construction plans and specifications were prepared and the project was advertised for bid.

An Invitation for Bid (IFB) was issued for the Hunters Run, Phase I Roadway Repairs project on October 13, 2017. Two bids were received and opened on November 14, 2017:

Armstrong Contractors	\$271,659.00
AOS Specialty Contractors	\$282,388.34

After review of the bids, Armstrong Contractors was determined to be the lowest responsive and responsible bidder.

A Purchase Requisition (PR) has been submitted in the amount of \$293,250 based on the Engineer's Estimate of construction. This will cover the project award and a contingency.

Issues

There are no other issues.

Fiscal Impact

The project will be funded from the Roads and Drainage Maintenance Division Capital Budget.

Past Legislative Actions

None

Alternatives

1. Approve the request to award this Contract to Armstrong Construction for construction services described herein and further described in detail in the project plans and specifications as advertised.

Or,

2. Do not approve the request to award this Contract for construction services.

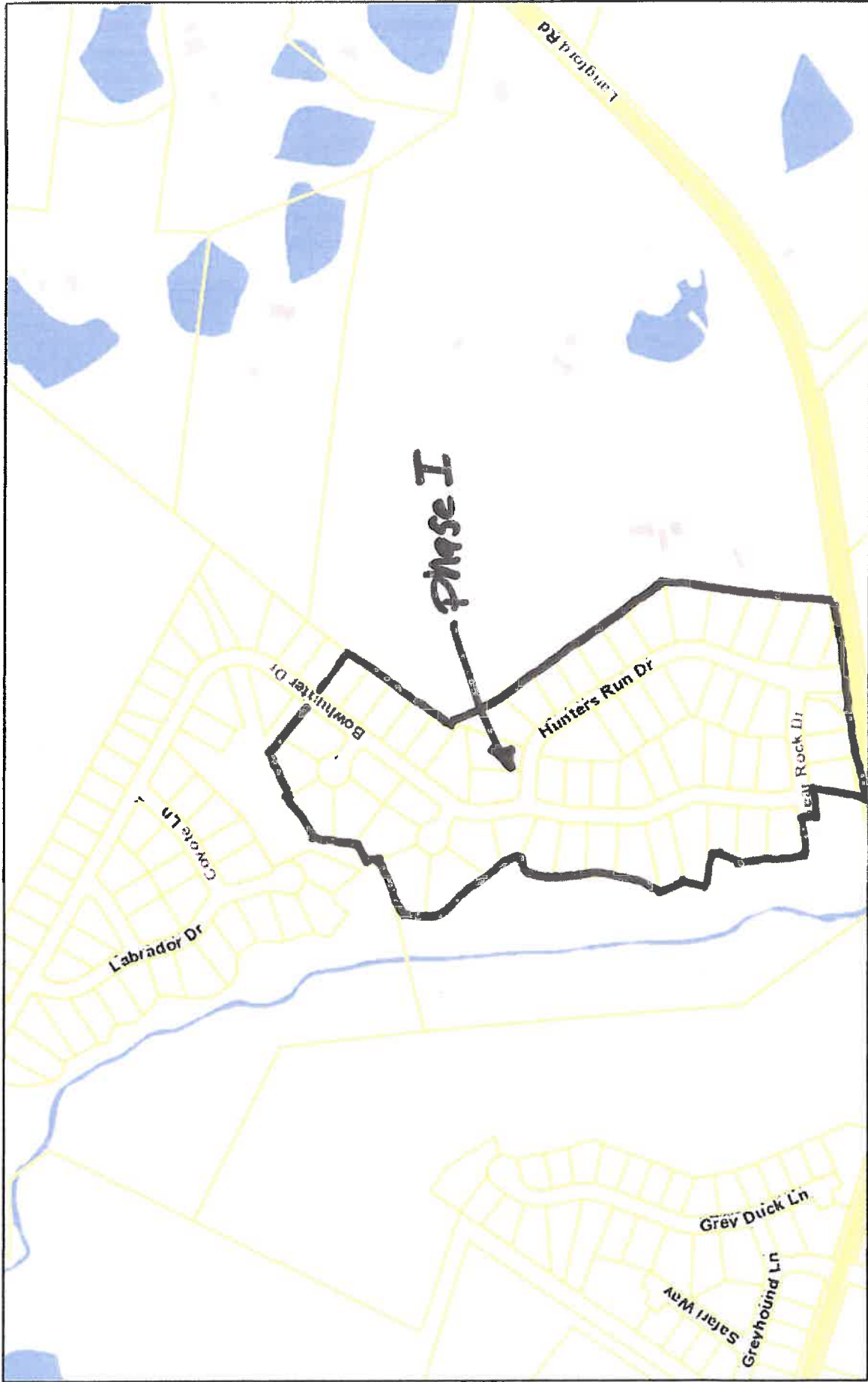
Staff Recommendation

It is recommended that Council approve the recommendation to award a construction contract to Armstrong Construction for the roadway repairs for Hunters Run.

Submitted by: Procurement Director

Date: January 31, 2018

Viewer Map



February 1, 2018

Parcels

1:5,000
0 0.0425 0.085 0.17 mi
0 0.05 0.1 0.2 km
Richland County



RICHLAND COUNTY GOVERNMENT

Office of the County Administrator

February 27, 2018 A&F Committee Briefing Document Approval of Contractor Change Order for Dawson Pond repair project

Agenda Item

Approval of Contractor Change Order for Dawson Pond repair project.

Background

During the course of making the repairs to Dawson Pond, the contractor (Corley Construction) had to perform extra work that was not originally identified as part of the bid. An area map of the project is included as an attachment.

The first item was the installation of Link Seal around the outlet structures. This was recommended by the Engineering Consultant to provide a better connection at inlet pipe to the pond outlet structure.

The second item was additional clay material needed to construct the clay cores of the dam. The estimate in the base bid was based on the limited geotechnical information available and the depth to the confining layer was deeper in some areas than the geotechnical report data included.

Finally, the upper dam had additional, subsequent damage by the 2015 flood that was not included in the original bid estimate which was prepared in 2014.

The Department of Public Works (DPW) Engineering staff has reviewed the attached Change Order and concurs with its accuracy. The total amount for the Change Order is \$34,978 which breaks down to \$33,748 for the clay fill material and \$1,230 for the Link Seal.

Because the Change Order value exceeds 10% of the original project amount (\$319,808), County Council approval is required.

The proposed Change Order has also been reviewed by our project engineering consultant, Chao and Associates, and they recommend approval.

Issues

There are no other issues.

Fiscal Impact

The Change Order amount of \$34,978 will be paid from project contingency funds included in the project Purchase Order (PO).

Past Legislative Actions

None

Alternatives

1. Approve the Change Order request above from Corley Construction in the amount of \$34,978.

Or,

2. Do not approve the Change Order request from Corley Construction.

Staff Recommendation

It is recommended that Council approve the Change Order request in the amount of \$34,978.

Submitted by: Procurement Director

Date: February 1, 2018



WATERWORKS
 166 PONTIAC BUSINESS CENTER DR
 ELGIN, SC 29045-9171

INVOICE NUMBER	TOTAL DUE	CUSTOMER	PAGE
0450948	\$420.12	15123	1 of 1

**PLEASE REFER TO INVOICE NUMBER WHEN
 MAKING PAYMENT AND REMIT TO:**

FERGUSON WATERWORKS #950
 REMIT TO:
 P O BOX 100286
 ATLANTA, GA 30384-0286

Please contact with Questions: 803-462-0860

SHIP TO:

13884 1 MB 0.423 E0122X 10203 02861101467 S2 P4654866 0001:0001



COUNTER PICK UP
 166 PONTIAC BUSINESS CENTER DR
 ELGIN, SC 29045-9171



CORLEY CONSTRUCTION LLC
 DAWSON POND DAMN REPAIR
 360 FIRETOWER RD
 IRMO SC 29063-9441

SHIP WHSE.	SELL WHSE.	TAX CODE	CUSTOMER ORDER NUMBER	SALESMAN	JOB NAME	INVOICE DATE	BATCH
950	950	SC2160	LINK SEAL	RWK	DAWSON POND DAMN REPAIR	09/20/17	10 34508
ORDERED	SHIPPED	ITEM NUMBER	DESCRIPTION	UNIT PRICE	UM	AMOUNT	
9	9	PLS675S	LINK SEAL W/ SS NUT & BLT	38.000	EA	324.00	
			INVOICE SUB-TOTAL			324.00	
			FREIGHT			66.00	
			TAX	Columbia		31.12	
LEAD LAW WARNING: IT IS ILLEGAL TO INSTALL PRODUCTS THAT ARE NOT "LEAD FREE" IN ACCORDANCE WITH US FEDERAL OR OTHER APPLICABLE LAW IN POTABLE WATER SYSTEMS ANTICIPATED FOR HUMAN CONSUMPTION. PRODUCTS WITH "NP" IN THE DESCRIPTION ARE NOT LEAD FREE AND CAN ONLY BE INSTALLED IN NON-POTABLE APPLICATIONS. BUYER IS SOLELY RESPONSIBLE FOR PRODUCT SELECTION.							

Our thoughts are with those affected by our most recent natural disasters. For storm clean up and preparation products, please call our special products hotline at (888) 334-0004.



TERMS: NET 10TH PROX	ORIGINAL INVOICE	TOTAL DUE	\$420.12
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All past due amounts are subject to a service charge of 1.5% per month, or the maximum allowed by law, if lower. If Buyer fails to pay within terms, then in addition to other remedies, Buyer agrees to pay Seller all costs of collection, including reasonable attorney fees. Complete terms and conditions are available upon request or at http://wolselena.com/terms_conditions@ale.html



186 PONTIAC BUSINESS CENTER DR
ELGIN, SC 29046-9171

INVOICE NUMBER	TOTAL DUE	CUSTOMER	PAGE
0445310	\$655.12	15123	1 of 1

PLEASE REFER TO INVOICE NUMBER WHEN
MAKING PAYMENT AND REMIT TO:

FERGUSON WATERWORKS #860
REMIT TO:
P O BOX 100286
ATLANTA, GA 30384-0286

Please contact with Questions: 803-462-0880

12205 1 MR 0.423 R0110X 10187 02899173185 82 P/186161 00010002



CORLEY CONSTRUCTION LLC
DAWSON POND DAMN REPAIR
380 FIRE TOWER RD
IRMO SC 29063-9441

SHIP TO:

COUNTER PICK UP
186 PONTIAC BUSINESS CENTER DR
ELGIN, SC 29046-9171

SHIP WHSE.	SELL WHSE.	TAX CODE	CUSTOMER ORDER NUMBER	SALESMAN	JOB NAME	INVOICE DATE	BATCH
950	950	SC2160	LINK SEAL	RWK	DAWSON POND DAMN REPAIR	07/27/17	1034204
ORDERED	SHIPPED	ITEM NUMBER	DESCRIPTION	UNIT PRICE	UM	AMOUNT	
14	14	PL86005	LINK SEAL W/ 89 NUT & BLT	31.000	EA	434.00	
			INVOICE SUB-TOTAL			434.00	
			FREIGHT			50.00	
			TAX	Columbia		41.12	
<p>***** LEAD LAW WARNING: IT IS ILLEGAL TO INSTALL PRODUCTS THAT ARE NOT "LEAD FREE" IN ACCORDANCE WITH US FEDERAL OR OTHER APPLICABLE LAW IN POTABLE WATER SYSTEMS ANTICIPATED FOR HUMAN CONSUMPTION. PRODUCTS WITH "NP" IN THE DESCRIPTION ARE NOT LEAD FREE AND CAN ONLY BE INSTALLED IN NON-POTABLE APPLICATIONS. BUYER IS SOLELY RESPONSIBLE FOR PRODUCT SELECTION. *****</p>							

Handwritten signature

Go Paperless - Upgrade to Email Delivery!

You'll receive one email per day with all your Invoices attached as a PDF. Contact us with your email address today.



Call us at the number above to switch to email delivery today!

TERMS: NET 10TH PROX	ORIGINAL INVOICE	TOTAL DUE	\$655.12
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All past due amounts are subject to a service charge of 1.5% per month, or the maximum allowed by law, if lower. If Buyer fails to pay within terms, then in addition to other remedies, Buyer agrees to pay Seller all costs of collection, including reasonable attorney fees. Complete terms and conditions are available upon request or at http://woiseleyna.com/terms_conditionsSale.html



RICHLAND COUNTY GOVERNMENT

Office of the County Administrator

February 27, 2018 A&F Committee Briefing Document Addition of Pauper's cemetery Property (located at 779 Two Notch Rd)

Agenda Item

Addition of Pauper's cemetery Property (located at 779 Two Notch Rd)

Background

During the investigation of installing a new fence at the Pauper's cemetery, it was discovered that the existing chain link fence was originally misplaced, resulting in the fence being located on a portion of the adjacent property. This fence misplacement resulted in some graves being placed off of the property.

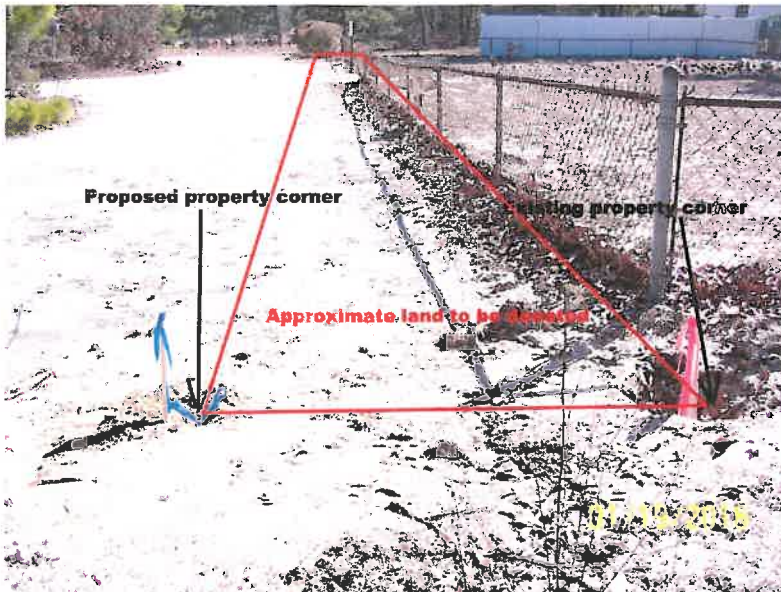
The County Operational Services Department approached the neighboring property owner (FN Manufacturing, Inc.) to inform them of the issue. Through discussions, the company suggested donating the required land to the County to encompass the gravesites, thereby preventing the need to relocate them. This land donation would relocate the existing property line five feet to the north. (Parcel "A" as shown on the attached plat- 575 square feet- 5 feet^{+/-} x 115 feet^{+/-})

Issues

There are approximately twenty (20) pauper graves that are located off the existing county property. Additionally, there are approximately another forty four (44) graves that straddle the property line that are partially off of the existing county property. If the donated land is not accepted, then these grave sites will have to be relocated to within the existing property lines. This would be a labor intensive and time consuming process.



Looking West



Looking East

Fiscal Impact

With FN Manufacturing Inc. willing to donate the 575 square feet of needed land to encompass the grave sites, there is no financial impact to the county.

