



**RICHLAND COUNTY COUNCIL
REGULAR SESSION AGENDA**

**FEBRUARY 7, 2012
6:00 PM**

CALL TO ORDER HONORABLE KELVIN E. WASHINGTON, SR., CHAIR

INVOCATION THE HONORABLE BILL MALINOWSKI

PLEDGE OF ALLEGIANCE THE HONORABLE BILL MALINOWSKI

Approval Of Minutes

1. Regular Session: January 17, 2012 [PAGES 7-14]
2. Zoning Public Hearing: January 24, 2012 [PAGES 15-18]

Adoption Of The Agenda

Report Of The Attorney For Executive Session Items

3. a. Contractual Matter

Citizen's Input

4. Must Pertain to Items Not on the Agenda

Report Of The County Administrator

5. a. Eastover Wastewater Treatment Plant
- b. SCE&G Settlement Update
- c. Caughman Creek Property Update

Report Of The Clerk Of Council

6. a. SCAC Mid-Year Conference and Institute of Government Registration Deadline

Report Of The Chairman

7. a. Schedule Transportation Work Session [**PAGES 24-25**]
- b. Reinstate Transportation Steering Committees
- c. Committee Assignments

Open/Close Public Hearings

8. a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 6; Buildings and Building Regulations; so as to properly reference the Building Codes Board of Appeals rather than the "Building Codes Board of Adjustment" wherever applicable
- b. An Ordinance Amending the Richland County Code of Ordinances; Chapter 5, Animals and Fowl, so as to clarify sections dealing with authority of officers, conditions of impoundment, redemption of animals and owner responsibilities
- c. An Ordinance Authorizing a Quit-Claim Deed to Bettye Garrick Byrd for an unnamed 50' Road shown on a plat in Plat Book "X" at Page 9275 and recorded in the Richland County Register of Deeds

Approval Of Consent Items

9. An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; so as to properly reference the Building Codes Board of Appeals rather than the "Building Codes Board of Adjustment" wherever applicable [**THIRD READING**] [**PAGES 27-31**]
10. An Ordinance Authorizing a Quit-Claim Deed to Bettye Garrick Byrd for an unnamed 50' Road shown on a plat in Plat Book "X" at Page 9275 and recorded in the Richland County Register of Deeds [**SECOND READING**] [**PAGES 32-35**]
11. 12-02MA
E. Randall Mosteller
RU to GC (0.40 Acres)
Hwy. 76/Dutch Fork Rd.
TMS # 01511-01-07 [**SECOND READING**] [**PAGES 36-37**]
12. 12-03MA
Peter & Debra Giglotti
Novella Taylor
RU to NC (1.95 Acres)
2233 Clemson Rd.
TMS # 20281-01-33 [**SECOND READING**][**PAGES 38-39**]
13. An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-131, Table of Area, Yard, and Height Requirements; so as to correct referenced section numbers [**SECOND READING**] [**PAGES 40-42**]

14. FEMA Flood Mitigation Assistance Grant-Richland County All Hazard Plan [**PAGES 43-45**] *{Forwarded from the D&S Committee}*
15. Purchase of One Tandem Axle Dump Truck [**PAGES 46-48**] *{Forwarded from the D&S Committee}*
16. Rezoning a portion of TMS numbers 09309-03-07/08/09/10 from General Commercial to Residential, Multi-Family, Medium Density [**PAGES 49-52**] *{Forwarded from the D&S Committee}*
17. Sunnyside Drainage Ditch Capital Improvement Project Right-of-Way Purchase and Transfer [**PAGES 53-56**] *{Forwarded from the D&S Committee}*
18. Town of Eastover Animal Care Intergovernmental Agreement [**PAGES 57-63**] *{Forwarded from the D&S Committee}*
19. An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$29,203 of General Fund Undesignated Fund Balance to the Treasurer's Office for the purchase of a new AS400 computer system [**FIRST READING**] [**PAGES 64-66**]*{Forwarded from the A&F Committee}*
20. An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$30,803 of General Fund Undesignated Fund Balance to the Auditor's Office for the purchase of a new AS400 computer system and printers [**FIRST READING**] [**PAGES 67-69**] *{Forwarded from the A&F Committee}*
21. An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$45,500 of General Fund Undesignated Fund Balance to the Auditor's Office for the printing of tax bills and software updates [**FIRST READING**] [**PAGES 70-72**] *{Forwarded from the A&F Committee}*
22. An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, In General; Section 16-7, Deductions, Exemptions, Charitable Organizations, and Determination of Classification; so as to allow the deduction of Interstate Commerce Income from Gross Income [**FIRST READING**] [**PAGES 73-77**] *{Forwarded from the A&F Committee}*
23. An Ordinance to repeal Ordinance Number 055-08HR in its entirety, and to ensure that businesses are not harmed by such repeal [**FIRST READING**] [**PAGES 78-80**] *{Forwarded from the A&F Committee}*
24. Commercial Facade Improvement Grant Program [**PAGES 81-100**] *{Forwarded from the A&F Committee}*
25. Credentialing System Equipment Project [**PAGES 101-104**] *{Forwarded from the A&F Committee}*
26. Curtiss-Wright Hangar [**PAGES 105-108**] *{Forwarded from the A&F Committee}*
27. Specialized Aviation Service Operation (SASO) negotiation [**PAGES 109-112**] *{Forwarded*

from the A&F Committee}

28. Forensic Laboratory Enhancement Grant-Sheriff's Department [PAGES 113-116] *{Forwarded from the A&F Committee}*
29. RCSD Entry Deputy Pay Increase FY 12 [PAGES 116-120] *{Forwarded from the A&F Committee}*

Third Reading Items

30. An Ordinance Amending the Richland County Code of Ordinances; Chapter 5, Animals and Fowl, so as to clarify sections dealing with authority of officers, conditions of impoundment, redemption of animals and owner responsibilities [PAGES 121-152]

Report Of Development And Services Committee

31. An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-22, Definitions; the term "Accessory Use/Structure (Building)." [DENIAL] [PAGES 152-154]
32. An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (C), Standards; Paragraph (8), Bars and Other Drinking Places; and Section 26-152, Special Exceptions; Subsection (D), Standards; Paragraph (2), Bars and Other Drinking Places; so as to remove the distance requirement between two or more bars [FIRST READING] [PAGES 155-157]

Report Of Administration And Finance Committee

33. Broad River Administration Building-Loan Payment [PAGES 158-162] *{Deferred at the January 10, 2012 Council meeting}*

Report Of Economic Development Committee

34. a. Approval of Mars Petcare Set Aside Grant
- b. Approval of Project Roadrunner Closing Fund Grant

Report Of Rules And Appointments Committee

1. Notification Of Vacancies

35. Accommodations Tax Committee-1: Wallace Cunningham (Cultural), March 3, 2012

36. Board of Assessment Control-1; Lisa K. McCloud, March 3, 2012*

*Eligible for reappointment

2. Notification Of Appointments

37. Richland Memorial Hospital Board-2; applications were received from James Best and

Felicia Rhue Howard [PAGES 168-172]

38. Township Auditorium-1; applications were received from the following: Dawn Mills Campbell, Kem R. Smith, and Tony B. White [PAGES 173-183]

3. Discussion From Rules And Appointments Committee

39. Whenever a motion is forwarded to full Council from Committee, the only way it goes back to Committee is if Council directs it back to Committee [JACKSON]
40. Motion that Council rules be amended such that when 5 or fewer people are signed up to speak on a non-agenda item they be allowed to speak after those speaking to an agenda item have finished (towards the beginning of the meeting). If 6 or more people are signed up to speak on a non-agenda item then Council's current rule will take affect [HUTCHINSON, JACKSON, ROSE]
41. Request for an opinion from the Ethics Commission
42. Reviewing Committee Qualifications

Other Items

43. A Resolution to appoint and commission Diamond Webster and Dante Roberts as Code Enforcement Officers for the proper security, general welfare, and convenience of Richland County [PAGE 189]
44. CMRTA Funding Gap [ACTION] [PAGE 191]
45. FY 12-13 Budget Calendar [ACTION] [PAGE 193]
46. Classification & Compensation Study [ACTION] [PAGES 195-200]
47. 2012 Retreat Goals/2012 Legislative Agenda [ACTION][PAGES 202-209]

Citizen's Input

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

Executive Session

Motion Period

49. a. Staff in conjunction with the Finance and Legal Departments will develop a policy relating to Richland County Council members individual spending accounts so that each council person will be restricted to only spending their authorized amount [MALINOWSKI]
- b. That all items currently listed at the end of the A & F and D & S committee agendas as "Items Pending Analysis" be cleared up within 90 days. There is no reason some action should not be taken, even if it means to table it for now [MALINOWSKI]

- c. That the Administrator stop providing quarterly reports relating to the smoking ban. He does not provide them for any other violations of county ordinances and people can go to the weekly update if they want to see these [MALINOWSKI]
- d. Richland County Council Rules reflect the primary responsibilities of the Chair and Vice Chair in sections 2.1 through 2.8 in addition to references throughout relating to meeting protocol. I move that other than the responsibilities listed in council rules for the Chair and Vice Chair all other matters the Administrator and/or staff has relating to a council matter will be provided to the full council for any action. Such matters will also be immediately provided to the full council for review. It is not up to the chair and vice chair to make decisions independently of the full council [MALINOWSKI]
- e. Request unanimous consent for a Council Resolution to be sent to every member of the Richland County Legislative Delegation requesting their individual and collective support of full funding of the Local Government Fund (LGF) consistent with statutory guidelines [PEARCE]
- f. When a Richland County resident reaches the age of 62 they will receive some form of a Richland County tax reduction, either through the property tax or some other type of credit. Note: Motion allows for Staff input and flexibility on how such credit or tax break would be implemented. [ROSE]
- g. Staff in conjunction with the Finance and Legal Departments will develop a policy relating to Richland County Council members' individual spending accounts so that each council person, as well as all other line items for which County Council authorizes spending in conjunction with the annual budget process, will be restricted to only spending their authorized amount [MANNING]
- h. If council approves the issuance of a \$35m bond that the County Administrator be directed to bring said bond ordinance based on the project list presented at the retreat and show the cost savings based on the issuing rate. If, after council approval, the effective interest rate has increased beyond 2 percent, the Administrator would be required to bring an updated analysis of the cost and savings prior to issue [MALINOWSKI]
- i. Forward the proposed Destination Riverbanks not to exceed \$32M general obligation bond issuance to Committee in February for review, discussion and recommendation to full Council. Destination Riverbanks includes, but is not limited to, the following improvements: a new sea lion exhibit; interactive animal demonstration area; new children's garden; replacement of the main Zoo entryway and ticketing facilities; replacement of restrooms, gift shop, and snack bar, and expansion of restaurant; HVAC and energy management system upgrades; parking lots and road system repairs; roof repairs; refurbishment of gunite structured; upgrade IT network; emergency communication and video surveillance systems; relocation of tram stop, and purchase additional tram cars; acquisition of buildings on Rivermont Drive; renovation of canal fountain in botanical garden [MANNING]

Adjournment



Richland County Council Request of Action

Subject

Regular Session: January 17, 2012 [PAGES 7-14]

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JANUARY 17, 2012 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	Kelvin E. Washington, Sr.
Member	Gwendolyn Davis Kennedy
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Damon Jeter
Member	Bill Malinowski
Member	Jim Manning
Member	Paul Livingston
Member	Seth Rose
Absent	L. Gregory Pearce, Jr.

OTHERS PRESENT – Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Sara Salley, Stephany Snowden, Larry Smith, Dale Welch, David Hoops, Sandra Haynes, Tamara King, Melinda Edwards, Daniel Driggers, Geo Price, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:04 p.m.

INVOCATION

The Invocation was given by the Honorable Gwendolyn Davis Kennedy

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Gwendolyn Davis Kennedy

APPROVAL OF MINUTES

Regular Session: January 10, 2012 – Mr. Livingston moved, seconded by Ms. Hutchinson, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

Mr. Malinowski requested the addition of the following items: “City of Forest Acres Animal Care Intergovernmental Agreement” that was deferred to the January 17th Council meeting and “Authorization of Rules & Appointments Chair’s Signature on Ethics Commission Letter”.

Ms. Hutchinson moved, seconded by Ms. Dickerson, to adopt the agenda as amended. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

No report was given.

CITIZENS’ INPUT

Ms. Candice Grant, Ms. Sylvia Small, Mr. Andre Chambers, Mr. Jose Carter, Ms. Teresa Arnold, Ms. Janet Delany, and Ms. Kimberly Teso spoke regarding the CMRTA Service Reductions.

Mr. Livingston moved, seconded by Ms. Hutchinson, to reconsider the Adoption of the Agenda. The vote in favor was unanimous.

Mr. Washington requested that the “Greater Irmo Chamber of Commerce Gala Funding Request” be placed under the Report of the Chairman.

Mr. Livingston moved, seconded by Ms. Kennedy, to adopt the agenda as amended. The vote in favor was unanimous.

REPORT OF THE COUNTY ADMINISTRATOR

Adult Services Report – Mr. Pope stated that information was contained in the agenda packet.

Northeast Landfill Update – Mr. Pope stated that the Chair has been provided the agreement for execution.

Council Retreat – Mr. Pope reminded Council that the Council Retreat will be held January 26th and 27th at the Clemson Sandhill Research and Education Center and stated that the Clerk's Office will be forwarding directions to Council.

SCE & G Settlement Update – Mr. Pope stated that completion of the settlement is anticipated by month's end.

REPORT OF THE CLERK OF COUNCIL

No report was given.

REPORT OF THE CHAIRMAN

Greater Irmo Chamber of Commerce Gala Funding Request – Mr. Washington stated that the Irmo Chamber of Commerce forwarded to Council a sponsorship request for their 2012 Red Carpet Gala. A discussion took place.

Mr. Jeter moved, seconded by Ms. Dickerson, to deny the funding request.

PRESENTATIONS

EdVenture—Catherine Horne, President – Mr. Rose moved, seconded by Mr. Manning, to defer EdVenture presentation to after Other Items on the agenda. The vote in favor was unanimous.

Stevens & Wilkinson—Ashby Gressette and Stephanie Morgan – Mr. Gressette presented a certificate to Council recognizing Stevens & Wilkinson team on their renovation of the Township Auditorium.

Ms. Hutchinson moved, seconded by Mr. Rose, to reconsider the Approval of the Minutes. The vote in favor was unanimous.

Ms. Hutchinson requested to amend the minutes on the "Proposed Amendment to Settlement Agreement with Northeast Landfill" to correct the vote on the main motion. The vote in favor was unanimous.

Ms. Hutchinson moved, seconded by Mr. Livingston, to approve the minutes as amended. The vote in favor was unanimous.

APPROVAL OF CONSENT ITEMS

- **11-20MA, Columbia Agape Presbyterian Church, Claire Baxter, RU to OI (.41 Acres), 251 Rabon Rd., 17115-01-07 [THIRD READING]**

- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards and Article VI, Supplemental Use Standards; so as to properly reference Section 26-186 rather than “Section 26-184” wherever applicable and/or deleting reference to Section 26-184 (as Section 26-184 is currently “Reserved”) [THIRD READING]**
- **Ordinance to amend Chapter 6, Building and Building Regulations, so as to correct the improper reference to the “Building Code Board of Adjustments.” [SECOND READING]**
- **An Ordinance Authorizing a Quit-Claim Deed to Bettye Garrick Byrd for an unnamed 50’ Road shown on a plat in Plat Book “X” at Page 9275 and recorded in the Richland County Register of Deeds [FIRST READING]**

Mr. Livingston moved, seconded by Ms. Hutchinson, to approve the consent items. The vote in favor was unanimous.

THIRD READING

An Ordinance Amending the Richland County Code of Ordinances; Chapter 23, Taxation; Article VI, Local Hospitality Tax; Section 23-69, Distribution of Funds; Subsection (a)(4); so as to increase the amount of funding dedicated to organizations and projects that generate tourism in those areas where Richland County collects Hospitality Taxes – Ms. Dickerson moved, seconded by Mr. Livingston, to table this item. The vote was in favor.

SECOND READING ITEM

An Ordinance Amending the Richland County Code of Ordinances; Chapter 5, Animals and Fowl, so as to clarify sections dealing with authority of officers, conditions of impoundment, redemption of animals and owner responsibilities – Ms. Hutchinson moved, seconded by Mr. Livingston, to approve this item. A discussion took place.

Mr. Manning moved, seconded by Mr. Jackson, to amend Sections 5-16(a)(1) and 5-16(c)(3) to prohibit “poisonous” scorpions. A discussion took place.

The vote was in favor of the amendment to Sections 5-16(a)(1) and 5-16(c)(3).

Mr. Livingston moved, seconded by Mr. Manning, to approve this item as amended. The vote was in favor.

OTHER ITEMS

Caughman Creek Property – Mr. Jackson moved, seconded by Mr. Malinowski, to instruct the Administrator to execute the contract up to 15 days after receiving a survey from the seller and to incorporate language regarding water rights.

Ms. Hutchinson made a substitute motion, seconded by Mr. Livingston, to not purchase the Caughman Creek property and earmark the Hospitality Tax funding for a project in Lower Richland. A discussion took place.

Mr. Jackson moved, seconded by Ms. Kennedy, to call for the question. The vote in favor was unanimous.

<u>For</u>	<u>Against</u>
Rose	Malinowski
Hutchinson	Jackson
Washington	Dickerson
Livingston	Kennedy
Jeter	Manning

The substitute motion failed.

POINT OF ORDER – Mr. Livingston stated that Mr. Jackson called for the question; therefore, discussion of this item has ended.

Ms. Dickerson requested the motion be amended to include the issue of liability in the negotiations.

<u>For</u>	<u>Against</u>
Malinowski	Rose
Jackson	Hutchinson
Washington	Livingston
Dickerson	Jeter
Kennedy	
Manning	

The vote was in favor of the motion to instruct the Administrator to execute the contract up to 15 days after receiving a survey from the seller, to incorporate language regarding water rights and to include the issue of liability in the negotiations.

CMRTA Service Reductions – Mr. Livingston moved, seconded by Ms. Hutchinson, to authorize cuts and to discuss the issue of the funding gap at the February 7th Council meeting. A discussion took place.

The vote in favor was unanimous.

EdVenture – Catherine Horne, President – Ms. Horne thanked Council and presented a plaque of appreciation to Council for their financial support. Ms. Horne also announced that EdVenture was one of five museums awarded with the 2011 National Medal for Museum Service.

Mr. Jackson moved, seconded by Ms. Kennedy, to reconsider the Caughman Creek Property item. The motion failed.

City of Forest Acres Animal Care Intergovernmental Agreement – Ms. Dickerson moved, seconded by Ms. Hutchinson, to approve the committee’s recommendation. The vote was in favor.

Authorization of Rules & Appointments Chair’s Signature on Ethics Commission Letter – Mr. Malinowski moved, seconded by Mr. Livingston, to authorize the Rules & Appointments Chair to forward a letter to the Ethics Commission. The vote in favor was unanimous.

CITIZEN’S INPUT

No one signed up to speak.

MOTION PERIOD

Whenever a motion is forwarded to full Council from Committee the only way it goes back to Committee is if Council directs it back to Committee [JACKSON] – This item was referred to the Rules & Appointments Committee.

ADJOURNMENT

The meeting adjourned at approximately 7:49 p.m.

Kelvin E. Washington, Sr., Chair

L. Gregory Pearce, Jr., Vice-Chair

Gwendolyn Davis Kennedy

Joyce Dickerson

Valerie Hutchinson

Norman Jackson

Damon Jeter

Bill Malinowski

Jim Manning

Paul Livingston

Seth Rose

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

Zoning Public Hearing: January 24, 2012 [**PAGES 15-18**]

MINUTES OF



RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING TUESDAY, JANUARY 24, 2012 7:00 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	Kelvin E. Washington, Sr.
Vice Chair	L. Gregory Pearce, Jr.
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Damon Jeter
Member	Gwendolyn Davis Kennedy
Member	Paul Livingston
Member	Bill Malinowski
Member	Jim Manning
Member	Seth Rose

OTHERS PRESENT: Amelia Linder, Geo Price, Holland Leger, Tommy DeLage, Larry Smith, Stephany Snowden, Sparty Hammett, Brian Cook, Milton Pope, Monique Walter, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 7:04 p.m.

ADDITIONS/DELETIONS TO AGENDA

There were no additions or deletions.

Mr. Manning moved, seconded by Mr. Livingston, to adopt the agenda as distributed.
The vote in favor was unanimous.

MAP AMENDMENT

**12-02MA, E. Randall Mosteller, RU to GC (0.40 Acres), Hwy. 76/Dutch Fork Rd.,
01511-01-07**

Mr. Washington opened the floor to the public hearing.

The applicant chose not to speak at this time.

The floor to the public hearing was closed.

Mr. Malinowski moved, seconded by Ms. Hutchinson, to give First Reading approval to this item. The vote in favor was unanimous.

**12-03MA, Peter & Debra Giglotti, Novella Taylor, RU to NC (1.95 Acres), 2233
Clemson Rd., 20281-01-33**

Mr. Washington opened the floor to the public hearing.

The citizens chose not to speak at this time.

The floor to the public hearing was closed.

Ms. Kennedy moved, seconded by Mr. Manning, to give First Reading approval to this item. The vote in favor was unanimous.

TEXT AMENDMENT

**An Ordinance Amending the Richland County Code of Ordinances, Chapter 26,
Land Development; Article V, Zoning Districts and District Standards; Section 26-
131, Table of Area, Yard, and Height Requirements; so as to correct referenced
section numbers**

Mr. Washington opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Mr. Malinowski moved, seconded by Ms. Hutchinson, to give First Reading approval to this item.

The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses with Special Requirements, and Special Exceptions; “Residential Uses” of Table 26-V-2.; and Article VI, Supplemental Use Standards; Section 26-151, “Group Homes (10 to 15)” in the RU (Rural District), and RM-HD (Residential Multi-Family-High Density District), with Special Requirements; and in the NC (Neighborhood Commercial District), RC (Rural Commercial District), OI (Office and Institutional District) and GC (General Commercial District) as permitted uses

Mr. Washington opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

A discussion took place.

