



RICHLAND COUNTY COUNCIL

DEVELOPMENT AND SERVICES COMMITTEE

Norman Jackson	Joyce Dickerson	Valerie Hutchinson (Chair)	Bill Malinowski	Kelvin Washington
District 11	District 2	District 9	District 1	District 10

JUNE 28, 2011

5:00 PM

2020 Hampton Street, Columbia, South Carolina

CALL TO ORDER

APPROVAL OF MINUTES

1. Regular Session: May 24, 2011 [pages 5-7]

ADOPTION OF AGENDA

ITEMS FOR ACTION

2. Proposed Commission for the Aging [pages 9-20]
3. Smoking Ban Ordinance Amendment "Reasonable Distance" [pages 22-25]
4. Purchase of a 15 ton long track Hydraulic Excavator [pages 27-28]

5. Purchase of Two Tandem Axle Dump Trucks [pages 30-31]
6. Request to approve emergency purchase of landfill trash compactor [pages 33-34]
7. Waste Management C&D Contract Renewal [pages 36-37]
8. Ordinance regarding inspection of occupied structures [pages 39-43]
9. Amending Chapter 26 to address landscaping of non-profit organizations [pages 45-48]
10. Creating an independent review task force to improve the business climate in the City of Columbia and Richland County [pages 50-54]
11. Hopkins Community Water System Service Area Expansion [pages 56-65]
12. Petition to close portion of Beckham Swamp Road [pages 67- 75]
13. Water main easement to the City of Columbia (n/w side of Westmoreland Road) [pages 77-86]
14. Sanitary Sewer Main Easement to the City of Columbia northern side of Cogburn Road [pages 88-96]

ITEMS FOR DISCUSSION / INFORMATION

15. Direct staff to coordinate with SCDHEC and SCDOT a review of traffic signal timing improvements and synchronization in unincorporated Richland County and request a system of red/yellow flashing traffic signals be initiated to help reduce emissions. Unincorporated Richland County will also mandate ingress and egress turn lanes for all business and residential construction that would cause a slowdown of traffic on the road servicing that facility. [page 97]

ITEMS PENDING ANALYSIS: NO ACTION REQUIRED

16.
 - a. Curfew for Community Safety (Manning-February 2010)
 - b. Farmers Market Update (Council-May 2010)
 - c. Review all Engineering and Architectural Drawing requirements to make sure there is no unnecessary charge or expense to citizens (Jackson-January 2010)

d. Review Homeowner Association Covenants by developers and the time frame for transfer and the strength of the contracts (Jackson-September 2010)

e. To direct Public Works to review county ordinances and propose amendments that would allow the recovery cost to repair damage done to county public roads. The intent of this motion is to hold those responsible who damage the roadways due to the use of heavy vehicles, improperly parked property or other uses for which the type of roadway was not intended (Malinowski-April 2010)

f. That Richland County enact a Tree Canopy Ordinance and Inventory to preserve and enhance the number of trees in Richland County (Malinowski-July 2010)

g. Off-ramp Lighting (Rose-February 2011)

h. In the interest of regional consistency and public safety, I move that Richland County Council adopt an ordinance (consistent with the City of Columbia) banning texting while operating a motor vehicle (Rose-April 2011)

i. Staff is requested to review Richland County's current ordinance as it relates to animal ownership in Richland County to determine if there is a better way of controlling the amount of animals (pets) a person has in their possession in order to eliminate the possibility of some locations turning into uncontrolled breeding facilities or a facility for the collection of strays and unwanted animals (Malinowski and Kennedy-May 2011)

ADJOURNMENT



Richland County Council Request of Action

Subject

Regular Session: May 24, 2011 [pages 5-7]

Reviews

MINUTES OF



RICHLAND COUNTY COUNCIL DEVELOPMENT AND SERVICES COMMITTEE TUESDAY, MAY 24, 2011 6:00 P.M.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.

=====

MEMBERS PRESENT

Chair: Valerie Hutchinson
Member: Norman Jackson
Member: Bill Malinowski
Member: Kelvin E. Washington, Sr.

Absent: Joyce Dickerson

ALSO PRESENT: Paul Livingston, L. Gregory Pearce, Jr., Damon Jeter, Milton Pope, Tony McDonald, Sparty Hammett, Randy Cherry, Larry Smith, Stephany Snowden, Tamara King, Melinda Edwards, Anna Fonseca, Amelia Linder, Pam Davis, Sara Salley, David Hoops, Dale Welch, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting started at approximately 5:02 p.m.

APPROVAL OF MINUTES

April 26, 2011 (Regular Session) – Mr. Jackson moved, seconded by Mr. Malinowski, to approve the minutes as amended. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Jackson moved, seconded by Mr. Malinowski, to adopt the agenda as distributed. The vote in favor of adopting the amended agenda was unanimous.

ITEMS FOR ACTION

Animal Care Ordinance Revisions – Mr. Jackson moved, seconded by Mr. Malinowski, to defer this item until Ms. Hutchinson and Ms. Kennedy are able to meet and discuss the details. The vote in favor was unanimous.

Right of Way Abandonment for Old Clarkson Road – Mr. Washington moved, seconded by Mr. Jackson, to forward this item to Council with a recommendation to approve Alternative #1: "Approve the request to abandon a portion of Old Clarkson Road and Right of Way." The vote was in favor.

Smoking Ban Ordinance Amendment "Reasonable Distance" – Mr. Washington moved, seconded by Mr. Malinowski, to defer this item to the June committee meeting. The vote in favor was unanimous.

Summit Parkway Sidewalk Project – Mr. Malinowski moved to forward this item to Council with a recommendation for approval and to require the Summit Homeowners Association to pay their 50% when bills are submitted for payment. The motion died for lack of a second.

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

To adopt an ordinance banning texting while operating a motor vehicle – Mr. Jackson moved, seconded by Mr. Washington, to forward this item to Council without a recommendation. The vote in favor was unanimous.

Change in Procedures for Collection of Yard Waste – Mr. Malinowski moved, seconded by Ms. Hutchinson, to forward this item to Council with a recommendation to approve Alternative #2: "Direct the staff to explore a higher level of service for each solid waste collection area as the existing contract for each area comes up for renewal, renegotiation or rebid." The vote in favor was unanimous.

Amending the "Heir's Subdivision of Property Ordinance" – Mr. Jackson moved, seconded by Mr. Washington, to forward this item to Council with a recommendation to forward the item to the Planning Commission. The vote was in favor.

Proposed Commission for the Aging – This item was deferred to the June committee meeting.

ITEMS FOR DISCUSSION/INFORMATION

Weekend Directional Signs – This item was deferred to the June committee meeting.

ADJOURNMENT

The meeting adjourned at approximately 6:01 p.m.

Submitted by,

Valerie Hutchinson, Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

Proposed Commission for the Aging [pages 9-20]

Reviews

Richland County Council Request of Action

Subject: Motion: Proposed Commission for the Aging

A. Purpose

Council is requested to consider the motion made at the May 3, 2011 Council Meeting, and direct staff as appropriate.

B. Background / Discussion

The following motion was made at the May 3, 2011 Council Meeting by Councilman Jackson:

Richland County develop a Commission for the Aging: Address the aging population needs and improve quality of life. Work with the office on aging at Lt. Governor's Office and serve as recommending body to County Council [Jackson]: Forwarded to the Development and Services Committee. **ACTION: ADMINISTRATION**

Staff contacted Anna Harmon, Regional Long-Term Care Ombudsman Program Manager at the Central Midlands Council of Governments, who stated that her office investigates reports of abuse, neglect, exploitation, quality of care issues and residents' rights issues on behalf of vulnerable adults in long-term care facilities. This program collaborates with other agencies as appropriate and makes appropriate referrals to agencies that investigate / survey facilities related to abuse, neglect, exploitation, and quality of care issues. This program provides advocacy, mediations and consultations regarding long-term care issues. Ombudsman staff conducts routine visits to long-term care facilities to ensure that residents are receiving quality care and to address issues observed during these visits. Ombudsman staff conducts trainings and in-services. Ombudsman staff provides resources to Resident/Family Councils in long-term care facilities. Ombudsman staff provides information related to advance directives, long-term care placement, resident rights and the Omnibus Adult Protection Act.

Staff also contacted Sharon Seago, Director of the Central Midlands Area Agency on Aging. Ms. Seago stated that two committees – the Regional Aging and Disability Advisory Committee and Silver Haired Legislators – meet on a regular basis regarding pertinent items related to seniors. The COG Board appoints representatives to the Regional Aging Advisory Committee, and the Silver Haired Legislators members elect themselves. Meetings are open to the public, and vacancies on the Committees occur quite regularly.

Attached below are the Richland County representatives on these committees.

**CENTRAL MIDLANDS COUNCIL OF GOVERNMENTS
REGIONAL AGING AND DISABILITY ADVISORY COMMITTEE**

- Earl F. Brown, Jr. (*Committee Vice-Chair*)
- Ellen H. Cooper
- Susan W. Elwood
- Dr. Roland Emerson Haynes, Ph.D.
- Sandra Jones, R.N.
- Larry Reed

SILVER HAired LEGISLATORS & ALTERNATES 2011-2013

- Marjorie L. Johnson
- Barbara Kelley
- Alan D. Roblee, Recorder
- Arthur H. Streich
- Ms. Hannah Timmons
- Ms. Jean R. Bridges
- Ms. Jettiva Belton
- Mr. Charles Blakely
- Mr. Bernard S. Gaudi

In addition to these Committees, individuals may apply to become a volunteer of the South Carolina's Volunteer Friendly Visitor Program, sponsored by the Lieutenant Governor's Office on Aging and the Central Midlands Long Term Care Ombudsman Program. The goal of the Visitors' Program is to improve the quality of life for residents in long-term care facilities through communication and visits. They agree to visit at least once weekly (2 – 4 hours per week) and report concerns and observations to LaToya Buggs-Williams, Ombudsman Investigator (Central Midlands Council of Governments). There is a mandatory, comprehensive training process for these volunteers (14 – 16 hours of certification training, exam, orientation to the facility and staff, and 8 hours of re-certification training throughout each year of volunteer service), who visit the assigned facility accompanied by a Certified

Ombudsman, before beginning their weekly visits. Please find attached information regarding the Friendly Visitor Program.

Staff also contacted the City of Charleston Mayor's Office on Aging, per a recommendation from Anna Harmon (CMCOG). The Mayor's Office on Aging (MOA) was created in 1999 to focus attention on senior issues. The office was established to advocate for the aging population and develop public policy to improve the lives of the aging citizens of the City of Charleston. MOA also acts as a community clearinghouse of resource information for our aging Charlestonians. A staff member dedicates 50% of her time to the Commission on Aging. (The remaining 50% of her time is spent on ADA Compliance.) Her salary and office supplies (postage, paper, etc.) total approximately \$23,000 annually.

The S.C. Lt. Governor's Office on Aging administers federal funds received through the Older Americans Act and the State of South Carolina. These funds are distributed to ten regional Aging and Disability Resource Centers (ADRCs)/Area Agencies on Aging (AAAs) who then contract with local providers for services such as: home delivered and congregate meals, transportation, home care services, social adult day care services, respite and disease prevention/health promotion. Staff is also available to present informative educational programs to groups or staff of other agencies.

Services such as information and referral, family caregiver support, Long Term Care ombudsman, education and training, legal service, disaster planning and insurance counseling are provided at each of the ADRCs.

The Lt. Governor's Office on Aging offers numerous programs:

- SCAccess - searchable database of services in South Carolina
- Medicare and SHIP - health insurance options for the elderly
- Ombudsman - improving the quality of life and care
- Health and Safety - tips for maintaining a healthy lifestyle
- Family Caregiver Support Program - offering help to caregivers
- Alzheimer's Resource Coordination Center - helping individuals affected by Alzheimer's disease

Numerous opportunities to serve on committees / commissions related to the aging population are available through the S.C. Lt. Governor's Office on Aging:

- Advisory Council on Aging - All welcome
- Adult Protection Coordinating Council
- ARCC Advisory Council - Alzheimers Resource Coordination Center Advisory Council
- ElderCare Trust Advisory Board
- CARE Commission - Advises the Lieutenant Governor on issues critical to the senior community
- Silver Haired Legislature - Addressing issues for the older population

Because there are multiple existing avenues of participation for Richland County citizens, and in an effort to not duplicate services, it is recommended that Council direct staff to forward information regarding senior services to those interested in participating in this environment.

C. Financial Impact

There is no financial impact associated with this request at this time, as it is recommended that staff serve in a clearinghouse / recommending capacity.

D. Alternatives

1. Direct staff to forward information regarding senior services to those interested in participating in this environment.
2. Do not direct staff to do anything at this time.

E. Recommendation

It is recommended that Council direct staff to forward information regarding senior services to those interested in participating in this environment.

By: Roxanne M. Ancheta Date: May 11, 2011

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 5/11/11

- Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation:

Legal

Reviewed by: Larry Smith

Date:

- Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation:

Administration

Reviewed by: J. Milton Pope

Date:

- Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval...



May 10, 2011

Thank you for your interest in South Carolina's Volunteer Friendly Visitor Program, sponsored by the Lieutenant Governor's Office on Aging and the Central Midlands Long Term Care Ombudsman Program.

Over sixty percent (60%) of the residents of long term care facilities in South Carolina have no visitors. They have no family or friends who are available to visit them or spend time with them, and the lack of social contact and a support system often results in depression and decline.

The function of the Friendly Visitor in residential facilities is to provide encouragement and meets an essential need. Your efforts and commitment to this program will make a significant difference in the lives of many. Your presence will diminish the sense of isolation that these residents experience and helps them achieve a sense of self-determination.

Because our Volunteer Friendly Visitors serve vulnerable adults in long term care residential settings, all applicants must complete a screening process. The application process includes completion of the application, an interview, a background check (civil and criminal), and character reference checks. Once selected as a Volunteer Friendly Visitor, an exceptional training program is provided that includes classroom and on-the-job training. This program has been implemented to ensure that the volunteers are equipped with the fundamental tools necessary to develop the skills that are needed to succeed in working with residents.

Enclosed, you will find the following information and application forms for this program:

- Friendly Visitor Position Description
- South Carolina Friendly Visitor Program Application
- Authorization for Release of Information Background Report

Volunteers are invaluable assets to any organization and we want your experience in this volunteer program to be well worth your time and effort. Please complete the enclosed forms and return them as soon as possible. This is the initial step to becoming a Volunteer Friendly Visitor and we will contact you as soon as the information is processed.

If you have any questions or need further information, please contact LaToya Buggs-Williams, at (803) 376-5389 or 1-800-391-1185 or by email at lbuggs@centralmidlands.org. We are looking forward to having you join us in our Volunteer Friendly Visitor Program.