Past Legislative Actions

None

Alternatives/Solutions

1. Accept the 575 square foot land donation (Parcel "A") from FN Manufacturing Inc. to allow the existing graves to be located on Richland County property. If approved Richland County will proceed with the process of having the deed listing the additional 575 square foot of property recorded with the Richland County Register of Deeds.
2. To reject the land donation from FN Manufacturing Inc. and require the Richland County Coroner to exhume the approximately 73 grave sites and relocate them within the existing property. This process would be time consuming and could have an impact on the daily operations of the Coroner due to the work being performed by in-house staff.

Staff Recommendation

The recommendation is option #1. Richland County would accept the 575 square foot land donation from FN Manufacturing, Inc.

Submitted by: Operational Services

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS that the undersigned FN MANUFACTURING, INC. (hereinafter referred to as the "Grantor") in consideration of the sum of Five and 00/100 (\$5.00) dollars and other valuable consideration, well and truly paid by RICHLAND COUNTY, SOUTH CAROLINA (hereinafter referred to as the "Grantee"), the receipt and adequacy of which are hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release, in fee simple absolute, unto the said Grantee, and Grantee's heirs, successors and assigns:

All that certain piece, parcel or tract of land, with any improvements thereon, if any, situate, lying, and being in the County of Richland, State of South Carolina, being shown and designated as "Parcel "A" 575 SQFT", on a plat of Richland County Paupers Cemetery Sandhills, by James F. Polson, and recorded in the Register of Deeds for Richland County on _____, 2018 in Plat Book _____ at Page _____. Reference being made to said plat of record for a more complete and accurate metes and bounds.

TMS # 25800-07-01 (P)

Property Address: To be combined with:
779 Two Notch Road
Columbia, SC 29229

Derivation: Deed Book 972 at Page 316

THE MAILING ADDRESS OF GRANTEE:

Richland County
c/o County Administrator
PO Box 192
Columbia, SC 29202

TOGETHER WITH ALL AND SINGULAR the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

SITE MAP
NOT DRAWN TO SCALE

IRON	NORTHING	EASTING	ELEV.
A	632902.990428	2013697.742886	436.91
B	632839.643731	2040071.717182	431.84

N/F
FN MANUFACTURING INC
TMS R25800-07-01
DB 972 PG 316
PB 52 PG 9781

PARCEL "A" TO BE COMBINED WITH EXISTING PAUPERS CEMETERY UPON RECORDATION OF THE DEED

PARCEL "A" 575 SQFT

115.04'

S 54°46'40" E

S 54°46'40" E

DASHED LINE IS EXISTING BOUNDARY LINE TO BE ABANDONED AFTER DEED CONVEYS PARCEL "A" TO EXISTING CEMETERY

EXISTING PAUPERS CEMETERY
TMS N625800-07-02
AREA 6990 SQ FT
AREA COMBINED WITH
PARCEL A IS 7565 SQ FT

593.7' TO R/W
OLD CLEMSON RD
IPV #4 REBAR

353.13' 25" W
351.3' 25" W
60.77'

PAUPERS LANE (25' R/W)
TMS No. 25800-04-01 EASEMENT R/W PER
P/F PLATS PB Y- PG 3722 PB Y- PG 3724
N/F
SERO GROUP LLC
TMS R25800-07-03
DB 1512 PG 218
PB Y- PG 4518 PB 1512 PG 211

N/F
LOT 14
MACOM M. MERCHANT
TMS R22814-03-11
DB R1664 PG 3792

N 54°46'42" W

N/F
LOT 15 ROYAL PINES ESTATES
PATRICIA AVALOS RAMIREZ
TMS R22814-03-12
DB R1687 PG 3227 PB 10 PG 12

114.99'

N 54°47'08" W

24.99'

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF THAT THE SURVEY SHOWN HEREON WAS MADE ACCORDING TO THE BEST PRACTICES AND STANDARDS OF THE PRACTICE IN WHICH I AM ENGAGED AND THAT I AM A LICENSED PROFESSIONAL SURVEYOR IN THE STATE OF SOUTH CAROLINA AND THAT I AM A MEMBER OF THE SURVEYORS ASSOCIATION OF SOUTH CAROLINA. THE REQUIREMENTS OF A CLASS "B" SURVEY AS SPECIFIED THEREIN.
FEB 12, 2018

SCALE: 1" = 10'



PLAT OF
RICHLAND COUNTY PAUPERS CEMETERY SANDHILLS
IN RICHLAND COUNTY, NEAR PONTIAC, S.C.

-RICHLAND COUNTY TAX MAP 25800-07-02

C:\USERS\YVESUN\DESKTOP\CEMETERY - PAUPERS SANDHILLS REV.DWG 7/13/2018 2:05:11 PM 2/10/81

JAMES F. POLSON RLS #4774
RICHLAND COUNTY PUBLIC WORKS
400 POWELL ROAD
COLUMBIA, S.C. 29203
PH 578-2480 OR 516-1206



RICHLAND COUNTY GOVERNMENT

Office of the County Administrator

February 27, 2018 A&F Committee Briefing Document Restructuring Ordinance: Phase II

Agenda Item

Restructuring Ordinance Phase II

Background

During its April 4, 2017 meeting deliberations, County Council gave third reading approval to the organizational restructuring ordinance. As promised, this ordinance is being presented for the Council's consideration via the A&F Committee for the second phase of the restructuring. This phase includes staff's efforts to fully implement the restructuring. Enumerated below are the additional changes made and provided in the ordinance:

1. In section 2-134. "Expand" was changed to "expanding"
2. The Office of Budget and Grants Management was added to Sec. 2-92
3. References to "Support Services" were updated to "Operational Services"
4. The Human Resources Departmental Divisions were updated to include the following:
 - a. Total Rewards & Employment
 - b. Compliance & Employee Relations
 - c. Organizational Development & Strategy
5. Department of Public Works updated the language of its divisions in Sec. 2-157
6. In section 2-137 the a reference to the director as "chief" was added to be compliant for authority level, based on SC Laws and designating emergency vehicles
7. In section 2-92. Departmental Offices, the office of Risk Management, the following responsibilities were added vis-à-vis Fleet Management:
 - Managing and / or facilitating the procurement, selection, assignment, reassignment, transfer, maintenance, repair, replacement, and disposal of vehicles and motorized equipment.
8. In section 2-92. Departmental Offices, the office of Ombudsman, the following responsibilities were added:
 - Citizen service requests

- Records management for citizens input, concerns, and questions,
 - Records management for ADA accommodation requests, grievances, and complaints
 - Perform trend analysis
9. In section 2-92. Departmental Offices, the Office of Small Business Opportunity was added.
 10. Division 7. Human Resource Services, the responsibilities and departmental divisions were updated.
 11. Division 2. Community Development and Planning, the responsibilities and departmental divisions were updated to include:
 - Zoning and Development Services
 - New Development Engineering

Additionally, during the February 6, 2018 Council meeting, Councilman N. Jackson brought forth the following motion:

“Revisit the restructuring of the County's organizational chart. Note: There seems to be an overload and misunderstanding and abuse of duties from the reorganization of the County organization approximately a year ago. There should be some adjustment.”

Issues

None.

Fiscal Impact

None.

Past Legislative Action

During its April 4, 2017 meeting deliberations, County Council gave third reading approval to the organizational restructuring ordinance.

Council motion from Councilman N. Jackson during February 6, 2018 Council meeting.

Alternatives

1. Consider the ordinance amendment and proceed accordingly.
2. Consider the ordinance amendment and do not proceed.

Staff Recommendation

Recommend approval of the ordinance amendment as presented.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-17HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; SO AS TO RESTRUCTURE THE DEPARTMENTS OF 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 2, Administration; Article III, Administrative Offices and Officers; is hereby amended by the deletion of the language contained therein and the substitution of the following language:

DIVISION 1. GENERALLY.

Sec. 2-75. Department created.

The office of the county administrator is hereby created as the chief administrative office of the county with such personnel necessary to assist the county administrator in affecting the proper and efficient administration of the affairs of the county government.

DIVISION 2. COUNTY ADMINISTRATOR

Sec. 2-76. Position created; term.

There is hereby created the position of county administrator. The term of office of the county administrator shall be at the pleasure of the council, which may, in its discretion, employ the administrator for a definite term.

Sec. 2-77. Appointment, qualifications and compensation.

The county administrator shall be appointed solely on the basis of his/her executive and administrative qualifications with special reference to his/her actual experience in, and knowledge of, the duties of office as hereinafter prescribed. At the time of his/her appointment, the county administrator need not be a resident of the county or of the state. The compensation of the county administrator shall be fixed by the council by contract.

Sec. 2-78. Chief administrative officer.

The county administrator shall be the chief administrative officer of the county government. He/She shall be responsible to the council for the proper and efficient administration of the affairs of the county government.

Sec. 2-79. Powers and duties.

The powers and duties of the county administrator shall be:

- (1) To direct and supervise the administration of all county officials and departments for which the council is responsible, or may hereafter be responsible, including specifically the construction, maintenance and operation of all county roads, bridges, drainage, buildings and other public works, and the care and maintenance of all personal property owned by the county; the administration of personnel policies, purchase of all supplies and equipment, finance, accounting, budgeting, payroll, auditing and any other administrative responsibilities necessary for implementation of the council's policies;
- (2) To appoint, and when in his/her discretion the welfare of the county requires it, suspend, discharge, transfer, remove or otherwise deal directly with all employees for whom council is responsible, excepting the county attorney, the internal auditor and the clerk of council, and any assistants thereto, who are appointed directly by the council or who are employed in the offices of elected officials and officials appointed by an authority outside county government as those terms are used in South Carolina Code, 1976, section 4-9-30(7);
- (3) To see that all ordinances, resolutions and orders of the council and all laws of the state which are subject to enforcement by him or by officers or department heads and subject, under this article, to his/her direction and supervision are faithfully executed;
- (4) To prepare and submit the annual budget and capital program to the council and to execute the budget and capital program adopted by the council, approving all disbursements and expenditures as budgeted and/or authorized by the council;
- (5) To confer with and advise all other elected or appointed officials of the county who are not under the immediate control of county council, but who receive financial support from the council, such as probate judges, magistrates, solicitor, sheriff, coroner, auditor, treasurer and the like;
- (6) To examine regularly at periods fixed by the council the accounts, records and operations of county boards, commissions, departments, offices, and agencies which receive appropriations from the council; to make regular, monthly reports to the council on county fiscal and other affairs as are appropriate; to keep the council fully advised on the financial conditions and future needs of the county; and to make such recommendations on county affairs as he deems necessary;
- (7) To submit to the council at the end of each fiscal year a complete report on the finances and administrative activities of the county for the preceding year; and
- (8) To execute such other powers and duties as may be prescribed from time to time by the council.

Sec. 2-80. Relationships with county employees.

Neither the council nor any of its members shall direct or request the appointment of any person to, or his/her removal from, office by the county administrator or by any of his/her subordinates, or in any manner take part in the appointment or removal of officers and employees in the administrative service of the county, except where, by majority vote of council, an inquiry as to the removal of an officer or employee is demanded. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the county administrator, and no member thereof shall give orders to any county employee or subordinate of the county administrator, either publicly or privately.

Sec. 2-81. Bond.

The county administrator shall be bonded to the county in an appropriate amount for the faithful performance of the duties as such officer.

Secs. 2-82- 2-87. Reserved.

DIVISION 3. OFFICE OF THE COUNTY ADMINISTRATOR; STAFF

Sec. 2-88. Assistant County Administrator.

There are hereby created three (3) positions of assistant county administrator. The assistant county administrators shall be selected and appointed by the county administrator and shall serve at the pleasure of the county administrator with no definite term of office assigned.

Sec. 2-89. Qualifications; compensation.

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

Sec. 2-90. Responsibilities, powers and duties.

The duties and responsibilities of the assistant county administrators shall be:

- (1) To serve as assistant to the county administrator;
- (2) To plan and direct budget studies, research projects and manpower needs;

- (3) To assist in formulating administrative policies;
- (4) To represent and speak for the county administrator in meetings with boards, commissions, citizens groups and officials of various public agencies;
- (5) To collect, compile and interpret data on policies, functions, organization structures, forms and procedures relating to the administration of assigned programs;
- (6) To seek legal opinions and prepare recommendations supported by administration research findings;
- (7) To review departmental reports, proposed programs, supplemental appropriation requests, personnel requisitions, overtime reports, etc., and make or direct investigative reports and recommendations as required;
- (8) To prepare correspondence and reports;
- (9) To act for the county administrator in his/her absence;
- (10) To participate in formulating policies and in developing long range plans; and
- (11) To perform related work as required and as assigned by the county administrator.

Sec. 2-91. Staff and assistants.

The county administrator may employ such staff and assistants for positions approved through annual budgetary appropriations by county council as are deemed necessary by the county administrator to the performance of his/her duties. They shall be subject to the county personnel system and their compensation determined accordingly.

DIVISION 4. OFFICE OF THE COUNTY ADMINISTRATOR; OFFICES

Sec. 2-92. Departmental Offices.

The office of the county administrator shall also include the following offices:

- (1) *Risk Management* - The office of risk management is hereby created and the position of director of risk management, who shall be responsible to the county administrator to eliminate, minimize and transfer risk exposure as much as is feasible, and for losses that do occur, to finance and mitigate them in a manner that is in the best interest of the County, including authority to negotiate and settle workers' compensation, general liability, and vehicle liability claims. Disposition

of general liability and vehicle liability lawsuits shall be accomplished in collaboration with the county attorney.

(a) Fleet Management - The office of risk management shall include the fleet management program. The program shall work to manage Richland County's fleet, including managing and / or facilitating the procurement, selection, assignment, reassignment, transfer, maintenance, repair, replacement, and disposal of vehicles and motorized equipment.

(b) Occupational Safety – The office of risk management shall include the occupational safety program. The program shall work to keep Richland County employees safe at work and ensure OSHA compliance.

(2) *Public Information* - The office of public information is hereby created and the position of public information director, who shall be responsible to the county administrator to assist Council and County departments with media and public outreach efforts; manage Richland County's brand to residents, businesses and news outlets through various multi-media platforms and events.

(3) *Ombudsman* - The office of the ombudsman is hereby created and the position of ombudsman director, who shall be responsible to the county administrator to provide informal assistance to citizens and to assist citizens with county concerns and request for service, which includes the following responsibilities: citizen service requests; records management for citizens input, concerns, and questions; records management for ADA accommodation requests, grievances, and complaints; and performs trend analysis of the concerns and responses related to the organization.-

(4) *Court Appointed Special Advocates* – The office of court appointed special advocates is hereby created and the position of court appointed special advocates director, who shall be responsible to the county administrator to advocate for the best interests of abused and neglected children in Richland County Family Court.

(5) ~~Government and Community~~Community and Government Services - The ~~office of government and community~~community and government services department is hereby created and the position of ~~government and community~~community and government services director, who shall be responsible to the county administrator to facilitate improved community outreach, administration of government services and resolution to community issues.

(a) Office of Small Business Opportunity - The office of government and community servicesCommunity and Government Services Department shall include the office of small business opportunity which shall manage and administer the SLBE (Small Local Business Enterprise) Program (see Section 2-639 et. seq.) and shall

undertake other functions and duties as assigned by the county administrator or county council.