Ms. Hutchinson moved, seconded by Ms. Dickerson, to remove RM-HD (Residential, Multi-Family—High Density District), NC (Neighborhood Commercial District), OI (Office and Institutional District) and GC (General Commercial District) from the ordinance. A discussion took place.

Mr. Malinowski made a substitute motion, seconded by Mr. Jackson, to deny this item. A discussion took place.

Ms. Hutchinson withdrew her motion.

Mr. Pearce made a substitute motion, seconded by Mr. Manning, to deny this item and request that Planning staff present options to minimize the impact of group homes on residential areas. The vote was in favor.

ADJOURNMENT

The meeting adjourned at approximately 7:39 p.m.

Submitted respectfully by,

Kelvin E. Washington, Sr.
Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

- a. Contractual Matter

Richland County Council Request of Action

Subject

Must Pertain to Items Not on the Agenda

Richland County Council Request of Action

Subject

- a. Eastover Wastewater Treatment Plant
- b. SCE&G Settlement Update
- c. Caughman Creek Property Update

Richland County Council Request of Action

Subject

- a. SCAC Mid-Year Conference and Institute of Government Registration Deadline

Richland County Council Request of Action

Subject

- a. Schedule Transportation Work Session [**PAGES 24-25**]
- b. Reinstate Transportation Steering Committees
- c. Committee Assignments

FEBRUARY 2012

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1	2	3	4
5	6	7 <i>Council</i>	8	9	10	11
12	13	14	15	16	17	18
19	20	21 <i>Council</i>	22	23	24	25
26	27	28 <i>Committees</i>	29			

February Holidays
 Groundhog Day - 2
 Valentines Day - 14
 President's Day - 20

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MARCH 2012

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1	2	3
4	5	6 <i>Council</i>	7	8	9	10
11	12	13	14	15	16	17
18	19	20 <i>Council</i>	21	22	23	24
25	26	27 <i>Committees</i>	28	29	30	31
March Holidays Daylight Savings Time Begins - 11 St. Patrick's Day - 17 First Day of Spring - 20						

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Richland County Council Request of Action

Subject

- a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 6; Buildings and Building Regulations; so as to properly reference the Building Codes Board of Appeals rather than the "Building Codes Board of Adjustment" wherever applicable
- b. An Ordinance Amending the Richland County Code of Ordinances; Chapter 5, Animals and Fowl, so as to clarify sections dealing with authority of officers, conditions of impoundment, redemption of animals and owner responsibilities
- c. An Ordinance Authorizing a Quit-Claim Deed to Bettye Garrick Byrd for an unnamed 50' Road shown on a plat in Plat Book "X" at Page 9275 and recorded in the Richland County Register of Deeds

Richland County Council Request of Action

Subject

An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; so as to properly reference the Building Codes Board of Appeals rather than the "Building Codes Board of Adjustment" wherever applicable **[THIRD READING] [PAGES 27-31]**

Notes

December 20, 2011 - The committee recommended that Council approve an ordinance to amend Chapter 6, Building and Building Regulations; so as to correct the improper reference to the "Building Code Board of Adjustments" wherever applicable in the chapter. The vote in favor was unanimous.

First Reading: January 10, 2012

Second Reading: January 17, 2012

Third Reading:

Public Hearing:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-12HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 6, BUILDINGS AND BUILDING REGULATIONS; SO AS TO PROPERLY REFERENCE THE BUILDING CODES BOARD OF APPEALS RATHER THAN THE “BUILDING CODES BOARD OF ADJUSTMENT” WHEREVER APPLICABLE.

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 1. Generally; Section 6-18, Conflicts of Interest; is hereby amended to read as follows:

Sec. 6-18. Conflicts of interest.

No employee of the building codes and inspections department, except one whose only connection is as a member of the building codes board of ~~adjustment~~ appeals established by this chapter, shall be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of a building, or in the making of plans or of specifications therefore unless he/she is the owner of such building. No such employee shall engage in any work that is inconsistent with his/her duties or with the interests of the building codes and inspections department.

SECTION II. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 1. Generally; Section 6-19, Liability; is hereby amended to read as follows:

Sec. 6-19. Liability.

Any officer or employee of the building codes and inspections department, or member of the building codes board of ~~adjustment~~ appeals, charged with the enforcement of this chapter, acting for the council in the discharge of his/her duties, shall not thereby render himself/herself liable personally, and he/she is hereby relieved from all personal liability for any damage that may occur to persons or property as a result of any act required or permitted in the discharge of his/her duties. Any suit brought against any officer or employee because of such act performed by him/her in the enforcement of any provision of this chapter shall be defended by the county attorney until the final termination of the proceedings.

SECTION III. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 2. Building Codes and Inspections Director; Section 6-31, Powers and Duties; Subsection (d), Determination of Requirements Not Covered by Chapter; is hereby amended to read as follows:

(d) *Determination of requirements not covered by chapter.* Any requirement necessary for the safety, strength, or stability of an existing or proposed building, structure, or installation, or for the safety of the occupants of a building, or structure, not specifically covered by this chapter, shall be determined by the building official, subject to appeal to the building codes board of [adjustment appeals](#).

SECTION IV. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 2. Building Codes and Inspections Director; Section 6-33, Appeals From Decisions; Subsection (a), General; is hereby amended to read as follows:

(a) *General.* Whenever the building official shall reject or refuse to approve the mode or manner of construction proposed to be followed or materials to be used, or when the holder of the permit claims that the provisions of this chapter do not apply, or that an equally good or more desirable form of construction can be employed in any specific case, or when it is claimed that the true intent and meaning of this chapter or any of the regulations thereunder were misconstrued or wrongly interpreted, the owner of such building or structure, or his/her duly authorized agent, may appeal the decision of the building official to the building codes board of [adjustment appeals](#). Pending the decision of the building codes board of [adjustment appeals](#), the building official's decision shall be considered binding.

SECTION V. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 3. Permits, Inspection and Certificate of Approval; Section 6-45, Examination of Application, Approval or Disapproval, Appeal From Disapproval; Subsection (c); is hereby amended to read as follows:

(c) The applicant may appeal the decision of the building official to the building codes board of [adjustment appeals](#) as provided herein.

SECTION VI. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 3. Permits, Inspection and Certificate of Approval; Section 6-46, Conditions of Issuance; Subsection (c); is hereby amended to read as follows:

(c) All building permits shall include a completion date in which construction shall be completed. Any permit issued shall become invalid unless the work authorized by it was commenced within six (6) months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of one (1) year after the time the work is commenced; provided that, for cause, one or more extensions of time for periods not exceeding ninety (90) days each, may be allowed in writing by the building official. Any structure that has not been completed and has had no permitted/approved/inspected work for a period of one (1) year and has allowed the structure to get in a state of disrepair due to neglect and abandonment, shall be declared debris and abated by demolition. A lien shall be placed on the property and possible legal action taken against the owner for a violation of this Article and for any costs incurred for abatement. Decisions of the Building Official may be appealed to the Building Board of ~~Adjustments and~~ Appeals.

SECTION VII. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 4. Licensing and Bonding of Builders,

Contractors and Craftsmen; Section 6-66, Craftsmen Qualification Cards; Subsection (b); is hereby amended to read as follows:

(b) Any person wishing to qualify permanently for qualification cards shall satisfy the building official of his/her competence by satisfactorily completing a written test of competence approved by the building codes board of adjustment appeals.

SECTION VIII. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 4. Licensing and Bonding of Builders, Contractors and Craftsmen; Section 6-67, Illegal Work, Revocation of License; is hereby amended to read as follows:

Sec. 6-67. Illegal work; revocation of license.

Any person engaged in the plumbing, electrical, mechanical (HVAC), or gas installation business, whose work does not conform to the rules and regulations set out in this chapter, or whose workmanship or materials are of inferior quality, shall on notice from the building official make necessary changes or correction at once so as to conform to this chapter; if work has not been so changed after ten (10) days' notice from the building official, the building official shall then refuse to issue any more permits to that person until such work has fully complied with the rules and regulations of this chapter. The building official may appear before the building codes board of adjustment appeals and request that all licenses be revoked because of continued violations. Any license issued under this chapter, upon recommendation of the building codes board of adjustment appeals, may be revoked by the county council. When the revocation of any such license is to be considered and voted upon by the council at any meeting, the person to whom the license has been issued shall have at least three (3) days' notice in writing of the time and place of such meeting together with a statement of the grounds upon which it is proposed to revoke such license.

SECTION IX. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 5. Building Codes Board of Adjustment; is hereby amended to read as follows:

DIVISION 5. BUILDING CODES BOARD OF ADJUSTMENT APPEALS

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

SECTION XII. Effective Date. This ordinance shall be effective from and after _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

Michelle M. Onley
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: January 10, 2012 (tentative)
Second Reading:
Public Hearing:
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance Authorizing a Quit-Claim Deed to Bettye Garrick Byrd for an unnamed 50' Road shown on a plat in Plat Book "X" at Page 9275 and recorded in the Richland County Register of Deeds [**SECOND READING**] [**PAGES 32-35**]

Notes

December 20, 2011 - The committee recommended that Council approve the Quit Claim to Ms. Bettye Gaither Byrd. The vote in favor was unanimous.

First Reading: January 17, 2012
Second Reading:
Third Reading:
Public Hearing:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE AUTHORIZING A QUIT-CLAIM DEED TO BETTYE GARRICK BYRD FOR AN UNNAMED 50' ROAD SHOWN ON A PLAT IN PLAT BOOK "X" AT PAGE 9275 AND RECORDED IN THE RICHLAND COUNTY REGISTER OF DEEDS.

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

SECTION I. For and in consideration of the sum of \$1.00, the County of Richland and its employees and agents are hereby authorized to grant to BETTYE GARRICK BYRD a quit-claim deed for an unnamed 50' road shown on a plat in Plat Book "X" at page 9275 and recorded in the Richland County Register of Deeds, as specifically described in the attached quit claim deed, which is 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: _____
Kelvin Washington, Chair

Attest this _____ day of _____, 2012.

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:

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

QUIT CLAIM DEED

THIS QUIT-CLAIM DEED, executed this _____ day of _____, 2012 by Richland County, (hereinafter “Grantor”), to **Bettye Garrick Byrd** (hereinafter “Grantee”). (Wherever used herein, the terms “Grantor” and “Grantee” shall include singular and plural, heirs, successors, assigns, legal representatives and corporations wherever the context so permits or requires).

WITNESSETH, that the said Grantor, for and in consideration of the sum of One Dollar (\$1.00), in hand paid by the Grantee, the receipt of which is hereby acknowledge, does hereby remise, release, and quit-claim unto the Grantee, their heirs, successors, and assigns, forever, all their right, title, interest, claim and demand which Grantor has in and to the following described lot, piece, or parcel of land, situate, lying and being in the County of Richland, State of South Carolina, to wit:

All that certain piece, parcel, lot of land in the County of Richland, State of South Carolina, approximately 1.2 miles from Gadsden, S.C. as shown on a plat prepared for the Estate of Beverly Garrick by Hugh F. Longshore, Jr., R.L.S., and recorded on July 13, 1977 in the Richland County Register of Deeds in Plat Book “X” at page 9275, and shown as a 50’ Road. Said road contains such metes and bounds as shown on said plat.

DERIVATION: (Derivation on quitclaim deed not required under Section 30-5-35 of S.C. Code Ann. (1976) as amended.

Grantee’s Address: Bettye Garrick Byrd
9 S. Gawain Way
Hampton, VA 23669

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the remises before mentioned unto the said Grantee, their heirs, successors and assigns forever so that neither the said Grantors nor their heirs successors, or assigns nor any other person or persons, claiming under their heirs, successors, or assigns, predecessors, or them, shall at any time hereafter, by any way or means, have claim or demand any right or title to the aforesaid premises or appurtenances, or any part of parcel thereof, forever.

WITNESS the hand(s) and seal(s) of the Grantor(s) this _____ day of _____, 2012.

Richland County Council Request of Action

Subject

12-02MA
E. Randall Mosteller
RU to GC (0.40 Acres)
Hwy. 76/Dutch Fork Rd.
TMS # 01511-01-07 [**SECOND READING**] [**PAGES 36-37**]

Notes

First Reading: January 24, 2012
Second Reading:
Third Reading:
Public Hearing: January 24, 2012

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 01511-01-07 FROM RU (RURAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 01511-01-07 from RU (Rural District) zoning to GC (General Commercial District) zoning.

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 _____, 2012.

RICHLAND COUNTY COUNCIL

By: _____
Kelvin E. Washington, Sr., Chair

Attest this _____ day of _____, 2012.

Michelle M. Onley
Clerk of Council

Public Hearing: January 24, 2012
First Reading: January 24, 2012
Second Reading: February 7, 2012 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

12-03MA
Peter & Debra Giglotti
Novella Taylor
RU to NC (1.95 Acres)
2233 Clemson Rd.
TMS # 20281-01-33 [**SECOND READING**][**PAGES 38-39**]

Notes

First Reading: January 24, 2012
Second Reading:
Third Reading:
Public Hearing: January 24, 2012

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 20281-01-33 FROM RU (RURAL DISTRICT) TO NC (NEIGHBORHOOD COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 20281-01-33 from RU (Rural District) zoning to NC (Neighborhood Commercial District) zoning.

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 _____, 2012.

RICHLAND COUNTY COUNCIL

By: _____
Kelvin E. Washington, Sr., Chair

Attest this _____ day of
_____, 2012.

Michelle M. Onley
Clerk of Council

Public Hearing: January 24, 2012
First Reading: January 24, 2012
Second Reading: February 7, 2012 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-131, Table of Area, Yard, and Height Requirements; so as to correct referenced section numbers [**SECOND READING**] [**PAGES 40-42**]

Notes

First Reading: January 24, 2012

Second Reading:

Third Reading:

Public Hearing: January 24, 2012

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-12HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-131, TABLE OF AREA, YARD, AND HEIGHT REQUIREMENTS; SO AS TO CORRECT REFERENCED SECTION NUMBERS.

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 V, Zoning Districts and District Standards; Section 26-131, Table of Area, Yard, and Height Requirements; is hereby amended to read as follows:

Sec. 26-131. Table of Area, Yard, and Height Requirements.

- (a) *General.* The Table of Area, Yard, and Height Requirements, found in this section contains a listing of the principal development standards for the general use zoning districts. Standards are listed for minimum lot area, minimum lot width, structure size, setback, and height. Reference should be made to the specific use district regulations found in Sections 26-84 through ~~26-97~~ 26-101 of this chapter for the complete listings of applicable development standards for each district. Standards for the PDD, ~~and~~ TC, RD, CRD, DBWP, and CC districts are not listed in this table since developments in these districts are regulated primarily through the development review process. Development within overlay districts, unless otherwise specified, generally adheres to the requirements for the underlying general use zoning district.
- (b) *Table of area, yard, and height requirements.* The table (Table ~~206~~-V-1) below lists the general dimensional and area requirements for the zoning districts set forth in this article. See also the subsections for each district for additional detailed dimensional and area requirements.

TABLE 26-V-1

TABLE OF AREA, YARD, AND HEIGHT REQUIREMENTS

DISTRICT	MINIMUM LOT AREA (Square Feet Each)		MAXIMUM DENSITY	MINIMUM LOT WIDTH (Feet)	MAXIMUM LOT COVERAGE/GFA	PRINCIPAL SETBACK STANDARDS (Feet)			MAXIMUM HEIGHT (Feet)
	First Unit	Add. Unit				Front	Side	Rear	
TROS	None	None	None	None	None	25	20	20	45
RU	33,000	NA	1/Lot	120	None	40	20	50	45
RR	33,000	NA	1/ Lot	120	None	40	20	50	45
RS-E	20,000	NA	1/Lot	100	None	35	10	30	45
RS-LD	12,000	NA	1/Lot	75	None	25	See Sec. 26- 87	20	45

							88 89		
RS-MD	8,500	NA	1/Lot	60	None	25	See Sec. 26- 88 90	20	45
RS-HD	5,000	NA	1/Lot	50	None	25	See Sec. 26- 89 91	20	45
MH	7,260	NA	6 Units/Acre	60	None	25	8	20	35
RM-MD	NA	NA	8 Units/Acre	50	None	25	7	20	45
RM-HD	NA	NA	16 Units/Acre	50	None	25	7	20	See Sec. 26- 92 94
OI	NA	NA	16 Units/Acre	See Sec. 26- 92 95	None	25	7	20	See Sec. 26- 93 95
NC	NA	NA	8 Units/Acre	None	See Sec. 26- 94 96	25	None	10	See Sec. 26- 94 96
RC	22,000	NA	NA	50	See Sec. 26- 95 97	25	None	20	45
GC	NA	NA	16 Units/Acre	None	None	25	None	10	See Sec. 26- 96 98
M-1	None	None	None	None	None	25	None	10	None
LI	None	None	None	None	None	25	None	10	None
HI	None	None	None	None	None	25	None	10	None

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 _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin E. Washington, Sr., Chair

ATTEST THIS THE ____ DAY
OF _____, 2012.

Michelle M. Onley
Clerk of Council

First Reading: January 24, 2012
Public Hearing: January 24, 2012
Second Reading: February 7, 2012 (tentative)
Third Reading:

Richland County Council Request of Action

Subject

FEMA Flood Mitigation Assistance Grant-Richland County All Hazard Plan **[PAGES 43-45]** {*Forwarded from the D&S Committee*}

Notes

January 24, 2012 - The Committee recommended that Council approve the FEMA grant award in the amount of \$47,501 and a cash match of \$7,920 for the Public Works Department. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: FEMA Flood Mitigation Assistance Grant – Richland County All Hazard Plan

A. Purpose

County Council is requested approve a FEMA grant in the amount of \$47,501 and a cash match of \$7,920 for the Public Works Department.

B. Background / Discussion

The grant was awarded to update the flood portion of the existing local multi-hazard plan developed by the Central Midlands Council of Governments. The grant efforts will include flood risk assessment as well as identifying potential solutions to flooding within the Gills Creek watershed.

This grant was originally submitted to FEMA in 2009 and misfiled for the 2010 submittal year. It was re-submitted in the 2011 grant cycle by FEMA and has been awarded.

The grant effort is important because the identification of flood risks and potential solutions provide a strong framework for prioritizing and planning improvement efforts for the County and the Gills Creek Watershed Association. Once flood risk areas and solutions have been identified additional grants can be pursued and awarded for improvements in flood prone areas.

C. Financial Impact

The information generated will be used to plan and improve projects in the Gills Creek Watershed. The required cash match amount will come from current stormwater management funds (Account # 3022-5265). The In-kind Match will come from overall administration and the project management (Flood Coordinator) for the grant.

<u>Grant</u>	<u>Grant Funds</u>	<u>Cash Match</u>	<u>In-kind Match</u>	<u>Total Match</u>	<u>Total</u>
FEMA	\$47,501	\$7,919	\$7,920	\$15,839	\$63,340

There will be no direct financial impact once the grant is completed.

D. Alternatives

1. Approve the FEMA grant award.
2. Do not approve the grant and match.

E. Recommendation

Approve the FEMA grant award.

Recommended by: David Hoops Department: Public Works Date: 12/6/11

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 1/10/12

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Grants

Reviewed by: Sara Salley

Date: 1/11/12

✓ 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: 1/11/12

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend that Council approve the FEMA grant award.

Richland County Council Request of Action

Subject

Purchase of One Tandem Axle Dump Truck **[PAGES 46-48]** *{Forwarded from the D&S Committee}*

Notes

January 24, 2012 - The Committee recommended that Council approve the request to purchase a tandem axle dump truck for the Roads and Drainage Division of Department of Public Works in the amount of \$104,592. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Purchase of One (1) Tandem Axle Dump Truck

A. Purpose

County Council is requested to approve a purchase in the amount of \$104,592.00 for the purchase of one (1) new 2012 International 7500 SBA 6x4 Tandem Axle Dump Truck from Carolina International Trucks. The Tandem Dump Truck will be purchased from the Roads and Drainage division of the Department of Public Works, with funds available in the FY12 budget. The budget account is 1216302000.5313.

B. Background / Discussion

This equipment is to be purchased from Carolina International Trucks through the State Contract. It is replacing AM003, a 2002 Freightliner model with more than 150,000 miles that suffered extensive damage in a rollover accident.

This truck is EPA Tier Three compliant. It meets the latest EPA emission standards for reducing nitrous oxide and particulate emissions and offers 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.

C. Financial Impact

The financial impact to the County will be the purchase cost of the vehicle available in the current budget of the Roads and Drainage Division of the Department of Public Works. The total cost of the truck is \$104,592.00.

2012 International 7500 Tandem Dump Truck	\$104,292.00
South Carolina Sales Tax	\$ 300.00
Total Cost	\$104,592.00

D. Alternatives

There are two alternatives available:

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

D. Recommendation

"It is recommended that Council approve the request to purchase the International 7500 SBA 6X4 Tandem Axle Dump Truck from Carolina International Truck."

Recommended by: **David Hoops, PE** Department: **Public Works** Date: **11/29/11**

F. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 1/18/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood Date: 1/19/12
✓ 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: 1/19/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Recommend Council approval to purchase the tandem axle dump truck for the Roads and Drainage Division of the Department of Public Works.

Richland County Council Request of Action

Subject

Rezoning a portion of TMS numbers 09309-03-07/08/09/10 from General Commercial to Residential, Multi-Family, Medium Density [**PAGES 49-52**] *{Forwarded from the D&S Committee}*

Notes

January 24, 2012 - The Committee recommended that Council initiate the rezoning requests for TMS # 09309-03-07/08/09/10 from General Commercial to Residential, Multi-Family, Medium Density zoning and send the requests to the Planning Commission. The vote in favor was unanimous.