Item# 2

Attachment number 1
Page 5 of 12

Central Midlands
Long Term Care Ombudsman Program
236 Stoneridge Drive
Columbia, SC 29210

Lieutenant Governor's Office on Aging
1301 Gervais St., Suite 200
Columbia, SC 29201



Thank you for your interest.

Sincerely,

La'Toya Buggs-Williams
Ombudsman Investigator

Enclosures

Item# 2

Attachment number 1
Page 6 of 12



VOLUNTEER FRIENDLY VISITOR Position Description

The Volunteer Friendly Visitor's goal is to improve the quality of life for residents in long-term care facilities through communication and visits.

Location: Long Term Care Facilities: The program will concentrate in Community Residential Care Facilities (CRCF'S) and Skilled Nursing Facilities.

Qualifications: Age 18 and older and interested in improving the quality of life in long-term care facilities. Have the ability to communicate with vulnerable adults, a genuine care and concern for older adults, problem-solving skills, and empathy, dependable, exercise good judgment and have available transportation.

Specific Duties:

- Visit residents in assigned facilities 2-4 hours per week.
- Empower residents and their families to advocate on behalf of the resident.
- Advocate for the residents by addressing resident rights with appropriate facility staff.
- Provide information about residents' rights and LTCO services.
- Participate in Resident and Family Councils upon request.
- Function as a resource to residents and their families
- Maintain communication with the Regional Ombudsman's office.
- Report any suspected, alleged, or actual cases of abuse, neglect, or exploitation to the Regional Ombudsman's office as required by law.
- Maintain confidentiality.
- Keep accurate records and submit monthly reports to the Regional LTCO program.
- Participate in ongoing continuing education training.
- Perform other duties as assigned by the Regional Ombudsman.
- Volunteers do NOT provide personal services, assist with eating or feeding, provide food or beverages, or any other responsibility that is managed by the facility staff.
- Friendly Visitors do NOT investigate complaints, mediate disputes, or involve themselves in any controversy with families or facility staff. Refer complaints to the Regional Ombudsman or Volunteer Coordinator

Requirements: Application, interview, criminal background and reference checks, 14-16 hours of certification training, exam, orientation to the facility and staff and 8 hours of re-certification training throughout each year of volunteer service.

Hours: Flexible

Time Frame: Two to four hours per week

Time Commitment: One Year

Supervision: Regional Long Term Care Ombudsman Program





FRIENDLY VISITOR PROGRAM APPLICATION

Region: 4 Date: _____

ALL INFORMATION PROVIDED ON THIS APPLICATION IS CONFIDENTIAL

Personal Information:

Name: _____

Street Address: _____

City, State, Zip: _____

Previous Address (if less than 5 years at current address): _____

City, State, Zip: _____

Telephone: Home: _____ Work _____

Fax: _____ E-Mail Address: _____

Social Security Number: _____ Sex: Male _____ Female _____

Occupation & Employer: _____

Date of Birth: ___ / ___ / ___ Education: _____

Days and Times You Are Available to Volunteer:

Days: _____

Times: _____

Volunteer Activities:

Friendly Visitor: _____ Data Entry: _____ Intake: _____ Speaker/Presenter: _____

Volunteer Experience: _____

Are you willing to make a one year commitment as a volunteer? Yes _____ No _____

Do you have your own transportation? Yes _____ No _____

Form of Transportation: _____

Why are you interested in volunteering with the Ombudsman Program? _____

Lieutenant Governor's Office on Aging

How did you learn about the Friendly Visitor Program?

Newspaper: _____ LTCO Staff: _____ AARP: _____ Poster: _____ Brochure: _____ Other: _____

Do you have friends or relatives connected with a long-term care facility? Yes _____ No _____

Do you have a conflict of interest (work for a facility/family member in a facility, etc.?) Yes _____ No _____

Have you been employed by a long-term care facility within the past year? Yes _____ No _____

Have you ever been convicted of a criminal offense? Yes _____ No _____

Special Interests or Hobbies: _____

Special Skill, Training, Languages, Etc _____

Work History:

Organization: _____ Position: _____

Supervisor: _____ Dates: _____

Organization: _____ Position: _____

Supervisor: _____ Dates: _____

Organization: _____ Position: _____

Supervisor: _____ Dates: _____

References: Personal or Professional (Non-relatives):

Name: _____

Address: _____ Phone: _____

Name _____

Address: _____ Phone: _____

Name _____

Address: _____ Phone: _____

I authorize the SC State Long Term Care Ombudsman Program to contact references that I have listed.

Signature of Applicant: _____

Date: _____

Resume or additional comments may be submitted in addition to application.



Lieutenant Governor's Office on Aging



Authorization for Release of Information Background Report

For the purpose of evaluating my qualifications to be a Friendly Visitor to vulnerable adults within a long term care residential care facility through South Carolina Volunteer Friendly Visitor Program, I consent to the Lieutenant Governor's Office on Aging or its agents conducting a background check which may include but is not limited to investigation of my employment history, educational background, criminal history, military records, credit history, Department of Social Services records, Department of Health and Environmental Control records, and Department of Motor Vehicle records.

Below, I have provided my full name, date of birth and social security number for this purpose. I understand and agree that if I choose not to provide this information or otherwise refuse to consent and authorize this background check, any conditional offer will be withdrawn and I will not be allowed to participate in the Volunteer Friendly Visitor Program.

I may receive complete disclosure about the nature and scope of the background check and any information received by the Lieutenant Governor's Office on Aging or its agents during this background check by submitting a written request to the Lieutenant Governor's Office on Aging or its agents within 45 days of their receipt of such report. All information received by the Lieutenant Governor's Office on Aging or its agents as a result of this background check will be maintained confidentially and not released to anyone for any purpose except as I personally designate in writing. The Lt. Governor's Office or its agents may disclose copies of all results of this background check to the decision maker in a lawsuit, grievance, or other proceeding initiated by me or on my behalf or as required by law.

I understand that a photocopy or facsimile of this signed document shall be as valid as the original document and authorizes the Lieutenant Governor's Office on Aging or its agents to perform the background check as stated above.

I hereby release the Lieutenant Governor's Office on Aging and its agents from all claims or liabilities that might arise from the inquiry into or disclosure of such information, including claims under any federal, state, or local civil rights law and any claims for defamation or invasion of privacy. I authorize all persons who may have information relevant to this research to disclose such information to the Lieutenant Governor's Office on Aging or its agents, and I hereby release all persons from liability because of true and accurate disclosure.

May we contact your present employer? Yes _____ No _____

_____ Date _____ Applicants Signature _____

Full Name (print): _____ D/O/B _____

Social Security Number: _____

Address: _____

City, State, and Zip: _____





Board of Directors

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Robert Mason
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**Kathy Moreland
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Carmen Preston
Boone Shelby
Gregory Tucker

Vance Ford
Curtis Morse
Joe Pinner
Members at Large

Deborah L. Bower
Executive Director

2817 Millwood Avenue
Columbia, South Carolina 29205
803/252-7734 fax 803/929-0349
<http://www.seniorresourcesinc.org>

May 12, 2011

Councilman Norman Jackson
265 King Charles Road
Columbia, SC 29209

Dear Councilman Jackson:

While reading the Actions Report for the May 3, 2011 County Council Meeting, I noticed that you have suggested that Richland County develop a Commission for the Aging to "address the aging population needs and improve quality of life". As the Executive Director of Senior Resources Inc., I am excited to learn of your interest in meeting the needs of this ever increasing population and would like to have the opportunity to speak with you, and/or the Development and Services Committee, to provide historical and current information on the services and programs currently available in Richland County. I feel it would be beneficial to include Sharon Seago, Aging Director of the Central Midlands Area Agency on Aging in any conversations that include senior programs and services as it is their responsibility to develop the Aging Area Plan for the Central Midlands Region, which includes Richland County.

Senior Resources, Inc., a 501(c)3 non-profit organization, was chartered in 1967 as a Council on Aging. For almost 44 years we have provided In-Home and Community Based services for seniors in Richland County. These services are funded through federal funds, local funds, state funds, grant-writing, fundraising activities, donations, client payments, independent contracts, etc. Our Meals on Wheels, Wellness Centers, Home Care, Transportation and Physical Fitness programs are primarily funded through grants secured through the Central Midlands Area Agency on Aging with money allocated by the Lt. Governor's Office on Aging. As a contractual agency of Richland County the funds allocated to Senior Resources, helps us meet the matching funds required for these programs as well as other federally funded senior programs that we provide in Richland County. The primary goal of all of our programs and services is to keep seniors engaged and independent as long as possible allowing seniors to remain in their own homes and in their own communities, delaying and in some cases eliminating

Funded in Part by: Central Midlands Council of Governments - City of Columbia - Corporation for National & Community Service - Donations & Contributions - Richland County - United Way of the Midlands - SC Department of Health and Human Services - United Way of the Midlands

MAY 13 AM 9:59
RICHLAND COUNTY
ADMINISTRATOR'S OFFICE

the need for institutionalization. You are absolutely correct; it is all about "Quality of Life".

If you have questions or would like to speak to me in regard to Senior Resources, Inc.'s role in providing services in Richland County, please feel free to contact me. I have included both our Annual Report and my business card. I look forward to hearing from you.

Sincerely,

Deborah L. Bower
Executive Director

cc: M. Pope

Richland County Council Request of Action

Subject

Smoking Ban Ordinance Amendment "Reasonable Distance" [pages 22-25]

Reviews

Richland County Council Item for Action

Subject: Smoking Ban Ordinance Amendment – “Reasonable Distance”

A. Purpose

Council is requested to consider the Motion made by Honorable Councilmember Manning at the Council meeting of April 5, 2011 which reads, **“Ban smoking within a specified distance from a main entrance of a business or public building.”**

B. Background / Discussion

During the Motion Period in the Council Meeting of April 5, 2011, Honorable Councilmember Manning made a motion to “Ban smoking within a specified distance from a main entrance of a business or public building.”

The current smoking ban ordinance language relating to this issue, Section 18-6(g) reads as follows:

(g) *Reasonable Distance*. Smoking outside a Workplace, and any other indoor area where smoking is prohibited, shall be permitted, provided that tobacco smoke does not enter any Work Spaces and/or Workplaces through entrances, windows, ventilation systems, or other means.

Specifying a distance from a work space within which no smoking shall occur will also help protect employees and the general public from having to walk through second-hand smoke in order to enter or exit a business or other work area.

While most municipalities in Richland County with smoking ban ordinances in place use the “reasonable distance” language (Blythewood is the sole exception, which specifies a ten foot distance), municipalities in Lexington County with smoking ban ordinances in place include a specific distance, ten (10) feet.

Richland County’s policy, for its public buildings, states that smoking is prohibited within twenty feet (20’) of any entrance, public access points, or air intakes.

On April 13, via email, the Honorable Mr. Manning notified staff that he knows that Aiken, Lexington, and York Counties have distance specifications, and that the average from these jurisdictions is fifteen (15) feet. In addition, per Mr. Manning, fifteen (15) feet is the minimum distance as recommended in a model ordinance promulgated by the ANR (Americans for Nonsmokers’ Rights).

A draft ordinance is attached that would use this distance of 15’ in amending Section 18-6 (g).

C. Financial Impact

None.

D. Alternatives

1. Amend the smoking ban ordinance as recommended to specify that no smoking shall occur within fifteen (15) feet of any entrance or air intakes.
2. Amend the smoking ban ordinance to specify a different distance. Greater distances will provide greater protections to employees and the general public, but lesser distances will be less of a restriction on business operations.
3. Do not amend the smoking ban ordinance at this time.

E. Recommendation

It is recommended that Council amend Section 18-6 (g) of the smoking ban ordinance to require a 15' smoking distance from doors and air intakes.

Recommended by: Pam Davis **Department:** Business Service Center **Date:** 4-11-11

F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 4/14/11

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Larry Smith

Date:

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Administration

Reviewed by: Roxanne M. Ancheta

Date: April 20, 2011

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation: It is recommended that Council amend Section 18-6 (g) of the smoking ban ordinance to require a 15' smoking distance from doors and air intakes.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___ - 11HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 18, OFFENSES; SECTION 18-6, SMOKING OF TOBACCO PRODUCTS; SUBPARAGRAPH (G), REASONABLE DISTANCE; SO AS TO PROHIBIT SMOKING WITHIN TWENTY (20) FEET OF A DOOR USED AS AN ENTRANCE TO OR EXIT FROM AN ENCLOSED AREA WHERE SMOKING IS PROHIBITED.

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 18, Offenses; Section 18-6, Smoking of Tobacco Products; Subparagraph (g); is hereby amended to read as follows:

(g) *Reasonable Distance.* Smoking outside a Workplace, and any other indoor area where smoking is prohibited, shall be permitted, provided that tobacco smoke does not enter any Work Spaces and/or Workplaces through entrances, windows, ventilation systems, or other means. In addition, smoking is prohibited within fifteen (15) feet of any door used as an entrance to or exit from an enclosed area where smoking is prohibited and from any air intake, so as to ensure that tobacco smoke does not enter through the entry and to help protect employees, the general public, and others from having to walk through tobacco smoke in order to enter or exit a business or other work area. This distance shall be measured from the center of the door in question.

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

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

SECTION IV. Effective Date. This ordinance shall be effective from and after _____, 2011.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE _____ DAY

OF _____, 2011

Michelle M. Onley
Assistant Clerk of Council

Item# 3

Attachment number 1
Page 3 of 4

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

Richland County Council Request of Action

Subject

Purchase of a 15 ton long track Hydraulic Excavator [pages 27-28]

Reviews

Richland County Council Request of Action

Subject: Purchase of a 15 Ton Long Track, Zero Turn Hydraulic Excavator

A. Purpose

County Council is requested to approve a purchase in the amount of \$106,539.90 for the purchase of a new Hyundai 15-ton zero turn excavator, Model Number R145LCR-9, from Stafford Equipment, in West Columbia. The purchase is for the Roads and Drainage Division of the Department of Public Works, with funds available in the FY11 budget. The budget accounts are split funding applying \$16,539.90 from 12163020735.5314 and \$90,000.00 from to account 1100300000.5314.

B. Background / Discussion

The new excavator will be replacing a Caterpillar 330 CL, a 2004 model weighing 37 tons. The new equipment will be much smaller and lighter, increasing transportability and efficiency, making it a more suitable piece of equipment for a greater number of worksites. It will also use less fuel while meeting the latest EPA Tier Three emissions standards, dramatically reducing nitrous oxide and particulate emissions, as called for in the Richland County Directive on Air Quality Policies, issued last year. The zero-turn designation means that the cab/engine compartment can turn nearly within the radius of the tracks, significantly reducing the opportunity to strike a worker or damage property in the work area.