(6) *Budget and Grants Management* – There is hereby created the division of budget and grants management and the position of budget and grants management director, who shall be responsible to the county administrator through the assistant county administrator to create and maintain the County’s annual budget, conduct fiscal research and trends analysis, issue budget reports, and other duties as assigned.

DIVISION 5. COUNTY ATTORNEY

Sec. 2-93. Office established.

There is hereby established the office of the county attorney, who shall be the chief legal officer of the county. The county attorney shall be retained from the membership of the county bar by the county council and shall serve at its pleasure.

Sec. 2-94. Eligibility.

No member of the council or of the county legislative delegation, or any partner of any such member, shall be retained as county attorney or assistant county attorney, or perform any service for compensation as an attorney for the council, any county agency which is funded in whole or in part from county funds, or for any board, commission, committee, or agency of the county over which the council has any appointive powers. No member of any county board, commission, committee, or agency which is funded in whole or in part from county funds, or any board, commission, committee or agency of the county over which the council has any appointive powers, or any partner of any such member, shall be attorney or do any legal work for such board, commission, committee, or agency; provided, however, that, a partner of such member may serve as county attorney or as an assistant county attorney.

Sec. 2-95. Duties and responsibilities.

The county attorney shall represent and defend the county and all of its officers in any of the courts of this state or of the United States, shall do such work in connection with county real estate conveyancing, title work and bond issues, shall bring all actions and proceedings that may be necessary to enforce payment and collection of any claims existing in favor of the county or of any of its officers, boards, or agencies, and shall advise the county administrator and all county officers and department heads in all matters wherein they may seek advice or counsel. The county attorney shall meet with the council whenever requested for the purpose of advising them as to any matters that may properly come before them.

Sec. 2-96. Compensation.

The county attorney shall receive compensation for his/her services in the amount determined by the council. The annual salary of the county attorney shall constitute his /her total compensation from the county for all of the services enumerated above, except under unusual circumstances as directed by council.

Sec. 2-97. Annual appropriation.

The council shall establish in the annual operating budget the compensation of the county attorney. Such budget shall also provide for the compensation of any assistants employed pursuant to section 2-98 of this division.

Sec. 2-98. Assistants.

The county attorney may employ such staff and assistants for positions approved through budgetary appropriations by council as are deemed necessary to the performance of the duties of the office.

Sec. 2-99. Employment of attorney, other than county attorney, by council agencies.

No officer, board, commission, committee, or agency in the county appointed in whole or in part by the council may employ an attorney other than the county attorney, or agree to pay for services out of public funds without first obtaining the county attorney's approval of the employment of such attorney.

Sec. 2-100. Settlement of claims.

The county attorney shall have the authority to settle and approve payment of lawsuits, up to an amount approved by County Council in the annual budget, or in his/her discretion brings those matters to County Council for its decision and approval.

The county attorney shall have the sole discretion to decide whether to file an appeal or to waive the filing of same in instances up to an amount approved by County Council in the annual budget.

Sec. 2-101. Bond.

The county attorney shall be bonded to the county in an appropriate amount for the faithful performance of the duties as such officer.

DIVISION 6. CLERK ~~TO~~ COUNCIL

Sec. 2-102. Creation; appointment; term of office.

There is hereby created the office of clerk ~~of~~ council. The clerk ~~of~~ council shall be appointed by the council and shall serve at the pleasure of the council.

Sec. 2-103. Responsibilities; duties.

The clerk ~~of~~to council shall:

- (a) Record all proceedings of the council and supply copies of certified records as appropriate;
- (b) Distribute copies of the minutes of each meeting to council members prior to the next meeting;
- (c) Review reports and records for completeness and accuracy;
- (d) Prepare ordinances and resolutions for presentation to council and arrange for their publication as approved by council and as directed by the county attorney;
- (e) Attend regular meetings of the council and attend other meetings as requested;
- (f) Type reports and recommendations of all council committees or designee of the clerk;
- (g) Notify councilmen of all council meetings;
- (h) Maintain the council calendar;
- (i) Be custodian of the county seal, minute books and Code of Ordinances;
- (j) Maintain county files and any records which should be kept for quick accessibility;
- (k) Supervise a complete records management system for department;
- (l) Research materials and supply background information as required;
- (m) Take follow-up actions on the following matters (including initial follow-up and subsequent actions necessary to ensure carrying out of council actions):
 - (1) Easements;
 - (2) Contracts, leases and agreements;
 - (3) Bond issues;
 - (4) Damage claims which are submitted to county council for acceptance or rejection;

- (5) Ordinances;
- (6) Resolutions; and
- (7) Appointments;

(n) Prepare council agenda and advise news media of items to be considered; shall maintain a complete record of all matters pending council consideration;

(o) Act for the county in attesting and certifying official documents;

(p) Be responsible for the appointments book; insure appointments are made in timely fashion in accordance with established procedures;

(q) Maintain a record of leases, contracts, agreements, rights-of-way, grants and bonds;

(r) Insure that the overall objective of the council office is achieved in an efficient manner;

(s) Prepare and monitor budget for operating expenses for the clerk ~~of~~to council office and the council services budget; and

(t) File documents, as required, with the clerk of court.

Sec. 2-104. Compensation; employee status.

The council shall approve in the annual budget the compensation of the clerk ~~of~~to council. Such budget shall also provide for assistants to the clerk if employed pursuant to the following section. The clerk and any full-time assistants shall be employees of the county and eligible for all insurance, retirement and other benefits of county employees.

Sec. 2-105. Assistants.

The council may appoint such assistant or assistants to the clerk ~~of~~to council as may be deemed necessary, who shall perform varied secretarial and stenographic tasks for the council and who shall exercise the duties of the clerk ~~of~~to council in the event of the clerk's absence or disability.

SECTION II. The Richland County Code of Ordinances, Chapter 2, Administration; Article IV, Code of Ethics; is hereby renumbered beginning with section number 2-106 and proceeding accordingly.

SECTION III. The Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; is hereby amended by the deletion of the language contained therein and the substitution of the following language:

DIVISION 1. ANIMAL SERVICES

Sec. 2-122. Creation; director.

There is hereby created the animal services department, and the position of animal services director who shall be responsible to the county administrator to direct and coordinate the operations and activities of the department. The director shall be appointed by the county administrator and his/her term of office shall be at the pleasure of the county administrator.

Sec. 2-123. Qualifications of director; selection; compensation.

The director of animal services shall possess the education, training, and experiences that are commensurate with the industry standards for this position.

Sec. 2-124. Responsibilities; powers; duties.

The director of animal services shall supervise the divisions of animal care and vector control.

Sec. 2-125. Departmental Divisions.

The animal services department shall include the following divisions:

(1) *Animal care* – The division shall enforce all the provisions of Chapter 5 of the Richland County Code of Ordinances as it pertains to animal control and/or care and the manager of the division shall serve as the chief animal control officer.

(2) *Vector Control* – The division of vector control shall be charged with the following duties:

- (a) Management of the mosquito control program, including abatement in accordance with the policies of the program.
- (b) Provide technical advice, education and assistance about vectors to the county's citizens.
- (c) Conduct vector-borne disease surveillance and response.
- (d) Enforce county ordinances related to vector control.
- (e) Commensal rat abatement in accordance with division policies.
- (g) Respond to inquiries, investigate complaints, conduct evaluations to help reduce or eliminate public hazards and nuisance conditions associated with vectors and disease transmission.

- (h) Other programs or functions assigned to the department by the county administrator or county council.

DIVISION 2. COMMUNITY PLANNING AND DEVELOPMENT

Sec 2-126. Creation; director.

There is hereby created the community planning and development department, and the position of community planning and development director who shall be responsible to the county administrator to direct and coordinate the operations and activities of the department. The director shall be appointed by the county administrator and his/her term of office shall be at the pleasure of the county administrator.

Sec. 2-127. Qualifications of director; selection; compensation.

The director of community planning and development shall possess the education, training, and experiences that are commensurate with the industry standards for this position. -

Sec. 2-128. Responsibilities; powers; duties.

The director of community planning and development shall supervise the divisions of zoning and development services, planning services, building inspections, community development, new development engineering, conservation, business service center, assessor, and register of deeds.

Sec. 2-129. Departmental Divisions.

The community planning and development department shall include the following divisions and related managers who shall be responsible to the community planning and development director to manage and coordinate the operations and activities of the divisions:

(1) Zoning and Development Services~~Planning~~ – The division of ~~planning-zoning and development services~~ is hereby created and the position of zoning and development services division manager/zoning administrator~~planning manager, who shall be responsible to the community planning and development director to direct and coordinate the operations and activities of the division.~~ The zoning and development services division manager/zoning administrator~~planning manager~~ shall possess the education, training, and experiences that are commensurate with the industry standards for this position.~~shall be a graduate of an accredited college or university, preferably with a degree in planning, engineering, architecture or related field; and shall have had at least five (5) years of responsible, practical experience in urban planning and/or in a municipal or county regulatory agency.~~ The planning-zoning and development services division shall undertake the permitting and enforcement provisions of the county's zoning and land development regulations.

(2) Planning Services - The division of planning services is hereby created and the position of planning services division manager. The planning services division manager shall possess the education, training, and experiences that are commensurate with the industry standards for this position. The planning services division shall undertake the management of the county's Neighborhood Improvement Program, update and implement the county's comprehensive Plan, oversee the county's sustainability program and perform long-range planning activities for the county.

(23) Building Inspections - The division of building inspections is hereby created, and the position of building codes and inspections division manager who shall be responsible to the community planning and development director to direct and coordinate the operations and activities of the division. The building codes and inspections manager shall possess the education, training, and experiences that are commensurate with the industry standards for this position shall be a graduate of an accredited college or university, preferably with a degree in engineering, architecture, construction or related field; and shall have had at least five (5) years of responsible, practical experience in construction, inspections, administration and/or in a municipal or county regulatory agency. The manager shall hold South Carolina registration as a Certified Building Official. The building division shall be responsible for the permitting and enforcement provisions of the county's building code regulations.

(34) New Development Engineering - The division of new development engineering is hereby created, and the position of new development engineering division manager. The new development engineering division manager shall possess the education, training, and experiences that are commensurate with the industry standards for this position. The new development division shall be responsible to the to the community planning and development director to direct and coordinate the operations and activities of the division

(45) Community Development - The division of community development is hereby created, and the position of community development division manager. The community development division manager shall possess the education, training, and experiences that are commensurate with the industry standards for this position. The division shall administer grants from the U.S. Department of Housing and Urban Development to improve low-income neighborhoods. The division shall administer grants from the U.S. Department of Housing and Urban Development to improve low income neighborhoods. The community development manager shall be responsible to the community planning and development director to direct and coordinate the operations of the division.

(56) Conservation - The division of conservation is hereby created, and the position of conservation division manager, who shall be responsible to the community planning and development director to direct and coordinate the operations and activities of the division. The conservation manager shall possess the education, training, and experiences that are commensurate with the industry standards for this position shall be a graduate of an accredited

~~college or university, with a master's degree in environmental or agricultural science or engineering, hydrology, water resources management or closely related field; and shall have had at least five (5) years of responsible, practical experience in the above fields.~~ The conservation manager shall ~~direct-manage~~ and supervise all functions of the division and implement the responsibilities of the Richland County Conservation District and Richland County Conservation Commission. The manager shall consult with and advise the community planning and development director regarding the conservation and protection of the county's natural, cultural and historical resources. The division shall also interact with federal and State agencies, other counties and municipalities, institutions of higher education, and not for profit conservation and environmental organizations to support the responsibilities of the division, District and Commission.

(67) *Business Service Center* – The business service center division is hereby created, and the position ~~of manager of the~~ business service center division manager. The ~~manager of the~~ business service center division manager shall possess the education, training, and experiences that are commensurate with the industry standards for this position. The business service center division manager – and every employee therein – shall give to the county a surety bond in an appropriate amount for the faithful performance of his/her duties as such officers; such bond shall be filed in the office of the clerk of court. The ~~manager of the~~ business service center division manager shall be responsible ~~to the community planning and development director~~ for the performance of the duties and responsibilities of the department, which shall be to:

(a) Issue licenses and permits for businesses needing these licenses and permits by county ordinance to operate lawfully, including, but not limited to (unless otherwise preempted and/or prohibited by federal or state law):

1. Business licenses,
2. Fireworks licenses, and/or
3. Hazardous Materials permits.

(b) Collect the payments, via the Internet and/or other convenient methods, for the aforementioned licenses and permits in subsection (1) above, as well as for other business fees and taxes (not otherwise preempted and/or prohibited by federal or state law), including, but not limited to:

1. Hospitality Taxes,
2. Sewer Fees,
3. Sewer Tap fees,
4. Water Fees,
5. Landfill Fees, and/or
6. Solid Waste Fees.

(c) Make business forms and information available in many diverse and convenient ways to assist businesses operate as required by applicable county

ordinances.

(d) Inspect and audit businesses for compliance with applicable county ordinances regarding these licenses, permits, fees, and taxes.

(e) Serve as a liaison to the business community on behalf of Richland County on issues relating to issuances and collections of the Business Service Center.

(f) Serve as the single point of contact for businesses required to comply with applicable county ordinances.

(g) Serve as the catalyst for integrating Business Service Center services with other county departments, State agencies, and other groups or organizations.

(78) *Register of Deeds* – The register of deeds division is hereby created, pursuant to state law, along with the position of register of deeds division manager.– Such office is to be located in the county courthouse at the discretion of the clerk of court. The register of deeds division manager shall possess the education, training, and experiences that are commensurate with the industry standards for this position. The register of deeds (manager of the division) shall give to the county a surety bond in the value of twenty-five thousand dollars (\$25,000.00) for the faithful performance of his/her duties, such bond to be lodged in the office of the state treasurer. The register of deeds division manager shall be responsible ~~and under the direct supervision of the community planning and development director,~~ for the performance of the duties of this office which include, but are not limited to:

(a) Directing the division of mesne conveyances and supervising its staff and activities;

(b) Indexing and recording all deeds, conditions, restrictions, contracts, agreements, descriptions of real estate from the probate judge's office, cemetery plots, easements, leases, mortgages on chattel and real property, satisfactions, assignments, releases, modifications, mechanics' liens, state, federal and employment security commission tax liens, plats and financial statements under the Uniform Commercial Code; provided, however, that no deed shall be accepted for recordation unless it bears the tax map number of the property being conveyed;

(c) Maintaining books for recording business establishments, corporate charters, U.S. military and naval forces discharges;

(d) Maintaining a notary public register;

(e) Maintaining an index of cross-index books for all instruments of record logged in the office;

- (f) Collecting necessary fees for the recording of records as set by law;
- (g) Answering requests and giving assistance to those seeking information from the records of the office;
- (h) Preparing a division budget; and
- (i) Rebinding books and records.

~~(89) Assessor – The assessor division is hereby created, pursuant to state law, along with the position of assessor (division manager). The assessor shall possess the education, training, and experiences that are commensurate with the industry standards for this position. The powers, duties, and responsibilities of the tax assessor shall be those set forth by state law, but generally will plan, organize and manage the appraisal, assessment and reassessment of property in the County. The tax assessor division, and the position of tax assessor, who shall be responsible to the community planning and development director to direct and coordinate the operations and activities of the division. The tax assessor shall be a person with education, training, skills, and/or experience that is satisfactory to the county administrator. The powers, duties, and responsibilities of the tax assessor shall be those set forth by state law.~~

DIVISION 3. DETENTION CENTER

Sec 2-130. Creation; director.