First Reading:

Second Reading:

Third Reading:

Public Hearing:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR A PORTION OF EACH OF THE REAL PROPERTIES DESCRIBED AS TMS # 09309-03-07, 09309-03-08, 09309-03-09, and 09309-03-10 FROM GC (GENERAL COMMERCIAL DISTRICT) TO RM-MD (RESIDENTIAL, MULTI-FAMILY – MEDIUM DENSITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as a portion of TMS # 09309-03-07, a portion of 09309-03-08, a portion of 09309-03-09, and a portion of 09309-03-10 from GC (General Commercial District) zoning to RM-MD (Residential, Multi-Family – Medium Density District) zoning, (all as described in Exhibit A, which is attached hereto).

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 _____, 2012.

RICHLAND COUNTY COUNCIL

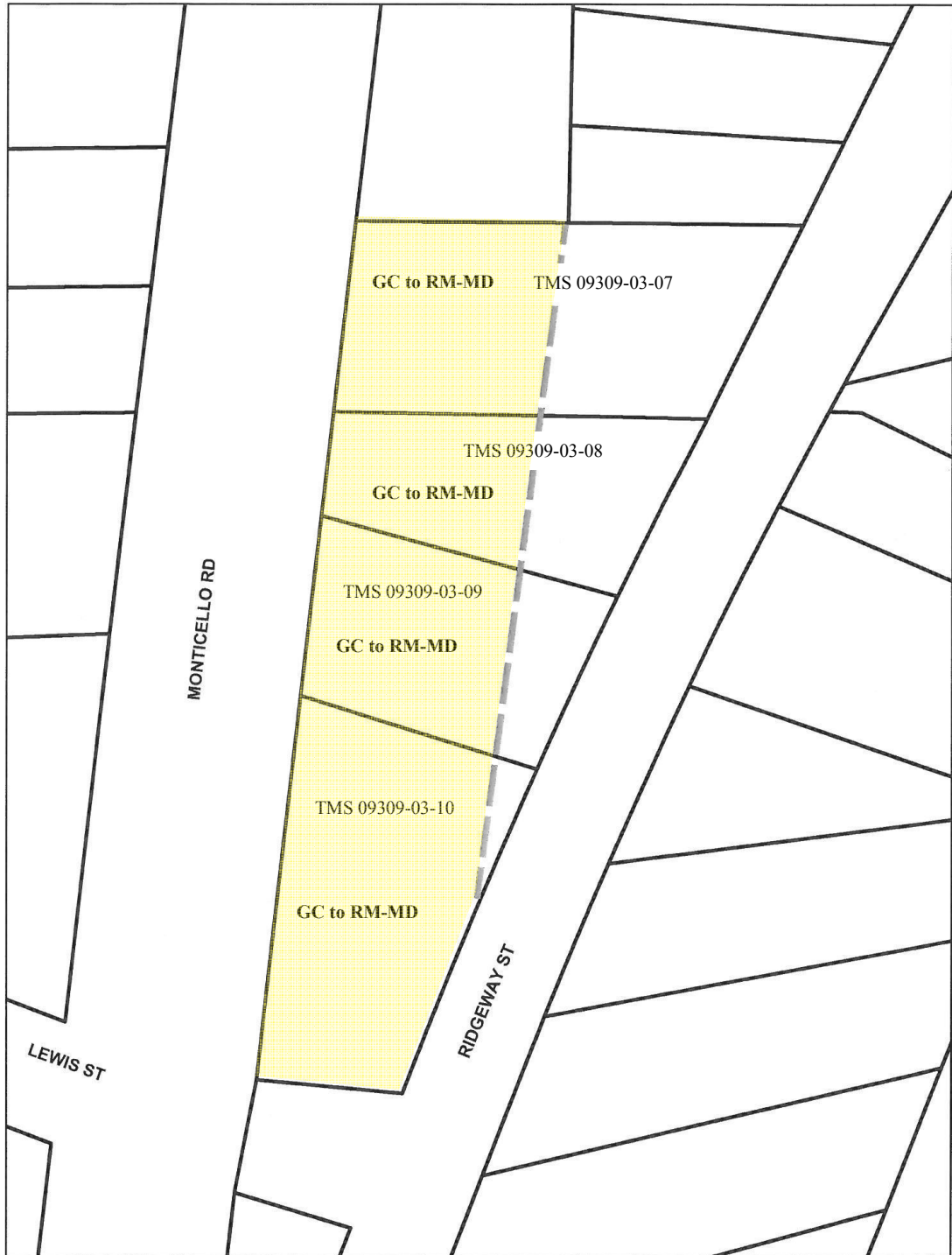
By: _____
Paul Livingston, Chair

Attest this _____ day of _____, 2012.

Michelle M. Onley
Clerk of Council

Public Hearing: March 27, 2012 (tentative)
First Reading: March 27, 2012 (tentative)
Second Reading:
Third Reading:

Exhibit A



Richland County Council Request of Action

Subject

Sunnyside Drainage Ditch Capital Improvement Project Right-of-Way Purchase and Transfer **[PAGES 53-56]**
{Forwarded from the D&S Committee}

Notes

January 24, 2012 - The Committee recommended that Council approve a purchase in the amount of \$6,555 for four right-of-way acquisitions for the purpose of construction of Sunnyside drainage ditch (Orphanage Branch) capital improvement project. The Committee also recommended that Council approve the transfer of the purchased right-of-way to the SCDOT one the project stands complete for future maintenance. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Sunnyside Drainage Ditch Capital Improvement Project Right of Way Purchase and Transfer

A. Purpose

"County Council is requested to approve a purchase in the amount of \$6,555.00 for four Right of Way (ROW) acquisitions for the purpose of construction of Sunnyside drainage ditch (Orphanage Branch) capital improvement project. It is also being requested to approve for the transfer of the purchased ROW to South Carolina Department of Transportation (SCDOT) once the project stands complete for future maintenance."

B. Background / Discussion

The Sunnyside Drainage Ditch Capital Improvement Project is being implemented by Richland County to address erosion, flooding, and water quality concerns along an existing drainage channel in the Forest Acres community. It is to be noted that City of Forest Acres has an inter-governmental agreement with Richland County, as a co-permittee, for County to implement stormwater services to the City. The project extends from the beginning of a drainage ditch near Eastminster Drive and continues downstream to the Sunnyside Drive culvert crossing. The channel, sometimes referred to as Orphanage Branch, is located at the rear of several residential properties along Sunnyside Drive, Eastminster Drive, and Grace Hill Drive. Sections of the drainage channel are experiencing bank erosion as a result of flow velocities. Flooding is a concern upstream of the existing Sunnyside Drive pipe crossings.

In an effort to improve the existing erosion and flooding conditions, construction of multiple best management practices is being proposed:

- The existing pipe crossing at Sunnyside Drive shall be replaced with a culvert. The culvert replacement will provide for additional flow capacity and reduce upstream flooding along the drainage channel.
- Stream enhancement and stabilization BMPs shall be constructed in the upstream portions of the drainage channel. The stream enhancement structures consist of a series of cross vanes. Cross vanes are structures constructed from rock, designed to improve environmental conditions, by reducing flow velocities and providing a series of pool areas along the stream. The placement of the cross vane structures will reduce stream velocity for areas downstream in the drainage channel. The reduction in stream velocity will reduce erosion and improve water quality for downstream areas. The stream stabilization BMPs such as rip rap, rock structures are being proposed so as to prevent future erosion.

For replacing the pipe with a culvert, four (4) ROW acquisitions as shown in Table 1 are needed. More details on ROW widths, metes and bounds, and construction details are identified and are discussed on the construction plans. The proposed upstream construction requires the establishment of a 20' permanent easement with an additional 10' temporary construction easement along properties adjacent to the stream (lesser widths in areas where feasible). All the required ROW acquisitions were presented to the citizens, negotiated, deeds prepared and ready

for execution upon Council’s approval. However, there is uncertainty in obtaining all the necessary easements for the project and is not complete. The easement structure will be presented to Council at a different time upon completion and finalization.

Table 1. Sunnyside Project ROW Acquisitions			
Name	Physical Address	Tax Map Number	Amount (\$)
G. Ramon Aycock	3146 Grace Hill Rd, Columbia SC 29204	R13904-09-06	\$2,025.00
William Coleman	1400 Sunnyside Drive, Columbia, SC 29204	R13908-04-34	\$3,730.00
The Rescue Orphanage n/k/a Carolina Children's Home	3303 Maiden Lane, Columbia, SC 29204	R13907-01-01	\$0.00
Joseph F. Kligman & Vanessa Brill Kligman	1343 Sunnyside Drive, Columbia, SC 29204	R13904-09-08	\$800.00
		Total	\$6,555.00

The said funds were budgeted and are available in Stormwater Management budget. It is being requested through Council’s request of action to approve the acquisition of ROW’s on said properties so that Stormwater Management can move forward with the project in conjunction with for larger benefit of the region. Once the project is completed it is our intention to transfer the acquired ROW to SCDOT for future maintenance. SCDOT is in general agreement with the transfer and the logistics associated will be worked out upon Council’s approval of the request.

C. Financial Impact

The current engineer’s estimated construction cost for the project is \$619,976.34 excluding design and ROW acquisition costs. A total of \$815,000.00 was budgeted for the Sunnyside project and funds are available in Stormwater Management budget. The project costs, at this time, are within the estimated amount and there is no additional financial impact associated with the request. The Public Work’s Stormwater Management has entire funding available for this project in its FY12 adjusted budget.

D. Alternatives

1. Approve the request in full, and exactly as presented by the Department of Public Works.
Reason: For successful implementation of capital improvement project, improving water quality in the region and larger benefit of Community.
2. Do not approve the recommendations, and send it back to the Department of Public Works.
Consequences: there will be no ROW acquisition thereby culvert replacement in jeopardy.

E. Recommendation

"It is recommended that Council approve purchase of four Right of Way (ROW) acquisitions on properties located at 3146 Grace Hill Rd (TMS#R13904-09-06), 1400 Sunnyside Drive (TMS#R13908-04-34), 3303 Maiden Lane (TMS#R13907-01-01), and 1343 Sunnyside Drive(TMS#R13904-09-08) for County to be able to perform Sunnyside drainage improvement project so as to improve drainage and water quality in the region. It is also being recommended

to approve the transfer of the purchased ROW to South Carolina Department of Transportation once the project stands complete for future maintenance”

Recommended by: David Hoops, P.E., DPW Director

Department: Public Works Date: 01/05/2012

F. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 1/11/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood Date: 1/12/12
✓ 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: In conjunction with this recommendation, I would also recommend that the county enter into a written agreement with the DOT prior to commencing the project.

Administration

Reviewed by: Sparty Hammett Date: 1/17/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Recommend that Council approve the purchase of the right-of-way acquisitions for the Sunnyside Project.

Richland County Council Request of Action

Subject

Town of Eastover Animal Care Intergovernmental Agreement [**PAGES 57-63**] {Forwarded from the D&S Committee}

Notes

January 24, 2012 - The Committee recommended that Council approve the Intergovernmental Agreement with the Town of Eastover. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: The Town of Eastover Animal Care Intergovernmental Agreement

A. Purpose

Council is requested to approve the attached Intergovernmental Agreement (IGA) between Richland County and the Town of Eastover regarding Animal Care.

B. Background / Discussion

Currently, the Richland County Animal Care Department provides animal care services for the Town of Eastover, as it does for all other Richland County jurisdictions other than the City of Columbia.

It is recommended that Richland County and the Town of Eastover have a current Animal Care IGA, which will continue to allow the Richland County Animal Care Department to provide animal care services in the Town of Eastover.

The proposed IGA is attached for your convenience. The Town of Eastover has already reviewed and approved the IGA.

C. Financial Impact

There is no additional cost for the approval of this request, as the Richland County Animal Care Department currently provides animal care services to the Town of Eastover.

D. Alternatives

1. Approve the Intergovernmental Agreement with the Town of Eastover.
2. Do not approve the Intergovernmental Agreement with the Town of Eastover.

E. Recommendation

Approve the Intergovernmental Agreement with the Town of Eastover.

By: Sandra J. Haynes Department: Animal Care Date: 1-19-12

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 1/19/12

Recommend Council approval

Recommend Council denial

Council discretion

Comments regarding recommendation: Based on the ROA there is no financial impact associated.

Legal

Reviewed by: Larry Smith

Date: January 20, 2012

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Administration

Reviewed by: Roxanne Ancheta

Date: January 20, 2012

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation: It is recommended that Council approve the Intergovernmental Agreement with the Town of Eastover.

K. WINCHESTER GAINES

Counselor At Law

1314 Lincoln St., Suite 302
Columbia, South Carolina 29201
Phone: (803) 252-2029
Fax: (803) 252-2027

January 10, 2012

Bar Admission
Kansas
Washington, DC
South Carolina

Ms. Roxanne Matthews Ancheta
Assistant to the County Administrator
Richland County Government
P.O. Box 192
Columbia, S.C. 29202

Re: IGA re: Animal Care Services

Please find enclosed the IGA for Animal Care Services executed by Mayor Lee on behalf of Eastover Town Council. Please forward to me at the above address the fully executed document with the Richland County Council Chairman's signature at your earliest convenience. Thanks.

Respectfully yours,



Kenneth W. Gaines,
Attorney at Law
Town of Eastover

Cc: File
Encl: IGA re: Animal Care Services

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

d) Rabies Control – The County shall act as agent of the Town in relation to animal bites and rabies testing. Activities include but are not limited to investigation of all reported bites and quarantining of biting animals in pursuit to the Department of Health and Environmental Services of South Carolina guidelines and performing of such duties as necessary to prepare and deliver animals for rabies testing.

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

3. In any and all instances where an ordinance of the Town conflicts, restrains or is unreasonably burdensome to the enforcement of the Richland County Animal Care ordinance adopted by the Town, the adopted animal care ordinances shall take precedence since it is hereby declared to be the intent of the parties to give the County exclusive authority regarding the enforcement of such regulations within the territorial limits of the Town of Eastover which lie within the jurisdiction of Richland County.

4. This Agreement shall have a term of ten (10) years from the date of execution or until sooner terminated by either party upon such party giving six months written notice to the other party of its intent to terminate this agreement, and may be extended upon written agreement between the County Council for Richland County and the Town Council for Eastover.

5. This Agreement may be amended, modified or changed only upon the written agreement between the County Council for Richland County and the Town Council for Eastover.

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

7. This agreement, including all requirements and details outlined in the above paragraphs, shall apply ONLY to that portion of the Town of Eastover which lies within the

geographical boundaries of Richland County.

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

WITNESSES:

RICHLAND COUNTY

By: Paul Livingston, Richland
County Council Chairperson

Jacquette Brown

Shirley Cowan

TOWN OF EASTOVER

By: *[Signature]*
Eastover Mayor

Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$29,203 of General Fund Undesignated Fund Balance to the Treasurer's Office for the purchase of a new AS400 computer system
[FIRST READING] [PAGES 64-66] {Forwarded from the A&F Committee}

Notes

January 24, 2012 - The Committee recommended that Council approve a budget amendment to the Richland County Treasurer's Office budget in the amount of \$29,203 for the purpose of sharing the cost of the purchase of a new AS400 computer system with the County Auditor's Office. The Committee directed staff to compare the cost of lease verses purchasing the system and also directed staff to determine what it would cost to provide this service in-house. The vote in favor was unanimous.

First Reading:

Second Reading:

Third Reading:

Public Hearing:

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2011-2012 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$29,203 OF GENERAL FUND UNDESIGNATED FUND BALANCE TO THE TREASURER'S OFFICE FOR THE PURCHASE OF A NEW AS400 COMPUTER SYSTEM.

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

SECTION I. That the amount of twenty nine thousand two hundred and three dollars (\$29,203) be appropriated to the FY 2011-2012 Treasurer's Office Budget. Therefore, the Fiscal Year 2011-2012 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2011 as amended:	\$ 141,103,754
Appropriation of General Fund undesignated fund balance	<u>29,203</u>
Total General Fund Revenue as Amended:	\$ 141,132,957

EXPENDITURES

Expenditures appropriated July 1, 2011 as amended:	\$ 141,103,754
Increase to Treasurer's Office	<u>29,203</u>
Total General Fund Expenditures as Amended:	\$ 141,132,957

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 _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin Washington, Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

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

An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$30,803 of General Fund Undesignated Fund Balance to the Auditor's Office for the purchase of a new AS400 computer system and printers **[FIRST READING] [PAGES 67-69]** {Forwarded from the A&F Committee}

Notes

January 24, 2012 - The Committee recommended that Council approve a budget amendment to the Richland County Auditor's Office budget in the amount of \$29,203 for the purpose of sharing the cost of the purchase of a new AS400 computer system with the County Treasurer's Office. The Committee directed staff to compare the cost of lease versus purchasing the AS400 system and also directed staff to determine what it would cost to provide this service in-house. The Committee also recommended that Council approve a budget amendment for \$1,600 for printer upgrades for the new AS400 system. The vote in favor was unanimous.

First Reading:

Second Reading:

Third Reading:

Public Hearing:

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2011-2012 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$30,803 OF GENERAL FUND UNDESIGNATED FUND BALANCE TO THE AUDITOR'S OFFICE FOR THE PURCHASE OF A NEW AS400 COMPUTER SYSTEM AND PRINTERS.

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

SECTION I. That the amount of thirty thousand eight hundred and three dollars (\$30,803) be appropriated to the FY 2011-2012 Auditor's Office Budget. Therefore, the Fiscal Year 2011-2012 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2011 as amended:	\$ 141,103,754
Appropriation of General Fund undesignated fund balance	<u>30,803</u>
Total General Fund Revenue as Amended:	\$ 141,134,557

EXPENDITURES

Expenditures appropriated July 1, 2011 as amended:	\$ 141,103,754
Increase to Auditor's Office	<u>30,803</u>
Total General Fund Expenditures as Amended:	\$ 141,134,557

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 _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin Washington, Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

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

An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$45,500 of General Fund Undesignated Fund Balance to the Auditor's Office for the printing of tax bills and software updates [**FIRST READING**] [**PAGES 70-72**] *{Forwarded from the A&F Committee}*

Notes

January 24, 2012 - The Committee recommended that Council approve a budget amendment to the Auditor's office budget in the amount of \$45,500 for the purpose of providing the ability to print tax bills for a full year and to defray the costs of software changes needed to the computer system in order to comply with Special Resource Revenue Agreements and the FILOT supplement policy previously approved by Council. The Committee recommends that funding for this request be appropriated from the fund balance of the County's general fund. The vote in favor was unanimous.

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

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

AN ORDINANCE AMENDING THE FISCAL YEAR 2011-2012 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$45,500 OF GENERAL FUND UNDESIGNATED FUND BALANCE TO THE AUDITOR'S OFFICE FOR THE PRINTING OF TAX BILLS AND SOFTWARE UPDATES.

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

SECTION I. That the amount of forty five thousand five hundred dollars (\$45,500) be appropriated to the FY 2011-2012 Auditor's Office Budget. Therefore, the Fiscal Year 2011-2012 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2011 as amended:	\$ 141,103,754
Appropriation of General Fund undesignated fund balance	<u>45,500</u>
Total General Fund Revenue as Amended:	\$ 141,149,254

EXPENDITURES

Expenditures appropriated July 1, 2011 as amended:	\$ 141,103,754
Increase to Auditor's Office	<u>45,500</u>
Total General Fund Expenditures as Amended:	\$ 141,149,254

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 _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin Washington, Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

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

An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, In General; Section 16-7, Deductions, Exemptions, Charitable Organizations, and Determination of Classification; so as to allow the deduction of Interstate Commerce Income from Gross Income **[FIRST READING] [PAGES 73-77]** *{Forwarded from the A&F Committee}*

Notes

January 24, 2012 - The Committee recommended that Council amend Chapter 16, Licenses and Miscellaneous Business Regulations, to allow the deduction of interstate commerce income from gross income. This recommendation for approval is consistent with, and facilitates, the settlement approved by Council on December 13, 2011 regarding the Interstate Commerce lawsuits with FN Manufacturing LLC and McEntire Produce, Inc. The vote in favor was unanimous.

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

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-12HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 16, LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS; ARTICLE I, IN GENERAL; SECTION 16-7, DEDUCTIONS, EXEMPTIONS, CHARITABLE ORGANIZATIONS, AND DETERMINATION OF CLASSIFICATION; SO AS TO ALLOW THE DEDUCTION OF INTERSTATE COMMERCE INCOME FROM GROSS INCOME.

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 16, Licenses and Miscellaneous Business Regulations; Article I, In General; Section 16-7, Deductions, Exemptions, Charitable Organizations, and Determination of Classification; is hereby amended to read as follows:

Sec. 16-7. Deductions, Exemptions, Charitable Organizations, and Determination of Classification.

- (1) No deductions from gross income shall be made except as follows:
 - (a) Income from business done wholly outside of the county jurisdiction on which a license fee is paid to another county or to any municipality, taxes collected for a governmental entity, or income which cannot be taxed pursuant to state or federal law. The applicant shall have the burden to establish the right to deduction by satisfactory records and proof by including with the business license application, either new or renewing, a separate itemized list showing all deductions claimed, or no deductions will be allowed. Deductions will be approved as authorized by this section.
 - (b) Businesses whose business activity(ies) are described by the North American Industry Classification System (NAICS) with codes beginning with 4411 or 4412, which includes the following:
 1. New and Used Automobile Dealers (441110 and 441120),
 2. Recreational Vehicle Dealers (441210),
 3. Motorcycle, ATV, and Personal Watercraft Dealers (441221),
 4. Boat Dealers (441222), and
 5. All Other Motor Vehicle Dealers (441229).

These businesses shall be authorized to deduct the amounts paid to customers in exchange for motor vehicle trade-ins as part of sales transactions.

(c) Income from sales generated by interstate commerce, i.e. sales of goods or products across state lines. Provided, however, such deducted income shall be included in the business' reported gross income.

(2) Exemptions.

(a) No person shall be exempt from the requirements of this article by reason of the lack of an established place of business within the County, unless exempted by State or Federal law.