A bid process was conducted by Procurement, and the most responsive and responsible bidder was determined to be Stafford Equipment, in West Columbia, who offered the Hyundai Model R145LCR-9 15 ton zero turn excavator. Their cumulative score was highest among eight potential suppliers who participated in the bid process.

C. Financial Impact

The financial impact to the County will be the purchase of the excavator, available in the current budget of the Roads and Drainage Division of the Department of Public Works. The total cost of the excavator is \$106,539.00.

2011 Hyundai 15 Ton Zero Turn Excavator	\$ 99,570.00
South Carolina Sales Tax	\$ 6,969.90
Total Cost	\$106,539.90

D. Alternatives

There are two alternatives available:

1. Approve the request to purchase the 15 ton zero turn excavator for the Roads and Drainage division of the Department of Public Works.
2. Do not approve the request to purchase the 15 ton zero turn excavator for the Roads and Drainage Division of the Department of Public Works.

E. Recommendation

It is recommended that Council approve the request to purchase the Hyundai Mode R145LCR-9 15 Ton Zero Turn Excavator from Stafford Equipment.

Recommended by: David Hoops Department: Public Works Director Date: 06/14/11

F. Reviews

(Please SIGN your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers Date: 6/16/11
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood Date: 6/17/11
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Legal

Reviewed by: Larry Smith Date:
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Administration

Reviewed by: Sparty Hammett Date: 6/21/11
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Richland County Council Request of Action

Subject

Purchase of Two Tandem Axle Dump Trucks [pages 30-31]

Reviews

Richland County Council Request of Action

Subject: Purchase of Two (2) Tandem Axle Dump Trucks

A. Purpose

County Council is requested to approve a purchase in the amount of \$202,476.00 for the purchase of two (2) new M2-112 Freightliner tandem axle dump trucks from Columbia Truck Center. They will be purchased for the Roads and Drainage division of the Department of Public Works, with funds available in the FY11 budget. The budget account is 1216302000.5313.

B. Background / Discussion

The new units will include an addition to the Ballentine Camp fleet, and a replacement for AK006, a 2000 Chevrolet C7500. The Ballentine camp was never fully equipped when originally established and the new vehicle will only bring that camp up to necessary equipped level. These trucks are EPA Tier Three compliant, meeting the latest EPA emission standards for reducing nitrous oxide and particulate emissions, offering significant improvement over the older equipment. This also complies with the latest County Directive on Air Quality Policies. The engine/drive train system configuration was specified to provide more reliable and fuel efficient service throughout the life cycle of the equipment.

A bid process was conducted by Procurement, and the most responsive and responsible bidder was determined to be Columbia Truck Center, who offered a 2011 Freightliner model M2-112 truck. Their cumulative score was the highest of five potential suppliers who participated in the process.

C. Financial Impact

The financial impact to the County will be the purchase cost of the vehicles, available in the current budget of the Roads and Drainage Division of the Department of Public Works. The total cost of the two trucks is \$200,000.00.

2011 Freightliner M2-112 Dump Truck	\$ 100,938.00
South Carolina Sales Tax	\$ 300.00
Total Cost (per unit)	\$101,238.00
Total Cost (two units)	\$202,476.00

D. Alternatives

There are two alternatives available:

1. Approve the request to purchase the tandem axle dump trucks for the Roads and Drainage Division of the Department of Public Works
2. Do not approve the request to purchase the tandem axle dump trucks for the Roads and Drainage Division of the Department of Public Works.

D. Recommendation

It is recommended that Council approve the request to purchase two Freightliner M2-112 tandem axle dump trucks from Columbia Truck Center.

Recommended by: David Hoops Department: Public Works Director Date: 06/14/11

F. Reviews

(Please SIGN your name. ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 6/15/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Funds are available in FY11 as stated. However, due to timing of the request and the fiscal year closeout it is important to note that if the item is not received by 6/30/11 the budget funds would be rolled over to FY12 and the purchase recorded as appropriate.

Procurement

Reviewed by: Rodolfo Callwood

Date: 6/16/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Administration

Reviewed by: Sparty Hammett

Date: 6/16/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval of the purchase of the two trucks. As the Finance Director indicated, the funds will have to be rolled over to FY12 if the purchase is made after 6/30/11.

Richland County Council Request of Action

Subject

Request to approve emergency purchase of landfill trash compactor [pages 33-34]

Reviews

Richland County Council Request of Action

Subject: Request to approve emergency purchase of landfill trash compactor

A. Purpose

"County Council is requested to approve the Emergency purchase of a landfill Trash Compactor "

B. Background / Discussion

- On March 23, 2011 a fire in the engine compartment of the landfill trash compactor broke out, despite the fire suppression the 2004 caterpillar 826-G landfill trash compactor was a total loss.
- As per our landfill permit we are required to have a landfill trash compactor operational and on site during operating hours.
- At present payment for a rental unit is currently being provided for a limited time by our insurance company and will soon run out. The current rental rate for this unit is \$12,500 per month.
- We have received payment from the insurance Company for the depreciated value of the 2004 caterpillar 826-G landfill trash compactor and solid waste has identified funds necessary for the purchase of the new landfill compactor.
- Procurement has gone through the emergency bid process with the following results:

Al jon	Road Machinery	Industrial Tractor	Blanchard Machinery
\$556,897	\$522,207	\$467,204	\$559,877
45-60 days	60-90 days	60 days	196 days

After evaluating all bids and specifications and it was determined that the most advantages Bid for the County was for a Terex compactor from Road Machinery. The Terex was not the lowest bid however in reviewing the specifications it was determined that the Terex was best suited for our operation because of the compaction rate it offered. Better compaction equals longer life of the landfill cell, resulting in long term savings. Road Machinery has also agreed to discontinue charging us for the rental unit upon receipt of a purchase order for the Terex Machine.

C. Financial Impact

No additional funds are requested to support this purchase. *The County has received \$169,000 from the insurance company and Solid Waste has identified funds within our budget necessary for the purchase.*

D. Alternatives:

1. Approve the request for emergency purchase of a Terex Landfill Trash Compactor from Road Machinery.
2. Do not approve request and continue to rent a landfill compactor at a rate of \$12,500 per month.

E. Recommendation

"It is recommended that Council approve alternative 1 for the emergency purchase.

Recommended by:
Paul F. Alcantar

Department:
Solid Waste Department

Date:
06/13/2011

Item# 6

Attachment number 1
Page 1 of 2

F. Reviews

(Please SIGN your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 6/15/11

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Funds are available as stated. However, due to timing of the request and the fiscal year closeout it is important to note that if the item is not received by 6/30/11 the budget funds would be rolled over to FY12 and the purchase recorded as appropriate.

Procurement

Reviewed by: Rodolfo Callwood

Date: 6/16/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Legal

Reviewed by: Larry Smith

Date:

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald

Date: 6/16/11

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommended approval as proposed. Although the recommended bidder is not the lowest, it is the most responsive, responsible bidder in that its compactor more adequately meets the needs for which it is being purchased. Funding is available as indicated.

Richland County Council Request of Action

Subject

Waste Management C&D Contract Renewal [pages 36-37]

Reviews

Richland County Council Request of Action

Subject: Waste Management C&D Contract renewal

A. Purpose

"County Council is requested to approve the renewal of the Waste Management C&D disposal services Contract for the period from July 1, 2011 until June 30, 2012.

B. Background / Discussion

- In April of 2010 as a result of a bid process for Construction and demolition disposal services a contract was awarded to Waste Management Inc. The contract is entering its second year and requires renewal yearly.
- Council is requested to approve the contract renewal for construction and demolition disposal services with Waste Management Inc. for the period of July 1, 2011 thru June 30, 2012
- Renewal of this contract will maintain the current price for disposal throughout June 30, 2012

C. Financial Impact

All funds have been budgeted for our annual expense and there is no *financial impact associated with this request.*

D. Alternatives:

1. Approve the request to renew the current contract with Waste Management Inc.
2. Do not approve request: Which could result in rebidding for C&D services and paying a higher rate for disposal.

E. Recommendation

"It is recommended that Council approve the request to renew the current contract with Waste Management for C&D disposal services."

Recommended by:

Paul F. Alcantar

Department:

Solid Waste Department

Date:

06/13/2011

F. Reviews

(Please SIGN your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 6/15/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Based on no additional funds required and the recommendation of the Solid Waste Director.

Item# 7

Procurement

Reviewed by: Rodolfo Callwood

Date: 6/16/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald

Date: 6/16/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: The proposal will extend the existing contract with Waste Management for C & D waste disposal for a second year. Funds have been appropriated for this contract in the FY 12 budget.

Richland County Council Request of Action

Subject

Ordinance regarding inspection of occupied structures [pages 39-43]

Reviews

Richland County Council Request of Action

Subject: Ordinance regarding inspection of occupied structures

A. Purpose

To enact an ordinance that states inspections of occupied structures for the purpose of minimum code compliance for unsafe housing will not be provided.

B. Background / Discussion:

It has been the Department's practice to inspect vacant and abandoned residential property to include mobile homes in Richland County. The work load for vacant structures is approximately 600 housing cases with one unsafe housing inspector. Currently we have assigned two building inspectors to the Unsafe Housing Division to assist in the work load and inspections. We have a very limited number inspected occupied residential code cases at this time. Our procedure has been not to inspect occupied structures for the following reasons unless there is a life safety concern:

Tenant-occupied structures are usually landlord/tenant disputes which can usually be resolved through the Magistrates Court.

- Landlords try to use our office as an eviction process to avoid eviction costs and the time it takes to have the tenant removed.
- Tenants use our office to confirm or verify code violations which the landlord would be required to repair, if the tenant used the court system.
- We have had very good luck with referring the landlord and the tenant to using the Tenant/Landlord act and settling their concerns in court on their own.

Performing inspections on tenant-occupied structure would need to be done in a manner which is consistent with fair housing requirements and which assures all persons their rights under Title VIII of that act of April 11, 1968 (Public Law 90-284), commonly known as the Civil Rights Act of 1968 and Title VI of the Civil Rights Act of 1964.

Owner-occupied structures are usually civil disputes between neighbors or property regime and their board of directors. Most of the complaints are exterior code violations, to include, care of premises or abandoned vehicles. These concerns can and will be inspected and handled through the ombudsman's office as requested and needed. In the event that a tenant or owner occupied structure is in need of repair and that life safety is apparent the Building Official does have the authority to take immediate action.

Again, it has been Unsafe Housing's course of action to refrain from performing inspections on occupied structures.

C. Financial Impact

None, if approved. However, if we are required to inspect occupied structures, there will be the cost of additional inspectors and administrative personnel, vehicles and equipment to cover Richland County. The cost is estimated at \$160,000 for two (2) inspectors, one (1) administrative/records assistant, two (2) vehicles and equipment, desks & etc.

D. Alternatives

1. Approve the Ordinance, which would state that inspections of occupied structures are not to be performed.
2. Do not approve the Ordinance, and allow staff to continue to administratively not inspect occupied structures and handled on a case by case as needed basis.
3. Do not approve the Ordinance and direct staff to inspect occupied structures.

E. Recommendation

Recommend approval of Alternative 1.

F. Approvals

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 5/23/11

Recommend Council approval

Recommend Council denial

✓ Council Discretion (please explain if checked)

Comments regarding recommendation: This is a policy and funding decision for Council on appropriate inspection requirements and the mechanism for funding the approved process.

Building Codes and Inspections

Reviewed by: Donny Phipps

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Planning

Reviewed by: Amelia Linder

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval of Alternative 1.

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: The ROA as written discusses those situations where these structures are being occupied by tenants in a landlord/ tenant type arrangement and the difficulty in doing inspections under those circumstances. However, the ordinance makes no distinction as to whether or not the occupant of the structure has to be a tenant or the owner of the structure. The language of the ordinance wouldn't require the county to do any inspections as long as it was occupied, no matter who the occupant was. Therefore, it is unclear as to why most of the discussion regarding this matter would center on landlord/tenant issues, but the requirement for no inspections would not be limited to just landlord/tenant structures. In addition, the language of the ordinance suggests that the only time that an inspection would be in order is in a life or death situation. In some instances the only way that you may have to determine if you have a life or death situation is thru an inspection.

If the Council wants to appropriate the funds to hire the inspectors to ensure that these structures are safe and meet the code requirements, it is within their discretion to do so.

Administration

Reviewed by: Sparty Hammett

Date: 6/21/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval of Alternative 1 – approving the ordinance. The ordinance addresses still performing inspections in situations addressed in Sections 108 and 109 of the International Property Maintenance Code. These usually come from damages due to storms, wind, lightening & etc. that are covered by section 109.1 imminent danger. It could include failure to maintain and weather conditions that causes the building to have structural failure due to roof leaks, open windows and/or siding. It also could be gas, electrical or plumbing issues that could be found to be dangerous to life, health, property or safety of the public or occupants of the structure as covered in Section 108.1.1 unsafe structures.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-11HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 6, BUILDINGS AND BUILDING REGULATIONS; ARTICLE II, ADMINISTRATION; DIVISION 3, PERMITS, INSPECTION AND CERTIFICATE OF APPROVAL; SECTION 6-52, INSPECTIONS REQUIRED; SO AS TO NOT REQUIRE INSPECTION OF OCCUPIED STRUCTURES UNLESS THERE ARE SAFETY CONCERNS.

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 6, Buildings and Building Regulations; Article II, Administration; Division 3, Permits, Inspection and Certificate of Approval; Section 6-52; Inspections Required; is hereby amended to read as follows:

(a) The building official shall inspect or cause to be inspected at various intervals all construction, installation and/or work for compliance with the provisions of this chapter.

(b) Notwithstanding subsection (a), above, inspections of occupied structures for the purpose of code compliance for unsafe housing will not be provided, unless the structure is determined to be unsafe as stated in Sections 108 and 109 of the International Property Maintenance Code.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2011.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2011

Michelle M. Onley
Assistant Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Item# 8

Attachment number 1
Page 4 of 5

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

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

Richland County Council Request of Action

Subject

Amending Chapter 26 to address landscaping of non-profit organizations [pages 45-48]

Reviews

Richland County Council Request of Action

Subject: Amending Chapter 26 to address landscaping of non-profit organizations

A. Purpose

To amend the Land Development Code to exempt non-profit organizations from the vehicular surface area landscaping requirements.

B. Background / Discussion

On May 17, 2011, with unanimous consent, a motion was made by the Honorable Councilman Norman Jackson, as follows:

“Motion to address the effect of landscaping of non profit organizations vs. commercial properties and certificate of occupancy. (Rural vs. Urban Landscaping)”

A draft ordinance is attached, which would exempt non-profit organizations from the vehicular surface area landscaping requirements.

C. Financial Impact

None.

D. Alternatives

1. Approve the ordinance as drafted, and send it to the Planning Commission for their recommendation.
2. Approve an amended ordinance, and send it to the Planning Commission for their recommendation.
3. Do not approve the request.