There is hereby created the detention center department, and the position of detention center director who shall be responsible to the county administrator to direct and coordinate the operations and activities of the department. The director shall be appointed by the county administrator and his/her term of office shall be at the pleasure of the county administrator. The manager shall have the following duties and responsibilities:

- (1) Operate and manage the county detention center, and any prison camps or other detention facilities that may be established;
- (2) Provide for the proper care and custody of all prisoners assigned to county detention facilities;
- (3) Be responsible for the effective and efficient operation of the detention center and any related buildings and grounds;
- (4) Control all employees under his/her direction and be responsible for all equipment and supplies needed to operate the detention center.

Sec. 2-131. Departmental Divisions.

The detention center department shall include the following divisions:

(1) *Security* – The division of security is hereby created and the position of security manager, who shall be responsible to the detention center director to ensure the detention remains secure.

(2) *Operations* – The division of operations is hereby created and the position of operations manager, who shall be responsible to the detention center director to facilitate and execute the operation of the detention center.

(3) *Programs* – The division of programs is hereby created and the position of programs manager, who shall be responsible to the detention center director to successfully implement the programmatic initiatives of the detention center.

(4) *Support* – The division of support is hereby created and the position of support manager, who shall be responsible to the detention center director to support the detention center director and contribute to the effective functioning of the detention center.

DIVISION 4. ECONOMIC DEVELOPMENT OFFICE

Sec. 2-132. Creation; director.

There is hereby created the economic development office and the position of director of the economic development office.

Sec. 2-133. Qualifications of director; selection; compensation.

The director of the economic development office shall possess the education, training, and experiences that are commensurate with the industry standards for this position.

Sec. 2-134. Responsibilities; powers; duties.

The director shall work to assist new companies considering locating in Richland County and existing companies considering **expanding** their operations. The office shall have the following duties and responsibilities:

- (1) Maintain demographic and economic data on Richland County;
- (2) Conduct building and site tours for prospective companies;
- (3) Facilitate meetings with existing industry to discuss human resources and labor force issues;
- (4) Conduct community tours for prospective companies;
- (5) Negotiate incentive proposals on behalf of the County.

DIVISION 5. EMERGENCY SERVICES

Sec. 2-135. Creation; director.

There is hereby created the emergency services department and the position of director of emergency services, who shall be responsible to the county administrator and who shall direct and coordinate the operations and activities of the department. The director shall be appointed by the county administrator, and his/her term of office shall be at the pleasure of the county administrator.

Sec. 2-136. Qualifications of director; selection.

The director of emergency services shall possess the education, training, and experiences that are commensurate with the industry standards for this position

Sec. 2-137. Responsibilities; powers; duties.

The director of the department of emergency services or "chief" of emergency services shall be the county fire ~~marshall~~-marshal. The director of the department of emergency services shall enforce all provisions of this Code of Ordinances pertaining to the operation of emergency services within the county.

Sec. 2-138. Departmental Divisions.

The emergency services department shall include the following divisions:

(1) *Emergency Medical Services* - The emergency medical services division shall provide county-wide 911 emergency medical services designed to respond to medical emergencies and to provide initial medical response and/or treatment as a means of stabilizing accident and/or trauma victims for transportation to medical facilities for primary, secondary and/or tertiary care or treatment as may be required.

(a) Fees for ambulance services to the general public within the boundaries of the county and outside of the boundaries of the county shall be determined from time to time by council.

(b) Fees for ambulance services will be limited to the maximum allowed under the health care insurance plan for each county employee. These fee schedules are subject to amendment, repeal, or deletion by the county council from time to time.

(c) The county council hereby grants permission for the operation of private convalescent transport units within the county.

Private convalescent transport units are any vehicle making nonemergency calls

within the county and to destinations within the county as scheduled to a physician's office or hospital for treatment, routine physical examinations, x-rays, or laboratory tests which is used for transporting within the county, patients upon discharge from a hospital or nursing home to a hospital, nursing home or residence, or a vehicle making any other calls dispatched within the county as nonemergency. Such vehicles are described in S.C. Code 1976, § 44 61 10 et seq. (as amended).

(d) The department of emergency services is hereby authorized to promulgate and enforce rules and regulations governing and controlling such private convalescent transport units and the nonemergency ambulances as deemed by the department to be necessary pursuant to federal, state and applicable regulating agency requirements.

Further, all nonemergency private ambulances that originate calls within the county shall be required to comply with the provisions of this Code of Ordinances, including the business license ordinance [chapter 16], and reporting requirements promulgated by the division.

(2) *Fire* - The fire division shall be responsible for providing countywide fire, services, but not be limited to the following:

- (a) Coordination and supervision of the development and operation of a county fire service system in the unincorporated areas and participating municipalities; to include coordination, supervision, and monitoring or any of the fire duties which may be contracted out to third parties pursuant to contract or intergovernmental agreements;
- (b) Emergency communications;
- (c) Determine the Cause and Origin of fires;
- (d) The provision of assistance to the various units of the fire service in resolving technical problems;
- (e) Coordination of the management of all county fire service units;
- (f) Enforcement of county ordinance and the county fire prevention code;
- (g) Coordination of the emergency services department special response and rescue capabilities

(3) *Emergency Management Division* - The emergency management division shall be responsible for ensuring the complete and efficient utilization of all the county facilities to combat disaster from enemy attack, manmade or natural disaster; for directing the day-to-day operations of the office and coordinating the activities of county and city governments during a

period of disaster. The department shall be empowered and required to coordinate with and render assistance to county and city officials in the development of plans for the use of all facilities, equipment, manpower and other resources of the county and the municipalities existing within the county for the purpose of minimizing or preventing damage to persons or property in disaster situations. The department shall further direct the efforts of the county emergency management division in the implementation of the provisions of this subsection.

The emergency management division shall be the coordinating agency for all activity in connection with integrated emergency management; and it shall be the instrument through which the county government shall exercise its authority under the laws of this state during an attack against this county, its political subdivisions, or any part of the state, or during manmade or natural disasters. This subdivision will not relieve the county or any city department existing within the county of the normal responsibilities and/or authority given to it by general laws or local resolution or ordinance, nor will it limit the work of the American Red Cross or other volunteer agencies organized for relief in natural disaster.

As used in this subsection:

Attack shall mean a direct assault against the county, its political subdivisions, or any part of the state, by forces of a hostile nation, including assault by nuclear, chemical or biological warfare, espionage or sabotage.

County shall mean Richland County, including all municipalities and political subdivisions.

Emergency management shall have a broad meaning and shall include preparations against and relief from the effects of attack on the county, or any part of the state, by the forces of any enemy nation; and it shall also include such activity in connection with manmade or natural disaster as defined herein. It shall not include any activity that is the responsibility of the military forces of the United States.

Emergency management organization shall mean all county and municipal officials and employees of the county and municipalities, together with those volunteer forces enrolled to aid them during a disaster, and persons who may, by agreement or operation of law, be charged with duties incident to the protection of life and property in the county, city and towns during times of disaster.

Manmade disaster shall mean such disasters as those caused by hazardous material or radiation accidents or incidents and terrorist activities.

Natural disaster shall mean any condition seriously threatening public health, welfare, or security as a result of a severe fire, explosion, flood, tornado, hurricane, earthquake, or similar natural or accidental cause which is beyond the control of public or private agencies ordinarily responsible for the relief of such conditions.

Volunteer shall mean contributing service, equipment or facilities to the emergency

preparedness organization without remuneration or without formal agreement or contract of hire. While engaged in such services, volunteer personnel shall have the same immunities as persons and employees of the county performing similar duties.

- (a) The emergency management division shall maintain liaison with the state and federal authorities, and the authorities of other nearby political subdivisions, so as to ensure the most effective operation of the emergency plan. The duties shall include, but shall not be limited to, the following:
 1. Development and publication of emergency plans in conformity with state emergency plans for the immediate use of all of the facilities, equipment, manpower and other resources of the county for the purpose of minimizing or preventing damage to persons or property, and protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety, and welfare.
 2. Control and necessary recordkeeping for funds and property which may be made available from the federal, state, county and municipal governments.
 3. Submission of annual budget requirement to the state, federal and county governments.
 4. Signing such documents as are necessary in the administration of the county emergency preparedness program, to include project applications and billing for purchases under project applications.
 5. Coordination of the recruitment and training of the volunteer personnel and agencies to augment the personnel and facilities of the county emergency preparedness purposes.
 6. Through public information programs, education of the civil population as to the actions necessary and required for the protection of their persons and property in case of enemy attack or natural disaster.
 7. Conducting simulated disaster exercise and public practice alerts to ensure efficient operations of the emergency plans and to familiarize residents of the county and municipalities with civil defense regulations, procedures and operations.
 8. Coordination of the activity of all other public and private agencies engaged in any emergency preparedness programs.
 9. Negotiation with owners or persons in control of building or other

property for the use of such buildings or property for emergency management purposes, and designating suitable buildings as public fallout shelters.

10. Development of a community shelter plan.
 11. Assumption of such authority and conducting such activity as may be necessary to promote and execute the emergency operations plan.
- (b) The chairman of the county council shall be responsible for meeting the problems and dangers to the county and its municipalities and their residents resulting from disasters of any origin and may issue proclamation and regulations concerning disaster relief and related matters which during an emergency situation shall have the full force and effect of law.
 - (c) In accordance with annex K of the emergency plan, emergency shelters may be opened during an emergency and may be housed at schools, churches and other locations. The type and location of an emergency will determine which shelters will be opened. After shelters are opened, the public will be notified and given instructions through the public information officer.
 - (d) Notwithstanding any other provision of the law, authority in an emergency in the county shall be determined by the current County Code of Ordinance and the County Emergency Plan.
 - (e) A state of disaster may be declared by the chairman of the county council with the knowledge of officials of the affected municipalities if he determines that a disaster has occurred, or that the threat thereof is imminent, and extraordinary emergency measures are deemed necessary to cope with the existing or anticipated situation. Once declared, that state of emergency shall continue until terminated by the chairman of county council. All proclamations of a disaster issued pursuant to this section shall indicate the nature of the disaster, the area or areas affected, the conditions which required the proclamation of the disaster, and the conditions under which it will be terminated. In addition to any other powers conferred by law, the county and municipal governments may, under the provisions of this subsection:
 1. Suspend existing laws and regulations prescribing the procedures for conduct of county or municipal business if strict compliance with the provisions of any statutes, order, rule or regulation would in any way prevent, hinder or delay necessary action in coping with the emergency.

2. Utilize all available resources of county and municipal government as reasonably necessary to cope with a disaster emergency.
3. Transfer the direction, personnel or functions of county and municipal departments and agencies or units thereof for purposes of facilitating or performing emergency services as necessary or desirable.
4. Compel performance by government officials and employees of the duties and functions assigned in the county emergency plan.
5. Contract, requisition and compensate for goods and services from private sources.
6. Direct evacuations of all or part of the population from any stricken or threatened area within the county or municipality if such action is deemed necessary for preservation of life or other disaster mitigation, response or recovery.
7. Prescribe routes, modes of transportation and destinations in connection with evacuations.
8. Control ingress and egress to and from a disaster area, the movement of persons within the area and the occupancy of premises therein.
9. Suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives and combustibles.
10. Make provisions for the availability and use of temporary housing.
11. Suspend or limit nonemergency activities and prohibit public assemblies.
12. Implement curfews during declared disaster events.

- (f) All employees of departments, commissions, boards, institutions and other agencies of the county and municipalities who are designated as civil emergency forces shall cooperate with the emergency management division in the formulation of the county emergency plan shall comply with the requests of emergency management personnel when such

requests are issued pursuant to the provisions of this subsection. County and city personnel shall include in such plans the restoration of governmental services and public utilities necessary for the health, safety and welfare of the general public.

- (g) All such civil emergency forces shall notify the director of emergency services of conditions in the county or municipalities resulting from enemy attack or natural disaster, and they shall inform the director of any conditions threatening to reach the proportions of a natural disaster as defined herein.
- (h) County and municipal employees assigned to duty as part of the civil emergency forces pursuant to the provisions of this subsection shall retain all the rights, privileges and immunities of their employment and shall receive the compensation incident to that employment.
- (i) The director of emergency services may at any time make the appointment of volunteer citizens to augment personnel in the time of emergency. Such volunteer citizens may be enrolled as civil emergency volunteers in cooperation with the heads of the county or municipal department affected, and they shall be subject to the rules and regulations set forth by their department for such volunteers.
- (j) The director may appoint volunteer citizens or from the personnel of a civil emergency service for which the county or municipalities have no counterpart. He may also appoint volunteer citizens as public shelter managers, who, when directed by the director, shall open public shelters and take charge of all stocks of food, water and other supplies and equipment stored in the shelter; admit the public according to the community shelter plan; and take whatever control measures are necessary for the protection and safety of the occupants.
- (k) The director of emergency services may appoint and permit volunteers to operate privately owned vehicles to respond to disasters and emergencies using lights and sirens after first meeting the established rules and criteria promulgated by the emergency services department for volunteer privately owned vehicle response.
- l. The emergency services department public information officer shall serve as public information officer for the emergency management division.
- m. This subsection is an exercise by the county and city of their governmental authority for the protection of the public peace, health and safety; and county or municipal agents and representatives, or any individual, receiver

firm, partnership, corporation, association, or trustee, or any of the agents thereof in good faith carrying out, complying with, or attempting to comply with any order, rule or regulation promulgated pursuant to the provisions of this subsection shall not be liable for any damage sustained by persons or property as a result of such activity.

- n. Any person owning or controlling real estate or other premises who voluntarily and without compensation grants the county the right to inspect, designate and use the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an authorized civil emergency practice exercise shall not be civilly liable for the death of or injury to any person on or about such real estate or premises under such license, privilege or other permission, or for loss of or damage to the property of such person.
- o. It shall be unlawful for any persons to violate any of the provisions of this subsection or the regulations issued pursuant to the authority contained herein or willfully to obstruct, hinder or delay any member of the civil emergency organization in the enforcement of the provisions of this subsection or any regulation issued thereunder. Any violation of this subsection shall be considered as a misdemeanor and shall be punished by a fine of not more than five hundred dollars (\$500.00) or confinement of not more than thirty (30) days.

(4) *Hazardous Materials Division* - The hazardous materials division shall include, but not be limited to the location, identification, monitoring and/or control of all hazardous/toxic waste(s) existing in or transported through the county. Such control shall include the permitting and enforcement of all relevant codes and the coordination of effort with other county and public agencies assigned public safety responsibilities in the field of hazardous/ toxic wastes.

(5) *Emergency 911 Communications*

- (a) Funding for emergency 911 telephone system

It is the desire of Richland County Council to shorten the time and to simplify the methods required for a resident of Richland County to request and to receive emergency aid. It is the further intent of the County Council to provide funding by which to allow operation, maintenance and enhancements of E911 by levying a monthly charge of fifty (50) cents upon each local exchange access facility subscribed by telephone subscribers whose local exchange access lines are in the area served by or which would be served by the E911 service and/or system of Richland County. Wireless E911 fees will be levied as outlined in South Carolina Code of Laws Section 23-47-50.