(b) The following businesses, occupations or professions are exempt from the requirements of this article:

1. Teachers;
2. Ministers, pastors, preachers, rabbis and other leaders of commonly recognized religious faiths;
3. Telephone, telegraph, gas and electric and other utilities or providers regulated by the South Carolina Public Service Commission;
4. Insurance companies; and
5. An entity which is exempt from license tax under any state law other than South Carolina Code of Laws, § 4-9-30(12), or a subsidiary or affiliate of any such exempt entity.

(c) No person shall be exempt from this article by reason of the payment of any other tax or fee, unless exempted by State law, and no person shall be relieved of the liability for the payment of any other tax or fee by reason of the application of this article.

(3) In lieu of the license required by Section 16-1, a participant in a single annual event of not more than ten consecutive calendar days in length may be issued a permit at the rate of \$10.00 on gross income on the first \$2,000.00 and \$1.20 on each additional \$1,000.00 of gross income or fraction thereof. This permit will be valid only for the time period specified thereon and can be obtained for no more than one event annually. Organizers of such events may pay for and obtain a business license on behalf on all its vendors at a rate of \$10 per vendor or on the previous year's income generated by the event based upon the rate above, whichever is greater.

Inspections prior to the issuance of a permit may be waived. Inspections may be conducted during the event. For purposes of this subsection, an event is defined as participation by a group of exhibitors or others where displays are established in individual booths or stalls for the purpose of presenting to the audience goods, wares, merchandise or services offered for sale, rent or promotional purposes or for the general good will of the exhibitors. An event may be a trade show, an antique show, a craft show, or any other type of show fitting this definition.

(4) Notwithstanding any provision to the contrary, businesses and individuals defined as *contractor* herein shall be exempt from the provisions of this article in the following manner:

The business license fee shall be reduced by excluding that portion of the business' gross income generated from work done for which a Richland County building permit was obtained and a building permit fee paid (by either the general contractor or subcontractor responsible for that work), pursuant to the provisions of Section 6-51 of the Richland County Code of Ordinances.

If all income of a contractor is generated from work done for which a building permit fee is paid (by either the general contractor or subcontractor responsible for that work), said contractor shall be exempt from paying any business license fee. Such an exempt contractor shall still submit a business license application by the deadline with documentation attached establishing such contractor's right to an exemption.

Income generated from work done for which a Richland County building permit is not required, such as general repairs, shall be subject to a business license fee on that income.

(5) Charitable organizations which have exemptions from state and federal income taxes and/or are 501(c)(3) organizations according to the IRS Tax Code and where all proceeds are devoted to charitable purposes are exempt from a business license fee. Documentation of the claim to this exemption must be provided.

(6) The provisions of this article shall not extend to persons who grow their own agricultural produce or products, and use the Columbia State Farmers' Market, or other farmers' markets officially recognized by the County, to sell their produce directly to consumers.

(7) The License Official shall determine the appropriate classification for each business.

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 beginning with calendar year 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin E. Washington, Sr., Chair

ATTEST THIS THE _____ DAY
OF _____, 2012

Michelle M. Onley
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: February 7, 2012 (tentative)
Second Reading:
Public Hearing:
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance to repeal Ordinance Number 055-08HR in its entirety, and to ensure that businesses are not harmed by such repeal [**FIRST READING**] [**PAGES 78-80**] *{Forwarded from the A&F Committee}*

Notes

January 24, 2012 - The Committee recommended that Council approve the ordinance repealing Ordinance number 055-08HR in its entirety, while ensuring that businesses are not harmed by such repeal. This recommendation for approval is consistent with, and facilitates, the settlement approved by Council on December 13, 2011 regarding the Interstate Commerce lawsuits with FN Manufacturing, LLC and McEntire Produce, Inc. The vote in favor was unanimous.

First Reading:

Second Reading:

Third Reading:

Public Hearing:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE TO REPEAL ORDINANCE NUMBER 055-08HR IN ITS ENTIRETY, AND TO ENSURE THAT BUSINESSES ARE NOT HARMED BY SUCH REPEAL.

WHEREAS, Ordinance Number 055-08HR was adopted on October 7, 2008, and went into effect on January 1, 2009; and

WHEREAS, Ordinance Number 055-08HR required business license fees for those businesses engaged in interstate commerce, but provided for such fees at a discounted rate; and

WHEREAS, Richland County Council adopted Ordinance Number ____-12HR on _____, 2012, which allows interstate commerce income to be deducted from gross income for business license purposes; and

WHEREAS, Richland County Council now wishes to repeal Ordinance Number 055-08HR in its entirety, but also wishes to ensure that business are not harmed by such repeal;

NOW, THEREFORE, 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. Ordinance Number 055-08HR, which was adopted by Richland County Council on October 7, 2008, and went into effect on January 1, 2009, is hereby repealed in its entirety for any business license issued after January 1, 2012.

SECTION II. No business which paid Business License fees on interstate commerce in the years 2009, 2010 or 2011, and which received the interstate commerce discount in any of those years shall be required to pay more Business License fees on an equivalent amount of income than that business would have paid starting in 2012 had the discounted rate not been repealed by this Ordinance (see Section I., above), and had the interstate commerce deduction not been added to Section 16-7 (see Ordinance Number ____-12HR). Any such business whose Business License fees would increase starting in 2012 as a result of both the repeal of Ordinance Number 055-08HR and the enactment of Ordinance Number ____-12HR shall be entitled to mitigation or relief of such increase in its Business License fee based on and up to an amount of gross income and interstate commerce income equivalent to the amounts reported for business license purposes in 2011.

SECTION III. Section II of this Ordinance shall remain in full effect for five (5) years beginning January 1, 2012. Beginning with Calendar year 2017, the relief provided by Section II of this Ordinance shall decrease for eligible businesses by 20% of the 2012 amount for each of the five years beginning with 2017; and shall be completely eliminated effective January 1, 2021, and thereafter.

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

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

SECTION VI. Effective Date. This amendment shall be effective beginning with calendar year 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin E. Washington, Sr., Chair

ATTEST THIS THE _____ DAY

OF _____, 2012

Michelle M. Onley
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: February 7, 2012 (tentative)
Second Reading:
Public Hearing:
Third Reading:

Richland County Council Request of Action

Subject

Commercial Facade Improvement Grant Program [**PAGES 81-100**] *{Forwarded from the A&F Committee}*

Notes

January 24, 2012 - The Committee recommended that Council approve the initiation of the Commercial Facade Improvement Grant program as well as the program guidelines and application. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Commercial Façade Improvement Grant Program

A. Purpose

County Council is requested to approve the inception of the Richland County Government's Commercial Façade Improvement Grant Program (CFIGP). The Richland County Neighborhood Improvement Program (NIP) has developed a Commercial Façade Improvement Grant Program to encourage enhancement and investment to the overall revitalization of the Commercial Corridors in unincorporated Richland County. This program provides up to \$10,000 in grant funds to finance exterior improvements to a property owner or tenant's commercial building that will be aesthetically pleasing and complimentary to local design guidelines.

B. Background / Discussion

The intent of the program is to provide financial incentive to business owners located within the Commercial Corridors of unincorporated Richland County and to provide an opportunity to upgrade the exterior of their building. The program is designed to retain and attract businesses, strengthen the Commercial Corridors, increase utilization of existing buildings, restore economic vitality and enhance property values.

Applicants eligible to apply for the grant funding include property owners or business tenants that are willing to improve the exterior facades of existing commercial buildings located in Commercial Corridors of unincorporated Richland County. Owners may receive assistance for more than one building provided that funding is available. A maximum of one grant application per store front shall be accepted. Applicants should contact the Neighborhood Improvement Program office at (803) 576-1340 for determination of property eligibility.

The Façade Improvement Grant Program will not be applied retroactively to work started prior to the commencement of this program. Property owner(s) and tenant(s) who have defaulted under any previous grant program with the Neighborhood Improvement Program or Richland County Government will not be eligible for the Commercial Façade Improvement Grant. Likewise, Façade Improvement Grants will not be issued to any eligible applicants who are in arrears of any municipal financial obligation or, if a tenant, in arrears with any rent or other payments specified in its lease agreement with the property owner.

Eligible uses:

- Exterior Signs (installation of new or repair or replacement of legally installed and mounted signs; including neon or halo lit signs);
- Awnings, canopies, or sunshades (installation of new or repair or replacement of fixed metal or fabric awnings), which could include perpendicular wall-mounted castle banners (without signage);

- Painting or exterior surface treatment (stucco, tile, stone, or brick replacement or repair);
- Asphalt paving, replacement or repair of tiles or decorative pavers (not in the public right-of-way); sidewalk or courtyard repaving (not in the public right-of-way);
- Repair or replacement or restoration of façade masonry, brickwork or wood.
- Outdoor lighting (installation of new exterior lighting fixtures; repair or replacement of existing exterior lighting fixtures);
- Installation, repair or replacement of decorative or security fencing;
- Replacement or repair of windows.
- Replacement, repair or restoration of cornices, eaves, parapets and other architectural features.
- Entranceway modifications that improve the appearance and or access to the commercial units.
- Restoration of historic features.
- Redesign and reconstruction of the store front

Ineligible Uses: Funds may not be used for improvements that are not permanent or mounted or affixed to the building or the sidewalk. Ineligible uses include but are not limited to:

- Vinyl letter signage (windows);
- Portable signs, such as sandwich board or A-frame signs; signs not mounted or attached to storefronts;
- Flags or banners;
- Benches and trash receptacles;
- Tables, chairs, or umbrellas.

Application Process:

1. Applicants must submit a completed application form. Applications must be downloaded from Neighborhood Improvement Program website at www.rcgov.us. Complete applications with supporting documentation are forwarded to the review committee for approval. Applicants with incomplete applications are informed of their deficiencies. The review committee meets twice a month to approve grant applications.
2. Once a completed application is submitted, the review committee will review the application and make a determination on the project. Within 30 days, the applicant will be notified by letter concerning the status of the review including any award conditions, if applicable.
3. Prior to project commencement, Neighborhood Improvement Program staff will meet with the applicant and the contractor to sign the grant agreement and the construction contract. During that meeting the Neighborhood Improvement Program staff will also:
 - a. Discuss the requirements and provisions of Davis Bacon & Related Acts with the contractor and applicant to ensure that all related responsibilities are understood.
 - b. Schedule the date(s) and time(s) for the required interviews with project construction workers in consultation with the contractor.

- c. Sign and notarize the Certificate of Authority which designates and authorizes the contractor to sign and provide certified weekly payroll reports to the Neighborhood Improvement Program.
4. Any proposed improvements must be in compliance with Richland County building code and Commercial Corridor Design Standards. If approved, the applicant/contractor is responsible for obtaining all building permits and any other required approvals for the work to be done. The applicant is responsible for conformance with all applicable safety standards and conditions. The applicant also agrees to maintain the property and the improvements.

Application Review Documentation

All completed applications must be accompanied with the following items:

1. Completed Application
2. Current photographs of project site
3. Elevation, rendering or product information reflecting the vision of the completed project
4. Project Specifications Sheet Copy of Mortgage/Deed (If Owner is Applicant)
5. Letter of Agency *and* copy of Lease (If Tenant is Applicant)
6. Proof of Good Standing for:
 - a. Property taxes
 - b. Sewer Fees & Water Fees
 - c. Mortgage & Rent or Lease payments
7. Copy of Property and Liability Insurance for site where project will take place
8. Copy of Current Business License

Tenant(s) must provide written authorization and an agreement from the registered property owner(s) to apply for the Commercial Façade Improvement Grant

C. Financial Impact

The maximum grant shall not exceed \$10,000 per applicant per store front and a minimum request of \$1,000 is permitted. Although there is no funding match required for the program, applicants are encouraged to leverage the grant fund with other funding sources.

The Program is not a reimbursement program; payment will be issued to approved vendors upon receiving invoices' on a business letterhead. The applicant (owner, purchaser or tenant of a property) shall contract out all design and construction expenses related to improvements to the exterior façades of an existing commercial building. The Neighborhood Improvement Program Office shall pay the contractor or business directly on behalf of the applicant for eligible improvement expenses not exceeding the approved grant amount. The Façade Improvement Grant Program will not be applied retroactively to works started prior to the commencement of this program.

F. Approvals

Finance

Reviewed by: Daniel Driggers

Date: 1/11/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Based on a discussion with Community Development the funds are available and will come out of budget 1202882010.4820600.532200

Community Development

Reviewed by: Valeria Jackson

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Based upon discussion with Planning Department to complete applicable full environmental assessments, as deemed appropriate.

Grants

Reviewed by: Sara Salley

Date: 1/11/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood

Date: 1/12/12

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: 1/17/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend Council approval of the Richland County Government Commercial Façade Improvement Grant Program.

Commercial Façade Improvement Grant Program (CFIGP)



The CFIGP is a grant program that will award up to \$10,000 per Applicant.

ELIGIBLE Improvements

Permanent Façade Improvements: Purchase, Preserve, Repair or Replace:

NOTE: *CFIGP participants will be required to submit for all permits and design approval through the Planning and Development Services. All projects must adhere to the Design Guidelines for the specified area that the project will be completed in. The Design Guidelines are available at www.rcgov.us or in the Neighborhood Improvement Program Office.*

- Windows
- Doors
- Awnings
- Signs
- Lighting
- Minor Masonry/Carpentry Repairs
- Painting
- Architectural Detail (Cornice, Corbel, Frieze, Gutter, Downspout)
- Iron Bar Removal/Disposal from Windows or Doors
- Storefront Remodeling (Per Existing Design District Guidelines)
- Decking, Stairways, Visible Roofing Repair & Parking Lot Enhancements are

When accompanying one or more of the authorized improvement elements above an Applicant may choose to utilize this program to assist them in completing a large-scale project that may not only include exterior façade improvements, but also includes interior improvements; **however**, only the exterior portion of the improvement is eligible for funding by this program. The entire project (interior & exterior improvements) must be executed as one project, with one start date and one finish date.

NOTE: *No improvements to the interior or exterior of the building may begin prior to being issued the **Notice to Proceed** from the Neighborhood Improvement Program.*

Program Procedures Summary

I. Program Purpose

The Neighborhood Improvement Program (NIP) is providing an incentive program to improve building façades within targeted redevelopment areas – ***Commercial Façade Improvement Grant Program (CFIGP)***. By offering assistance to Property Owners or Business Tenants to make improvements to building façades, this program is able to reduce and prevent blight, contribute to the opportunity to create jobs and restore and expand the area’s economic vitality. Façade improvements boost the marketability of individual business spaces, as well as the overall business district. The energy created by bustling businesses not only draw patrons to the area, but also additional businesses soon in-fill any remaining available retail space.

II. Program Overview

CFIGP is grant program, for eligible, exterior building improvements within a designated project area.

Applications will be made available in the Richland County Planning Department at 2020 Hampton Street, 1st floor, Columbia, SC, 29204. Applicants will contact the CFIGP Administrator to schedule a time to pick-up an application and also receive a brief orientation for this program.

The Application Review Committee (ARC) will evaluate the application and render a decision on awarding the grant. If an award is Approved, Agreements/Contracts, etc. will be signed and a Notice to Proceed issued to Applicant.

Guidelines have been established to govern the Application, Grant Agreement, ARC and Administrative processes. These guidelines indicate the procedures that the NIP must use to administer the CFIGP. These guidelines are consistent with federal regulations.

III. Program Administration

A. Program Administrator (PA)

- a. Create/Design or gather all necessary forms/documents to fulfill the needs of CFIGP & Federal regulations
- b. Establish Administration Procedures Guide
- c. Have Administration and Planning Management approve the final version of each document prior to program launch
- d. Establish an Application Review Committee (ARC)
- e. Determine the Application Review Criteria and Point Rating Values
- f. Establish Program Performance Indicators and Reporting Frequency
- g. Facilitate ARC, Agreement Signing or similar meetings, as needed
- h. When CFIGP fully concludes, prepare final report and submit to Planning Management

B. Program Compliance Officer (PCO)

- a. Conduct all required Federal procedures and interviews throughout the life of the program (On & Off-site)
- b. Provide reporting format and forms for all required Federal or In-house reports throughout the life of the program.
- c. Davis Bacon Review Requirements
 - Notice of Debarment
 - Equal Employment Opportunity Form
 - US Dept. of Labor's Hourly Wage and Deduction Form and Statement of Compliance
 - Authorization to Sign Payrolls
- d. Schedules on-site visits with the Applicant/Contractor to complete interviews.
- e. PCO will provide orientation and assistance to Contractors to ensure they understand all instructions to complete required Federal forms.

C. Application Review Committee (ARC)

1. Program Administrator
2. Program Compliance Officer
3. Representative from the Neighborhood Improvement Program
4. Representative from the Planning and Development Services
5. Representative from the Department of Community Development
6. Representative from the Grants Administration Office
7. Representative from the Zoning Department

➤ **Quorum:**

A minimum of four (4) voting members will constitute a quorum. All votes must be recorded. For matters of convenience and expediency, proxy, phone or email votes may be taken and recorded.

➤ **Application Processing:**

Applications will be processed on a first come, first served basis. The Applicant's Package will be Time/Date Stamped to record the date that the application is received. The Application Package will be stamped by either the Program Administrator or a Representative from the Neighborhood Improvement Program.

➤ **General Items:**

The Commercial Façade Improvement Grant Program may be modified, from time to time, to accommodate program flexibility, funding availability and/or boundary changes of the eligible project area.

IV. Application

a. Eligibility

Property Owners or Tenants are eligible to participate in the CFI Grant Program. (Tenants must have the Approval of the Property Owner in order to apply.)

b. Improvement Elements: Purchase, Preserve, Repair or Replace

Windows Doors Signage

Awnings

Lighting

Painting

- Minor Masonry/Carpentry Repairs
- Architectural Detail (Cornice, Corbel, Frieze, Gutter, Downspout)
- Iron Bar Removal/Disposal from Windows or Doors
- Storefront Remodeling (Per Existing Design District Guidelines)

Decking, Stairways, and Roofing Repair are limited to the area that **is *significantly visible from the commercial boulevard***. Parking Lot, hard-scape, and landscaping enhancements are **ONLY ELIGIBLE when** accompanying one or more of the improvement elements above.

An Applicant may choose to utilize this program to assist them in completing a large-scale project that not only includes exterior façade improvements, but also includes interior improvements; ***however***, only the exterior portion of the improvement is eligible for CFIGP funding.

c. Target Area:

The Project Site must be a retail or professional business space/building located in unincorporated Richland County.

d. Minimum/Maximum Grant Amount:

The minimum grant amount is \$1,000. *However, Applications of a lesser amount may be considered on a case-by-case basis.* **The maximum grant amount is \$10,000.**

e. Application Requirements

The CFIGP Application must include; but is not limited to:

- Completed Application
- Current photographs of project site
- Elevation, rendering or product information reflecting the vision of the completed project
- Project Specifications Sheet Copy of Mortgage/Deed (If Owner is Applicant)
- Letter of Agency **and** copy of Lease (If Tenant is Applicant)
- Proof of Good Standing for:
 - Property taxes
 - Sewer Fees & Water Fees
 - Mortgage & Rent or Lease payments
- Copy of Property and Liability Insurance for site where project will take place
- Copy of Current Business License

f. Ineligibility

A. The following types of businesses/buildings are Ineligible to participate in the program: **exclusively**

residential buildings and businesses/buildings that are in violation or are prohibited in the Commercial Redevelopment Design Guidelines and are in violation of the Richland County Land Development/Zoning Code.

B. Secondary Façade: Work to any secondary façade or work not clearly visible from a main thoroughfare, is **Ineligible**.

- C. **Professional Fees:** Architectural /design, or other professional fees incurred by the applicant as part of the application process **ARE NOT eligible expenses of CFIGP Grant Program.**

g. Grant Description

If the Applicant **closes, sells or re-names the location for any reason, to include foreclosure and/or any other legal action, within a 2 year period of the receipt of the grant,** which will be considered in default of the grant agreement. Richland County Government reserves the right to request immediate repayment of the entire grant amount.

V. Additional Program Information:

1. Get Your Application Package

Contact Program Administrator (PA) to receive an Application Package. PA: 803.576-1340, mcdanielsm@rcgov.us, 2020 Hampton Street, 1st floor, Columbia, SC 29202.

2. Contact Richland County Planning and Development Services

Mandatory Step: Set an appointment with the Richland County Planning and Development Services Office 803.576.2190 / 2020 Hampton Street, 1st Fl to discuss your façade improvements and total project plans.

County Planning Staff will determine when a rendering, elevation, digitally altered image, product brochure or similar, is required to accompany your application.

3. Other Required Application Documents

- A. Provide **Proof of Ownership** of the property where the project will take place.
- B. **If you lease** your location, please have the **Letter of Agency** (enclosed in your Application Package) signed by the Property Owner. **This document must be notarized.**
- C. Provide **Proof of Good Standing** for the following:
 - Property Taxes:** Copy of Paid Receipt from proper jurisdiction
 - Sewer & Water Fees:** Copy of most recent bill showing "zero" Past Due
 - Mortgage or Lease:** If paying either, copy of most recent statement (mortgage) or notarized letter from the Landlord (Leasing Company) indicating that payments are current.
- D. Copy of your **Property and Liability Insurance** must be provided with your application.
- E. Copy of your **Business License**, when applicable.

4. Assemble Application & Deliver (use the Application Checklist included in your package)

- A. Applications may be emailed: **mcdanielsm@rcgov.us**, faxed: (803) 576-1345 mailed or hand-delivered to 2020 Hampton Street, 1st floor, Columbia, SC 29204. Application Packages will be Time/Date Stamped to record receipt of the application.

- B. Applications will be reviewed within thirty (30) days of receipt. The CFIGP Application Review Committee (ARC) evaluates Application Packages the 1st and 3rd Wednesday of each month.