E. Recommendation

This request is at Council’s discretion.

Recommended by: Honorable Norman Jackson

Date: 5/17/11

F. Approvals

Finance

Reviewed by Daniel Driggers:

Date: 6/14/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommendation is based on no financial impact to the County.

Planning

Reviewed by: Amelia Linder

Date: 6/15/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: All of the alternatives appear to be legally sufficient, therefore this request is at the discretion of Council.

Planning

Reviewed by: Anna Fonseca

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Non-profits can potentially be any kind of business located in any area of the county; to exempt them from the section of the code which deals with landscaping vehicular surface areas would not improve the visibility of corridors and streetscapes. Landscaping vehicular surface areas reduces the amount of heat being emitted from asphalt and other surfaces, provides shade for vehicles, and sends a positive message to citizens patronizing the site.

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: This is a policy decision of Council.

Administration

Reviewed by: Sparty Hammett

Date: 6/21/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend denial of the proposed ordinance. The motion was made to address the needs of a church; however, as indicated by the Planning Director, non-profits can include a variety of different businesses throughout the County. The proposed ordinance would exempt all non-profits from landscaping vehicular surface areas.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-11HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES: CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE AND PERFORMANCE STANDARDS; SECTION 26-176, LANDSCAPING STANDARDS; SUBSECTION (A), PURPOSE AND APPLICABILITY; PARAGRAPH (2), APPLICABILITY; SUBPARAGRAPH A.; SO AS TO EXEMPT NON-PROFIT ORGANIZATIONS FROM VEHICULAR SURFACE AREA LANDSCAPING REQUIREMENTS.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development: Article VII, General Development, Site and Performance Standards; Section 26-176, Landscaping Standards: Subsection (a), Purpose and Applicability; Paragraph (2), Applicability; Subparagraph a.; is hereby amended to read as follows:

- a. Any new development must fully comply with the pertinent requirements of this section unless specifically exempted elsewhere in this chapter.

Exemptions: These requirements shall not apply to:

1. *Single-family detached and two-family dwellings.* Individual single-family detached and two-family dwellings that are located on separate lots recorded with the Richland County Register of Deeds office, and any existing lots zoned for single-family or two-family dwellings shown by a recorded plat on or before July 1, 2005, shall not be subject to the requirements set forth in this section. However, the construction in a subdivision of single-family or two-family homes shall be subject to buffer transition yards (Section 26-176(f)); tree protection (Section 26-176(j)), excluding street protective yards; and completion and maintenance (Section 26-176(k)).
2. *Public and private utilities.* Public and private utilities are not subject to the requirements of this section, except when a land development permit or subdivision approval is required. Such utilities may include, but are not limited to, storm drainage installation, road construction, water and sewer construction, and electric, gas, communications, and other similar service installations.
3. *Existing structures and vehicular surface areas.* Existing buildings, structures, and vehicular surface areas are exempt from the requirements of this section, unless they are involved in new construction or expansion as explained in Section 26-176(a)(2)b. below.

4. *Non-profit organizations.* Non-profit organizations are not subject to the requirements of subsection (g), below, regarding “vehicular surface area landscaping”, but are subject to all other requirements of this section.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2011.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2011.

Michelle M. Onley
Assistant Clerk of Council

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

Richland County Council Request of Action

Subject

Creating an Independent review task force to improve the business climate in the City of Columbia and Richland County [pages 50-54]

Reviews

Richland County Council Request of Action

Subject: Creating an independent review task force to improve the business climate in the City of Columbia and in Richland County

A. Purpose

To create an independent review task force to improve the business climate in the City of Columbia and in Richland County.

B. Background / Discussion

On May 17, 2011, with unanimous consent, a motion was made by the Honorable Councilman Paul Livingston, as follows:

“To discuss the Greater Columbia Chamber request to create an independent review task force to improve the business climate in the City of Columbia and Richland County”

On May 12, 2011, the Greater Columbia Chamber of Commerce sent a letter, which was signed by Mike Brenan (Chair) and Ike McLeese (President), to the Honorable Paul Livingston. The letter stated that:

“Many business owners have expressed frustration over problems encountered while navigating the government approval process. Most of these problems are related to bureaucratic delays and the unnecessarily cumbersome processes within the various departments responsible for approvals and permits required for current or planned projects.”

And:

“The Chamber, in conjunction with the City, has researched this issue at length, surveying more than 250 local businesses over the past two years. We found that the approval process at the City or County ranked last among all government services. Economic development was rated the worst business climate element. And more than 40 percent of respondents said the problems associated with the approval process detract from the community’s attractiveness as a place to do business.”

“That negative reputation is undoubtedly hurting our ability to attract and retain businesses. As a result, we are losing countless jobs and investments.”

The Chamber’s letter concluded by stating:

“So we are suggesting to you, as the leaders of your respective councils, that we join together to create an independent review task force that will begin the process of improving the approval process. It is our hope that this task force can study the issue and identify short-term and long-term changes that can be approved independently by both councils and implemented by your respective staffs.”

“It is absolutely imperative that this task force be representative of the entire community, including council members, administrative staff, business leaders and city and county residents. It is only through this equal partnership that we will be able to bring about positive, lasting reform.”

It is proposed that the review task force be comprised as follows:

BUSINESS FRIENDLY TASK FORCE

COMPOSITION

Chamber of Commerce Appointees:

1. Chairman or Designee
2. President or Designee
3. Private resident

City of Columbia Appointees:

1. Member of Council
2. Chief Administrator or Designee
3. Private Resident

Richland County Appointees:

1. Member of Council
2. Chief Administrator or Designee
3. Private Resident

PURPOSE

The objective of the Task Force will be to form a partnership between the Business Community, the City of Columbia and Richland County in order to work together to enhance our community's business friendly environment and to improve our reputation to increase our ability to attract and retain businesses. The Task Force will focus on the following:

1. Review government approval processes.
2. Identify strengths and weaknesses with the processes.
3. Recommend methods to improve the processes.
4. Establish measurable standards to increase speed, accuracy, consistency and customer service.

C. Financial Impact

None.

D. Alternatives

1. Create an independent review task force to improve the business climate in the City of Columbia and in Richland County
2. No not create an independent review task force to improve the business climate in the City of Columbia and in Richland County.

E. Recommendation

This request is at Council’s discretion.

Recommended by: Honorable Paul Livingston Date: 5/17/11

F. Approvals

Finance

Reviewed by Daniel Driggers: Date: 6/15/11
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation: Recommendation is based on there being no financial impact to the County.

Planning

Reviewed by: Anna Fonseca Date:
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation: Currently the Planning & Development Services is analyzing the approval and permitting process.

Planning Attorney

Reviewed by: Amelia Linder Date: 6/15/11
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation: Both of the alternatives appear to be legally sufficient, therefore this request is at the discretion of Council.

Legal

Reviewed by: Larry Smith Date:
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation:

Administration

Reviewed by: Sparty Hammett

Date: 6/20/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval. Staff is in the process of completing a Development Review Process Analysis, and input is being obtained from the development community regarding how to make the process more efficient and effective. Additional feedback from the Task Force would be beneficial in making improvements.

At the June 21, 2011 Economic Development Committee meeting, the members voted to forward the following motion by Councilman Rose to the D&S Committee to be considered in conjunction with the Chamber's Business Friendly Task Force item:

Motion that Chairman Livingston place on the Economic Development Committee agenda, the task of reviewing the Richland County business license fee and this fees impact on job creation and business recruitment within Richland County. Said Committee to review the competitiveness of our business license fee in regards to both calculation and surrounding/neighboring Counties. Such review to include input & data from the Columbia Chamber of Commerce as well as other relevant entities. The findings from this review to be submitted to full Council once said review is completed. [Rose]

Further, per the City of Columbia, the Business Friendly Task Force item was deferred at the City Council Meeting on June 21 because the Mayor was absent. This item will carry forward to the City Council Meeting on **July 19**.

Richland County Council Request of Action

Subject

Hopkins Community Water System Service Area Expansion [pages 56-65]

Reviews

Richland County Council Request of Action

Subject: Hopkins Community Water System Service Area Expansion

A. Purpose

The purpose of this report is to seek County Council’s approval to expand the service area of the Hopkins Community Water System and to provide water service to additional households within the limits of the project budget.

B. Background

The Hopkins Community Water Project was initiated by County Council to address a contaminated groundwater source in the Hopkins Community. A defined project boundary was established and water system plans were developed for the defined area. The project is currently under construction with approximately 95% of the water distribution system complete and 90% of the elevated tank construction complete.

The initial project budget was \$ 4, 814,000. The breakdown of funding sources and amounts are as follows:

Richland County	\$ 388,000
Rural Development Loan	\$2,033.000
Rural Development Grant	\$1,793.000
SC DHEC Grant	<u>\$ 600.000</u>
Total Project Cost	\$ 4,814,000

C. Discussion

Due to the current economic conditions, the construction industry is very competitive and the construct bid prices came in considerably less than the engineer’s estimate. Therefore a surplus of project funds are available that can be used to expand the current service area.

During the project’s initial stages, many community meetings were held to inform and solicit customers for the new water system. Many property owners within the community committed to connecting to the water system when it became available. Most of these properties are within the initial service area boundary but numerous others are outside of the initial boundary area.

The Utilities Department staff has prepared a water extension cost analysis that compares the cost of several line extensions to the number of confirmed and potential customers that can be served by each line extension. From this information, a cost per customer and a system expansion plan has been developed based on the lowest cost per customer. The recommended system expansion plan would construct additional water lines along the lower portion of Lower Richland Boulevard and along Edmunds Farm Road. The total cost of a change order to include these line extensions is \$368,522.25. The potential number of customers that can be served by these line extensions is 74. In addition to the construction

change order. an engineering change order in the amount of \$29, 938.00 would be required to design the additional line extensions.

Rural Development has reviewed and approved the proposed changes to the contract provided the change order documents are approved by County Council and forwarded to their office for execution.

D. Alternatives

1. Approve both the construction and engineering change orders.
2. Approve alternate line extension.
3. No action

E. Financial Impact

The current budget and encumber fund status is as follows:

Total Project Funds	4,814,000.00
Engineering Fees	(311, 220.00)
Division I Construction Cost (water line)	(3,077,547.53)
Division I Construction Cost (tank)	(774,000.00)
Project Advertising	(2,705.00)
Right-of-Way Acquisitions	(5,000.00)
Hopkins Elementary School Electrical	(5,000.00)
AECOM (railroad encroachment permit)	(4,200.00)
Norfolk Railroad (insurance @ bore site)	(3,000.00)
Change Order No. 1	(56,437.33)
Rural Development Loan Interest (to be encumbered)	<u>(60,000.00)</u>
Unencumbered Project Funds	514,890.14
Proposed Change Order # 2 Construction	(386,522.25)
Proposed Change Order Engineering (for CO # 2 above)	<u>(29,938.00)</u>
Remaining Project Funds	98,429.89

The Rural Development Letter of Conditions required the Richland County funded contribution to be first expended followed by the Rural Development Loan and SC DHEC Grant with the Rural Development Grant being the last expended. Any remaining Rural Development funds will be considered Rural Development grant funds and refunded to Rural Development.

F. Recommendation

It is recommended that County Council approve Change Order # 2 for Brigman Construction Company in the amount of \$368,522.25 and the engineers change order for Joel Wood & Associates in the amount of \$29,938.00.

Recommended by: Andy H. Metts **Department:** Utilities **Date** 6/14/11

Finance

Reviewed by: Daniel Driggers

Date: 6/16/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Request is to redirect capital project dollars and is project funding decision left to Council discretion. Funds are unencumbered as stated therefore I would recommend approval based on the availability of funds. I would recommend that the County take the necessary caution to ensure that the original project scope can be completed within the existing budget funds as part of the approval.

Procurement

Reviewed by: Rodolfo Callwood

Date: 6/17/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: This is a policy decision of Council. However, the information provided in the ROA indicates that the cost for acquisition of right-of-way would be \$5,000.00. There is no information provided as to how many parcels are going to have to be acquired or whether or not the cost of acquiring the property necessary to expand the project is based on formal appraisals that have been done.

Administration

Reviewed by: Sparty Hammett

Date: 6/21/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval of change Order # 2 for Brigman Construction Company in the amount of \$368,522.25 and the engineers change order for Joel Wood & Associates in the amount of \$29,938.00. If the Rural Development grant funds are not expended, per the conditions of the agreement, they will have to be refunded to Rural Development.

Hopkins Water Extension Cost Analysis

Extension 1 - Lower Richland Blvd.

Total cost of Extension	\$ 316,923.21	Cost per Customer
Confirmed Customers	23	\$ 13,779.27
*Potential Customers (Homes)	61	\$ 5,195.46

Extension 2 - Vandoval Road

Total cost of Extension	\$ 247,666.30	Cost per Customer
Confirmed Customers	10	\$ 24,766.63
*Potential Customers (Homes)	33	\$ 7,505.04

Extension 3 - Cabin Creek Rd.

Total cost of Extension	\$ 352,914.80	Cost per Customer
Confirmed Customers	10	\$ 35,291.48
*Potential Customers (Homes)	57	\$ 6,191.49

Extension 4 - Minervaville Rd.

Total cost of Extension	\$ 144,771.43	Cost per Customer
Confirmed Customers	5	\$ 28,954.29
*Potential Customers (Homes)	12	\$ 12,064.29

Extension 5 - Clarkson Rd.

Total cost of Extension	\$ 324,750.04	Cost per Customer
Confirmed Customers	1	\$ 324,750.04
*Potential Customers (Homes)	3	\$ 108,250.01

**Extension 6 - Allbene Park

Total cost of Extension	\$ 133,003.73	Cost per Customer
Pre-existing/Confirmed Customers	40	\$ 3,325.09
*Potential Customers (Homes)	40	\$ 3,325.09

Extension 7 - Edmonds Farm Rd.

Total cost of Extension	\$ 51,599.04	Cost per Customer
Confirmed Customers	1	\$ 51,599.04
*Potential Customers (Homes)	13	\$ 3,969.16

* Potential Customers includes Confirmed Users, which have signed up for service, as well as properties within the service area which have homes on them.

** Allbene Park is an existing water system which is served by RCU. By installing a new water system in the community RCU can avert three issues: the existence of asbestos pipes, potential failure of the aging system, and the legal issues associated with the acquisition of the system.