- (b) E911 Service fee, billing and collection.

- (1) The E911 Service Fee shall include charges as may be required by the Service Suppliers and agreed upon by Richland County and such charges for support, planning, operation and current or future enhancements that are required by Richland County and outlined in South Carolina Code Sections 23-47-10 through 80.
 - (2) A monthly charge shall be levied upon each local exchange access facility subscribed to by telephone subscribers whose local exchange access lines are in the area served by or which would be served by the 911 service and/or system of the jurisdiction of the county as provided for in this section, in amounts permitted by the State of South Carolina, provided that the amount of such levy shall be set forth precisely in each annual, or supplemental budget ordinance as appropriate, together with a provision providing that such charges were tax enforceable under South Carolina Code 23-47-50(B). Said E911 Service Fee rate shall include funding for only such expenses and costs as are authorized under provisions of South Carolina Code Section 23-47-40(A)(B), and (D) as amended from time to time, as may be approved by the Richland County Council attendant to the normal adoption of the County's Ordinary and Capital Budgets. Said budget shall clearly delineate the estimated E911 Service Fee revenue and the associated expense, and sources of revenue and authorized expenses from sources other than the E911 Service Fee, by budget account and line item.
 - (3) The E911 Service Fee shall be uniform and not vary according to the type of local Exchange access.
 - (4) Coin operated telephones are toll free 911 calls, but certain locations, such as detention centers or institutions may be denied access to 911 at the discretion of the emergency services director. Other coin operated telephones where it can be clearly justified as not being in the public interest to continue or have access to 911 may also be denied such access.
 - (5) Service Suppliers shall remit to Richland County E911 Service Fee Collections within 45 calendar days following the end of the month of collections of such funds and, upon receipt of a monthly bill from the Service Supplier, Richland County will remit payment.
 - (6) An audit and budget reconciliation shall be conducted annually. The audit shall comply with the requirements of the South Carolina Code Section 23-47-50(E).
- (c) Accounting and management.

- (1) As provided in South Carolina Code Section 23-47-50(C), Richland County is responsible for the collection of delinquent accounts having access to the E911 system. The emergency services director and finance director shall cause procedures to be established with the Service Supplier and shall forward such information to the appropriate authority for collection procedures.
- (2) The emergency services director is responsible within Richland County for the administration of this section and South Carolina Code Sections 23-47-10 through 80.
- (d) Addressing and road name. All road naming activity shall be coordinated with the public works department, the planning division of the Community Planning and Development Department and if applicable the City of Columbia. Public safety is of the highest priority and road names contribute significantly to the efficiency of the emergency response system.
- (e) It shall be a violation for any person to misuse or abuse the 911 system or to make a false 911 call. Any person in violation of this section shall be subject to the penalties set forth in (f).
- (e) (f) Penalties. Any person who shall violate any provision of this section, including the provisions of South Carolina Code Title 23, Chapter 47, shall be guilty of a misdemeanor and, upon conviction of such offense, shall be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than thirty (30) days, and in addition, shall pay all costs and expenses involved in the case. Each and every day or portion thereof during which any violation continues shall be considered a separate offense.

DIVISION 6. FINANCE

Sec. 2-139. Creation; director.

There is hereby created the finance department and the position of director of finance, who shall be responsible to the county administrator and who shall direct and coordinate the operations and activities of the department. The department shall be responsible for all facets of finance administration including budget preparation and budgetary control, accounting, financial reporting, and other related financial/fiscal activities. It shall be responsible also for insurance; payroll and leave administration; and, in cooperation with the department of human resources, shall be responsible for development and implementation of a personnel data and information management system; and such other responsibilities as may be assigned by the county administrator. The director of finance shall give to the county a surety bond in the value of thirty thousand dollars (\$30,000.00) for the faithful performance of his/her duties as such officer, such

bond to be filed in the office of the clerk of court.

Sec. 2-140. Qualifications of director; selection.

The director of finance shall possess the education, training and experiences that are commensurate with the industry standards for this position.

Sec. 2-141. Responsibilities; powers; duties.

The director of finance shall be the chief administrative finance officer of the county, responsible to the county administrator for the performance of his/her duties and responsibilities which shall be to:

- (1) Direct the finance department and supervise its staff and activities;
- (2) Approve all warrants issued by officers of the county and draw drafts in payment thereof;
- (3) Maintain current accounts of all county budget expenditures and make periodic reports thereon as required by the county administrator;
- (4) Maintain a current inventory of all county property, real and personal; and collect and account for all income from rental or sale of same;
- (5) Receive all requests from county offices and agencies in excess of budget allowances, and prepare recommendations for the county administrator to submit to the council for consideration thereof;
- (6) Obtain and supervise contracting and payments for all insurance on county property, including liability and related insurance;
- (7) Cooperate with the county council, treasurer, attorney and other officers concerned in the preparation and sale of all county bond issues and other long-term financial transactions;
- (8) Cooperate with the county auditor, treasurer and other county officers in securing annual and special audits of all county accounts as required by law or directed by council; and
- (9) Serve as the trust officer of the county and be granted authority to sign necessary documents and create accounts for the proper maintenance of such funds, provided that such procedures shall be approved by the county administrator.

Sec. 2-142. Departmental Divisions.

The finance department shall include the following divisions:

(1) *Accounting* – There is hereby created the division of accounting and the position of accounting manager, who shall be responsible to the finance director to prepare annual financial statements and other financial reports as required or requested by federal and state agencies, County Council, Administration, or financial markets.

~~(2) *Budget* – There is hereby created the division of budget and the position of budget manager, who shall be responsible to the finance director to create and maintain the County's Annual Budget.~~

(32) *Procurement* - There is hereby created the division of procurement and the position of procurement manager. The procurement manager shall be a person with education, training and/or experience in purchasing, contract administration, and inventory. The division of procurement shall be responsible for the following:

(a) Purchasing all supplies, materials, equipment, and contractual services required by county agencies and performing the purchasing-related functions required of the director of procurement herein;

(b) Negotiating contracts for professional services and submitting them for approval and award as provided herein;

(c) Using standard specifications wherever they are applicable to purchase orders and contracts and ensuring compliance with such specifications through adequate inspection of deliveries;

(d) Transferring between agencies, supplies, materials and equipment which are no longer needed by a holding agency but which can be used by the receiving agency;

(e) Exchanging, trading in or selling those supplies, materials and equipment which are surplus, obsolete or unused and which are found by the county administrator not to be required for public use;

(f) Developing, with the approval of the county attorney as to legal sufficiency, standard forms and conditions for invitations to bid, requests for proposals, purchase orders, and contracts; developing and prescribing the use by agencies of other forms required in carrying out the provisions of this article; and amending or eliminating any such forms;

(g) Upon request of the council, and subject to its approval of each transaction, performing all delegable functions in connection with acquisition and disposal of real property;

- (h) Acting as the procurement, purchasing and contracting agent for all officers, offices and agencies of the county, subject to regulations promulgated by the council and approval authority of the director of finance;
- (i) Establishing and maintaining a central purchasing warehousing and supply system for all county offices and agencies, providing for requisition of materials and supplies by county offices and agencies authorized by the council;
- (j) Placing, with a newspaper to be determined pursuant to the requirements of Chapter 2, Article X, "Purchasing," of this Code, all requests for advertising by a county agency or department. Any agency or department requiring advertisement shall prepare the advertisement and present same to the division of procurement for the purposes of processing it for publication. The division of procurement shall have the responsibility of determining the most practical and least costly medium of advertising. In connection with this subsection, the office of procurement shall provide each county agency and department a schedule of processing time allowance so that the requesting agency or department will be assured of the actual date of publication of the advertisement. However, any advertising which is not paid for with county funds, or for which the county is reimbursed by a private individual or company, may be exempt from the provisions of this subsection;
- (k) Other duties as directed by the director of finance or county administrator.

DIVISION 7. HUMAN RESOURCES

Sec. 2-143. Creation; director.

—The department of human resource services is hereby created and shall be responsible for the development and implementation of a modern human resources program. The human resources department shall be managed by the director of human resource services who shall be responsible also for the following human resources functions: classification and compensation, benefits, records management, wellness, leaves, retiree services, employment, training, employee relations/civility and inclusion, performance management, recruiting and retention, communication, audits and compliance, budget, guidelines and handbook, ADA and Title VI, human resources information system, and such other responsibilities as may be assigned by the county administrator. The director of the human resource services department shall be bonded to the county in an appropriate amount for the faithful performance of the duties as such officer.

~~The department of human resources is hereby created and shall be responsible for the development and implementation of a modern personnel program employing whatever resources~~

~~and assistance are needed from the finance department. The human resources department shall be managed by the director of human resources who shall be responsible also for administrative and legislative research, economic and community development, public affairs, data information management, and such other responsibilities as may be assigned by the county administrator. The director of the human resources department shall be bonded to the county in an appropriate amount for the faithful performance of the duties as such officer.~~

Sec. 2-144. Qualifications of director; selection.

The director of human resources shall possess the education, training, and experiences that are commensurate with the industry standards for this position.

Sec. 2-145. Responsibilities; powers; duties.

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

- (1) To serve as personnel director and, as such to plan, organize, direct and coordinate the personnel program of the county;
- (2) ~~To formulate and recommend operating policies and procedures to the county administrator for the effective administration of the county's human resources program to ensure the County is in compliance with all local, state, and federal labor laws and regulations;~~To formulate and recommend operating policies and procedures to the county administrator for the effective administration of the county's personnel program;
- (3) ~~To be responsible for the coordination of all programs, activities, services and facilities throughout the County in order to accomplish the implementation of and compliance with the Americans with Disabilities Act (ADA)~~To direct and control the county's research resources and activities serving the administrative and legislative branches of the government;
- (4) ~~To perform such other related work as may be required and as assigned by the county administrator.~~To provide leadership and support in the areas of economic and community development and, in so doing, establish effective liaison and working relationships with all appropriate private and public enterprises as related to economic and industrial development, and with all appropriate civic groups/associations, as related to community development;
- (5) ~~To administer a program of public affairs and, to that end, establish effective relationships with the media and the general public through the development of viable public information programs;~~
- (6) ~~To organize, direct, and administer management information and word processing programs assigned to receive, store and provide organizational data and information on a timely and well organized basis as a service to the entire~~

organization; and

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

Sec. 2-146. Departmental Divisions.

The human resource services department shall include the following divisions:

- (1) Total Rewards– This division shall manage Total Rewards for the Human Resource Services Department.
- (2) Employee Development – This division shall manage Employee Development for the Human Resource Services Department.
- (3) Compliance and Audits - This division shall manage Compliance and Audits for the Human Resource Services Department.

The human resource services department shall be responsible for the following human resources functions:

- Classification and Compensation
- Benefits
- Records Management
- Wellness
- Leaves
- Retiree Services
- Employment
- Training
- Employee Relations / Civility and Inclusion
- Performance Management
- Recruiting and Retention
- Communications
- Audits and Compliance
- Budget
- Guidelines and Handbook
- ADA and Title VI
- Human Resources Information System

~~The human resources department shall include the following divisions:~~

- ~~(1) Compensation, Benefits, and Classification—This division shall manage the compensation, benefits and classification related services for the human resources department.~~
- ~~(2) Operations—This division shall manage the operations of the human resources department.~~

DIVISION 8. INFORMATION TECHNOLOGY

Sec. 2-147. Creation; director.

There is hereby created the information technology department and the position of director of information technology, who shall be responsible to the county administrator and who shall direct and coordinate the operations and activities of the department. The director shall be appointed by the county administrator, with the term of office being at the pleasure of the county administrator. The department shall be responsible for ~~all~~ providing the technological vision and leadership to deploy the appropriate technology that will contribute towards an enriched community and providing timely, efficient, effective, and proactive technology support to the employees of Richland County.

Sec. 2-148. Qualifications of director; selection.

The director of information technology shall be the chief information officer and shall possess the education, training, and experiences that are commensurate with the industry standards for this position.

Sec. 2-149. Departmental Divisions.

The information technology department shall include the following divisions:

- (1) Network & Telecommunications – This division shall ensure a secure and fully resilient technical environment that supports all of the county’s software, hardware, mobile, and cloud technologies, as well as future technologies. The division shall be responsible for the telecommunication system(s) serving the entire organization, including wired and wireless, Voice over Internet Protocol phone system, cell phones, data lines, cabling, and the county’s tower at Fort Jackson. The division is also responsible for mission critical cybersecurity. The division shall propose new or amended county policies as needed to ensure that the county responds to new threats and / or opportunities. The division shall also partner with other local / state agencies and private industry to expand broadband to citizens in Richland County.
- (2) Business Systems – This division shall provide proactive, realistic, and fiscally sound solutions to short, middle and long-range business goals whenever application software and / or project management can facilitate. The division shall develop new business software, oversee vendor software, perform feasibility studies and research, confer with departments to identify business needs and desired outcomes, perform business analysis, project management, quality assurance / quality control, and application training. The division will prepare procurement solicitations for new vendor systems and oversee implementation projects from start to finish. The division shall oversee and support all business

software, from small ~~on-one~~ department systems, to enterprise-wide software systems. The division also provides a county-wide training program for all county employees on various software tools to enhance productivity and on cybersecurity best practices. The division shall also manage the county website's technical platform.

- (3) *GIS* - The division of geographic information system (GIS), as well as the manager of GIS, is hereby established to furnish various county departments with tools to measure, model, and map data regarding geographically related phenomena. While data, in and of itself, cannot assist in making decisions or policy, the information created from such data is a valuable tool in executing county business. As a work product, the data will be used to produce thematic information that can be combined to assist county personnel in the decision-making process.

GIS data will be continuously updated and improved as technology and county capabilities improve. The county council understands that to sustain the county's utility and effectiveness, data must be maintained. The county council also recognizes that the nature of accurate local data and the potential of GIS are reflected in the value of spatial data to entities other than Richland County. Thus, to provide for costly maintenance of the GIS and to lessen the burden of annual budget requests, system data elements will be available for purchase pursuant to an established fee schedule. Such fee schedule may be modified ~~as described in subparagraph (d)(3)~~ below from time to time by council.

- (a) For the purposes of this section, and unless the context specifically indicates otherwise, the following general terms shall have the meanings designated below:

Applicant. Any person who submits a request for GIS products or services.

Customer. Any applicant who executes a contract for GIS products or services, or purchases copies of standard system products, custom hard copy system products, digital data, technical assistance, or other products or services.

Data. Recorded quantitative and qualitative observational measurements and facts.

Data steward. The person, or his/her designee, responsible for the maintenance and security of GIS data elements within a particular county department.

Geographic Information System (GIS) is an organized collection of computer hardware, software, geographic data, and personnel designed to

efficiently capture, store, update, use, analyze, and display all forms of geographically referenced material.

Information. The result(s) obtained from processing, classifying, or interpolating data.

Open records. Standard system products as defined herein and non-digital source documents.

Standard system products. Paper products generated from GIS databases for internal use and for the purpose of meeting requests submitted under current state law concerning open records.