5. Application Package Evaluation

- A. Application Packages will be processed on a first come, first served basis. (Criteria by which Applications are evaluated are available by request.)
- B. The applicant will be notified within 30 days of the Application Review Date, by letter, phone call and/or email, of the status of the application: Approved, Denied, or if additional information is needed. If additional information is needed, your application will be placed “on hold” until received. *If denied, the Applicant is not prohibited from bringing the application into compliance with the program objectives and re-submitting for new evaluation.*

6. Project Agreements

- A. Once an application has achieved “Approved” status, the Applicant and Contractor will be contacted within 30 days or less to schedule an appointment to sign the grant agreement.
- B. All required documents will be signed and the work schedule established to allow smooth implementation of the project.
- C. Once the Grant Agreement is signed, the Applicant will be issued a “Notice to Proceed”. **You may not proceed with any implementation of the project without this Notice. It will be the responsibility of the Applicant to pay for any work, which is started/completed prior to receiving a ‘Notice to Proceed’.**
- D. NIP reserves the right to inspect your project at any time.

7. Vendor Payment Process

The Neighborhood Improvement Program **will begin issuing payment of Invoices directly to the Contractor, on the Applicant’s behalf**, when work has been satisfactorily completed and Invoice issued. **Any fees beyond the awarded grant amount offered by NIP will be the responsibility of the Applicant.**

Special Notes:

- ❖ Federal Regulations for façade programming prohibit funding for interior improvements.
- ❖ Properties that have previously received a Commercial Façade Improvement Grant Program are Ineligible for a period of one (1) year except when that property conducts a renovation/reconstruction/improvement project that exceeds 50 percent (50%) of the property value.
- ❖ **This program is federally funded; therefore, all projects must comply with applicable Federal Laws.**



Commercial Façade Improvement Grant

Program

Application Submission Checklist

NAME OF BUSINESS: _____

PROJECT ADDRESS: _____

APPLICANT NAME: _____

APPLICANT TITLE: _____

Information required with all applications:

- _____ Completed Program Application
- _____ Current photograph of the project site
- _____ Elevation, drawing, photograph or product brochure, as determined by County Planning Staff
- _____ Proof of Ownership
- _____ Letter of Agency (if tenant making application)
- _____ Proof of Good Standing:
 - _____ Property Taxes
 - _____ Sewer Fees & Water Fees
 - _____ Mortgage Payments or Lease Payments
- _____ Copy of Property **and** Liability Insurance
- _____ Copy of Current Business License (the business name must match the business license)
- _____ Cost Estimates
- _____ Other

NOTES:

The Neighborhood Improvement Program shall have the right to inspect the subject property prior to, during and after the improvements are completed.

All improvements that require a Building Permit are subject to inspection by Richland County Code Enforcement Official.

The Applicant and the Contractor must agree to comply with all applicable Federal, State and Local Regulations, including, but not limited to, Title IV of the Civil Rights Act of 1964 – as amended, Executive Order 11246 concerning Equal Opportunity – as amended and the Davis Bacon Act.

b) Received assistance, or are now under consideration for assistance, from other federally funded Richland County

Government program?

No Yes If yes, list the property location(s), investment amount(s) and date(s):

c) Has any existing, previous or pending contracts or other business relationship with Richland County Government?

No Yes

d) Is a spouse or immediate family member or business partner, currently employed by Richland County Government?

No Yes (If Yes, list the Richland County Government Employee's name, department and relationship.)

e) Is this property under contract to transfer ownership in the next 12 months? Yes No , (if yes, please explain)

7. Signatures

The Applicant, _____, asserts that the preceding information is true, and correct, and will comply with all Federal Regulations applicable to this program. The Applicant fully understands neither Richland County Government nor the Neighborhood Improvement Program/Planning Department can make any variances to the application process, or requirements, except as authorized in writing.

The Applicant fully understands and agrees that if his/her project at any time fails to meet municipal ordinances; he/she will be ineligible for a matching investment and agrees to forfeit all rights pursuant to the acquisition or recovery of any claims or damages regarding the funds of the Richland County Government and/or Neighborhood Improvement Program.

The Applicant agrees that in the event of its breach of any condition or provision, as described in the application process, or whenever it is deemed to be in the best interest of Richland County, the County has the right to terminate this agreement on thirty (30) days notice and to cancel this agreement, without prejudice to any other rights or remedies of Richland County.

If the Applicant is someone other than the property owner, written consent by the property owner must be provided by submitting a Letter of Agency with this application.

Applicant (Print)
Date

Applicant's Signature

Applicants Social Security Number and/or Company's Federal ID Number

Neighborhood Improvement Program
Commercial Façade Improvement Grant Program

Program Administrator: Monique McDaniels
2020 Hampton Street
P.O. Box 192
Columbia, SC 29204
803.576.1340
mcdanielsm@rcgov.us



Richland County Neighborhood
Improvement Program

Commercial Façade Improvement Program

LETTER OF AGENCY

To: **Neighborhood Improvement Program**

RE:

(Property Address)

In connection with the subject property, I hereby authorize the person shown below as my agent for the purpose of filing any applications and required documentation, designing and reviewing plans, obtaining required permits and will be the responsible financial agent, as in reference to the above listed property.

Signature of Property Owner:

Owner's Name (Print):

Owner's Address:

Owner's Telephone: Cell: _____ Business: _____ Homes:

Owner's E-mail:

Signature of Tenant:

Applicant Name (Print):

Agent's Address:

Agent's Office and Cell Phone:

Agent's E-mail:

Witness

Signature: _____

Witness

Printed Name: _____

Notary

Signature: _____

Seal:

Notary

Printed Name: _____

Date:

Richland County Council Request of Action

Subject

Credentialing System Equipment Project [**PAGES 101-104**] *{Forwarded from the A&F Committee}*

Notes

January 24, 2012 - The Committee recommended that Council approve the Credentialing System Equipment grant award to the Sheriff Department in the amount of \$6,400. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Credentialing System Equipment Project/No FTE/ No Match

A. Purpose

County Council is being requested to approve a grant award that was not included in the Grant Budget Request for 2011-2012.

B. Background / Discussion

The Richland County Sheriff's Department has received a grant award from the State Homeland Security Program, administered by the South Carolina Law Enforcement Division. The credentialing system will allow RCSD capability to compile information regarding law enforcement identification and qualifications (example: hostage negotiator, bomb technician, medic, sniper, etc) to manage an incident, event, or secured area and verify via a secure smart card. This will provide the incident responder site access while allowing the incident commander situational awareness of who is at the site, what their qualifications are, where they are assigned, and when they arrived/departed/underwent a status check. Any supplies needed for future operation of this equipment will be provided in the RCSD operating budget.

C. Financial Impact

Credentialing System Total Project Cost:	\$ 6,400
Grantor Portion (100%):	\$ 6,400
Match (0%):	\$ 0

D. Alternatives

1. Approve the request to fund this program to provide a credentialing system for RCSD.
2. Do not approve, forfeit funds, and decrease likelihood for future funding.

E. Recommendation

- 1. It is recommended that Council approve the request for the Credentialing System Equipment Project

Recommended by: *Deputy Chief Stephen Birnie* Department: *Richland County Sheriff's Dept.* Date: *February 3, 2012*

F. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 1/5/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Recommendation is not based on the merits of the program but on the ROA request of no county funding required.

Procurement

Reviewed by: Rodolfo Callwood Date: 1/7/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Grants

Reviewed by: Sara Salley Date: 1/9/12
✓ 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: 1/9/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

SOUTH CAROLINA LAW ENFORCEMENT DIVISION



NIKKI R. HALEY
Governor

MARK A. KEEL
Chief

December 13, 2011

Sheriff Leon Lott
Richland County Sheriff's Department
5623 Two Notch Road
Columbia, South Carolina 29223

RE: Fiscal Year 2011 State Homeland Security Program
Grant Number: 11SHSP47
Project Name: Credentialing System Equipment \$6,400.00
Total Amount of Award: \$6,400.00

Dear Sheriff Lott:

We are pleased to provide you with the original and one copy of the grant award approved by the South Carolina Law Enforcement Division, as the State Administrative Agency, in the amount of \$6,400.00. This award will be effective upon **final approval** of the grant application budget and program narrative to be filled out on the Homeland Security Electronic Grant Management System located on the internet at <https://www.southcarolinadhs.com>. Final approval of the grant application will be sent to you in the form of a Grant Adjustment Notice. **No funds are to be obligated or expended until receipt of the Grant Adjustment Notice.** Additionally, in order to complete this award, it is necessary that the Official Authorized to Sign return the original grant award with an original signature no later than **December 31, 2011**. Also enclosed in this package are the grant terms and conditions and the certification pages. Please fill out, sign and return the certification pages with the signed grant award. The signed originals should be sent to the following address:

South Carolina Law Enforcement Division
Office of Homeland Security
Post Office Box 21398
Columbia, South Carolina 29221-1398

As a reminder, the Request for Payment/Quarterly Fiscal Report is due within 30 days of the end of every calendar quarter. The **final** Request for Payment/Quarterly Fiscal Report and the Program Evaluation are due 45 days after the end of the grant period. Semi-annual Progress Reports are due within 30 days after the end of the reporting period, until the expiration of the grant. Your commitment to addressing the homeland security needs in your community and throughout South Carolina is appreciated.

Sincerely,

Mark Keel, Chief
South Carolina Law Enforcement Division



2011 DEC 27 PM 8:50
RCSD RECEIVED

P.O. Box 21398 / Columbia, South Carolina 29221-1398 / (803) 737-9000 / Fax (803) 896-7588

Richland County Council Request of Action

Subject

Curtiss-Wright Hangar [**PAGES 105-108**] *{Forwarded from the A&F Committee}*

Notes

January 24, 2012 - The Committee recommended that Council approve the request to direct staff to review and report on the legal aspects of the possible sale of the Curtiss-Wright Hanger and surrounding land at the Jim Hamilton-LB Owens Airport to a private developer as a possible means of accomplishing its restoration and redevelopment. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Curtiss-Wright Hangar

A. Purpose

To seek approval from Richland County Council to direct Richland County staff to review and report on the legal aspects of the possible sale of the Curtiss-Wright Hangar (CWH) and surrounding land at the Jim Hamilton – LB Owens Airport (CUB) to a private developer as a means of accomplishing its restoration and redevelopment.

B. Background / Discussion

During the Richland County Airport Commission’s meeting on January 9, 2012, a private development group called the CWH Partners presented a concept for the restoration and redevelopment of the Curtiss-Wright Hangar (CWH) into a restaurant and event venue with an aviation theme.

CWH Partners has performed extensive investigation of the site, initial due diligence, and business planning associated with this concept. The funding for this project will use private investment capital and tax credits available to historic restoration projects. The CWH was added to the National Register of Historic Places in 1998 and any restoration, regardless of end function, will need to meet the associated guidelines and requirements. Initial legal research by the CWH Partners indicates that their concept is only economically viable if they can purchase the CWH compound property.

The principal members of the CWH Partners project team are:

Mr Edwin Garrison	Coldwell Banker	Project Management
Mr Scott Linaberry	Five Points Association	Operations & Finance
Mr Ben Riddle	CBRE	Marketing & Development
Mr Sanders Tate	Watson Tate Savory Liollo	A&E Services

Following the presentation and question and answer session, The Airport Commission voted to proceed as follows:

- ➔ To seek a legal determination from Richland County staff to determine if the CWH and surrounding land could be sold to a private developer and what permanent legal protections to the County and Airport should be established as part of such a sale.
- ➔ To have the Airport Commission Marketing and Operations Committees jointly conduct meetings and work sessions to discuss and evaluate the proposal from CWH Partners within the next 45 days in order to have sufficient information to make a formal recommendation to the County Council.

C. Financial Impact

The financial impacts to the County and Airport are not yet known. The intention of parallel review by Richland County staff and Airport Commission Committees is to answer legal questions and gather information so that an informed assessment of financial impact can be determined.

However, the following general conditions can be considered:

- ➔ Capital improvements to the Curtiss-Wright Hangar will be paid for by CWH Partners;
- ➔ If possible and appropriate, sale of the property to a private developer will provide revenue from the sale as well as returning property to the tax rolls;
- ➔ Direct and indirect positive economic impact (development project costs and jobs created) will be realized as well.

D. Alternatives

The alternatives available to County Council follow:

1. Approve the request to direct Richland County staff to review and report on the legal aspects of the possible sale of the Curtiss-Wright Hangar (CWH) and surrounding land at the Jim Hamilton – LB Owens Airport (CUB) to a private developer as a means of accomplishing its restoration and redevelopment.
2. Disapprove the request to direct Richland County staff to review and report on the legal aspects of the possible sale of the Curtiss-Wright Hangar (CWH) and surrounding land.

E. Recommendation

It is recommended that Council approve the request to direct Richland County staff to review and report on the legal aspects of the possible sale of the Curtiss-Wright Hangar (CWH) and surrounding land at the Jim Hamilton – LB Owens Airport (CUB) to a private developer as a possible means of accomplishing its restoration and redevelopment.

Recommended by:	Department:	Date:
Christopher S. Eversmann, PE, CM	Airport	January 10, 2012

F. Reviews

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

Finance

Reviewed by: <u>Daniel Driggers</u>	Date: 1/11/12
✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

Procurement

Reviewed by: Rodolfo Callwood

Date: 1/12/12

✓ 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: Tony McDonald

Date: 1/13/12

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval as outlined above. This request is intended only to determine the Council's interest in the proposed project and to determine if there are any legal hurdles relating to project. Of course, if the Council gives the direction to move forward at this point, any future decisions about a contractual arrangement would be brought back to the Council for consideration.

Richland County Council Request of Action

Subject

Specialized Aviation Service Operation (SASO) negotiation [**PAGES 109-112**] *{Forwarded from the A&F Committee}*

Notes

January 24, 2012 - The Committee recommended that Council approve the request to authorize negotiation of a draft agreement with AMS, Inc. for developing a Specialized Aviation Service Operation (SASO) for aircraft maintenance at the Jim Hamilton-LB Owens Airport. The results of the negotiations are to be brought back to Council for consideration. The Committee also directed staff to provide Council with the date the Request For Proposal (RFP) for this SASO was submitted and the deadline for receipt of RFP's for the proposal. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Specialized Aviation Service Operation (SASO) negotiation

A. Purpose

To seek approval from Richland County Council to enter into negotiations between Richland County and Aircraft Maintenance Services, Incorporated of Camden, SC for the purpose of establishing a Specialized Aviation Service Operation (SASO) for aircraft maintenance at the Jim Hamilton – LB Owens Airport (CUB).

B. Background / Discussion

Richland County Council previously authorized the issuance of a Request for Proposal (RFP) for a Specialized Aviation Service Operation (SASO) for aircraft maintenance at the Jim Hamilton – LB Owens Airport (CUB). This RFP was issued (RC-007-P-1112) and one response was received from Aircraft Maintenance Services, Incorporated of Camden, SC (AMS, Inc).

An evaluation committee made up of two representatives from the Richland County Airport Commission, the Airport Director, and an Assistant County Administrator was formed to review the proposal which was received and conduct an interview of the company's leadership. As a result of these actions, the evaluation committee recommended to the Airport Commission that negotiations be authorized in order to determine if an agreement can be drafted.

Eagle Aviation is the existing Fixed Base Operator (FBO) at CUB that provides airport operation services (fueling, hangar lease administration, flight school, *etc*) as well as aircraft maintenance services. The SASO would be in competition with the FBO in the functional area of aircraft maintenance. However, anticipated increased aircraft traffic associated with the SASO could produce increased fuel sales which would benefit the FBO. Additionally, the competition that would be generated would be beneficial to the aviation community.

There is sufficient area for development of a maintenance facility (which would be developed by AMS, Inc and revert to County ownership at the end of a lease period anticipated to be 30-years in duration) and such development is with the Airport Master Plan Update / Airport Layout Plan (ALP).

The Richland County Airport Commission voted in their meeting on January 9, 2012 to recommend to Richland County Council to enter into negotiations with Aircraft Maintenance Services, Incorporated of Camden, SC for the purpose of establishing a Specialized Aviation Service Operation (SASO) for aircraft maintenance at the Jim Hamilton – LB Owens Airport (CUB).

If an agreement is negotiated and drafted, it will be brought back to County Council for final approval.

C. Financial Impact

The actual financial impact of this cannot be determined until a draft agreement is negotiated. However, the following provisions will be incorporated into the draft agreement:

- ➔ Capital improvements will be paid for by AMS, Inc and revert to County / Airport ownership at the end of the lease period.
- ➔ Lease payments will be made to the County / Airport by AMS, Inc.
- ➔ A portion of revenue will be paid to the County / Airport by AMS, Inc.
- ➔ Direct and indirect, positive economic impact (jobs created) will be considered as well.

D. Alternatives

The alternatives available to County Council follow:

1. Approve the request to authorize negotiation of a draft agreement with AMS, Inc.
2. Do not approve the request to authorize negotiation of a draft agreement with AMS, Inc.

E. Recommendation

It is recommended that Council approve the request to authorize negotiation of a draft agreement with AMS, Inc for developing a SASO for aircraft maintenance at the Jim Hamilton – LB Owens Airport (CUB).

Recommended by:	Department:	Date:
Christopher S. Eversmann, PE, CM	Airport	January 10, 2012

F. Reviews

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

Finance

Reviewed by: <u>Daniel Driggers</u>	Date: 1/11/12
✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

Procurement

Reviewed by: <u>Rodolfo Callwood</u>	Date: 1/12/12
✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

Legal

Reviewed by: Larry Smith

Date:

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald

Date: 1/13/12

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend that the Council authorize the staff to negotiate with AMS, Inc. The results of the negotiations will be brought back to the Council for consideration.

Richland County Council Request of Action

Subject

Forensic Laboratory Enhancement Grant-Sheriff's Department [**PAGES 113-116**] {*Forwarded from the A&F Committee*}

Notes

January 24, 2012 - The Committee recommended that Council approve the grant application to provide upgraded forensic equipment and training for the Richland County Sheriff Department. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: Forensic Laboratory Enhancement Grant---No FTE/ No Match

A. Purpose

County Council is being requested to approve a grant application that was not included in the Grant Budget Request for 2011-2012.

B. Background / Discussion

The Richland County Sheriff's Department has applied for a grant to provide upgraded equipment and advanced training for the Forensic Laboratory Drug Identification Section. This application is for funding through a special solicitation of the Paul Coverdell Forensic Science Improvement Program. This project will have a shortened grant period (April 1, 2012 through September 30, 2012) and is designed to reduce forensic case backlogs. An upgrade to current equipment and software will be purchased. These will allow for examination and court presentation of new "designer" drugs that are available. In-house advanced training will also be provided to lab personnel through this funding. Any supplies or service plans needed for future operation of this equipment will be provided in the RCSD operating budget.

C. Financial Impact

Forensic Lab Total Project Cost:	\$ 27,000
Grantor Portion (100%):	\$ 27,000
Match (0%):	\$ 0

D. Alternatives

1. Approve the request to fund this program to provide for upgraded forensic equipment and training for RCSD.
2. Do not approve, forfeit funds, and decrease likelihood for future funding.

E. Recommendation

1. It is recommended that Council approve the request for the Credentialing System Equipment Project

Recommended by: *Deputy Chief Stephen Birnie* Department: *Richland County Sheriff's Dept.* Date: *February 3, 2012*

F. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 1/9/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood Date: 1/9/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Grants

Reviewed by: Sara Salley Date: 1/11/12
✓ 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: 1/11/12
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Recommend that Council approve the grant to provide upgraded forensic equipment and training for the RCSD.

Richland County Council Request of Action

Subject

RCSD Entry Deputy Pay Increase FY 12 [**PAGES 116-120**] *{Forwarded from the A&F Committee}*

Notes

January 24, 2012 - The Committee recommended that Council handle the pay for the Deputies hired prior to implementation of the compensation study as salary exceptions through the regular process. The Committee also indicated that pay increases for Sheriff Department employees and all other County employees will be part of the Classification and Compensation Study discussion that will take place during County Council's annual retreat on January 26-27, 2012. The vote in favor was unanimous.

Richland County Council Request of Action

Subject: RCSD Entry Deputy Pay Increase FY12

A. Purpose

The Sheriff is requesting County Council approval to increase the base salary for entry level Deputies. The request is to increase the starting salary of a Deputy to \$35,000 and increase the starting salary of a Deputy III to \$30,000.

B. Background / Discussion

The Richland County Sheriff's Department is at a distinct competitive disadvantage regarding starting salaries in relation to comparables in the area. The Sheriff is requesting an increase, with immediate effect, for new hire Deputies to start at \$35,000 (from \$29,000) and new hire Deputy III at \$30,000 (from \$25,750). Additionally, the Sheriff is requesting additional compensation for new hires who meet additional qualifiers (see below). It is anticipated RCSD will hire 10 new deputies through June 30, 2012. Current fiscal year funding, realized through attrition, will be used to address the partial year salary increase through FY12.

C. Financial Impact: None to Richland County in FY12.

The additional part-year funding projected at \$52,750

Recommended Starting Base Salary

Deputy: \$35,000

Deputy III: \$30,000

Additional Qualifiers

Reside in Richland County	2%
Bi-Lingual	2%
Master's Degree	3%
PhD/Law Degree	4%

With Years of Service:

Certified 1-5 Years	2%
Certified 6-10 Years	3%
Certified 11-15 Years	4%
Certified 16+	5%

Current base	\$29,000	\$25,750	
Proposed base	\$35,000	\$30,000	
Total positions affected	186	59	
Group average salary	\$31,627	\$29,381	
# at/above new base	24	22	
Group average salary	\$39,728	\$36,061	
# below new base	162	37	199
Group average salary	\$30,427	\$26,773	
Estimated annualized adjustment exclusive of additional increases	\$870,000	\$140,000	\$1,010,000
Estimated annualized adjustment inclusive of additional increases	\$1,300,000	\$260,000	\$1,560,000

*Additional increases include items in the ROA listed as exceptions for education and years of service only. There is not enough information to consider the effect of compression of other positions.

However, since this is a critical need, Council could also consider options to address the request and try to stay on target with the County-wide plan as well.