UNITED STATES DEPARTMENT OF AGRICULTURE
RURAL DEVELOPMENT AND
FARM SERVICE AGENCY

ORDER NO TWO
DATE JUNE 6, 2011
STATE SC
COUNTY RICHLAND

CONTRACT CHANGE ORDER

CONTRACT FOR **DIVISION I Hopkins Community Water System Improvements**

OWNER **RICHLAND COUNTY**

To **TOM BRIGMAN CONTRACTORS, INC.**

You are hereby requested to comply with the following changes from the contract plans and specifications:

Description of Changes (Supplemental Plans and Specifications Attached)	DECREASE in Contract Price	INCREASE in Contract Price
Lower Richland Blvd. Extension Edmunds Farm Road Extension	\$ ----- -----	\$ \$316,923.21 \$51,599.04
TOTALS	\$ 0.00	\$ \$368,522.25
NET CHANGE IN CONTRACT PRICE	\$ 0.00	\$ \$368,522.25

JUSTIFICATION:

To extend water distribution lines into areas not previously served and provide water service connections.

The amount of the Contract will be (Decreased) (Increased) By The Sum Of Three hundred sixth-eight thousand
five hundred twenty-two & 25/100 Dollars (\$ 368,522.25).

The Contract Total Including this and previous Change Orders Will Be Three million, five hundred two thousand
five hundred seven & 11/100 Dollars (\$ 3,502,507.11).

The Contract Period Provided for Completion Will Be (Increased) (Decreased) (Unchanged): 60 Days.

This document will become a supplement to the contract and all provisions will apply hereto.

Requested _____ (Owner)

Recommended Jed C. Wood (Date) 6/6/11
(Owner's Architect/Engineer)

Accepted _____ (Contractor)

Approved by Agency _____ (Name and Title) (Date)

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to U.S. Department of Agriculture, Clearance Office, STOP 0602, 1400 Independence Avenue, SW, Washington, DC 20250-9901. Please DO NOT RETURN this form to this address. Forward to the local USDA office only. You are not required to respond to this collection of information unless it displays a correctly valid OMB control number.

POSITION 6
FEDERAL BUDGETARY CONTROL NUMBER

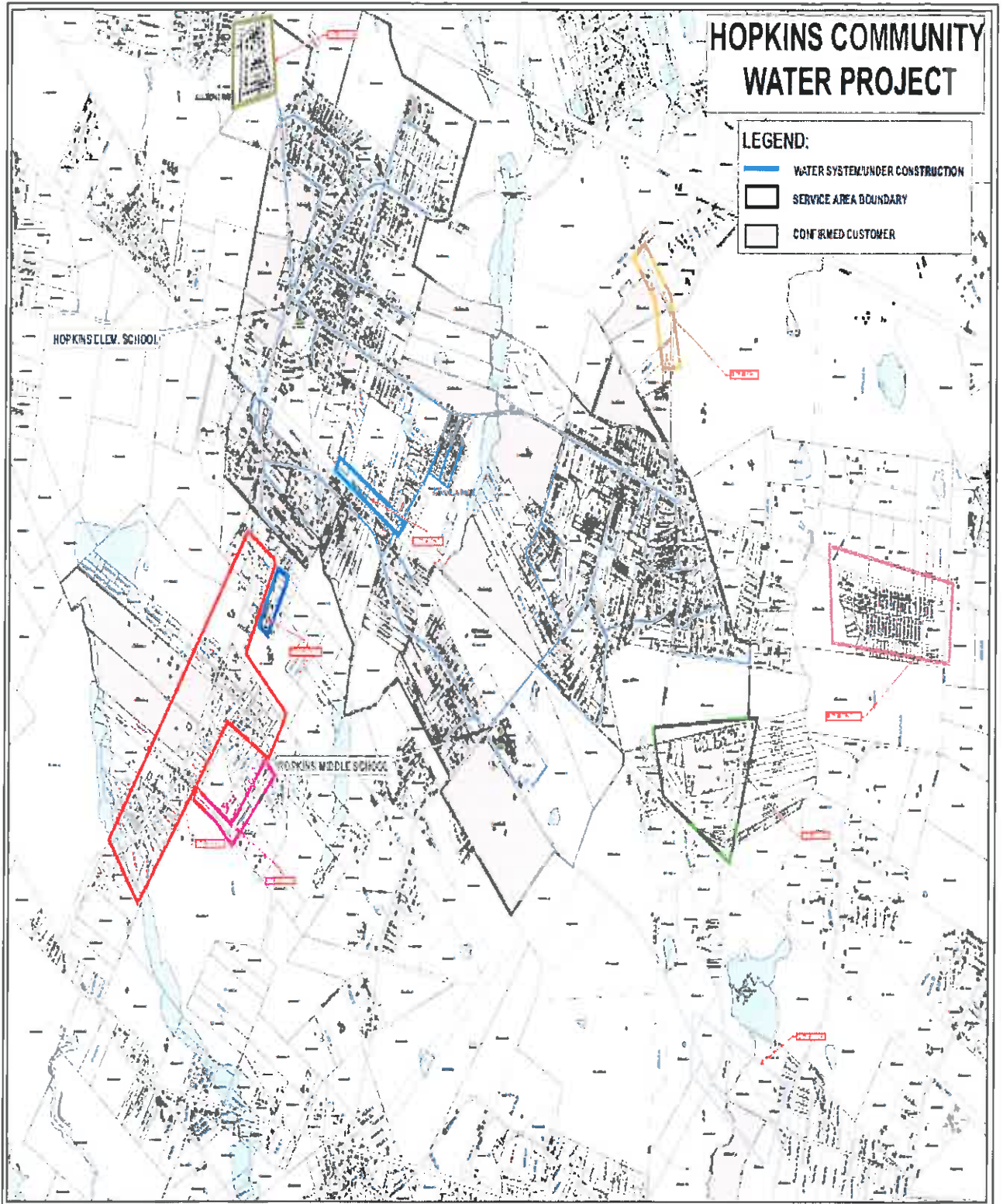
Form RD 1924-7 (Rev. 2-97)

HOPKINS COMMUNITY WATER SYSTEM
DIVISION I

CHANGE ORDER NUMBER TWO							
EDMUNDS FARM ROAD EXTENSION							
ITEM NO	DESCRIPTION	CONTRACT QUANTITY	ORIGINAL UNIT PRICE	UPDATED UNIT PRICE	ACTUAL QUANTITY	DIFFERENCE	INCREASES/DECREASES
1	Mobilization	1 LS	\$40,755.00		1 LS	1 LS	\$500.00
2	Clear R/W	47.4 AC	\$220.23		48.4 AC	1 AC	\$220.23
3	Traffic Control	1 LS	\$33,000.00		1 LS	1 LS	\$250.00
4	Construction Staking	1 LS	\$550.23		1 LS	1 LS	\$500.00
9	6" (C900 DR 18) PVC Complete, Installed, Tested, Sanitized, & Approved For Use	21,800 LF	\$6.78	\$8.98		2400 LF	\$21,562.00
15	6" Gate Valve & Box	31 EA	\$730.39		32 EA	1 EA	\$730.39
19	Standard Fire Hydrant Assembly Per Detail	42 EA	\$2,523.29		43 EA	1 EA	\$2,523.29
23	Directional Drill 6" HDPE (SDR 11) Under Culvert Complete, Installed, Tested, Sanitized, & Approved For Use	680 LF	\$29.01		830 LF	150 LF	\$4,351.50
28	6" Restrained Joint DIP At End Of Directional Drill	480 LF	\$27.90	\$27.15	600 LF	120 LF	\$3,258.00
41	3/4" Service Connection With Pressure Reducing Valve, Including 3/4"x 5/8" Meter	381 EA	\$819.71		387 EA	6 EA	\$3,718.26
43	3/4" Copper Tube Size (PR 200) Service Tubing	17,900 LF	\$3.30		19750 LF	1850 LF	\$6,105.00
43 A	1" IPS (PR 200) Service Tubing	0 LF		\$3.40	1,275 LF	1,275 LF	\$4,335.00
47	Macadam Base Material In Driveways & At Manholes	1,718 TNS	\$26.10		1,728 TNS	10 TNS	\$261.00
4R	Valve Box Protector Rings	152 EA	\$22.77		153 EA	1 EA	\$22.77
53	Sediment & Erosion Control	1 LS	\$24,970.00		1 LS	1 LS	\$500.00
54	Seeding, Fertilizer, & Mutch	47.4 AC	\$1,271.60		48.4 AC	1 AC	\$1,271.60
NA	Tie To Existing 8" Line	0 LS	\$1,500.00		1 LS	1 LS	\$1,500.00
Total							\$51,999.04

HOPKINS COMMUNITY WATER SYSTEM
DIVISION I

CHANGE ORDER NUMBER TWO								
EXTENSION 1 - LOWER RICHLAND BLVD								
ITEM NO	DESCRIPTION	CONTRACT QUANTITY	ORIGINAL UNIT PRICE	UPDATED UNIT PRICE	ACTUAL QUANTITY	DIFFERENCE	INCREASES/ DECREASES	
1	Mobilization	1 LS	\$40,755.00		1 LS	1 LS		\$500.00
2	Clear R/W	47.4 AC	\$220.23		50.6 AC	3.2 AC		\$704.74
3	Traffic Control	1 LS	\$33,000.00		1 LS	1 LS		\$900.00
4	Construction Staking	1 LS	\$550.23		1 LS	1 LS		\$500.00
7	10" (C900 DR 18) PVC Complete, Installed, Tested, Sterilized, & Approved For Use	10,500 LF	\$14.16	\$18.55	24,000 LF	7,500 LF		\$139,950.00
9	6" (C900 DR 18) PVC Complete, Installed, Tested, Sterilized, & Approved For Use	21,800 LF	\$6.78	\$8.98	24,400 LF	2,600 LF		\$23,348.00
13	10" Gate Valve & Box	32 EA	\$1,524.29		37 EA	5 EA		\$7,821.45
15	6" Gate Valve & Box	31 EA	\$730.39		33 EA	2 EA		\$1,460.78
19	Standard Fire Hydrant Assembly Per Detail	42 EA	\$2,523.29		49 EA	7 EA		\$17,663.03
21	Directional Drill 10" HDPE (SDR 11) Under Culvert Complete, Installed, Tested, Sterilized, & Approved For Use	580 LF	\$48.05		880 LF	200 LF		\$9,610.00
26	10" Restrained Joint DIP At End Of Directional Drill	480 LF	\$33.99	\$41.99	720 LF	240 LF		\$10,077.60
30	Bore & Jack 18" Steel Casing With 10" Restrained Joint Ductile Iron Corner Pipe	780 LF	\$152.93	\$164.83	860 LF	100 LF		\$16,493.00
41	3/4" Service Connection With Pressure Reducing Valve Including 3/4" x 5/8" Meter	381 EA	\$619.71		401 EA	20 EA		\$12,394.20
43	3/4" Copper Tube Size (PR 200) Service Tubing	17,900 LF	\$3.30		29,600 LF	10,700 LF		\$35,310.00
43 A	1" IPS (PR 200) Service Tubing	0 LF		\$3.40	8,010 LF	8,010 LF		\$27,234.00
44	Bore 3/4" Service Tubing Under Pavement No Casing	6,690 LF	\$7.92		6,840 LF	150 LF		\$1,189.00
46	Saw Cut, Remove & Replace Asphalt In Driveways	4,900 SY	\$29.54		4,980 SY	160 SY		\$4,720.40
47	Macadam Base Material In Driveways & At Manholes	1,718 TNS	\$26.10		1,753 TNS	35 TNS		\$913.50
48	Valve Box Protector Rings	152 EA	\$22.77		159 EA	7 EA		\$159.39
53	Sediment & Erosion Control	1 LS	\$24,870.00		1 LS	1 LS		\$500.00
54	Seeding, Fertilizer, & Mulch	47.4 AC	\$1,271.50		60.6 AC	3.2 AC		\$4,089.12
NA	Tie To Existing 10" Line	0 LS	\$2,000.00		1 LS	1 LS		\$2,000.00
							Total	\$316,923.21





JOEL E. WOOD & ASSOCIATES
 PLANNING • ENGINEERING • MANAGEMENT

Main Office

160 Fibert Highway
 York, SC 29748

P.O. Box 290
 Clover, SC 29710

Te: 803.684.3390
 Fa: 803.628.2898

Kings Mountain, NC

104 N. Dilling St
 Kings Mountain, NC
 28086

P.O. Box 290
 Clover, SC 29710

Te: 704.735-2565
 Fa: 704.735-2565

March 11, 2011

Mr. Andy Metts, Director
 Richland County Department of Utilities
 7525 Broad River Road
 Irmo, South Carolina 29063

**REF: REQUEST FOR AN AMENDMENT TO ENGINEERING
 CONTRACT BETWEEN JOEL E. WOOD & ASSOCIATES AND
 RICHLAND COUNTY**

Dear Mr. Metts:

This letter is to request an amendment to the contract between Richland County, SC and Joel E. Wood & Associates, L. L. C. dated June 15, 2006. The amendment is to cover the additional cost for normal and customary engineering services required to apply for an SCDHEC Permit to Construct and SCDOT Encroachment Permits for extensions to the Hopkins Community Water System. These lines were not included in the original scope of the Hopkins Project. The total increase in the Contract will be \$29,938.00 and the breakdown of the cost is as shown below:

Extension #1 Lower Richland Blvd.	\$17,125.00
Extension #6 Allbene Park	\$ 8,378.00
Edmunds Farm Road	\$ 3,693.00
Changes to Wells and Chemical Feed	\$ 742.00
Total	\$29,938.00

We are prepared to begin this work upon your notice to proceed and should you have any questions or need additional information please contact me.

Sincerely,

JOEL E. WOOD & ASSOCIATES, L. L. C.

Joel E. Wood, P.E.,
 Managing Partner
 Enc.

Richland County Council Request of Action

Subject

Petition to close portion of Beckham Swamp Road

Reviews

Richland County Council Request of Action

Subject: Petition to close Road/portion of Beckham Swamp Road

A. Purpose

County Council is requested to consider a petition filed with the circuit court to close a portion of Beckham Swamp Road, which is currently a State maintained road located in Richland County.

B. Background / Discussion

Petitioner filed with the circuit court to close a portion of Beckham Swamp Road, which is a State maintained road located within unincorporated Richland County. According to the petition, the subject portion of the roadway abuts Petitioner's property and is not used by any abutting property owners for access to their properties. Petitioner requests that the court abandon or close the roadway and vest title with the Petitioner. A copy of the petition is attached for your convenience.

The Legal Department now needs Council's guidance in answering this lawsuit. See below for the relevant county ordinance.

Sec. 21-14. Abandonment of public roads and right-of-ways.

- (a) Any person or organization wishing to close an existing public street, road, or highway in the county to public traffic shall petition a court of competent jurisdiction in accordance with section 57-9-10, et seq. of the state code of laws. The petition shall name the county as a respondent (unless the county is the petitioner). The county attorney shall advise the court with regard to the county's concurrence or opposition after consultation with the county's planning, public works, and emergency services departments, and after consideration by county council. It shall be the responsibility of the petitioner to physically close the roadway if a petition is successful. The county attorney may submit such petition on behalf of the county if so directed by county council.