Subscriber. Customer who purchases GIS service or products on a regular, frequent, and on-going basis.

(b) Data and information distribution.

1. Information derived from the county GIS and presented in a geographic context may be made available to the public via the Internet. Furthermore, standard system products will be made available on digital media or, if requested, in hard copy pursuant to S.C. Code 1976, § 30-4-30, as amended.
2. All GIS-related data requests must be approved by both the data steward of the department in possession of such data and the GIS division of the information technology department. Once approved, the GIS division is responsible for filling the request. All GIS data customers must enter into a non-transferable data license agreement with the county. Each license agreement shall identify limitations in the use of county GIS data and shall indemnify and hold harmless Richland County, its elected officials, officers, agents, and employees from loss, damage, or other liability arising from the use of the data.
3. A fee shall be collected from customers for copies of GIS data. An initial fee schedule of individual data elements will be reviewed by county council. The fee schedule will include a description of each thematic data element to be sold, distribution format, file format, and unit pricing information. The county administrator, as necessary, may update the fee schedule. Regardless of changes in data product fees, a county GIS data fee schedule will be submitted annually to the county council as an informational update. For good cause, the county administrator may waive or reduce fees for GIS data when such actions result in serving the best interest of the county.

4. Customers requesting data on a regular basis may request to receive data at a subscription rate, but must enter into a non-transferable data license agreement with the county.
5. All GIS-related information constituting a public record, as defined by S.C. Code 1976, § 30-4-20, as amended, may be provided at no charge via Internet access or at a minimal charge if such information is in digital or hard copy format. The minimal fees for digital or hard copy public record information shall be included in the approved fee schedule.

DIVISION 9. OPERATIONAL SERVICES

Sec. 2-150. Creation; director.

There is hereby created the ~~support services~~operational services department and the position of director of ~~support services~~operational services, who shall be responsible to the county administrator and who shall direct and coordinate the operations and activities of the department. The ~~support services~~operational services department shall be responsible to administer the internal or housekeeping needs of the county government. It shall be responsible for the maintenance, custody and security of the entire physical plant and all of the ~~support services~~operational services required to keep the plant and all equipment at an acceptable level of operation and usability. The office shall be managed by the director of ~~support services~~operational services and shall be responsible also for coordinating a program of records management through the county archivist, and for such other responsibilities as may be assigned by the county administrator. The director of ~~support services~~operational services shall be bonded to the county in an appropriate amount for the faithful performance of the duties as such officer.

Sec. 2-151. Qualifications of director; selection.

The director of operational services shall possess the education, training, and experiences that are commensurate with the industry standards for this position

Sec. 2-152. Responsibilities; powers; duties.

The duties and responsibilities of the director of ~~support services~~operational services shall be:

- (1) To develop and implement a comprehensive program of maintenance, custody and security for the county's physical plant, including all buildings and facilities owned and operated by the county government;

- (2) To formulate and submit to the county administrator recommendations for continued improvement and effective utilization of the county's physical plant;
- (3) To establish a working relationship and liaison with all department and agency heads relative to their specific operational and/or space office requirements and needs;
- (4) To provide assistance for all county departments and agencies to obtain auxiliary and/or housekeeping support and services;
- (5) To coordinate through the county archivist, a program of records management designed to serve all county departments and agencies; and
- (6) To perform such other related work as may be required and so assigned by the county administrator.

Sec. 2-153. Departmental Divisions.

The ~~support services~~operational services department shall include the following divisions:

- (1) Facilities and Grounds – This division shall perform routine maintenance on Richland County owned facilities and grounds.
- (2) Central Services –This division shall manage and operate the Richland County mailing services.

DIVISION 10. PUBLIC WORKS

Sec. 2-154. Creation; director.

There is hereby created the public works department and the position of director of public works, who shall be responsible to the county administrator and who shall direct and coordinate the operations and activities of the department. The director shall be appointed by the county administrator, and his/her term of office shall be at the pleasure of the county administrator.

Sec. 2-155. Qualifications of director; selection.

The director of public works possess the education, training, and experiences that are commensurate with the industry standards for this position

Sec. 2-156. Responsibilities; powers; duties.

The director of public works shall be responsible for the custody, security and maintenance of public works and physical ~~properties~~infrastructure of the county and shall be responsible to and under the supervision of the county administrator in the performance of

his/her duties.

Sec. 2-157. Departmental Divisions.

The public works department shall include the following divisions:

- (1) *Administration* – This division shall coordinate all department-level administrative support, including personnel management, safety, training, standardization, finance, budget, payroll, material management, and procurement, ~~and geographic information services (GIS).~~
- (2) *Engineering* – This division, which shall be managed by a registered professional engineer, shall manage and provide engineering services in support of county operations and infrastructure development, including the management and coordination of capital improvement projects and public works related geographic information services (GIS).
- (3) *Stormwater Management* – This division shall provide stormwater management services in support of positive public drainage, ~~and~~ “receiving water” quality, and environmental compliance with prevailing Federal, State and Local regulations.
- (4) *Roads and Drainage Maintenance* – This division shall maintain and improve the county road maintenance network and county drainage infrastructure.
- (5) *Airport* – This division shall manage the Jim Hamilton – LB Owens Airport (CUB) operations, maintenance, and administration.
- (6) *Solid Waste & Recycling* – This division shall provide residential collection of municipal solid waste (MSW) and recyclable materials within the unincorporated county, provide limited construction & demolition (C&D) landfill services, manage the Solid Waste stream within the county, and promote cost-effective recycling.
- (7) *Special Services* – This division shall be responsible for:
 - ~~1~~.a. Effectively managing a labor pool of community service and inmate labor personnel in support of county operations, such as picking up trash along the road right of ways and beautifying the community through a clean sweep program; and
 - ~~2~~.b. Helping communities become self-sufficient through sponsoring community cleanups; and
 - ~~3~~.c. Holding community forums to address participants’ questions about the clean sweep program and neighborhood cleanups.

DIVISION 11. TRANSPORTATION PENNY

Sec. 2-158. Creation; director.

There is hereby created the transportation penny department and the position of director of the transportation penny department, who shall be responsible to the county administrator and who shall direct and coordinate the operations and activities of the department. The director shall be appointed by the county administrator, and his/her term of office shall be at the pleasure of the county administrator. The transportation penny department shall manage all items of the Transportation Penny Program approved by voters in November 2012.

Sec. 2-159. Qualifications of director; selection.

The director of the transportation penny department shall possess the education, training, and experiences that are commensurate with the industry standards for this position.

Sec. 2-160. Responsibilities; powers; duties.

The duties and responsibilities of the director of the transportation penny department shall be:

- (1) To develop and implement the Richland County Transportation Program
- (2) Serve as the liaison with the South Carolina Department of Transportation on all joint transportation projects
- (3) Coordinates all transportation projects with the Central Midlands Council of Governments
- (4) Oversees design and construction of all transportation projects
- (5) Coordinate and manage the distribution of transportation program information to the Transportation Advisory Committee
- (6) Study and pursue outside funding sources for the Richland County Transportation Program

DIVISION 12. UTILITIES

Sec. 2-161. Creation; director.

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

Sec. 2-162. Qualifications of director; selection.

The director of utilities shall possess the education, training, and experiences that are commensurate with the industry standards for this position

Sec. 2-163. Responsibilities; powers; duties.

The utilities department shall be responsible for enforcing all the provisions of Chapter 24, Utilities, and Chapter 24.5, Special Sewer Assessment Districts, of the Richland County Code of Ordinances.

Sec. 2-164. Departmental Divisions.

The utilities department shall include the following divisions:

- (1) *Administration* – This division shall coordinate all department level administrative support, including personnel management, standardization, finance, budget, payroll, material management and procurement.
- (2) *Operations* – This division shall provide professional operation of county water and wastewater treatment facilities, laboratory facilities and shall administer provisions of the county’s pre-treatment program.
- (3) *Maintenance* – This division shall manage, maintain, and improve all county utility systems, including facilities, grounds, water and sewer lines and associated apparatus.
- (4) *Engineering* - This division shall provide engineering services in support of county utility operations and infrastructure development, including the management and coordination of capital improvement projects funded by both public and private sources. Also develops and maintains the department mapping and geographic information system.

SECTION IV. The Richland County Code of Ordinances, Chapter 21, Roads, Highways, and Bridges; Article I, In General; is hereby amended by the addition of the following sections and amendment of reserved sections:

Sec. 21-25. Use of county equipment by private parties and during public emergencies.

- (a) Use and operation of county equipment. Only authorized employees of the county shall be allowed to use and operate equipment owned by the county. No such equipment may be used at any time on private property or for private purposes except for public emergencies as hereinafter defined and as duly authorized by the director of public works and/or the county administrator.

(b) **Public emergency.** A public emergency is hereby defined as a flood (as defined under Section 26-22 of this Code of Ordinances), earthquake, tornado, hurricane, plane crash, train wreck, vehicular wrecks involving five (5) or more vehicles and/or ten (10) or more persons, fires and other occurrences, natural or man-made, where the public health is threatened or the potential of extensive damage to private property exists and immediate, emergency steps are necessary to protect life, health, the environment, and prevent substantial property loss.

(c) **Records.** In the event of such public emergency, the department of public works must, as soon thereafter as possible, make a record of the nature of the emergency, the property and/or owner involved, the operator of the equipment, the names of county employees utilized, the date(s) thereof, and the man-hours involved.

(d) **Reimbursement.** The director of public works and/or the county administrator may apply for reimbursement for the services rendered by county employees and equipment where the private party either had or has insurance available for such services or where federal or state funds are available, such as disaster aid.

(e) **Violation.** The failure to comply with this section shall be grounds for suspension, removal or termination.

21-26. Burial of paupers and cremains.

The public works department shall bury paupers at a site designated for that purpose when directed to do so by the county administrator. Further, cremains originating from medical schools may be buried within the county cemetery by appropriately authorized personnel of such schools. Medical schools wishing to enter into these arrangements shall provide a list of names of authorized personnel and shall execute appropriate releases and hold-harmless agreements prior to any burials.

Secs. 21-27--21-33. Reserved.

SECTION V. The Richland County Code of Ordinances, Chapter 1, General Provisions; is hereby amended by the addition of the following section:

Sec. 1-17. Home Detention Program.

(a) *Purpose.* The purpose of this section is to provide for a pilot Home Detention Program in Richland County as an alternative to confinement in the Alvin S. Glenn Detention Center, in accordance with the Home Detention Act of 1990 (S.C. Code 1976, § 24-13-1510 et seq, as amended).

(b) *Home Detention Program provided.* Pursuant to S.C. Code 1976, § 24-13-1530, electronic and nonelectronic home detention programs may be used by the magistrates of Richland County as an alternative to incarceration for low risk, nonviolent adult and

juvenile offenders, as selected by the court. Applications for home detention by persons who are awaiting trial or by offenders whose sentences do not place them in the custody of the Department of Corrections may hereafter be made to the magistrates of Richland County as an alternative to incarceration. The county's home detention program shall comply with all applicable state and local laws and regulations, including S.C. Code 1976, § 24-13-1510 et seq.

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

SECTION VIII. Effective Date. This ordinance shall be effective from and after _____, 2017.

RICHLAND COUNTY COUNCIL

BY: _____
Joyce Dickerson, Chairwoman

Attest this _____ day of _____, 2017.

Michelle Onley
Deputy Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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



RICHLAND COUNTY GOVERNMENT

Office of the County Administrator

February 27, 2018 A&F Committee Briefing Document City of Columbia Stormwater Utility Fees

Agenda Item

City of Columbia Stormwater Utility Fees

Background

During the December 5, 2017 Council meeting, Councilman Pearce brought forth the following motion:

“Without prior notice, in June 2017, the City of Columbia raised the storm water management fees for Hamilton – Owens Airport by 74% creating a severe financial hardship on airport operations. This increase amounts to 27% of the airport’s annual operating budget even though less than one percent of airport stormwater is managed by the City. Attempts to negotiate these rates have proven unsuccessful at the staff level. Recent studies have shown that a Hamilton – Owens Airport has a 14+ million dollar economic impact on the City of Columbia. This Motion requests that further payments of this unreasonable storm water management fee be withheld until such time as City officials provide a rate structure that is more tenable and consistent with the actual service being provided.”

As stated in Councilman Pearce’s motion, with virtually no advance notice (and after third-reading approval of the County’s Biennium budget), the City of Columbia Stormwater Utility raised its rates 74%. At the old rate, which was based on Equivalent Residential Unit (ERU) of \$6.80 / ERU / month, the airport budget paid approximately \$39,000 annually (\$3,250 monthly) to the City. The increase in the cost of an ERU raised the airport’s annual payment to approximately \$67,700, outstripping (by far) electricity as the most costly line item in the airport’s operating budget.

The topography and physical drainage conditions of the airport make this situation even more troublesome; a miniscule amount of the airport’s stormwater runoff is ever conveyed in the City-maintained system and a large amount of off-site stormwater generated within the City is conveyed through the airport in County built / County maintained facilities. Unfortunately, as currently written, the City’s Stormwater Regulations offer no “credits” for our situation.

On December 18, 2017, the Airport Manager, the Vice Chairman of the Airport Commission, Joel McCreary, and the Richland County Stormwater Manager, Synthia Williams, met with two senior staff members of the City of Columbia Stormwater Utility. The City staff met in the spirit of cooperation and have offered a draft “Special Protection Area Management Plan for the Gills Creek Watershed.” This plan, though under review by the Gills Creek Watershed Association and not yet approved by City

Council, has been reviewed by airport / Richland County staff. It should be understood that, even if implemented, it appears that this plan will require some degree of study, analysis, and capital improvement (which was not included in the airport's Biennium budget) in order to be implemented.

Issues

There is reference throughout the Special Protection Area Management Plan for the Gills Creek Watershed to "redevelopment projects" which suggests some level of additional capital development will be required in order to realize the credits which it offers.

Fiscal Impact

The fiscal impact to the airport's operating budget for the *status quo* is known and stated above (a potential annual airport operating budget shortfall of **\$28,700**).

Though the exact costs of implementation of the Special Protection Area Management Plan for the Gills Creek Watershed are unknown, there are two possible scenarios moving forward:

- Lower additional cost scenario – The airport staff would engage a consultant to survey the airport / Best Management Practices (BMPs), identify and design a single or small number of additional BMPs, apply the provisions of the BMP Pollutant Removal Matrix, and determine the airport's eligibility for stormwater credits under the SPA Management Plan which would keep the airport at or below pre-July 2017 stormwater rates. Construction of these BMPs would follow; or
- Higher additional cost scenario – The airport staff would engage a consultant to survey the airport / Best Management Practices (BMPs), identify and design multiple, additional BMPs, apply the provisions of the BMP Pollutant Removal Matrix, and determine the airport's eligibility for stormwater credits under the SPA Management Plan which would keep the airport at or below pre-July 2017 stormwater rates. Construction of these BMPs would follow. This would have the greatest cost and "footprint" impact and may take years to fully develop.

In each of the above scenarios, the airport will be required to "spend money in order to save money." Also, the above courses of action / possible scenarios may not provide protection to the airport budget against future rate increases.