- One option is to request the vendor completing the county-wide compensation study to further accelerate the results which would allow Council to address the ROA request and County-wide need within a reasonable timeframe.

- A second option may be to provide some incremental increase to all county positions in the interim with a final adjustment being applied based on the compensation study once results are received.

With that said the financial position of the county is strong and with the right combination of decisions could support any of the options above.

Human Resources

Reviewed by: Dwight Hanna

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: I generally agree with the comments of the Finance Director. Human Resources supports competitive wages and internal equity for all departments including the RCSD.

The Finance Director makes a valid point relating to internal equity of employees in the RCSD and other County departments that needs consideration. If an increase in wages was approved for one department considering it has been a few years since most County employees have had a pay increase that would likely adversely affect the morale of employees in other County departments. In looking at the turnover rate by County

department for 2011 there are some County departments have turnover rate much higher than the County's average.

The Council may want to consider adopting an overall compensation strategy and philosophy. This compensation strategy and philosophy would provide guidance to the County's actions relating to compensation and provide some understanding to County departments relating to the methodology of compensation. For example, does the County want to pay the highest starting wage in the Midlands and/or State of South Carolina for one department, some departments, or all departments? Does the County want to at least match the starting wages for Lexington County and/or the City of Columbia?

Human Resources had limited time to review this request, so there may be relevant information that we are not aware. However, Human Resources supports competitive wages and internal equity for the RCSD and all other County departments.

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: All of the options as outlined in the ROA are within the Councils legal authority to exercise.

Administration

Reviewed by: Sparty Hammett

Date: 1/20/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Administration supports pay increases for Sheriff's Department employees and all other County employees based on the results of the classification and compensation study authorized by County Council. Administration recommends handling the pay for the Deputies hired prior to implementation of the compensation study as salary exceptions through the regular process.

Richland County Council Request of Action

Subject

An Ordinance Amending the Richland County Code of Ordinances; Chapter 5, Animals and Fowl, so as to clarify sections dealing with authority of officers, conditions of impoundment, redemption of animals and owner responsibilities [**PAGES 121-152**]

Notes

December 20, 2011 - The committee recommended that Council approve the ordinance revisions (highlighted in yellow in the draft ordinance) related to Animal Care for consistency, improved enforcement efforts, and other related matters. The remaining revisions (other than those clarifying definitions and scrivener revisions) are policy decisions of Council. The vote was in favor.

First Reading: January 10, 2012

Second Reading: January 17, 2012

Third Reading:

Public Hearing:

OPTION 1 (Approved at 2nd Reading)

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY

ORDINANCE NO. _____-11HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 5, ANIMALS AND FOWL, SO AS TO CLARIFY SECTIONS DEALING WITH AUTHORITY OF OFFICERS, CONDITIONS OF IMPOUNDMENT, REDEMPTION OF ANIMALS AND OWNER RESPONSIBILITIES.

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

SECTION I. Definitions

Section 5-1, Definitions; is hereby amended to read as follows:

Whenever used in this chapter, unless a contrary intention is clearly evidenced, the following terms shall be interpreted as herein defined.

Abandon shall mean to desert, forsake, or intend to give up absolutely an animal without securing another owner.

Abuse shall mean the act of any person who deprives any animal of necessary sustenance or shelter, or inflicts unnecessary pain or suffering upon any animal, or causes these things to be done.

Animal shall mean, in addition to dog and cat, any organism of the kingdom of Animalia, other than a human being.

Animal ~~care officer~~ Care Officer shall mean any person employed by the county to enforce the animal care program.

Animal ~~shelter~~ Care Facility shall mean any premises designated by the county for the purpose of impounding, care, adoption, or euthanasia of dogs and cats held under authority of this chapter.

At large shall mean a pet running off the premises of the owner or keeper and not under the physical control of the owner or keeper by means of a leash or other similar restraining device.

A cat is not considered at large unless it is running off of the premises of the owner or keeper and not under the physical control of the owner or keeper.

Domestic shall mean any animal which shares the genetic makeup and/or physical appearance of its ancestors which were historically domesticated for human companionship and service.

Non-domestic shall mean any animal which shares the genetic makeup and/or physical appearance of its ancestors which were not historically domesticated for human companionship and service.

Nuisance shall mean an animal that disturbs the rights of, threatens the safety of, or damages a member of the general public, or interferes with the ordinary use and enjoyment of their property.

Owner shall mean any person who:

- (1) Has a property right in an animal;
- (2) Keeps or harbors an animal or who has it in his or her care or acts as its custodian; or
- (3) Permits an animal to remain on or about any premises occupied by him or her.

Pet shall mean a domestic dog (canis familiaris) and/or a domestic cat (felis catus domesticus).

Shelter shall mean any structure appropriately sized for the pet to stand or lie in a normal manner. The structure must have a roof, three sides, appropriate sized opening for the entry and exit and a floor so as to protect the pet from the elements of weather.

Under restraint shall mean a pet that is on the premise of its owner or keeper by means of a leash, fence or other similar restraining device, or is on the premises of its owner or keeper and accompanied by the owner/keeper, or a pet that is off the premises of its owner or keeper but is accompanied by its owner or keeper and is under the physical control of such owner or keeper by means of a leash or other similar restraining device.

SECTION II. Differential county license fees; rabies vaccination tags

Section 5-2, Differential county license fees; rabies vaccination tags, is amended to read as follows:

~~Sec. 5-2. Differential county license fees; rabies vaccination tags~~

Sec. 5-2. Differential county and commercial pet breeder license fees; rabies vaccination tags.

(a) It shall be unlawful for the owner of any pet to fail to provide any pet over ~~six (6) four~~ months of age with a current county license tag. The owner of any pet over ~~six (6) four (4)~~ months of age must also have a current rabies vaccination tag showing that such pet has been vaccinated by a licensed veterinarian. No license will be issued unless proof of inoculation is

shown. Any pet owner who moves into the county for the purpose of establishing residency shall have thirty (30) days in which to obtain the license.

(b) The county license fee for fertile pets shall be twenty dollars (\$20.00) per year. The county license fee for sterilized pets shall be four dollars (\$4.00) per year. Licenses will expire one (1) year after the date of issue, and owners will have until the end of the month of original issue to renew the licenses.

(c) The ~~animal care department~~ Animal Care Department shall annually provide a sufficient number of durable tags suitable for pets numbered from one (1) upwards on which shall be stamped the year and the words "pet license." Such tags must be worn by all pets in the county at all times. Any pet owner who has their animal tattooed may register the tattoo number with the ~~animal care department~~ Animal Care Department in addition to obtaining a tag.

(d) It shall be unlawful for a commercial pet breeder to fail to obtain a county commercial pet breeder license. The requirements for such a license are as follows:

(1) Individuals engaged or intending to engage in breeding as a business, occupation, or profession must obtain a commercial pet breeder license from the Animal Care Department. Additionally, such breeders must obtain a separate business license through the County's Business Service Center.

(2) First time applicants must have all pets that have reached the age of four (4) months, currently licensed with a County pet license, before applying for the commercial pet breeder license.

(3) The Animal Care Department, through its Animal Care Officers, shall conduct an inspection of the property for the license requested by the applicant to determine whether the applicant qualifies to hold a license pursuant to this section.

(4) During an inspection, an Animal Care Officer will be looking for the following:

a.) The enclosure where the pets are being kept should be constructed in such a manner that any pets housed there will be adequately and comfortably kept in any season of the year.

b.) The location of all pet enclosures should be in such a position so that it can be easily cleaned and sanitized. Any kennels or yards that are connected or are used to confine the pets must be kept clean and free from accumulations of feces, filth, mud and debris.

c.) Every pet on the premises should have constant access to a clean and fresh water supply. All pets must also have an adequate amount of appropriate food to maintain each pet's normal condition of health.

- d.) The premises must be set up in such a manner as to not allow pets to stray beyond its enclosed confines. The setup must also prevent the public and stray animals from obtaining entrance into or gaining contact with any pets on the premises.
- e.) Every pet that has reached the age of four (4) months on the premises must have a valid pet license on file with Richland County.
- (5) A license will not be issued to an applicant that has pled no contest, or has been found to have violated any federal, state, or local laws or regulations pertaining to animal cruelty within (5) years of the date of application.
- (6) License registration should be made prior to any litter being delivered. Failure to timely register under this ordinance may result in additional penalties.
- (7) A commercial pet breeder license is not transferrable to another person or location.
- (8) The inspection fee for a county commercial pet breeder license shall be one hundred (\$100.00) dollars annually. The license shall expire one year after the date of issue.
- (9) Any violations found under the provisions of this Chapter shall be grounds for the suspension of the commercial pet breeder license if deemed necessary by the Animal Care Department. Re-instatement shall be determined on a case by case basis.
- i. The commercial pet breeder license of any licensee whose license has been suspended shall remain inactive and all breeding shall cease until the license has been reinstated or a new license is issued.
- (10) In addition to the inspection fee for the commercial pet breeder license, a pet breeder is required to adhere to the licensing requirements of the county pet license as set forth in subsections (a) and (b) of this section; so that there is a requirement of one (1) commercial pet breeder license per breeder in addition to one (1) county pet license per pet that has reached a minimum age of four (4) months and is still in their custody.

SECTION III. Exemptions from differential licensing

Section 5-3, Exemptions from differential licensing; is hereby amended to read as follows:

- (a) The following classifications of owners of pets shall be exempt from paying the higher license fee for fertile pets. These exempt persons shall be required to purchase a license for their pet but will pay only a fee of four dollars (\$4.00) for each license and will not be required to have the pet spayed/neutered:

1. Any owner of a pet who can furnish a statement from a licensed veterinarian that the pet, due to health reasons, could not withstand spay/neuter surgery;
 2. Any owner of one or more purebred pets who can furnish proof of participation in at least three nationally recognized conformation or performance events within the past twelve months.
 3. ~~Any owner of a dog that is currently being used for hunting purposes and is properly registered with South Carolina Wildlife Department and whose owner has a valid South Carolina Hunting license. Any owner of a dog that is currently being used for hunting purposes and has properly been registered with a nationally recognized organization which sanctions hunting tests and/or field trials. Such registration must be accompanied by proper documentation that will be required to receive this exemption.~~
- (b) Any ~~individual who is handicapped and who owns a dog which is used for seeing, hearing, or other such assistance purposes~~ owner of a dog which is trained to be an assistance dog for its owner shall be required to obtain an annual license but shall not be required to pay any license fee.
- (c) The county ~~animal care department~~ Animal Care Department shall ~~obtain~~ maintain the name and address of each party to whom a license and tag have been issued under the provisions of this section and shall keep the same on file in the offices of the department for the purpose of identification.

SECTION IV. 5-4, Dangerous or vicious animals,

Section 5-4, Dangerous or vicious animals, is hereby amended to read as follows:

- (a) No person owning or harboring or having the care or the custody of a dangerous animal may permit the animal to go unconfined on his premises. A dangerous animal is unconfined as the term is used in this section if the animal is ~~not~~ not securely confined indoors or confined in a securely enclosed and locked pen or "run" area upon the person's premises. The pen or run area also must have either: 1) sides six (6) feet high, or 2) a secure top. If the pen or structure has no bottom secured to the sides, the sides must be imbedded into the ground at a depth of no less than one (1) foot. However, the provisions of this section shall not apply to any animal that is owned by a licensed security company and is on patrol in a confined area.
- (b) For the purposes of this section a dangerous or vicious animal shall be defined to be any one of the following:

- (1) Any animal with a propensity, tendency or disposition to attack, to cause injury to, or to otherwise endanger the safety of human beings or other domestic animals; or
- (2) Any animal which attacks a human being or other domestic animal one or more times without provocation whether or not such attack occurs on the premises of the animal's owner; or
- (3) An animal owned or harbored primarily or in part for the purpose of animal fighting or an animal trained for animal fighting.

(c) Any animal that has been determined to be a dangerous or vicious animal may be impounded by the Animal Care Department. Such animals shall not be euthanized unless the owner has surrendered the animal to the animal ~~shelter-care facility~~ and has completed and signed a surrender form or until a hearing is held before an appropriate magistrate and the magistrate has determined that the animal should be euthanized. However, if the magistrate has determined that the owner may redeem the animal, the Animal Care Department shall release the animal upon receipt of all redemption fees as described in Section 5-14, below. If the owner does not pay the redemption fees within five (5) days of the magistrate's order, the animal shall become the property of the ~~animal shelter-Animal Care Department~~ and may be euthanized.

SECTION V. Running at large

Section 5-5, Running at large – restraint, is hereby amended to read as follows:

(a) All domestic animals must be kept under restraint or confinement. Any domestic animal not so restrained will be deemed unlawfully running at large in the unincorporated area of the county. Provided, however, this subsection shall not apply to domestic cats that have been spayed or neutered. ~~This subsection shall not require domestic cats to be kept under restraint or confinement by means of a restraining device. Provided, however, this subsection shall deem a domestic cat unlawfully at large if it leaves the owner's premises unaccompanied by its owner or custodian.~~

(b) Dogs that are participating in hunting events, obedience trials, conformation shows, tracking tests, herding trials, ~~or~~ lure courses and other events similar in nature shall not be considered "at large."

~~(c) In the interest of public safety, if an Animal Care Officer witnesses an animal not under restraint, the officer may exercise the authority to pursue the animal(s) onto private property and/or into an enclosed fenced yard. This authority may only be exercised if it has been determined by the officer that the animal is clearly able to enter and exit from the premises unrestrained and presents an immediate threat of bodily harm to public safety such as, but not limited to: aggressively charging, attempting to bite, or displaying obvious unprovoked acts of aggression. Such pursuit shall end at such time as the animal is no longer at large and/or is under~~

restraint. If an immediate threat to public safety is absent, then a search warrant must be executed in order to enter an enclosed fenced yard.

SECTION VI. Injured or diseased pets

5-7, Injured or diseased pets, is hereby amended to read as follows:

Anyone striking a pet with a motor vehicle or bicycle shall notify the county ~~animal care department~~ Animal Care Department who will then take action necessary to make proper disposition of the pet. Any pet received by the animal ~~shelter care facility~~ in critical condition from wounds, injuries, or disease may receive sustaining treatment by a licensed veterinarian until such time as the owner of the pet is contacted. Every effort possible shall be made to contact the owner or veterinarian of the pet via information obtained from its tag or microchip. Any such pet in critical condition, as described in this section, may be humanely destroyed if the owner or veterinarian cannot be contacted within ~~five (5)~~ two (2) hours. If the pet is in severe pain it may be destroyed immediately with agreement from a licensed veterinarian.

SECTION VII. Nuisance animals

Section 5-8, Nuisance animals, is hereby amended to read as follows:

- (a) The actions of an animal constitute a nuisance when an animal disturbs the rights of, threatens the safety of, or damages a member of the general public, or interferes with the ordinary use and enjoyment of their property.
- (b) It shall be unlawful for any person to own, keep, possess, or maintain an animal in such a manner so as to constitute a public nuisance. By way of example, and not of limitation, the following acts or actions by an owner or possessor of any animal are hereby declared to be a public nuisance and are, therefore, unlawful:
 - (1) Failure to exercise sufficient restraint necessary to control an animal as required by Section 5-5.
 - (2) Allowing or permitting an animal to damage the property of anyone other than its owner, including, but not limited to, turning over garbage containers or damaging gardens, flowers, or vegetables.
 - (3) Failure to maintain a dangerous animal in a manner other than that which is described in section 5-4.
 - (4) Maintaining animals in an environment of unsanitary conditions which results in offensive odors or is dangerous to the animal or to the public health, welfare or safety.

- (5) Maintaining his or her property in a manner that is offensive, annoying, or dangerous to the public health, safety, or welfare of the community because of the number, type, variety, density, or location of the animals on the property
 - (6) Allowing or permitting an animal to bark, whine, or howl in an excessive, unwarranted, and continuous or untimely fashion, or make other noise in such a manner so as to result in a serious annoyance or interference with the reasonable use and enjoyment of neighboring premises.
 - (7) Maintaining an animal that is diseased and dangerous to the public health.
 - (8) Maintaining an animal that habitually or repeatedly chases, snaps at, attacks, or barks at pedestrians, bicycles, or vehicles.
- (c) An animal that has been determined to be a habitual nuisance by the ~~animal care department~~ Animal Care Department may be impounded and may not be returned to the owner until said owner can produce evidence to demonstrate that the situation creating the nuisance has been abated.
 - (d) Every female animal in heat shall be kept confined in a building or secure enclosure in such manner as will not create a nuisance by attracting other animals.

SECTION VIII. Sale of pets

Section 5-10, Sale of pets, is hereby amended to read as follows:

- (a) No person shall sell, trade, barter, auction, lease, rent, give away, or display for commercial purpose, any live pet, on any roadside, public right- of-way, public property, commercial parking lot or sidewalk, or at any flea market, fair or carnival.
- (b) No person shall offer a pet as an inducement to purchase a product, commodity or service.
- (c) No person shall sell, offer for sale or give away any pet under eight (8) weeks of age, except as surrender to a municipal and/or county animal ~~shelter-care facility~~ or to a licensed pet rescue organization.
- (d) Licensed pet shops, commercial kennels, municipal and/or county animal-~~shelters~~ care facilities, and licensed pet rescue organizations are exempt from the requirements of this section.

SECTION IX. Seizure and right of entry to protect abandoned, neglected, or cruelly treated animals

Section 5-12, Seizure and right of entry to protect abandoned, neglected, or cruelly treated animals, is hereby amended to read as follows:

(a) If the owner does not give permission, the ~~animal control officer~~ Animal Care Officer may obtain a search warrant to enter any premises upon which it is suspected a violation of this chapter exists. Once upon the premises, the officer may examine such animal and may take immediate custody of the animal when, in his or her opinion, it requires removal from the premises. The ~~animal control officer~~ Animal Care Officer shall thereafter petition the appropriate magistrate for a hearing, which shall be a civil proceeding. The hearing shall be set not more than ten days from the date of the seizure of the animal to determine whether the owner, if known, is able to adequately provide for the animal and is a fit person to own the animal. The ~~animal control officer~~ Animal Care Officer shall cause to be served upon the owner, if known and residing within the jurisdiction wherein the animal is found, written notice at least five (5) days prior to the hearing of the time and place of the hearing. If the owner is not known or cannot be found within the jurisdiction wherein the animal was found, the ~~animal control officer~~ Animal Care Officer shall post a copy of the notice at the property where the animal was seized. The pet or animal shall remain in the custody and care of the ~~animal shelter~~ Animal Care Department until such matter is heard before the magistrate. The magistrate shall make the final determination as to whether the animal is returned to the owner or whether title is transferred to the ~~animal shelter~~ Animal Care Department whereby the animal may be put up for adoption or humanely destroyed. If the magistrate orders the return of the animal to its owner, the ~~animal control officer care facility~~ shall release the animal upon receipt from the owner of all redemption fees as described in Section 5-14, below. If the owner does not pay the redemption fees within five (5) days of the magistrate's order, the animal shall become the property of the ~~animal control shelter~~ Animal Care Department and may be placed for adoption or euthanized. The court, in determining whether the owner is able to adequately provide for the animal or is a fit person to own the animal, may take into consideration, among other things, the owner's past record of convictions under this chapter, or one similar thereto, and the owner's mental and physical condition.

(b) Nothing in this section shall be construed to prohibit the euthanization of a critically injured or ill animal for humane purposes.

SECTION X. Impounding

Section 5-13, Impounding, is hereby amended to read as follows:

- (a) Any animal found within the unincorporated area of the county in violation of the provisions of this chapter may be caught and impounded by county authorities. If an animal cannot be caught in a safe, efficient manner, animal care personnel may tranquilize the animal by use of a tranquilizer gun. The ~~animal care department~~ Animal Care Department may, thereafter, make available for adoption or humanely destroy impounded animals not redeemed within five (5) days. Animals impounded at the animal care facility, which are deemed by the Superintendent of Animal Services, or his/her designee in agreement with a licensed veterinarian, to constitute a danger to other animals or persons at the facility, or which are infectious to other animals, in pain or near death, may be humanely destroyed immediately.

- (b) When a person arrested is, at the time of the arrest, in charge of an animal, the county ~~animal care department~~ Animal Care Department may take charge of the animal and deposit the animal in a safe place of custody or impound the animal at its animal ~~shelter-~~ care facility.
- (c) The county may transfer title of all animals held at its animal ~~shelter-~~ care facility after the legal detention period has expired and its owner has not claimed the animal.

~~(d) Immediately after impounding a pet that is wearing a abies tag, a county license tag, or another identification tag, or a pet has an implanted identification microchip or an obvious identification tattoo, a reasonable effort will be made to locate the owner and to inform him or her of the circumstances under which he or she may regain custody of the pet impounded by the county reflection its disposition.~~

(d) A positively identifiable animal is one which bears or wears a legible and traceable current permanent number, county license tag or rabies vaccination tag pursuant to section 5-2; or traceable number, tattoo or microchip pursuant to S.C. Code Ann. 47-3-510 (Supp.1999).

The owner of a positively identifiable impounded animal shall be notified at the owner's last known address by registered mail if attempts by telephone are not successful. The owner has 14 days from the date of mailing to contact the animal care facility for pick-up. Redemption costs will include the cost of mailing, any established costs, fines, fees or other charges. If the owner does not make contact within 14 days of the date of the mailing, the animal will be deemed abandoned and becomes the property of the animal care facility. For animals impounded at the animal care facility, the Superintendent of Animal Services, or his/her designee in agreement with a licensed veterinarian, shall either place the animal for adoption or have the animal humanely destroyed, pursuant to S. C. Code Ann. 47-3-540 (Supp. 1999).

Notwithstanding the above, animals impounded at the animal care facility, which are deemed by the Superintendent of Animal Services, or his/her designee in agreement with a licensed veterinarian to constitute a danger to other animals or persons at the facility, or which are infectious to other animals, in pain or near death may be humanely destroyed.