- (b) Any person or organization wishing the county to abandon maintenance on an existing county-maintained street, road or highway shall submit to the public works department a petition to do so signed by the owners of all property adjoining the road and by the owners of all property who use the road as their only means of ingress/egress to their property. The petition shall state that the property owners release and indemnify the county from any duty to maintain the road. At the recommendation of the county engineer, the county administrator shall have the authority to act on a petition that involves a dead-end road; county council shall have the authority to approve petitions under all other circumstances. If the petition is approved, the county engineer

may require the property owners to place an appropriate sign alongside or at the end of the road.

C. Financial Impact

There is no known financial impact with this request.

D. Alternatives

1. Approve petitioner's request to close the subject road and direct Legal to answer the suit accordingly.
2. Deny petitioner's request to close the subject road and direct Legal to answer the suit accordingly

E. Recommendation

Council discretion.

Recommended by: Elizabeth McLean

Department: Legal

Date: 6/14/11

F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date:

Recommend Council approval

Recommend Council denial

✓ Council Discretion (please explain if checked)

Comments regarding recommendation: This is Council discretion as indicated in ROA with no financial impact.

Public Works

Reviewed by: David Hoops

Date:

Recommend Council approval

Recommend Council denial

✓ Council Discretion (please explain if checked)

Comments regarding recommendation: Parcel # R13200-01-01 owned by Congaree Carton has access from the private extension of Beckham Swamp Road and Longwood Road. The private extension of Beckham Swamp Road is located on the west property line of said parcel. I am not aware if this parcel has legal rights in this action.

Planning

Reviewed by: Anna Fonseca

Date:

Recommend Council approval

Recommend Council denial

✓ Council Discretion (please explain if checked)

Comments regarding recommendation: A search in the 911 data base identifies an address of 1901 Beckham Swamp Road which belongs to TMS# 13100-01-01. Further research should be done prior to approving the closing of this road.

Emergency Services

Reviewed by: Michael Byrd

Date: June 20, 2011

Item# 12

- Recommend Council approval xx Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend Council receive additional information prior to approval. Upon an on-site review of the road, there are several tracts of property and a hunt club at the end of the road. Access to these properties could be restricted during an emergency or event that requires a public safety response. Access needs to be clarified with written input from all property owners.

Legal

- Reviewed by: Larry Smith Date:
 Recommend Council approval ✓ Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation: I am recommending that the Council deny the request at this time, pending our ability to determine the effect that closing the road would have on the response time of fire and emergency vehicles to access citizens on that road or in that area.

Administration

- Reviewed by: J. Milton Pope Date: 6-24-11
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)

Comments regarding recommendation: I recommend approval of this item contingent upon the receipt of final information from Emergency Services and Legal at full Council.

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND) IN THE COURT OF COMMON PLEAS
) FIFTH JUDICIAL CIRCUIT
) CIVIL ACTION NO. 2011-CP-_____

Prospect Hill of Edisto Island, LLC,)
 Finlay Tucker, LLC and Beckham)
 Swamp, LLC)
)
) Petitioner(s),)
)
)
) vs.)
)
) South Carolina Department of)
) Transportation, Richland County)
) and South Carolina Electric & Gas)
) Company)
) Respondent(s))
)

**PETITION FOR ABANDONMENT
 AND CLOSURE OF ROADS**

2011 MAY 10 AM 10:23
 RECEIVED
 CLERK OF COURT

PETITIONERS above-named would respectfully show unto the Court:

1. This action is being brought pursuant to §57-9-10 et seq., Code of Laws of South Carolina (1976), as amended.
2. Pursuant to the statute mentioned in the paragraph next above, Petitioner advertised for three (3) consecutive weeks in the The Columbia Star the "Notice of Intention to File Petition to Close Roads", a copy of which is attached hereto as Exhibit "A" and incorporated herein by this reference, and that said notice was advertised on January 28, 2011, February 4, 2011, and February 11, 2011.
3. Petitioners, Prospect Hill of Edisto Island, LLC and Finlay Tucker, LLC are the owners of two tracts of land located in Richland County, South Carolina, bearing Richland County Tax Map Numbers 13300-01-01 and 13300-01-05 (herein collectively the "Property"), which Property surrounds the portion of Beckham Swamp Road being sought to be closed hereby. Said portion of Beckham Swamp Road being sought to be closed begins approximately six-tenth of a mile, more or less, from the intersection of Beckham Swamp Road and Bluff Road at the northern boundary of Petitioner, Prospect Hill of Edisto, LLC's property (TMS No. 13300-01-01), running generally in a southwesterly direction approximately 1.3 miles, more or less, and upon information and belief, terminates at the point of termination (P.O.T.) as shown on Sheet 9 of 20 of the South Carolina Department of Transportation's Plan and Profile of Proposed State Highway for S.C. Highway No. 519, filed with the South Carolina Department of

Transportation in Docket No. 40.399, and is a portion of the property shown as "BECKHAM SWAMP ROAD – S.C. HIGHWAY NO. 519" on that certain Division Plat prepared for Frank Hampton Farm, LLC by B.P. Barber & Associates, Inc., dated March 16, 2006, last revised March 21, 2006, and recorded in the Office of the Register of Deeds for Richland County in Plat Book 1162 at Page 387 (the "Plat"), a reduced copy of which is attached hereto as Exhibit "B".

4. Petitioner, Beckham Swamp, LLC, is the owner of two tracts of land located in Richland County, South Carolina, bearing Richland County Tax Map Numbers 10700-01-01 and 13100-01-01, which lie to the south of the Property and is a party to this action as an interested party under §57-9-10 et seq., Code of Laws of South Carolina (1976), as amended.

5. Respondent, South Carolina Department of Transportation, is made a Respondent due to the fact that the portion of Beckham Swamp Road which is being sought to be closed is owned and maintained by South Carolina Department of Transportation and said South Carolina Department of Transportation may claim some right, title or interest in and to said road on behalf of the public and for public ingress and egress.

6. Respondent, Richland County, State of South Carolina, is made a Respondent due to the fact that the portion of Beckham Swamp Road which is being sought to be closed is located within the county limits of Richland County and said Richland County may claim some right, title or interest in and to said road on behalf of the public and for public ingress and egress.

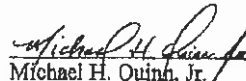
7. Respondent, South Carolina Electric & Gas Company, has a right of way for transmission lines that crosses Beckham Swamp Road as shown on the Plat.

8. Petitioners desire that any interest of South Carolina Department of Transportation and Richland County in said portion of Beckham Swamp Road being sought to be closed hereby be deemed permanently abandoned and that any and all rights that the Respondents, South Carolina Department of Transportation and Richland County, or the public, may have in the aforesaid portion of Beckham Swamp Road being sought to be closed hereby be terminated; provided in no way will the rights of Respondent, South Carolina Electric & Gas Company pursuant to any easements or rights of way previously granted to Respondent, South Carolina Electric & Gas Company, or

otherwise obtained by Respondent, South Carolina Electric & Gas Company, be adversely affected in any way.

9. The portion of Beckham Swamp Road being sought to be closed hereby is located on property belonging to the Petitioners, Prospect Hill of Edisto Island, LLC and Finlay Tucker, LLC, and Petitioners are informed and believe that Petitioners are the only abutting property owners who would be affected by such abandonment.

WHEREFORE, Petitioners pray that this Court inquire into the matters of the facts and circumstances hereby alleged and issue its Order requiring that said portion of Beckham Swamp Road being sought to be closed hereby be permanently abandoned, closed, discontinued and vacated, and that any and all rights that Respondents, South Carolina Department of Transportation, Richland County, and the public, may have in the same and the obligation of South Carolina Department of Transportation to maintain same be permanently terminated.


Michael H. Quin, Jr.
ELLIS, LAWHORNE & SIMS, PA
1501 Main Street, 5th Floor (29201)
Post Office Box 2285
Columbia, SC 29202
Attorneys for Petitioner(s)

Columbia, South Carolina

May 9, 2011

NOTICE OF INTENTION TO FILE PETITION TO CLOSE ROAD
STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

NOTICE is hereby given that Prospect Hill of Edisto Island, LLC and Finley Tucker, LLC, who petitioners to file Petition to Close Road for three (3) consecutive weeks will file a Petition pursuant to South Carolina Code Section 57-8-10 et. seq. (2006, as amended), in the Richland County Court of Common Pleas to close a portion of Beckham Swamp Road. The portion of Beckham Swamp Road to be closed is all that portion of Beckham Swamp Road which abuts Parcel C-1 and C-2 because Abby shows on that Parcel Division Plat prepared for Frank Hampton, Farm, LLC by B.F. Barber & Associates, Inc. dated March 15, 2004, satisfied March 21, 2006 and recorded in the Richland County Register of Deeds Office on April 12, 2006 as Book 1177, at Page 587, and being all that portion of Beckham Swamp Road abutting Richland County TMS Numbers 18106101 and 18106001-02. Prospect Hill of Edisto Island, LLC and Finley Tucker, LLC
By Their Attorney
Michael H. Quinn, Jr.
BLAIR, LAWNOYNE & SIMMONS
1001 Main Street, 6th Floor
Columbia, SC 29201

THE COLUMBIA STAR

COLUMBIA, SOUTH CAROLINA

State of South Carolina
County of Richland

Personally appeared before me,
MIMI M. MADDOCK,
PUBLISHER OF THE COLUMBIA STAR,
who makes oath that the advertisement

NOTICE OF INTENTION TO FILE PETITION TO CLOSE ROAD
Prospect Hill of Edisto Island, LLC, et al. filing to close portion of Beckham Road for 3 consecutive weeks

a clipping of which is attached hereto, was printed in
THE COLUMBIA STAR, a weekly newspaper of general circulation
published in the City of Columbia, State and County aforesaid, in the issues of

January 28, February 4, and 11, 2011

Mimi M. Maddock

Mimi M. Maddock, Publisher
Sworn to before me on this
11th day of February 2011.

Pamela J. Clark

Pamela J. Clark, Notary Public
My commission expires April 29, 2018

EXHIBIT "A"

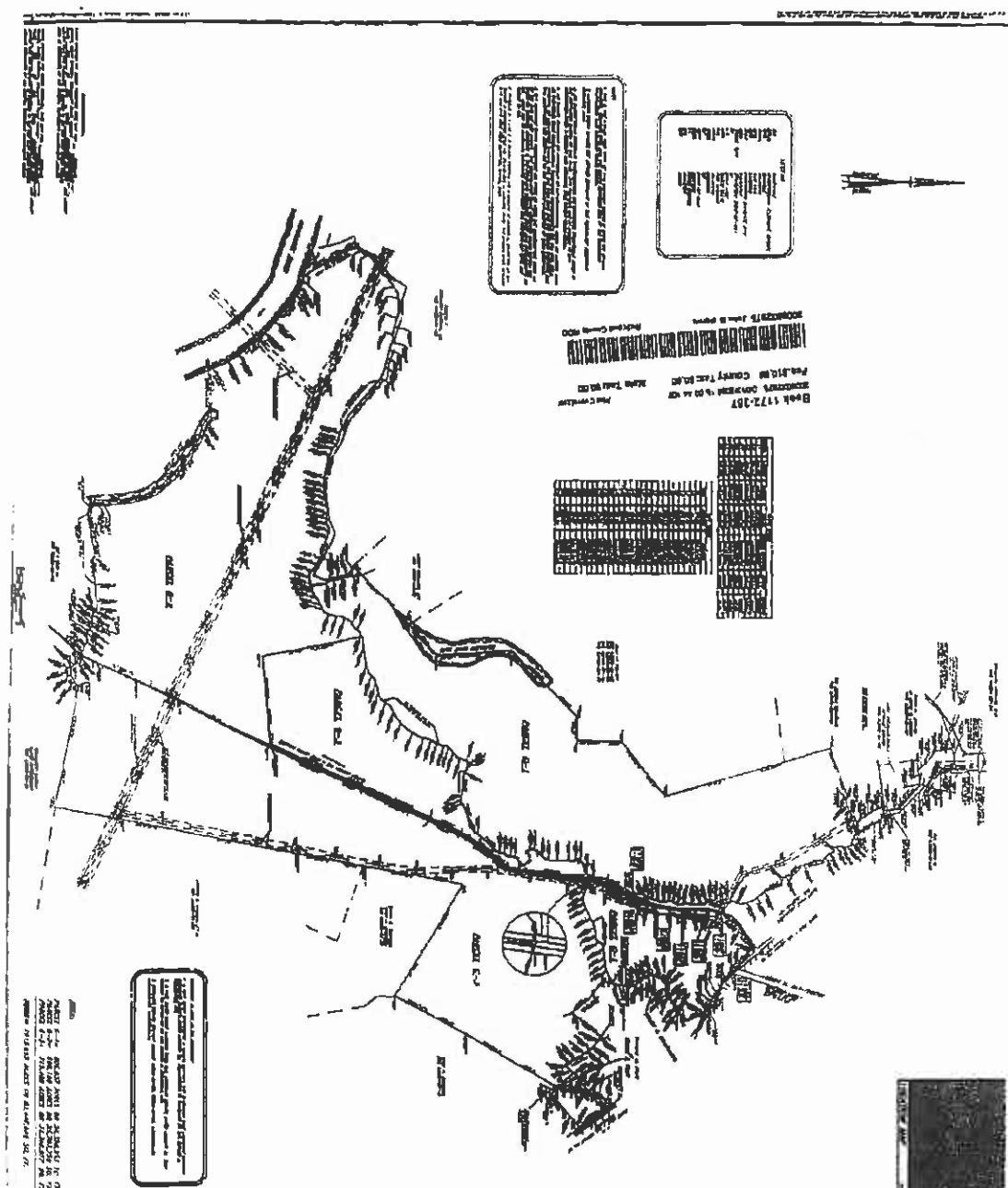


EXHIBIT "B"

<p>PROJECT: FRANK HAMPTON PARK, LLC</p>	<p>SHEET TITLE: DIVISION PLAN</p>		<p>DATE: 11/11/11</p> <p>BY: [Signature]</p> <p>PROJECT NO: 11-11-11</p>	<p>SCALE: AS SHOWN</p>
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Richland County Council Request of Action

Subject

Water main easement to the City of Columbia (n/w side of Westmoreland Road)

Reviews

Richland County Council Request of Action

Subject: Water Main Easement to the City of Columbia (n/w side of Westmorland Road)

A. Purpose

County Council is requested to approve a Water Main easement to the City of Columbia on property owned by Richland County (n/w side of Westmorland Road).