Past Legislative Actions

There are no past legislative actions; however, though not directly related to the issue of City's Stormwater Utility fees, it should be noted that the City's Owens Field Park recreation amenity is located on airport property. The City of Columbia pays Richland County \$1.00 / year for the use of 68 acres.

Alternatives

1. Approve Councilman Pearce's motion as a step towards ensuring a reasonable application of the City of Columbia's Stormwater Utility fee to the airport.

Or,

2. Do not approve Councilman Pearce's motion.

Staff Recommendation

Staff recommends action by County Council which will significantly reduce or permanently eliminate the City's Stormwater Utility fee from being charged to the airport.



**RICHLAND COUNTY
GOVERNMENT**
Office of the County Administrator

**Administration & Finance Committee Meeting
February 27, 2018
Committee Briefing Document**

Agenda Item

Request to waive Section III of Wilson Farms' Declaration of Restrictive Covenants for lot 1.

Background

Richland County received a letter from Attorney C. Dawn Watkins, dated January 5, 2018 (Attachment A). Ms. Watkins represents Arturo Rodriguez III, who owns 109 Wilson Farm Road, located in District 11. Mr. Rodriguez is in the process of refinancing his property and, thus, performed a title search. The search results determined that 109 Wilson Farm Road was in violation of the Declaration of Restrictive Covenants ("Covenants") (Attachment B) for Wilson Farms subdivision. Mr. Rodriguez's property is a portion of lot 1. Section III of the Covenants, prohibits the subdividing of lots 1 thru 7. In order to complete his refinancing, Mr. Rodriguez is requesting County Council to waive section III of the Restrictive Covenants.

Pursuant to section IV, these Covenants may be amended or modified through the written consent of County Council and the subdivision property owners.

Issues

As determined by the Community Planning & Development Department and Register of Deeds, there are no issues at this time.

County Legal has reviewed the request and supplemental documentation and has no concerns.

Fiscal Impact

If approved by County Council, there is no financial impact to County General funds.

Past Legislative Actions

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

Alternatives

1. Approve the Covenant waiver for lot 1.
2. Do not approve the Covenant waiver for lot 1.

Staff Recommendation

It is recommended that County Council approve the waiver for lot 1.

Submitted by: Tracy Hegler, Community Planning & Development and John Hopkins, Register of Deeds

Date: February 20, 2018

ATTACHMENT A



Lucero & Watkins LLC
— Attorneys at Law —

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C. Dawn Watkins
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January 5, 2018

Gerald Seals
County Administrator
Via email only ombudsman@rcgov.us

RE: 109 Wilson Farm Road, Eastover, SC 29044
Lot 1, Wilson Farms Subdivision

Mr. Seals,

I am writing you on behalf of Arturo Rodriguez, III, who is the owner of the above referenced property. My firm is handling a refinance for Mr. Rodriguez on the above referenced property and have revealed an issue that must be resolved prior to closing. We have spoken to Tommy DeLage in Richland County Community Planning & Development several times regarding the matter and he has referred us to your office for a resolution.

The title search revealed that this property is subject to a Declaration of Restrictive Covenants filed by C. W. Haynes Company, Incorporated and County Council for Richland County dated August 25, 1992 and recorded January 4, 1993 in Book D1123, page 51, in the Office of the Register of Deeds for Richland County ("Declaration"), which provides in part that the lots in the subdivision, as shown on the plat recorded in Plat Book 54, page 4214, cannot be further subdivided. The title search also revealed that Lot 1 was subdivided by the previous owner in 2011, per the plat recorded October 4, 2011 in Record Book 1711, page 3864. A portion of Lot 1 was conveyed to Mr. Rodriguez by deed recorded October 24, 2001 in Record Book 1716, page 365.

The subdivision of Lot 1 was in violation of Section III of the Declaration. Section IV of the Declaration provides that the restrictive covenants be modified with written consent of County Council, by and through its Chairman, and all of the lot owners of Wilson Farms Subdivision. We are requesting a Waiver of the Declaration from County Council for the subdivision of Lot 1 only, to allow Mr. Rodriguez to proceed to closing. We have drafted the waiver and are in the process of obtaining consent from all of the lot owners of the subdivision.

Enclosed please find the following documents for your review:

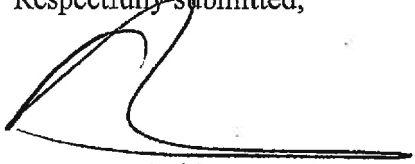
1. The Declaration for Wilson Farms Subdivision recorded in Book D1123, page 51.
2. Plat of Wilson Farms Subdivision recorded in Plat Book 54, page 4214.
3. Plat of the subdivision of Lot 1 recorded in Record Book 1711, page 3864.
4. Deed to Mr. Rodriguez recorded in Record Book 1716, page 365.
5. Waiver of Declaration of Restrictive Covenants for Lot 1 Wilson Farms Subdivision Recorded in Book D1123 at Page 51.

Please contact me at your earliest convenience to discuss how this will be handled, as this is a time-sensitive matter.

If the waiver meets the approval of County Council, please email an executed copy to me at dawn@lwlawfirm.com and mail the original to my attention at 3306 Millwood Avenue, Columbia, SC 29205.

Please do not hesitate to contact me at 765-0507 or dawn@lwlawfirm.com, if you have any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. Dawn Watkins', written over a horizontal line.

C. Dawn Watkins, Esquire

Enclosures



STATE OF SOUTH CAROLINA)
 COUNTY OF RICHLAND)

DECLARATION OF RESTRICTIVE
 COVENANTS

THIS DECLARATION, made this 25th day of August, 19 92, by and between C. W. Haynes and Company, Incorporated, party of the first part, hereinafter called "Developer" and the County Council for Richland County, party of the second part, hereinafter called "County Council", pursuant to Ordinance 1535-86HR, whereby the Richland County Subdivision Regulations, Appendix B, were adopted by County Council.

WITNESSETH, NOW, THEREFORE, the parties hereto declare and agree that the following restrictions shall be binding upon the real property identified by plat, described in Section III, below.

SECTION I. A privately maintained driveway shall be established providing access to a public road for Lots 1, 2, 3, 4, 5, 6 and 7 in the subdivision, said driveway to be jointly owned by all property owners in the subdivision. Any such private driveway shall comply with lending requirements of FHA and VA.

SECTION II. Provisions shall be made for maintenance of the private driveway by the Owners of Lots 1 through 7 in the subdivision. All owners of said lots shall be jointly and severally financially required to maintain the driveway, said obligation to be enforceable by the filing of a lien, by the Homeowner's Association, or other party of interest, against the property of an owner who fails to make the required contributions towards maintenance of the private driveway. THE PRIVATE DRIVEWAY PROVIDING ACCESS TO LOTS 1 THROUGH 7 IN THIS SUBDIVISION IS NOT MAINTAINED BY RICHLAND COUNTY NOR IS IT LIKELY TO BE SO MAINTAINED IN THE FUTURE. OWNERS OF SAID PARCELS IN THIS SUBDIVISION ARE FINANCIALLY OBLIGATED TO MAINTAIN THIS DRIVEWAY FOR THE BENEFIT OF ALL PROPERTY OWNERS IN THE SUBDIVISION.

SECTION III. Further subdivision of Lots 1 through 7 shown on the plat (recorded in the RMC Office of Richland County at Plat Book 54, Page 421), and identified as "Wilson Farms Subdivision" prepared by United Design Services, Inc., and dated January 7, 1992, (Revised N/A, 199), shall be prohibited.

ms.

SECTION IV. These restrictive covenants may not be amended or modified except with the written consent of County Council, by and through its Chairman, and all said property owners in the subdivision.

SECTION V. Any deed conveying any interest in Lots 1 through 7 in the subdivision shall conspicuously contain the following language with an appropriate space for a signature by the grantee or grantees acknowledging same:

"The real property described in this deed is subject to restrictive covenants recorded in Deed Book 203, at Page 51. These restrictive covenants provide among other things, a financial obligation of the owner(s) of the property to maintain a private driveway. These restrictive covenants are specifically acknowledged by the grantee(s).

Grantee(s)

SECTION VI. The lien of the assessments provided for herein shall be subordinate to (1) the lien of any first mortgage, and (2) the lien of any unpaid ad valorem taxes. Sale or transfer of any lot shall not affect the assessment lien. However, the sale or transfer of any lot pursuant to a mortgage foreclosure or any proceeding in lieu of foreclosure shall extinguish the lien of such assessments as to the payments which became due prior to such sale or transfer. No such sale or transfer shall release such lot from liability for any assessments thereafter becoming due or from the lien thereof.

IN WITNESS WHEREOF, the Developer and the County Council, by and through its duly-authorized officers, have caused this instrument to be executed the day and year first above written.

WITNESSES:
Brenda Shealy

Eula L. Blakely

PARTY OF THE FIRST PART
BY: W. E. Sellars
W. E. Sellars, President
C. W. Haynes and Company, Inc.

Attest: [Signature]
R. B. Haynes, Secretary
C. W. Haynes and Company, Inc.

APPROVED COUNTY ATTORNEY

DATE 12-21-92

01123 PAGE 53

WITNESSES:

SIGNATURE: P. Lawrence Hoffman

PARTY OF THE SECOND PART
RICHLAND COUNTY COUNCIL

Kathryn Y. Jones

BY: John W. Pittman
Chairman, Richland County Council

P. Lawrence Hoffman

ATTEST: Brenda L. Shealy
Clerk of Council

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

PROBATE
PARTY OF THE FIRST PART

PERSONALLY appeared before me Brenda L. Shealy who being duly sworn says that (s)he saw the within-named C. W. Haynes and Company, Incorporated, by its President, W. E. Sellars, Party of the First Part, sign, seal and as its act and deed deliver the within-written instrument for the uses and purposes therein mentioned, and that (s)he with Eula S. Blakely witnessed the execution thereof.

Brenda L. Shealy

SWORN TO BEFORE ME THIS
25th DAY OF August, 1992.

Eula S. Blakely
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission expires: 8-26-96

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

PROBATE
PARTY OF THE SECOND PART

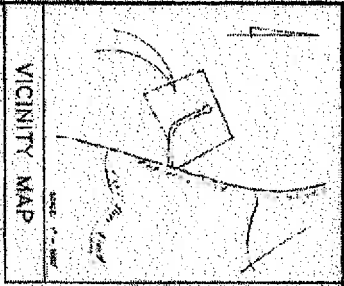
PERSONALLY appeared before me Kathryn Y. Jones who being duly sworn says that (s)he saw the County Council of Richland County, by its Chairman, Bernice G. Scott, Party of the Second Part, sign, seal and as the act and deed of the County Council of Richland County deliver the within-written instrument for the uses and purposes therein mentioned, and that (s)he with P. Lawrence Hoffman witnessed the execution thereof.

Kathryn Y. Jones

SWORN TO BEFORE ME THIS
22d DAY OF DEC, 1992

P. Lawrence Hoffman
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission expires: 4-9-94

01123 PAGE 53

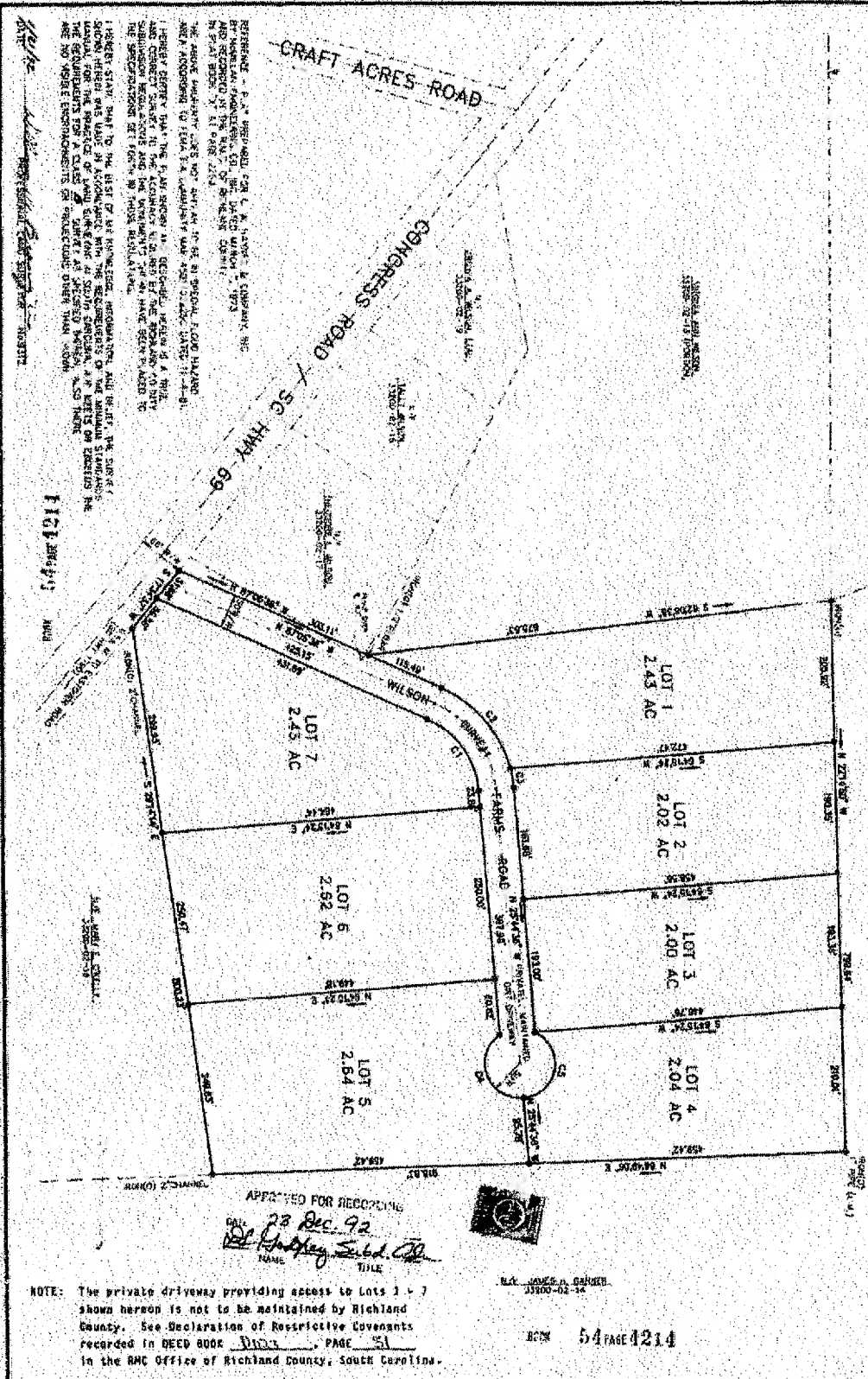


OWNER / DEVELOPER
 1000 1ST STREET, INC.
 COLUMBIA, SC 29201
 803-733-7777

17.47 ACRES IN DEVELOPMENT
 1.42 ACRES IN PRIVATE HANDS
 1.42 ACRES IN 1 LOT

ZONED RURAL (RU)

NOTE: NEW 2005 N.C. ZONING ACT AT THE OPTION OF THE SUBMITTER, ALL ZONING MAPS OF THIS JURISDICTION ARE NOW EFFECTIVE AS OF 12/1/05.