- (e) Any animal found "at large" may be impounded by the ~~animal care officer~~ Animal Care Officer and may not be redeemed by its owner unless such redemption is authorized by the county ~~animal care department~~ Animal Care Department, with assurance from the owner that proper care and custody will be maintained.
- (f) Any animal surrendered to the ~~animal shelter~~ Animal Care Department or Animal Care facility may be adopted or euthanized at any time provided there is a completed and signed surrender ~~firm-form~~ form on file for the animal concerned.
- (g) It shall be unlawful for any person to furnish false information on the animal surrender form.

SECTION XI. Redemption

Section 5-14, Redemption, is hereby amended to read as follows:

(a) The owner or keeper of any pet that has been impounded under the provisions of this chapter, and which has not been found to be dangerous or vicious, shall have the right to redeem such pet at any time within ~~five (5) days~~ the legal detention period outlined in 5-13 upon payment of a fee as follows:

- (1) For a pet that has been properly inoculated, ~~licensed~~ licensed, microchipped, and neutered or spayed, the fee shall be \$10.00.
- (2) For other pets the fee shall be \$10.00 plus the appropriate license fee, the charge for rabies inoculation, the cost of microchipping the pet, and the cost of spaying or neutering the pet. No fertile pet shall be redeemed or adopted unless one of the criteria under the exceptions provisions in subsections 5-3(a)(1) - (3) has been met. No pet will be released without proof of inoculation and without an implanted microchip. The requirements of spaying or neutering shall not be waived under the exceptions in subsections 5-3 (a) (1) – (3) when the animal has been impounded a second time for any violations of sections 5-4; 5-5; 5-6; 5-8; 5-9; 5-10; 5-11; 5-12 or 5-13.

(b) In addition to the redemption fee, an impound fee of \$20.00 and a board fee of \$76.00 per day per pet shall be paid by the owner or keeper when a pet is redeemed.

(c) The fees set out in this section shall be doubled for any pet impounded twice or more within the same 12-month period.

SECTION XII Adoption

Section 5-15, Adoption, is hereby amended to read as follows:

(a) Any animal impounded under the provisions of this chapter may at the end of the legal detention period be adopted provided the new owner will agree to comply with the provisions contained herein.

(b) All adult pets adopted from the animal shelter shall be spayed or neutered, and inoculated against rabies. Any pet surrendered to the Animal Care Department or Animal Care facility may be adopted at any time provided there is a completed and signed surrender form on file for the animal concerned.

(c) Those individuals adopting puppies or kittens too young to be neutered or spayed or receive rabies inoculations will pay the cost of these procedures at the time of adoption and be given an appointment for a later time to have these procedures accomplished. In the event the animal is deceased prior to the appointment date, the applicable portion of the adoption fee will be returned.

(d) Fees for the adopted pets will be the same as those established for the redemption of impounded pets, together with the cost of microchipping.

SECTION XIII. Sec. 5-16, is hereby re-titled and amended to read as follows:

Section 5-16. Prohibited; exceptions

(a) Except as provided in subsection 5-16(d), it shall be unlawful for any person to sell, own, keep, harbor, or act as custodian of a:

- (1) a. Nondomestic member of the family felidae;
- b. Wolf-dog hybrid containing any percentage of wolf;
- c. Badger, wolverine, weasel, skunk and mink;
- d. Raccoon;
- e. Bear;
- f. Nonhuman primate to include ape, monkey, baboon, macaque, lemur;
- g. Marmoset, tamarin and other species of the order primates;
- h. Bat;
- i. Alligator, crocodile and caiman;
- j. Poisonous scorpion;
- k. Constricting snake of the following species: reticulated python, python reticulatus; Burmese/Indian rock python, python molurus; rock python, python sebae, and anaconda, eunectes murinus;
- l. Venomous reptile; or
- m. Lizard over two feet which are members of the family varanidae.

(b) It shall be unlawful for any person to own, keep, harbor, act as custodian of, expose to public view or contact, exhibit either gratuitously or for a fee, any wild or feral animals identified in this subsection, or any animal of mixed domestication and feral lineage within the unincorporated areas of the county on public or private property, except as provided in subsection 5-16(d).

(c) Wild or feral animal means:

(1) Any animal which is not naturally tame or gentle, and which is of a wild nature or disposition, and which is capable of killing, inflicting serious injury upon, or causing disease among, human beings or domestic animals and having known tendencies as a species to do so;

(2) Any non-domesticated member of the order Carnivora;

(3) The following animals which shall be deemed to be wild or feral animals per se:

- a. All nondomestic members of the family felidae;
- b. Wolves, wolf-dog hybrids containing any percentage of wolf, coyotes and foxes;
- c. Badgers, wolverines, weasels, skunks and mink;
- d. Raccoons;
- e. Bears;
- f. Nonhuman primates to include apes, monkeys, baboons, macaques, lemurs, marmosets, tamarins and other species of the order primates;
- g. Bats;
- h. Alligators, crocodiles and caimans;
- i. Poisonous scorpion;
- j. Any snakes or venomous reptile; or
- k. Lizards over two feet which are members of the family varanidae;

(d) The prohibition contained in subsections (a), (b) and (c) above, shall not apply to the keeping of wild or feral animals in the following circumstances:

- (1) The keeping of wild or feral animals in a public zoo, bona fide education or medical institution, humane society, or museum where they are kept as live specimens for the public to view, or for the purpose of instruction, research or study.
- (2) The keeping of wild or feral animals for exhibition to the public by a bona fide traveling circus, carnival, exhibit or show, properly licensed and permitted by state and local law.
- (3) The keeping of wild or feral animals in a bona fide, licensed veterinary hospital for treatment.
- (4) The keeping of wild or feral animals by a wildlife rescue organization with appropriate permits from any state or local regulatory body.

SECTION XIV. Interference with animal care officers

Sec. 5-17, is hereby re-titled and amended to read as follows:

Section 5-17. Interference with ~~animal care officers~~ Animal Care Officers.

It shall be unlawful for any person to interfere with, hinder, or molest an ~~animal care officer~~ Animal Care Officer in the performance of his or her duty or seek to release any pet in his/her custody without his/her consent.

SECTION XV. Complainant's identification to remain confidential.

Section 5-18, is hereby re-titled and amended to read as follows:

Section 5-18. Complainant's identification to remain confidential.

The identity, or information tending to reveal the identity, of any individual who in good faith makes a complaint or otherwise discloses information, which alleges a violation of this chapter, shall remain confidential to the agency receiving the report unless the complainant authorizes the release of his or her identity.

SECTION XVI. Penalties

Section 5-19, is hereby added and adapted from the previous version to read as follows:

Sec. 5-19. Penalties.

(a) Any person who violates the provisions of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine not exceeding five hundred dollars (\$500.00) or imprisonment not exceeding thirty (30) days, or both. Each day's continuing violation shall constitute a separate and distinct offense.

(b) The owner or person having charge or custody of an animal cruelly used who is convicted of any violation of this chapter forfeits ownership, charge, or custody of the animal and at the discretion of the court, the person who is charged with or convicted of a violation of this chapter must be ordered to pay costs incurred to care for the animal and related expenses.

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

SECTION XIX. Effective Date. This ordinance shall be effective from and after _____.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE _____ DAY

OF _____, 2011.

Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY

ORDINANCE NO. _____-11HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 5, ANIMALS AND FOWL, SO AS TO CLARIFY SECTIONS DEALING WITH AUTHORITY OF OFFICERS, CONDITIONS OF IMPOUNDMENT, REDEMPTION OF ANIMALS AND OWNER RESPONSIBILITIES.

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

SECTION I. Definitions

Section 5-1, Definitions; is hereby amended to read as follows:

Whenever used in this chapter, unless a contrary intention is clearly evidenced, the following terms shall be interpreted as herein defined.

Abandon shall mean to desert, forsake, or intend to give up absolutely an animal without securing another owner.

Abuse shall mean the act of any person who deprives any animal of necessary sustenance or shelter, or inflicts unnecessary pain or suffering upon any animal, or causes these things to be done.

Animal shall mean, in addition to dog and cat, any organism of the kingdom of Animalia, other than a human being.

Animal ~~care officer~~ Care Officer shall mean any person employed by the county to enforce the animal care program.

Animal ~~shelter~~ Care Facility shall mean any premises designated by the county for the purpose of impounding, care, adoption, or euthanasia of dogs and cats held under authority of this chapter.

At large shall mean a pet running off the premises of the owner or keeper and not under the physical control of the owner or keeper by means of a leash or other similar restraining device.
A cat is not considered at large unless it is running off of the premises of the owner or keeper and not under the physical control of the owner or keeper.

Domestic shall mean any animal which shares the genetic makeup and/or physical appearance of its ancestors which were historically domesticated for human companionship and service.

Non-domestic shall mean any animal which shares the genetic makeup and/or physical appearance of its ancestors which were not historically domesticated for human companionship and service.

Nuisance shall mean an animal that disturbs the rights of, threatens the safety of, or damages a member of the general public, or interferes with the ordinary use and enjoyment of their property.

Owner shall mean any person who:

- (1) Has a property right in an animal;
- (2) Keeps or harbors an animal or who has it in his or her care or acts as its custodian; or
- (3) Permits an animal to remain on or about any premises occupied by him or her.

Pet shall mean a domestic dog (canis familiaris) and/or a domestic cat (felis catus domesticus).

Shelter shall mean any structure appropriately sized for the pet to stand or lie in a normal manner. The structure must have a roof, three sides, appropriate sized opening for the entry and exit and a floor so as to protect the pet from the elements of weather.

Under restraint shall mean a pet that is on the premise of its owner or keeper by means of a leash, fence or other similar restraining device, or is on the premises of its owner or keeper and accompanied by the owner/keeper, or a pet that is off the premises of its owner or keeper but is accompanied by its owner or keeper and is under the physical control of such owner or keeper by means of a leash or other similar restraining device.

SECTION II. Differential county license fees; rabies vaccination tags

Section 5-2, Differential county license fees; rabies vaccination tags, is amended to read as follows:

~~Sec. 5-2. Differential county license fees; rabies vaccination tags~~

Sec. 5-2. Differential county and commercial pet breeder license fees; rabies vaccination tags.

(a) It shall be unlawful for the owner of any pet to fail to provide any pet over ~~six (6) four~~ months of age with a current county license tag. The owner of any pet over ~~six (6) four (4)~~ months of age must also have a current rabies vaccination tag showing that such pet has been vaccinated by a licensed veterinarian. No license will be issued unless proof of inoculation is shown. Any pet owner who moves into the county for the purpose of establishing residency shall have thirty (30) days in which to obtain the license.

(b) The county license fee for fertile pets shall be twenty dollars (\$20.00) per year. The county license fee for sterilized pets shall be four dollars (\$4.00) per year. Licenses will expire one (1) year after the date of issue, and owners will have until the end of the month of original issue to renew the licenses.

(c) The ~~animal care department~~ Animal Care Department shall annually provide a sufficient number of durable tags suitable for pets numbered from one (1) upwards on which shall be stamped the year and the words "pet license." Such tags must be worn by all pets in the county at all times. Any pet owner who has their animal tattooed may register the tattoo number with the ~~animal care department~~ Animal Care Department in addition to obtaining a tag.

(d) It shall be unlawful for a commercial pet breeder to fail to obtain a county commercial pet breeder license. The requirements for such a license are as follows:

(1) Individuals engaged or intending to engage in breeding as a business, occupation, or profession must obtain a commercial pet breeder license from the Animal Care Department. Additionally, such breeders must obtain a separate business license through the County's Business Service Center.

(2) First time applicants must have all pets that have reached the age of four (4) months, currently licensed with a County pet license, before applying for the commercial pet breeder license.

(3) The Animal Care Department, through its Animal Care Officers, shall conduct an inspection of the property for the license requested by the applicant to determine whether the applicant qualifies to hold a license pursuant to this section.

(4) During an inspection, an Animal Care Officer will be looking for the following:

a.) The enclosure where the pets are being kept should be constructed in such a manner that any pets housed there will be adequately and comfortably kept in any season of the year.

b.) The location of all pet enclosures should be in such a position so that it can be easily cleaned and sanitized. Any kennels or yards that are connected or are used to confine the pets must be kept clean and free from accumulations of feces, filth, mud and debris.

c.) Every pet on the premises should have constant access to a clean and fresh water supply. All pets must also have an adequate amount of appropriate food to maintain each pet's normal condition of health.

d.) The premises must be set up in such a manner as to not allow pets to stray beyond its enclosed confines. The setup must also prevent the public and stray animals from obtaining entrance into or gaining contact with any pets on the premises.

- e.) Every pet that has reached the age of four (4) months on the premises must have a valid pet license on file with Richland County.
- (5) A license will not be issued to an applicant that has pled no contest, or has been found to have violated any federal, state, or local laws or regulations pertaining to animal cruelty within (5) years of the date of application.
- (6) License registration should be made prior to any litter being delivered. Failure to timely register under this ordinance may result in additional penalties.
- (7) A commercial pet breeder license is not transferrable to another person or location.
- (8) The inspection fee for a county commercial pet breeder license shall be one hundred (\$100.00) dollars annually. The license shall expire one year after the date of issue.
- (9) Any violations found under the provisions of this Chapter shall be grounds for the suspension of the commercial pet breeder license if deemed necessary by the Animal Care Department. Re-instatement shall be determined on a case by case basis.
- i. The commercial pet breeder license of any licensee whose license has been suspended shall remain inactive and all breeding shall cease until the license has been reinstated or a new license is issued.
- (10) In addition to the inspection fee for the commercial pet breeder license, a pet breeder is required to adhere to the licensing requirements of the county pet license as set forth in subsections (a) and (b) of this section; so that there is a requirement of one (1) commercial pet breeder license per breeder in addition to one (1) county pet license per pet that has reached a minimum age of four (4) months and is still in their custody.

SECTION III. Exemptions from differential licensing

Section 5-3, Exemptions from differential licensing; is hereby amended to read as follows:

- (a) The following classifications of owners of pets shall be exempt from paying the higher license fee for fertile pets. These exempt persons shall be required to purchase a license for their pet but will pay only a fee of four dollars (\$4.00) for each license and will not be required to have the pet spayed/neutered:
1. Any owner of a pet who can furnish a statement from a licensed veterinarian that the pet, due to health reasons, could not withstand spay/neuter surgery;

2. Any owner of one or more purebred pets who can furnish proof of participation in at least three nationally recognized conformation or performance events within the past twelve months.
 3. ~~Any owner of a dog that is currently being used for hunting purposes and is properly registered with South Carolina Wildlife Department and whose owner has a valid South Carolina Hunting license. Any owner of a dog that is currently being used for hunting purposes and has properly been registered with a nationally recognized organization which sanctions hunting tests and/or field trials. Such registration must be accompanied by proper documentation that will be required to receive this exemption.~~
- (b) Any ~~individual who is handicapped and who owns a dog which is used for seeing, hearing, or other such assistance purposes~~ owner of a dog which is trained to be an assistance dog for its owner shall be required to obtain an annual license but shall not be required to pay any license fee.
- (c) The county ~~animal care department~~ Animal Care Department shall ~~obtain~~ maintain the name and address of each party to whom a license and tag have been issued under the provisions of this section and shall keep the same on file in the offices of the department for the purpose of identification.

SECTION IV. 5-4, Dangerous or vicious animals,

Section 5-4, Dangerous or vicious animals, is hereby amended to read as follows:

- (a) No person owning or harboring or having the care or the custody of a dangerous animal may permit the animal to go unconfined on his premises. A dangerous animal is unconfined as the term is used in this section if the animal is ~~not~~ not securely confined indoors or confined in a securely enclosed and locked pen or "run" area upon the person's premises. The pen or run area also must have either: 1) sides six (6) feet high, or 2) a secure top. If the pen or structure has no bottom secured to the sides, the sides must be imbedded into the ground at a depth of no less than one (1) foot. However, the provisions of this section shall not apply to any animal that is owned by a licensed security company and is on patrol in a confined area.
- (b) For the purposes of this section a dangerous or vicious animal shall be defined to be any one of the following:
- (1) Any animal with a propensity, tendency or disposition to attack, to cause injury to, or to otherwise endanger the safety of human beings or other domestic animals; or

(2) Any animal which attacks a human being or other domestic animal one or more times without provocation whether or not such attack occurs on the premises of the animal's owner; or

(3) An animal owned or harbored primarily or in part for the purpose of animal fighting or an animal trained for animal fighting.

(c) Any animal that has been determined to be a dangerous or vicious animal may be impounded by the Animal Care Department. Such animals shall not be euthanized unless the owner has surrendered the animal to the animal ~~shelter-care facility~~ and has completed and signed a surrender form or until a hearing is held before an appropriate magistrate and the magistrate has determined that the animal should be euthanized. However, if the magistrate has determined that the owner may redeem the animal, the Animal Care Department shall release the animal upon receipt of all redemption fees as described in Section 5-14, below. If the owner does not pay the redemption fees within five (5) days of the magistrate's order, the animal shall become the property of the ~~animal shelter~~ Animal Care Department and may be euthanized.

SECTION V. Running at large

Section 5-5, Running at large – restraint, is hereby amended to read as follows:

(a) All domestic animals must be kept under restraint or confinement. Any domestic animal not so restrained will be deemed unlawfully running at large in the unincorporated area of the county. Provided, however, this subsection shall not apply to domestic cats that have been spayed or neutered. ~~This subsection shall not require domestic cats to be kept under restraint or confinement by means of a restraining device. Provided, however, this subsection shall deem a domestic cat unlawfully at large if it leaves the owner's premises unaccompanied by its owner or custodian.~~

(b) Dogs that are participating in hunting events, obedience trials, conformation shows, tracking tests, herding trials, ~~or~~ lure courses and other events similar in nature shall not be considered "at large."

~~(c) In the interest of public safety, if an Animal Care Officer witnesses an animal not under restraint, the officer may exercise the authority to pursue the animal(s) onto private property and/or into an enclosed fenced yard. This authority may only be exercised if it has been determined by the officer that the animal is clearly able to enter and exit from the premises unrestrained and presents an immediate threat of bodily harm to public safety such as, but not limited to: aggressively charging, attempting to bite, or displaying obvious unprovoked acts of aggression. Such pursuit shall end at such time as the animal is no longer at large and/or is under restraint. If an immediate threat to public safety is absent, then a search warrant must be executed in order to enter an enclosed fenced yard.~~

SECTION VI. Injured or diseased pets

5-7, Injured or diseased pets, is hereby amended to read as follows:

Anyone striking a pet with a motor vehicle or bicycle shall notify the county ~~animal care department~~ Animal Care Department who will then take action necessary to make proper disposition of the pet. Any pet received by the animal ~~shelter care facility~~ in critical condition from wounds, injuries, or disease may receive sustaining treatment by a licensed veterinarian until such time as the owner of the pet is contacted. Every effort possible shall be made to contact the owner or veterinarian of the pet via information obtained from its tag or microchip. Any such pet in critical condition, as described in this section, may be humanely destroyed if the owner or veterinarian cannot be contacted within ~~five (5)~~ two (2) hours. If the pet is in severe pain it may be destroyed immediately with agreement from a licensed veterinarian.

SECTION VII. Nuisance animals

Section 5-8, Nuisance animals, is hereby amended to read as follows:

- (a) The actions of an animal constitute a nuisance when an animal disturbs the rights of, threatens the safety of, or damages a member of the general public, or interferes with the ordinary use and enjoyment of their property.
- (b) It shall be unlawful for any person to own, keep, possess, or maintain an animal in such a manner so as to constitute a public nuisance. By way of example, and not of limitation, the following acts or actions by an owner or possessor of any animal are hereby declared to be a public nuisance and are, therefore, unlawful:
 - (1) Failure to exercise sufficient restraint necessary to control an animal as required by Section 5-5.
 - (2) Allowing or permitting an animal to damage the property of anyone other than its owner, including, but not limited to, turning over garbage containers or damaging gardens, flowers, or vegetables.
 - (3) Failure to maintain a dangerous animal in a manner other than that which is described in section 5-4.
 - (4) Maintaining animals in an environment of unsanitary conditions which results in offensive odors or is dangerous to the animal or to the public health, welfare or safety.
 - (5) Maintaining his or her property in a manner that is offensive, annoying, or dangerous to the public health, safety, or welfare of the community because of the number, type, variety, density, or location of the animals on the property
 - (6) Allowing or permitting an animal to bark, whine, or howl in an excessive, unwarranted, and continuous or untimely fashion, or make other noise in such a

manner so as to result in a serious annoyance or interference with the reasonable use and enjoyment of neighboring premises.

(7) Maintaining an animal that is diseased and dangerous to the public health.

(8) Maintaining an animal that habitually or repeatedly chases, snaps at, attacks, or barks at pedestrians, bicycles, or vehicles.

(c) An animal that has been determined to be a habitual nuisance by the ~~animal care department~~Animal Care Department may be impounded and may not be returned to the owner until said owner can produce evidence to demonstrate that the situation creating the nuisance has been abated.

(d) Every female animal in heat shall be kept confined in a building or secure enclosure in such manner as will not create a nuisance by attracting other animals.

SECTION VIII. Sale of pets

Section 5-10, Sale of pets, is hereby amended to read as follows:

(a) No person shall sell, trade, barter, auction, lease, rent, give away, or display for commercial purpose, any live pet, on any roadside, public right-of-way, public property, commercial parking lot or sidewalk, or at any flea market, fair or carnival.

(b) No person shall offer a pet as an inducement to purchase a product, commodity or service.

(c) No person shall sell, offer for sale or give away any pet under eight (8) weeks of age, except as surrender to a municipal and/or county animal ~~shelter care facility~~ or to a licensed pet rescue organization.

(d) Licensed pet shops, commercial kennels, municipal and/or county animal ~~shelters care facilities~~, and licensed pet rescue organizations are exempt from the requirements of this section.