B. Background / Discussion

In 2010, Brickyard-Longtown, LLC (Stewart Mungo) donated a parcel of land to the County for conservation purposes. The land is titled in the Richland County Conservation Commission, but as the Commission is not a separate legal entity, title lies with Richland County. The Commission was approached by the City of Columbia requesting a water main easement over the subject property.

Please see the attached easement and plat to further identify the location of the requested easement. It appears from the plat that the water line is going to service the Brookhaven Subdivision.

C. Financial Impact

There is no known financial impact with this request.

D. Alternatives

1. Grant the easement to the City of Columbia (approve the attached ordinance)
2. Do not grant the easement to the City of Columbia (do not approve the attached ordinance)

E. Recommendation

Council discretion.

Recommended by: Elizabeth McLean

Department: Legal

Date: 6/14/11

F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 6/16/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommendation is based on no financial impact to the County as stated in the ROA.

Conservation Commission

Reviewed by: James Atkins

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Water main was installed previously by the Mungo Company. The easement is needed to transfer the line to the City of Columbia.

Public Works

Reviewed by: David Hoops

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Watermain is already in place, no further disruption will occur.

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Administration

Reviewed by: Sparty Hammett

Date: 6/20/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend granting the water main easement to the City of Columbia. The water main is already installed.

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

EASEMENT

For and in consideration of the sum of One (\$1.00) Dollar, each to the other paid, the receipt of which is hereby acknowledged, Richland County Conservation Commission (also hereinafter referred to as "Grantor") does hereby grant unto the said City of Columbia (also hereinafter referred to as "Grantee"), its successors and assigns, an easement and right-of-way (I) variable feet in width (0' to .83') and (II) variable feet in width (33.03'x29.9'x2.65'), together with the right of ingress and egress at all times for the purpose of constructing, operating, reconstructing, and maintaining a water main and with the right to remove shrubbery, trees and other growth from the right-of-way and construction area, provided that the property will be restored as nearly as practicable to its original condition upon completion of the construction and any trees which must be removed shall be moved from the premises, and any damaged shrubbery will be replaced with the same variety from nursery stock, said easement and right-of-way to run through property which the Grantor owns or in which the Grantor has an interest, situate, lying and being:

In the State of South Carolina, County of Richland, northeast of the City of Columbia, located along the northwestern side of Westmoreland Road, Columbia, South Carolina 29229, and being further identified as a portion of Richland County tax map number 17500-03-67, as shown on tax maps prepared by the office of the Richland County Tax Assessor, 2011 Edition.

(I) A permanent, exclusive easement for a water main, variable feet in width, the perimeter measurements of said easement beginning at a point along the common boundary of the northwestern right-of-way of Westmoreland Road and the subject property at a point fourteen and four tenths (14.4) feet S32°42'11"W of an iron pin along the common boundary of Westmoreland Road and subject property and approximately two hundred (200) feet southwest of the western property corner of Lot 818, Brookhaven, Phase 10 as shown on water record drawings for Brookhaven, Phase 10, on file in the Office of the Department of Utilities and Engineering, City of Columbia under City File reference #276-02L; thence extending therefrom N48°07'17"W along the subject property, for a distance of eighty-three hundredths (0.83) feet; thence turning and extending therefrom N41°27'19"E crossing the subject property, for a distance of twenty-six and sixteen hundredths (26.16) feet to intersect the common boundary of the northwestern right-of-way of Westmoreland Road and the subject property and gradually decreasing to zero (0) feet in width; thence turning and extending therefrom S38°26'40"W along the common boundary of the northwestern right-of-way of Westmoreland Road and the subject property, for a chord distance of fifteen and sixty-five hundredths (15.65) feet; thence turning and extending therefrom S41°26'07"W along the common boundary of the northwestern right-of-way of Westmoreland Road and the subject property, for a distance of ten and fifty-three hundredths (10.53) feet to the point of beginning; thence terminating.

(II) Also, a permanent, exclusive easement for a water main, variable feet in width, the perimeter measurements of said easement beginning at a point along

APPROVED BY
CITY OF COLUMBIA
LEGAL DEPT. *13-2571*

the common boundary of the northwestern right-of-way of Westmoreland Road and the subject property fifty-seven and two hundredths (57.02) feet N29°57'08"E of said iron pin along the common boundary of the northwestern right-of-way of Westmoreland Road and the subject property; thence extending therefrom N24°46'21"E along the subject property, for a distance of thirty-three and three hundredths (33.03) feet; thence turning and extending therefrom N35°40'33"E crossing the subject property, for a distance of twenty-nine and nine tenths (29.9) feet to intersect the common boundary of the northwestern right-of-way of Westmoreland Road and the subject property; thence turning and extending therefrom S29°57'08"W along the common boundary of the northwestern right-of-way of Westmoreland Road and the subject property, for a distance of sixty-two and sixty-five hundredths (62.65) feet to the point of beginning; thence terminating.

Be all measurements a little more or less.

This easement being more clearly shown and delineated on an easement plat for Water Line Easement for Brookhaven, Phase 10, sheet 1 of 1, dated March 7, 2011, prepared by Civil Engineering of Columbia, Inc., for the City of Columbia, South Carolina and being on file in the Office of the Department of Utilities and Engineering, City of Columbia, South Carolina under file reference #276-02L.

A copy of said easement plat being attached hereto and made a part hereof as Exhibit "A".

A partial copy of record drawings for Brookhaven, Phase 10, City File reference #276-02L referenced herein and being attached hereto and made a part hereof as Exhibit "B".

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

TO HAVE AND TO HOLD the aforesaid rights to the Grantee, its successors and assigns, as aforesaid, forever.

And the Grantor does hereby bind the Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the said premises unto Grantee, its successors and assigns against the Grantor and Grantor's successors and assigns and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof through the Grantor or Grantor's successors or assigns.

WITNESS the hand and seal of the Grantor by the undersigned this _____ day of _____, 2011.

WITNESSES.

RICHLAND COUNTY CONSERVATION COMMISSION

(1st witness)

By: _____
(Signature)

(2nd witness)

Name: _____
(Print Name)

Title: _____
(Print Title)

STATE OF SOUTH CAROLINA)
COUNTY OF _____)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this _____ day of _____, 2011 by _____ of _____ on behalf of the within-named Grantor.
Name & Title of Officer City & State

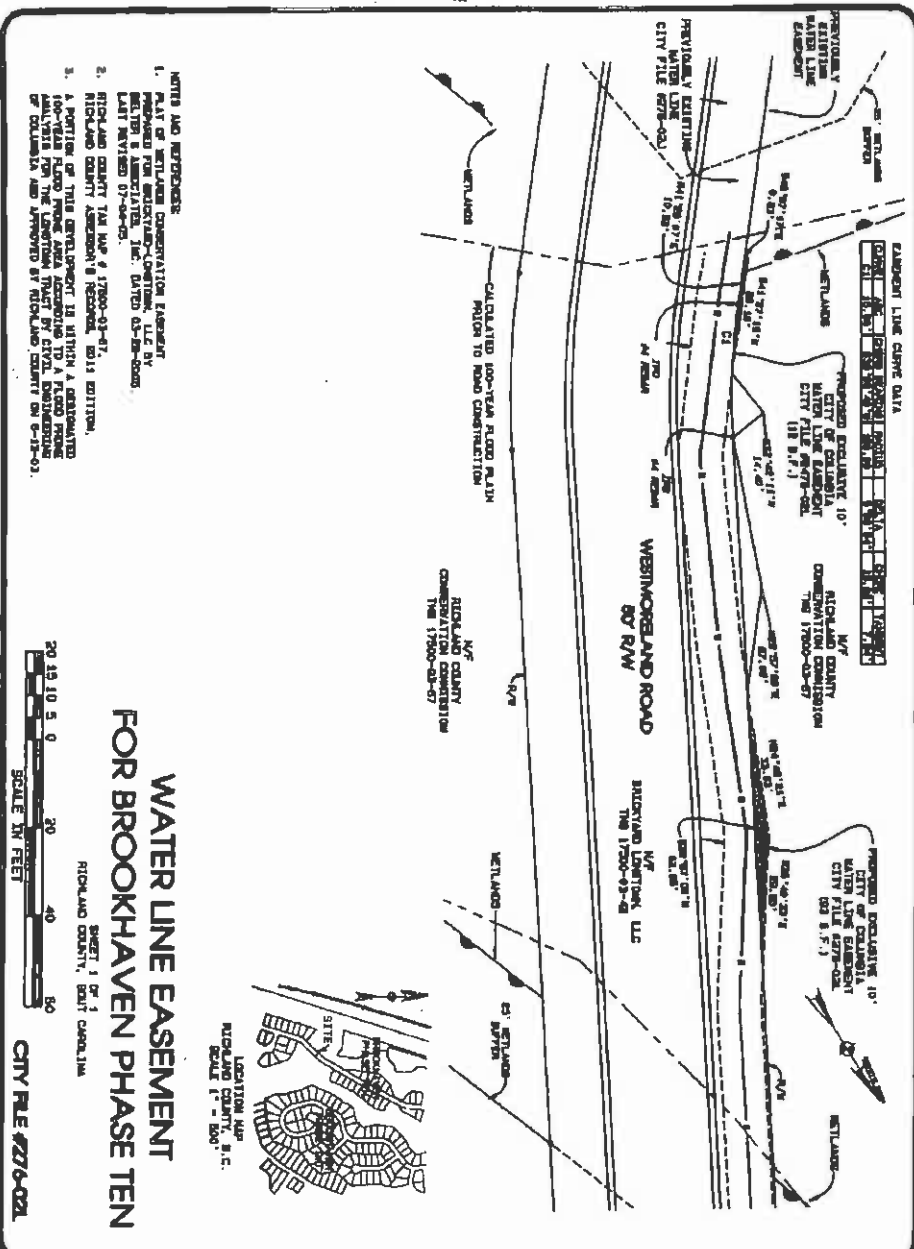
(Notary's Signature)

NOTARY PUBLIC FOR: _____
(State)

MY COMMISSION EXPIRES: _____
(Date)

EASEMENT 1 of 1 doc

EXHIBIT A



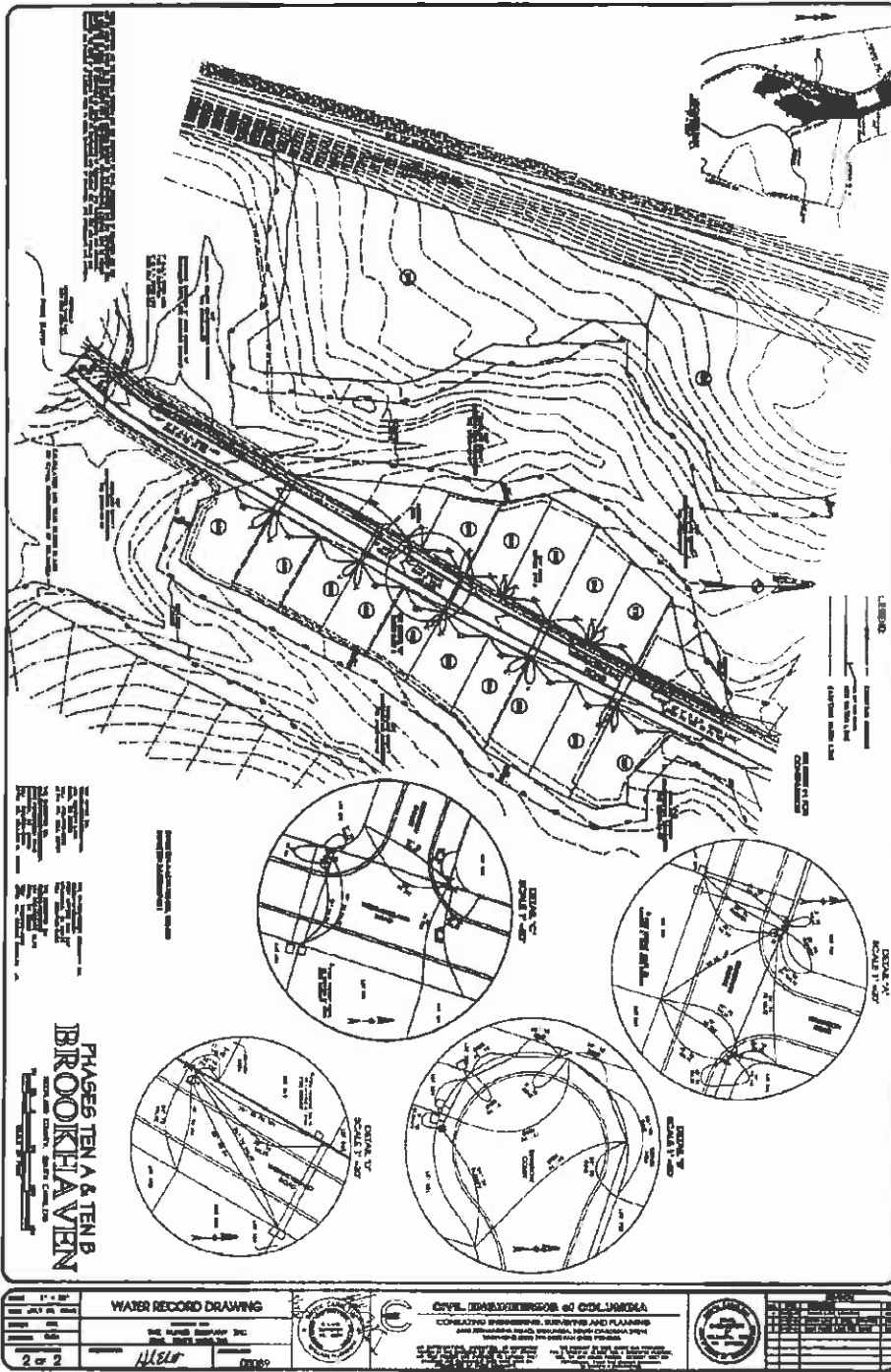
PREPARED FOR
CITY OF COLUMBIA
COLUMBIA, SOUTH CAROLINA

CIVIL ENGINEERS OF COLUMBIA
CONSULTING ENGINEERING SURVEYING AND PLUMBING
3408 FERNANDINA ROAD COLUMBIA, SOUTH CAROLINA 29210
TELEPHONE (803) 734-2222 FAX (803) 734-2224

CIVIL ENGINEERING OF COLUMBIA, INC.
NO. 000208

DATE: MARCH 7, 2011
JOB NUMBER: 06089
SCALE: 1" = 20'

EXHIBIT B



ATTORNEY CERTIFICATION

I, _____, an attorney licensed to practice in the State of South Carolina do hereby certify that I supervised the execution of the attached Easement with Richland County Conservation Commission as Grantor and the City of Columbia, as Grantee, this _____ day of _____, 2011.