REFERENCE: P.A. 88-100, RICHLAND COUNTY, SOUTH CAROLINA, AS AMENDED BY RICHLAND COUNTY BOARD OF ZONING ADJUSTMENT, 1992, AND RECORDED IN THE BOOK OF ORDINANCES, 1992, PAGE 100.

THE ABOVE MAPS AND PLATS ARE NOT TO BE CONSIDERED AS A FINAL PLAN FOR THE PURPOSES OF THE RICHLAND COUNTY ZONING ORDINANCES, BUT ARE TO BE USED AS A GUIDE ONLY.

THE SUBMITTER HEREBY WARRANTS THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF, AND THAT HE HAS NOT BEEN ADVISED BY ANY OTHER PARTY THAT THE INFORMATION CONTAINED HEREIN IS UNTRUE OR MISLEADING.

THE SUBMITTER HEREBY WARRANTS THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF, AND THAT HE HAS NOT BEEN ADVISED BY ANY OTHER PARTY THAT THE INFORMATION CONTAINED HEREIN IS UNTRUE OR MISLEADING.

BOOK	PAGE	DATE	DESCRIPTION
110737	150	08/27/03	PLAT
110737	150	08/27/03	PLAT

NO.	DESCRIPTION	DATE	STATUS
1	110737	08/27/03	PLAT
2	110737	08/27/03	PLAT

APPROVED FOR RECORDING
 DATE: 23 Dec 92
 NAME: [Signature]
 TITLE: [Signature]

NOTE: The private driveway providing access to Lots 1 + 7 shown hereon is not to be maintained by Richland County. See Declaration of Restrictive Covenants recorded in DEED BOOK 31003, PAGE 51 in the RMC Office of Richland County, South Carolina.

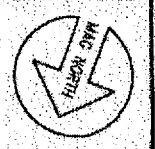
SCALE: 1" = 100'

DATE: 7 JAN 93

DATE: 11/24/92

DWG # 92-183

SHEET: 1



FINAL PLAT OF

WILSON FARMS SUBDIVISION

74 of 91

RICHLAND COUNTY, SOUTH CAROLINA

UNITED DESIGN SERVICES, INC.

801 DEVINE STREET, COLUMBIA, SC 29201

(803) 754-8286

Book 1716-355
2011069753 10/24/2011 10:01:58:613 Deed
Fee:\$10.00 County Tax: \$0.00 State Tax: \$0.00



2011069753 John T. Hopkins II Richland County R.O.O.

11-0247

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that Arturo Rodriguez and Cecilia Rodriguez, (hereinafter called "Grantor"), in consideration of FIVE AND 00/100 (\$5.00) DOLLARS, LOVE AND AFFECTION FOR OUR SON, to the Grantor in hand paid at and before the sealing of these presents, by Arturo Rodriguez, III (hereinafter called "Grantee") in the State aforesaid, the receipt of which is hereby acknowledged, has granted, bargained, sold, and released, and by these presents does grant, bargain, sell and release unto

ARTURO RODRIGUEZ, III

His heirs and assigns,

The following described property:

All that certain piece, parcel or lot of land, together with the improvements thereon, situate, lying and being located in the County of Richland, State of South Carolina, containing 1.68 acres, more or less, and being more particularly shown and delineated on a plat entitled, "Survey for Mortgage Purposes Only at the Request of Arturo Rodrigues" dated October 1, 2011 and recorded October 4, 2011 in the Office of the Register of Deeds for Richland County in Plat Book 1711 at Page 3864; said lot having such metes and bounds as reference to said plat will show, all measurements being a little more or less.

SUBJECT TO a non-exclusive access extending over, across and through the subject property, as shown on the aforementioned plat.

The real property described in this deed is subject to restrictive covenants reported in Deed Book D1123 at Page 51. These restrictive covenants provide among other things, a financial obligation of the owner(s) of the property to maintain a private driveway. These restrictive covenants are specifically acknowledged by the grantee(s).


Arturo Rodriguez, III

Grantee

This being a portion of the property conveyed to Arturo and Cecilia Rodriguez by deed of Arturo Rodriguez recorded January 17, 2008 in the Office of the Register of Deeds for Richland County in Deed Book 1393 at Page 1480.

This conveyance is made subject to any restrictions, reservations, zoning ordinances or easements that may appear of record on the recorded plats or on the premises.

Harold L. Swafford
Attorney at Law
1316 Richland Street
Columbia, South Carolina 29201

11-0247

Grantee's Address: 109 Wilson Farm Road
Eastover, SC 29044

TMS No.: Portion of 33210-01-07

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appertaining;

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the Grantee, and the Grantee's heirs and assigns forever. And the Grantor do hereby bind the grantor and the grantor's heirs or successors, executors and administrators to warrant and forever defend all and singular said premises unto the Grantee and the Grantee's heirs or successors and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Any reference to this instrument to the singular shall include the plural, and vice versa. Any reference to one gender shall include the others, including the neuter. Such words of inheritance shall be applicable as are required by the gender of the Grantee.

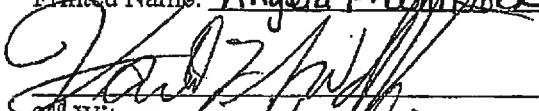
WITNESS the Grantor's hands and seals this the 14th day of October, 2011.

SIGNED, SEALED AND DELIVERED

in the presence of:

Angela F. Whitebeck
1st Witness
Printed Name: Angela F. Whitebeck


ARTURO RODRIGUEZ


2nd Witness
Printed Name: Harold Z. White


CECILIA RODRIGUEZ

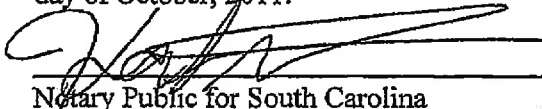
11-0247

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

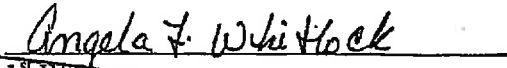
PROBATE

PERSONALLY APPEARED BEFORE ME the undersigned witness and made oath that (s)he saw the within-named Arturo Rodriguez and Cecilia Rodriguez sign, seal, and, as their act and deed, deliver the within-written Title to Real Estate, and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this 14th
day of October, 2011.



Notary Public for South Carolina
My Commission Expires: 10/25/2015


1st Witness

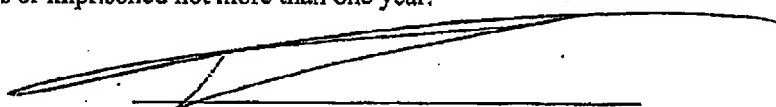
11-0247

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND


Personally appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.
2. The property is being transferred from **Arturo Rodriguez and Cecilia Rodriguez to Arturo Rodriguez, III** dated **October 14, 2011**.
3. Check one of the following: *The DEED is*
 - a) _____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - b) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or a distribution to a trust beneficiary.
 - c) X EXEMPT from the deed recording fee because (exemption# Amount is less than \$100.00) (Explanation if required) (If exempt, please skip items 4-6 and go to item 7 of this affidavit.).
4. Check one of the following if either item 3(a) or item 3(b) above has been checked.
 - a) _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$ _____.
 - b) _____ The fee is computed on the fair market value of the realty which is \$ _____.
 - c) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ _____.
5. Check YES _____ or NO X to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES" the amount of the outstanding balance of this lien or encumbrance is \$ _____.
6. The DEED recording fee is computed as follows:
 - a) _____ the amount listed in item 4 above
 - b) _____ the amount listed in item 5 above (If no amount place zero)
 - c) _____ Subtract Line 6(b) from Line 6(a) and place the result.
7. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: **Legal Representative**
8. I understand that a person required to furnish this affidavit who willfully furnished a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year.

Sworn to before me this 14th day
of October, 2011.



Grantor, Grantee or Legal Representative



Notary Public for South Carolina
My Commission Expires: 6/25/2017

Harold L. Swafford, Attorney at Law

11-0247

INFORMATION

Except as provided in this paragraph, the term "value" means "the consideration paid or to be paid in money or money's worth for the realty." Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

Exempted from the fee are deeds:

- (1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal or less than one hundred dollars;
- (2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts;
- (3) that are otherwise exempted under the laws and Constitution of this State or of the United States;
- (4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interests in the realty that are being exchanged in order to partition the realty;
- (6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39;
- (7) that constitute a contract for the sale of timber to be cut;
- (8) transferring realty to a corporation, a partnership, or a trust in order to become, or as, a stockholder, partner, or trust beneficiary of the entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in such stock or interest held by the grantor. However, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee even if the realty is transferred to another corporation, a partnership, or trust;
- (9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A "family partnership" is a partnership whose partners are all members of the same family. A "family trust" is a trust, in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. "Family" means the grantor and the grantor's spouse, parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any the above. A "charitable entity" means an entity that may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation;
- (11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership; and,
- (12) that constitute a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed.
- (13) transferring realty subject to a mortgage to the mortgagee whether by deed in lieu of foreclosure executed by the mortgagee or deed pursuant to foreclosure proceedings.
- (14) Transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty.
- (15) transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivision to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.

ATTACHMENT B

Please return to:
Lucero & Watkins, LLC
3306 Millwood Avenue
Columbia, SC 29205
File #2017-368

STATE OF SOUTH CAROLINA)
)
)
COUNTY OF RICHLAND) **WAIVER OF DECLARATION OF**
RESTRICTIVE COVENANTS FOR
LOT 1 WILSON FARMS SUBDIVISION
RECORDED IN BOOK D1123 AT PAGE 51

THIS WAIVER OF DECLARATION OF RESTRICTIONS, COVENANTS AND CONDITIONS FOR LOT 1 WILSON FARMS SUBDIVISION (“Waiver”) is made this ____ day of _____, 2018, by Arturo Rodriguez, III, Arturo Rodriguez and Cecilia Rodriguez (Owners of Lot 1), Jhue Smith and Frances L. Smith (Owners of Lot 2), Valerie Kay Lattin (Owner of Lot 3), Michael D. Houtchings and Debra T. Houtchings (Owners of Lot 4), Patrick Prevatte (Owner of Lot 5), Siri H. Pitsinger (Owner of Lot 6), and John Hare, individually, and as the Sole Heir-at-Law of Kyoko H. Hare (Owner of Lot 7) (hereinafter collectively referred to as “Owners”) and County Council for Richland County, by and through its Chairwoman.

WHEREAS, C. W. Haynes and Company, Incorporated (“Developer”) and the County Council for Richland County (“County Council”) executed and filed that certain Declaration of Restrictive Covenants, recorded on January 4, 1993 in Book D1123 at Page 51, in the Office of the Register of Deeds for Richland County (“Declaration”); and,

WHEREAS, the property purported to be encumbered by the Declaration was Wilson Farms Subdivision which consisted of seven (7) lots according to the plat of Wilson Farms Subdivision, prepared by United Design Services, Inc., dated January 7, 1992 and recorded January 4, 1993 in Plat Book 54, Page 4214, in the Office of the Register of Deeds for Richland County; and,

WHEREAS, Section III of the Declaration provides that “Further subdivision of Lots 1 through 7 shown on the plat (recorded in the RMC Office of Richland County at Plat Book 54, Page 4214), and identified as ‘Wilson Farms Subdivision’ prepared by United Design Services, Inc., and dated January 7, 1992, (Revised N/A, 199), shall be prohibited”; and,

WHEREAS, Section IV of the Declaration provides that “These restrictive covenants may not be amended or modified except with the written consent of County Council, by and through its Chairman, and all said property owners in the subdivision”; and,

WHEREAS, Arturo Rodriguez and Cecilia Rodriguez subdivided Lot 1, as shown on that certain plat prepared for Arturo Rodrigues by Ralph O. Vanadore, S.C.R.L.S. #7606, dated October 1, 2011 and recorded October 4, 2011 in Record Book 1711 at Page 3864, in the Office

of the Register of Deeds for Richland County (“Rodriguez Plat”), and attached hereto as Exhibit “A”; and,

WHEREAS, Arturo Rodriguez and Cecilia Rodriguez conveyed a portion of Lot 1, being shown and designated as 0.76 acre, more or less, on the Rodriguez Plat by deed dated October 14, 2011 and recorded October 24, 2011 in Record Book 1716 at Page 355, in the Office of the Register of Deeds for Richland County; and,

WHEREAS, County Council and the Owners of Lots 1 through 7, who are parties hereto, wish to waive Section III of the Declaration as to Lot 1 only;

NOW THEREFORE, in consideration of mutual covenants contained herein, Arturo Rodriguez, III, Arturo Rodriguez and Cecilia Rodriguez (Owners of Lot 1), Jhue Smith and Frances L. Smith (Owners of Lot 2), Valerie Kay Lattin (Owner of Lot 3), Michael D. Houtchings and Debra T. Houtchings (Owners of Lot 4), Patrick Prevatte (Owner of Lot 5), Siri H. Pitsinger (Owner of Lot 6), and John Hare, individually, and as the Sole Heir-at-Law of Kyoko H. Hare (Owner of Lot 7), who encompass all of the owners of Lots 1-7 of Wilson Farms Subdivision, and County Council for Richland County, by and through its Chairwoman, hereby waive Section III of the Declaration of Restrictive Covenants for Wilson Farms Subdivision as to Lots 1 only. All other restrictions contained in the Declaration shall remain in full force and effect as stated.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]



RICHLAND COUNTY GOVERNMENT

Office of the County Administrator

February 27, 2018 Administration & Finance Committee Meeting Items Pending Analysis – Status Updates

- a. Council Motion: Richland County funds thirteen mills eight mills more than the five mills required by statute. I move that County Council develop a separate Recreation Commission to manage the eight additional mills if the Recreation Commission does not agree to the MOU or if Council still feels that there is taxation without representation. Note: This is a partial solution to the constant challenge for taxation and representation [N. Jackson]

Status Update: This matter was considered by the Committee during its October 24, 2017 meeting, at which time the Committee voted to hold this item in Committee until Council's Recreation Commission liaisons meet with the Recreation Commission. Pursuant to direction provided by the Commission liaison, this matter will be brought back to the Committee for action.

- b. Move that the agreement with Platinum Plus to operate to perpetuity be reconsidered and that they never reopen at that location. Note: It's next to a graveyard and a church which violates County Ordinance. It was never grandfathered making it noncompliance [N. Jackson]

Status Update: This motion was brought forth during the February 6, 2018 Council meeting. Staff is examining this motion and will present a briefing document for the Committee's consideration once staff's review has been completed.

- c. Do not approve any additional projects from the remainder of the \$50 million Recreation Bond until an explanation is given from the Recreation Commission, why \$1,600,000 was paid for 40 acres of land worth \$255,000 NOTE: The intent was to purchase 40 acres and build a road at the cost of \$1,600,000. The documents might state to purchase land only but if an appraisal was done it would have shown that the land was worth \$255,000 [N. Jackson]

Status Update: This motion was brought forth during the February 6, 2018 Council meeting. Staff is researching this motion and will present a briefing document for the Committee's review once staff's research has been completed.

- d. Funding Request for Little Lake Katherine

Status Update: The Homeowners' Association of Little Lake Katherine requested Council's consideration of funding the dredging of Little Lake Katherine. Staff is working with Councilman Pearce regarding this request.