State Bar Number: _____

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. _____-11HR

AN ORDINANCE AUTHORIZING EASEMENT TO THE CITY OF COLUMBIA
FOR A WATER MAIN TO SERVE THE BROOKHAVEN SUBDIVISION;
RICHLAND COUNTY TMS #17500-03-67.

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

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant
an easement to a water main to The City of Columbia for a portion of Richland County TMS
#17500-03-67, as specifically described in the Easement, which is attached hereto and incorporated
herein.

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

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

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

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2011.

Michelle Onley
Assistant Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

Richland County Council Request of Action

Subject

Sanitary Sewer Main Easement to the City of Columbia northern side of Cogburn Road

Reviews

Richland County Council Request of Action

Subject: Sanitary Sewer Main Easement to the City of Columbia (northern side of Cogburn Road)

A. Purpose

County Council is requested to approve a Sanitary Sewer Main easement to the City of Columbia on property owned by Richland County (northern side of Cogburn Road).

B. Background / Discussion

In 2010, Brickyard-Longtown, LLC (Stewart Mungo) donated a parcel of land to the County for conservation purposes. The land is titled in the Richland County Conservation Commission, but as the Commission is not a separate legal entity, title lies with Richland County. The Commission was approached by the City of Columbia requesting a sanitary sewer main easement over the subject property.

Please see the attached easement and plat to further identify the location of the requested easement. It appears from the plat that the sewer line is going to service the Brookhaven Subdivision.

C. Financial Impact

There is no known financial impact with this request.

D. Alternatives

1. Grant the easement to the City of Columbia (approve the attached ordinance)
2. Do not grant the easement to the City of Columbia (do not approve the attached ordinance)

E. Recommendation

Council discretion.

Recommended by: Elizabeth McLean

Department: Legal

Date: 6/14/11

F. Reviews

(Please SIGN your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 6/16/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommendation is based on no financial impact to the County as indicated in the ROA.

Conservation Commission

Reviewed by: James Atkins

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: The sewer main was installed previously by the Mungo Company. The easement is needed to transfer the main to the City of Columbia.

Public Works

Reviewed by: David Hoops

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Sewer main is in place, no further disruption will occur. Easement is needed for future maintenance.

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Administration

Reviewed by: Sparty Hammett

Date: 6/20/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval of granting the sewer easement to the City of Columbia. The sewer main is already in place, and the easement is needed for maintenance.

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

EASEMENT

For and in consideration of the sum of One (\$1.00) Dollar, each to the other paid, the receipt of which is hereby acknowledged, Richland County Conservation Commission (also hereinafter referred to as "Grantor") does hereby grant unto the said City of Columbia (also hereinafter referred to as "Grantee"), its successors and assigns, an easement and right-of-way variable (0' to 11.51') feet in width, together with the right of ingress and egress at all times for the purpose of constructing, operating, reconstructing, and maintaining a sanitary sewer main and with the right to remove shrubbery, trees and other growth from the right-of-way and construction area, provided that the property will be restored as nearly as practicable to its original condition upon completion of the construction and any trees which must be removed shall be moved from the premises, and any damaged shrubbery will be replaced with the same variety from nursery stock, said easement and right-of-way to run through property which the Grantor owns or in which the Grantor has an interest, situate, lying and being:

In the State of South Carolina, County of Richland, located along the northern side of Cogburn Road, Columbia, South Carolina 29229, and being further identified as a portion of Richland County tax map number 17500-03-67, as shown on tax maps prepared by the office of the Richland County Tax Assessor, 2010 Edition.

A permanent, exclusive easement for a sanitary sewer main, variable feet in width, the perimeter measurements of said easement beginning at a point along the common boundary of the subject property and the northwestern property line of Richland County TMS#17511-02-52, n/f Kodali, fourteen and nineteen hundredths (14.19) feet S26°50'46"W of the northern property corner of said TMS#17511-02-52; thence extending therefrom N26°50'46"E along the common boundary of the subject property and the northwestern property lines of Richland County TMS#17511-02-52, 53 (n/f Powell), 54 (n/f Jennings) and 55 (n/f Remelus), for a distance of two hundred thirty-six and six tenths (236.6) feet to a point along the northwestern property line of said TMS#17511-02-55, fifty-five and eight hundredths (55.08) feet N26°50'46"E of the western property corner of said TMS#17511-02-55; thence turning and extending therefrom S29°15'42"W along the subject property, for a distance of two hundred thirty and sixty-three hundredths (230.63) feet; thence turning and extending therefrom S30°45'18"E crossing the subject property, for a distance of eleven and fifty-one hundredths (11.51) feet to a point along the common boundary of the subject property and the northwestern property line of said TMS#17511-02-52, also being the point of beginning; thence terminating.

Be all measurements a little more or less.

This easement being more clearly shown and delineated on an easement plat for Sewer Easement to Serve Brookhaven Phase 10, sheet 6 of 6, dated January 13, 2011, prepared by Civil Engineering of Columbia, Inc., for the City of Columbia, South Carolina and being on file in the Office of the Department of

APPROVED BY
CITY OF COLUMBIA
LEGAL DEPT.

Utilities and Engineering, City of Columbia, South Carolina under file reference #276-02L.

A copy of said easement plat being attached hereto and made a part hereof as Exhibit "A".

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

TO HAVE AND TO HOLD the aforesaid rights to the Grantee, its successors and assigns, as aforesaid. forever.

And the Grantor does hereby bind the Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the said premises unto Grantee, its successors and assigns against the Grantor and Grantor's successors and assigns and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof through the Grantor or Grantor's successors or assigns.

WITNESS the hand and seal of the Grantor by the undersigned this _____ day of _____, 2011

WITNESSES:

RICHLAND COUNTY CONSERVATION COMMISSION

(1st witness)

By: _____
(Signature)

(2nd witness)

Name: _____
(Print Name)

Title: _____
(Print Title)

STATE OF SOUTH CAROLINA)
COUNTY OF _____)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this _____ day of _____, 2011 by _____ of _____ on behalf of the within-named Grantor.
Name & Title of Officer City & State

(Notary's Signature)

NOTARY PUBLIC FOR: _____
(State)

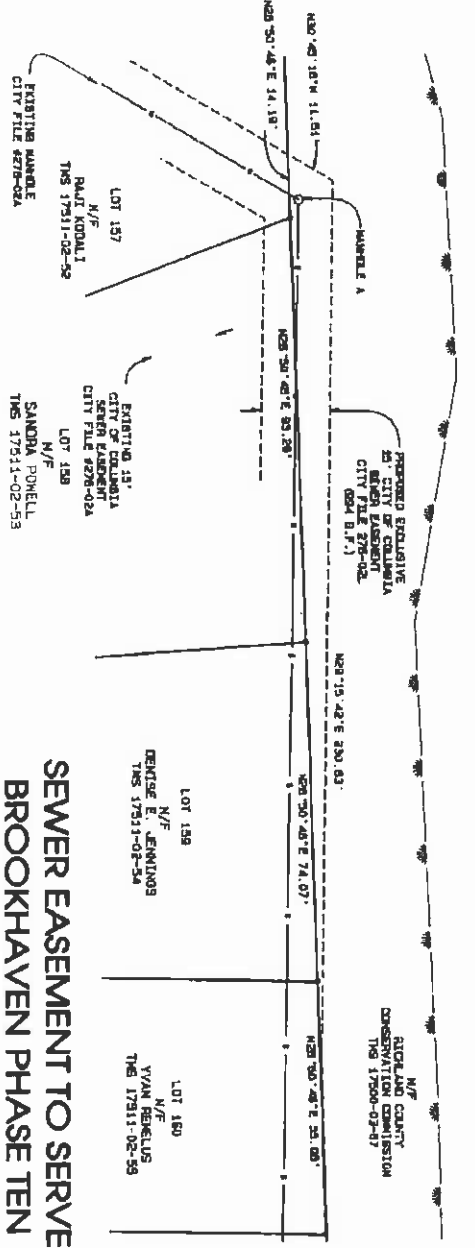
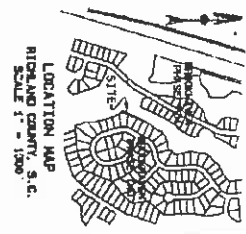
MY COMMISSION EXPIRES: _____
(Date)

BACKSLANT 6 c f & doc

- NOTES AND REFERENCES:
1. RICHLAND COUNTY MAP SHEET 17500-B, BOX 03, LOT 67; RICHLAND COUNTY ASSOCIATE ENGINEER'S OFFICE EDITION.
 2. BOUNDARY PLAT OF BROADHAVEN PHASE TEN PREPARED FOR RICHLAND COUNTY, L.L.C. BY BEETEN & ASSOCIATES, INC. DATED 08-02-2008. LAST REVISED 11-22-09. PLAT 5783. RICHLAND COUNTY MAP IN PLAT BOOK 1187, PAGE 578.
 3. I HEREBY CERTIFY THAT I HAVE CONSULTED THE FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL, FASULTY D085 & DATED JANUARY 18, 1994 AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SEWER EASEMENT IS LOCATED IN ZONE 1, NOT WITHIN A DESIGNATED FLOOD ZONE AREA.



N/R
RICHLAND COUNTY
CONSERVATION COMMISSION
TMS 17500-02-47



THE INFORMATION SHOWN ON THIS PLAT HAS BEEN OBTAINED FROM A FIELD SURVEY. THE SURVEY HAS BEEN CONDUCTED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES SET FORTH IN THE SOUTH CAROLINA SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING. THE TITLE SEARCH WAS PERFORMED BY CIVIL ENGINEERING OF COLUMBIA, AND SOME EASEMENTS OR OTHER MATTERS OF RECORD MAY NOT APPEAR.



**SEWER EASEMENT TO SERVE
BROOKHAVEN PHASE TEN**

SHEET 6 OF 6
RICHLAND COUNTY, SOUTH CAROLINA

		<p>PREPARED FOR CITY OF COLUMBIA UTILITIES & ENGINEERING COLUMBIA, SOUTH CAROLINA</p> <p>CIVIL ENGINEERING OF COLUMBIA CONSULTING ENGINEERING SURVEYING AND PLANNING 3608 FERNANDEZA ROAD COLUMBIA, SOUTH CAROLINA 29210 TELEPHONE (803) 739-6222 FAX (803) 739-6222</p> <p>ANY CERTIFICATIONS, WARRANTIES OR GUARANTEES ISSUED BY THE ENGINEER OR SURVEYOR OF RECORD FOR THIS PROJECT ARE INTENDED TO EXPRESS THAT STANDARD AND REASONABLE CARE WAS USED IN PREPARATION OF THIS DOCUMENT.</p>
<p>DATE: 01-13-11</p> <p>PROJECT: CITY UTILITIES</p> <p>JOB NUMBER: 06089</p> <p>SCALE: 1" = 20'</p>	<p>DATE: 01-13-11</p> <p>PROJECT: CITY UTILITIES</p> <p>JOB NUMBER: 06089</p> <p>SCALE: 1" = 20'</p>	

Revid Copy 01/13/11

276-02L

ATTORNEY CERTIFICATION

I, _____, an attorney licensed to practice in the State of _____, do hereby certify that I supervised the execution of the attached Easement with Richland County Conservation Commission as grantor and the City of Columbia, as grantee, this _____ day of _____, 2011.

State Bar or License Number: _____

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. _____-11HR

AN ORDINANCE AUTHORIZING EASEMENT TO THE CITY OF COLUMBIA
FOR SANITARY SEWER MAIN TO SERVE THE BROOKHAVEN
SUBDIVISION; RICHLAND COUNTY TMS #17500-03-67.

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

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant
an easement to a sanitary sewer main to The City of Columbia for a portion of Richland County
TMS #17500-03-67, as specifically described in the Easement, which is attached hereto and
incorporated herein.

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

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

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

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2011.

Michelle Onley
Assistant Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

Richland County Council Request of Action

Subject

Direct staff to coordinate with SCDHEC and SCDOT a review of traffic signal timing improvements and synchronization in unincorporated Richland County and request a system of red/yellow flashing traffic signals be initiated to help reduce emissions. Unincorporated Richland County will also mandate ingress and egress turn lanes for all business and residential construction that would cause a slowdown of traffic on the road servicing that facility.

Reviews



Department of Public Works
Memorandum



TO: Sparty Hammett, Assistant County Administrator

Via: David R. Hoops, Public Works Director

FROM: Don Chamblee, Deputy Director 

DATE: June 22, 2011

SUBJECT: RE: Traffic Signal Timing – Night Flash Mode

MOTION

Direct Staff to coordinate with DHEC and SCDOT a review of traffic signal timing improvements and synchronization in unincorporated Richland County and request a system of red/yellow flashing traffic signals be initiated to help reduce emissions. Unincorporated Richland County will also mandate ingress and egress turn lanes for all businesses and residential construction that would cause a slowdown of traffic on the road servicing the facility (Malinowski-April 2010).

UPDATE

Staff has coordinated with SCDOT on the request to reviewing the signal timing to accommodate some rural signals switching to a Red/Yellow Flash condition during the night hours. SCDOT has expressed concerns with the idea, however; they have been very receptive to the option.

Traffic signal synchronization is extremely vital to the safety of the traveling public and requires extensive review. SCDOT is studying the road configuration, traffic volume and other factors to implement the night time flash mode. SC DOT is collecting speed and traffic count data at various locations in all the directions to consider the timing changes.

The SCDOT traffic counts are ongoing and I would expect additional updates from SCDOT over the next two months.

Items Pending Analysis

Subject

- a. Curfew for Community Safety (Manning-February 2010)
- b. Farmers Market Update (Council-May 2010)
- c. Review all Engineering and Architectural Drawing requirements to make sure there is no unnecessary charge or expense to citizens (Jackson-January 2010)
- d. Review Homeowner Association Covenants by developers and the time frame for transfer and the strength of the contracts (Jackson-September 2010)
- e. To direct Public Works to review county ordinances and propose amendments that would allow the recovery cost to repair damage done to county public roads. The intent of this motion is to hold those responsible who damage the roadways due to the use of heavy vehicles, improperly parked property or other uses for which the type of roadway was not intended (Malinowski-April 2010)
- f. That Richland County enact a Tree Canopy Ordinance and Inventory to preserve and enhance the number of trees in Richland County (Malinowski-July 2010)
- g. Off-ramp Lighting (Rose-February 2011)
- h. In the interest of regional consistency and public safety, I move that Richland County Council adopt an ordinance (consistent with the City of Columbia) banning texting while operating a motor vehicle (Rose-April 2011)
- i. Staff is requested to review Richland County's current ordinance as it relates to animal ownership in Richland County to determine if there is a better way of controlling the amount of animals (pets) a person has in their possession in order to eliminate the possibility of some locations turning into uncontrolled breeding facilities or a facility for the collection of strays and unwanted animals (Malinowski and Kennedy-May 2011)

Reviews