SECTION IX. Seizure and right of entry to protect abandoned, neglected, or cruelly treated animals

Section 5-12, Seizure and right of entry to protect abandoned, neglected, or cruelly treated animals, is hereby amended to read as follows:

(a) If the owner does not give permission, the ~~animal control officer~~Animal Care Officer may obtain a search warrant to enter any premises upon which it is suspected a violation of this chapter exists. Once upon the premises, the officer may examine such animal and may take immediate custody of the animal when, in his or her opinion, it requires removal from the premises. The ~~animal control officer~~Animal Care Officer shall thereafter petition the appropriate

magistrate for a hearing, which shall be a civil proceeding. The hearing shall be set not more than ten days from the date of the seizure of the animal to determine whether the owner, if known, is able to adequately provide for the animal and is a fit person to own the animal. The ~~animal control officer~~ Animal Care Officer shall cause to be served upon the owner, if known and residing within the jurisdiction wherein the animal is found, written notice at least five (5) days prior to the hearing of the time and place of the hearing. If the owner is not known or cannot be found within the jurisdiction wherein the animal was found, the ~~animal control officer~~ Animal Care Officer shall post a copy of the notice at the property where the animal was seized. The pet or animal shall remain in the custody and care of the ~~animal shelter~~ Animal Care Department until such matter is heard before the magistrate. The magistrate shall make the final determination as to whether the animal is returned to the owner or whether title is transferred to the ~~animal shelter~~ Animal Care Department whereby the animal may be put up for adoption or humanely destroyed. If the magistrate orders the return of the animal to its owner, the ~~animal control officer~~ care facility shall release the animal upon receipt from the owner of all redemption fees as described in Section 5-14, below. If the owner does not pay the redemption fees within five (5) days of the magistrate's order, the animal shall become the property of the ~~animal control shelter~~ Animal Care Department and may be placed for adoption or euthanized. The court, in determining whether the owner is able to adequately provide for the animal or is a fit person to own the animal, may take into consideration, among other things, the owner's past record of convictions under this chapter, or one similar thereto, and the owner's mental and physical condition.

(b) Nothing in this section shall be construed to prohibit the euthanization of a critically injured or ill animal for humane purposes.

SECTION X. Impounding

Section 5-13, Impounding, is hereby amended to read as follows:

- (a) Any animal found within the unincorporated area of the county in violation of the provisions of this chapter may be caught and impounded by county authorities. If an animal cannot be caught in a safe, efficient manner, animal care personnel may tranquilize the animal by use of a tranquilizer gun. The ~~animal care department~~ Animal Care Department may, thereafter, make available for adoption or humanely destroy impounded animals not redeemed within five (5) days. Animals impounded at the animal care facility, which are deemed by the Superintendent of Animal Services, or his/her designee in agreement with a licensed veterinarian, to constitute a danger to other animals or persons at the facility, or which are infectious to other animals, in pain or near death, may be humanely destroyed immediately.
- (b) When a person arrested is, at the time of the arrest, in charge of an animal, the county ~~animal care department~~ Animal Care Department may take charge of the animal and deposit the animal in a safe place of custody or impound the animal at its animal ~~shelter~~ care facility.

(c) The county may transfer title of all animals held at its animal ~~shelter-care facility~~ after the legal detention period has expired and its owner has not claimed the animal.

~~(d) Immediately after impounding a pet that is wearing a abies tag, a county license tag, or another identification tag, or a pet has an implanted identification microchip or an obvious identification tattoo, a reasonable effort will be made to locate the owner and to inform him or her of the circumstances under which he or she may regain custody of the pet impounded by the county reflection its disposition.~~

(d) A positively identifiable animal is one which bears or wears a legible and traceable current permanent number, county license tag or rabies vaccination tag pursuant to section 5-2; or traceable number, tattoo or microchip pursuant to S.C. Code Ann. 47-3-510 (Supp.1999).

The owner of a positively identifiable impounded animal shall be notified at the owner's last known address by registered mail if attempts by telephone are not successful. The owner has 14 days from the date of mailing to contact the animal care facility for pick-up. Redemption costs will include the cost of mailing, any established costs, fines, fees or other charges. If the owner does not make contact within 14 days of the date of the mailing, the animal will be deemed abandoned and becomes the property of the animal care facility. For animals impounded at the animal care facility, the Superintendent of Animal Services, or his/her designee in agreement with a licensed veterinarian, shall either place the animal for adoption or have the animal humanely destroyed, pursuant to S. C. Code Ann. 47-3-540 (Supp. 1999).

Notwithstanding the above, animals impounded at the animal care facility, which are deemed by the Superintendent of Animal Services, or his/her designee in agreement with a licensed veterinarian to constitute a danger to other animals or persons at the facility, or which are infectious to other animals, in pain or near death may be humanely destroyed.

(e) Any animal found "at large" may be impounded by the ~~animal-care-offieer~~ Animal Care Officer and may not be redeemed by its owner unless such redemption is authorized by the county ~~animal-care-department~~ Animal Care Department, with assurance from the owner that proper care and custody will be maintained.

(f) Any animal surrendered to the ~~animal-shelter~~ Animal Care Department or Animal Care facility may be adopted or euthanized at any time provided there is a completed and signed surrender ~~form~~ form on file for the animal concerned.

(g) It shall be unlawful for any person to furnish false information on the animal surrender form.

SECTION XI. Redemption

Section 5-14, Redemption, is hereby amended to read as follows:

(a) The owner or keeper of any pet that has been impounded under the provisions of this chapter, and which has not been found to be dangerous or vicious, shall have the right to redeem such pet at any time within ~~five (5) days~~ the legal detention period outlined in 5-13 upon payment of a fee as follows:

- (1) For a pet that has been properly inoculated, ~~licensed~~ licensed, microchipped, and neutered or spayed, the fee shall be \$10.00.
- (2) For other pets the fee shall be \$10.00 plus the appropriate license fee, the charge for rabies inoculation, the cost of microchipping the pet, and the cost of spaying or neutering the pet. No fertile pet shall be redeemed or adopted unless one of the criteria under the exceptions provisions in subsections 5-3(a)(1) - (3) has been met. No pet will be released without proof of inoculation and without an implanted microchip. The requirements of spaying or neutering shall not be waived under the exceptions in subsections 5-3 (a) (1) – (3) when the animal has been impounded a second time for any violations of sections 5-4; 5-5; 5-6; 5-8; 5-9; 5-10; 5-11; 5-12 or 5-13.

(b) In addition to the redemption fee, an impound fee of \$20.00 and a board fee of \$~~76~~.00 per day per pet shall be paid by the owner or keeper when a pet is redeemed.

(c) The fees set out in this section shall be doubled for any pet impounded twice or more within the same 12-month period.

SECTION XII Adoption

Section 5-15, Adoption, is hereby amended to read as follows:

(a) Any animal impounded under the provisions of this chapter may at the end of the legal detention period be adopted provided the new owner will agree to comply with the provisions contained herein.

(b) All adult pets adopted from the animal shelter shall be spayed or neutered, and inoculated against rabies. Any pet surrendered to the Animal Care Department or Animal Care facility may be adopted at any time provided there is a completed and signed surrender form on file for the animal concerned.

(c) Those individuals adopting puppies or kittens too young to be neutered or spayed or receive rabies inoculations will pay the cost of these procedures at the time of adoption and be given an appointment for a later time to have these procedures accomplished. In the event the animal is deceased prior to the appointment date, the applicable portion of the adoption fee will be returned.

(d) Fees for the adopted pets will be the same as those established for the redemption of impounded pets, together with the cost of microchipping.

SECTION XIII. Sec. 5-16, is hereby re-titled and amended to read as follows:

Section 5-16. Prohibited; exceptions

(a) Except as provided in subsection 5-16(d), it shall be unlawful for any person to sell, own, keep, harbor, or act as custodian of a:

- (1) a. Nondomestic member of the family felidae;
- b. Wolf-dog hybrid containing any percentage of wolf;
- c. Badger, wolverine, weasel, skunk and mink;
- d. Raccoon;
- e. Bear;
- f. Nonhuman primate to include ape, monkey, baboon, macaque, lemur;
- g. Marmoset, tamarin and other species of the order primates;
- h. Bat;
- i. Alligator, crocodile and caiman;
- j. Poisonous scorpion;
- k. Constricting snake of the following species: reticulated python, python reticulatus; Burmese/Indian rock python, python molurus; rock python, python sebae, and anaconda, eunectes murinus;
- l. Venomous reptile; or
- m. Lizard over two feet which are members of the family varanidae.

(b) It shall be unlawful for any person to own, keep, harbor, act as custodian of, expose to public view or contact, exhibit either gratuitously or for a fee, any wild or feral animals identified in this subsection, or any animal of mixed domestication and feral lineage within the unincorporated areas of the county on public or private property, except as provided in subsection 5-16(d).

(1) Any Richland County resident, who prior to the effective date of this ordinance, had pre-existing ownership or possession of any animal prohibited under this section shall have 180 days to comply. This 180 day period shall begin concurrent with the effective date of this ordinance.

(c) Wild or feral animal means:

- (1) Any animal which is not naturally tame or gentle, and which is of a wild nature or disposition, and which is capable of killing, inflicting serious injury upon, or causing disease among, human beings or domestic animals and having known tendencies as a species to do so;

(2) Any non-domesticated member of the order Carnivora;

(3) The following animals which shall be deemed to be wild or feral animals per se:

- a. All nondomestic members of the family felidae;
- b. Wolves, wolf-dog hybrids containing any percentage of wolf, coyotes and foxes;
- c. Badgers, wolverines, weasels, skunks and mink;
- d. Raccoons;
- e. Bears;
- f. Nonhuman primates to include apes, monkeys, baboons, macaques, lemurs, marmosets, tamarins and other species of the order primates;
- g. Bats;
- h. Alligators, crocodiles and caimans;
- i. Poisonous scorpion;
- j. Any snakes or venomous reptile; or
- k. Lizards over two feet which are members of the family varanidae;

(d) The prohibition contained in subsections (a), (b) and (c) above, shall not apply to the keeping of wild or feral animals in the following circumstances:

- (1) The keeping of wild or feral animals in a public zoo, bona fide education or medical institution, humane society, or museum where they are kept as live specimens for the public to view, or for the purpose of instruction, research or study.
- (2) The keeping of wild or feral animals for exhibition to the public by a bona fide traveling circus, carnival, exhibit or show, properly licensed and permitted by state and local law.
- (3) The keeping of wild or feral animals in a bona fide, licensed veterinary hospital for treatment.
- (4) The keeping of wild or feral animals by a wildlife rescue organization with appropriate permits from any state or local regulatory body.

SECTION XIV. Interference with animal care officers

Sec. 5-17, is hereby re-titled and amended to read as follows:

Section 5-17. Interference with ~~animal care officers~~ Animal Care Officers.

It shall be unlawful for any person to interfere with, hinder, or molest an ~~animal care officer~~ Animal Care Officer in the performance of his or her duty or seek to release any pet in his/her custody without his/her consent.

SECTION XV. Complainant's identification to remain confidential.

Section 5-18, is hereby re-titled and amended to read as follows:

Section 5-18. Complainant's identification to remain confidential.

The identity, or information tending to reveal the identity, of any individual who in good faith makes a complaint or otherwise discloses information, which alleges a violation of this chapter, shall remain confidential to the agency receiving the report unless the complainant authorizes the release of his or her identity.

SECTION XVI. Penalties

Section 5-19, is hereby added and adapted from the previous version to read as follows:

Sec. 5-19. Penalties.

(a) Any person who violates the provisions of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine not exceeding five hundred dollars (\$500.00) or imprisonment not exceeding thirty (30) days, or both. Each day's continuing violation shall constitute a separate and distinct offense.

(b) The owner or person having charge or custody of an animal cruelly used who is convicted of any violation of this chapter forfeits ownership, charge, or custody of the animal and at the discretion of the court, the person who is charged with or convicted of a violation of this chapter must be ordered to pay costs incurred to care for the animal and related expenses.

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

SECTION XIX. Effective Date. This ordinance shall be effective from and after

_____.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE _____ DAY
OF _____, 2011.

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

An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-22, Definitions; the term "Accessory Use/Structure (Building)." **[DENIAL] [PAGES 152-154]**

Notes

January 24, 2012 - The Committee recommended that Council **deny** the request to amend Section 26-22 of the Land Development Code regarding the definition of "Accessory Use Structure (Building)". The vote was in favor.

DRAFT

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE II, RULES OF CONSTRUCTION/DEFINITIONS; SECTION 26-22, DEFINITIONS; THE TERM “ACCESSORY USE/STRUCTURE (BUILDING).

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 II, Rules of Construction/Definitions; Section 26-22, Definitions; the term “Accessory Use/Structure (Buildings)” is hereby amended to read as follows:

Accessory use/structure (building). A structure or use that is clearly incidental or potentially incidental to and customarily found in connection with a principal building or use, is subordinate to and serves that principal building or use or could be potentially subordinate to and serve a principal building or use, and is subordinate in area, extent and purpose or could be potentially subordinate in area, extent and purpose to the principal building or principal use served. An accessory structure must be on the lot on which the principal use is or could be located.

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 _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY
OF _____, 2012

Michelle M. Onley
Assistant Clerk of Council

DRAFT

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

Richland County Council Request of Action

Subject

An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (C), Standards; Paragraph (8), Bars and Other Drinking Places; and Section 26-152, Special Exceptions; Subsection (D), Standards; Paragraph (2), Bars and Other Drinking Places; so as to remove the distance requirement between two or more bars **[FIRST READING] [PAGES 155-157]**

Notes

January 24, 2012 - The Committee recommended that Council approved the draft ordinance that would amend the Land Development Code, Sections 26-151 and 26-152, to remove the 400' separation requirement between bars and other drinking places and send it to the Planning Commission for their recommendation. The vote was in favor.

First Reading:

Second Reading:

Third Reading:

Public Hearing:

DRAFT

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-12HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-151, PERMITTED USES WITH SPECIAL REQUIREMENTS; SUBSECTION (C), STANDARDS; PARAGRAPH (8), BARS AND OTHER DRINKING PLACES; AND SECTION 26-152, SPECIAL EXCEPTIONS; SUBSECTION (D), STANDARDS; PARAGRAPH (2), BARS AND OTHER DRINKING PLACES; SO AS TO REMOVE THE DISTANCE REQUIREMENT BETWEEN TWO OR MORE BARS.

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 V, Zoning Districts and District Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (c), Standards; Paragraph (8), Bars and Other Drinking Places; is hereby amended to read as follows:

- (8) *Bars and other drinking places.*
- a. Use districts: Rural Commercial; General Commercial; M-1 and LI Light Industrial.
 - b. Lots used for drinking places shall be located no closer than ~~four hundred (400) feet from any other lot used as a drinking place, and shall be no closer than~~ six hundred (600) feet to any lot which contains a school (public or private) or a place of worship.
 - c. Bars and other drinking places shall provide adequate off-street parking at a rate of twelve (12) spaces for each one thousand (1,000) square feet of gross floor area.
 - d. Parking areas related to the establishment of a bar or other drinking place shall be located no closer than thirty (30) feet to the property line of residentially zoned or used property.
 - e. A minimum six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residentially zoned or used property.

SECTION II. The Richland County Code of Ordinances; Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-152, Special Exceptions; Subsection (d), Standards; Paragraph (2), Bars and Other Drinking Places; is hereby amended to read as follows:

DRAFT

(2) *Bars and other drinking places.*

- a. Use districts: Office Institutional; Neighborhood Commercial.
- b. Lots used for bars or drinking places shall be located no closer than ~~four hundred (400) feet from any other lot used as a bar or drinking place, and shall be no closer than~~ six hundred (600) feet to any lot which contains a school (public or private) or a place of worship.
- c. A minimum six (6) foot high opaque fence or wall shall be erected adjacent to the property line of any abutting residences.
- d. Parking areas related to the establishment shall be located no closer than thirty (30) feet to the property lines of any abutting residences.

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

SECTION V. Effective Date. This ordinance shall be enforced from and after _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

Michelle M. Onley
Clerk of Council

First Reading: February 7, 2012 (tentative)
Public Hearing:
Second Reading:
Third Reading:

Richland County Council Request of Action

Subject

Broad River Administration Building-Loan Payment **[PAGES 158-162]** {*Deferred at the January 10, 2012 Council meeting*}

Notes

December 20, 2011 - The committee recommended that Council, via budget amendment, approve staff's request to appropriate and redirect a portion of the interest earned on the outstanding Broad River Sewer Bond to pay the internal loan back to the County's General fund for the Broad River Administration Building. The vote in favor was unanimous.

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

Utilities Department Administration Building – Loan Repayment

- In 2009, Council approved a loan from the General Fund to the Utility System for \$700,000 to purchase the administration office on Broad River Road. The approved plan, included a 13 year repayment of \$64,000 per year. Three payments have been made and the current outstanding balance is \$508,000.
- During this same period, Council approved the expansion project for the Broad River WWTP. Bonds were issued to fund the construction of the project. During the multi-year construction project, the funds generated by the sale of bonds were deposited into an interest bearing account. Approximately \$3,500,000 of interest has accrued.

- Of the accrued interest, the following remains:

Total accrued interest	\$3,500,000
Appropriated in 2009	(\$2,800,000)
<u>Appropriated in 2010</u>	<u>(\$75,000)</u>
Unappropriated balance	\$625,000

- During the FY 11-12 budget process, it was recommended by Utilities to use a portion of the unappropriated bond interest to satisfy the outstanding debt to the General Fund.

Approximate int. remaining	\$625,000
<u>Amount needed to satisfy loan</u>	<u>(\$508,000)</u>
Remaining unappropriated int.	\$117,000

- A recommendation to appropriate and redirect the interest to pay off the internal note was forwarded to County Council for consideration
- During Council's discussion, a concern was raised about only using funds from the Broad River Sewer Fund to repay the loan when other utility funds exist that should contribute to the purchase of the office building. The Following is a breakdown of the Utility's operations revenue generated by customers FY10-11:

<u>Enterprise Fund</u>	<u>Revenue</u>	<u>% of Total Rev.</u>
Broad River Sewer	\$5,940,000	96.96%
Lower Richland Sewer	\$ 130,000	2.12%
Hopkins Utility System	\$ 44,000	.72%
Pond Drive Water	\$ 8,000	.13%
<u>White Rock Water</u>	<u>\$ 4,000</u>	<u>.07%</u>
Total	\$6,126,000	100.00%

- The annual debt service payment is approximately \$64,000. An option to continue with annual payments would be to allocate funds from each enterprise fund annually based on the percentage of revenue generated. If this option is chosen, the following amounts will be added to each enterprise fund budget:

<u>Enterprise Fund</u>	<u>Annual Debt Service</u>
Broad River Sewer	\$62,054.40
Lower Richland Sewer	\$ 1,356.80
Hopkins Utility System	\$ 460.80
Pond Drive Water	\$ 83.20
<u>White Rock Water</u>	<u>\$ 44.80</u>
Total	\$ 64,000.00

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. __-12HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2011-2012 UTILITIES
FUND BUDGET TO APPROPRIATE \$508,000 OF UTILITES FUND BALANCE
TO REPAY A LOAN FROM THE GENERAL FUND.

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

SECTION I. That the amount of five hundred eight thousand (\$508,000) be appropriated in the Utilities Fund. Therefore, the Fiscal Year 2011-2012 Utilities Budget is hereby amended as follows:

UTILITIES FUND - REVENUE

Revenue appropriated July 1, 2011 as amended:	\$ 7,909,365
Appropriation of undesignated fund balance:	<u>508,000</u>
Total Utilities Fund Revenue as Amended:	\$ 8,417,365

UTILITIES FUND - EXPENDITURES

Expenditures appropriated July 1, 2011 as amended:	\$ 7,909,365
Loan Repayment to General Fund:	<u>508,000</u>
Total Utilities Fund Expenditures as Amended:	\$ 8,417,365

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 _____, 2010.

RICHLAND COUNTY COUNCIL

BY: _____

Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

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

- a. Approval of Mars Petcare Set Aside Grant
- b. Approval of Project Roadrunner Closing Fund Grant

Richland County Council Request of Action

Subject

Accommodations Tax Committee-1: Wallace Cunningham (Cultural), March 3, 2012

Richland County Council Request of Action

Subject

Board of Assessment Control-1; Lisa K. McCloud, March 3, 2012*

*Eligible for reappointment

Richland County Council Request of Action

Subject

Richland Memorial Hospital Board-2; applications were received from James Best and Felicia Rhue Howard [**PAGES 168-172**]



**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant must reside in Richland County.

Name: James L. Best

Home Address: 1411 Medway Rd. Columbia, SC 29205

Telephone: (home) 803-254-7476 work: 803- 251-7113

Office Address: 1901 Main St. Suite 650 Columbia, SC 29201

Email Address: jim.best@wfadvisors.com

Educational Background: BA, University of South Carolina 1989, Graduate Cannon Trust School

Professional Background: Vice President – Investment Officer, Wells Fargo Advisors, Columbia, South Carolina

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Palmetto Health Richland Board

Reason for interest: I have been involved with the Ronald McDonald House of Columbia for a number of years and am very interested in the health care needs of our community. I feel that I could be an asset to the Palmetto Health Richland Board.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission: Strong commitment to the Greater Columbia area and willing to do whatever necessary to help further our health care needs.

Presently serve on any County Committee, Board or Commission? None

Any other information you wish to give? Board President of the Ronald McDonald House Charities of Columbia-2012.

Recommended by Council Member(s): Councilman Greg Pearce

Hours willing to commit each month: Whatever necessary.

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

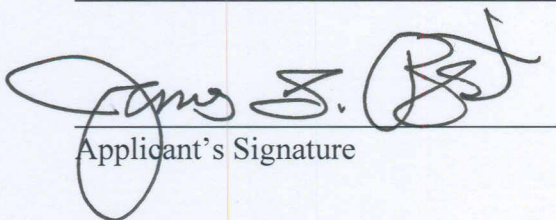
Yes _____ No _____ no _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No _____ no _____

If so, describe: _____


Applicant's Signature

1/24/2012
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only

Date Received: _____

Received by: _____

Date Sent to Council: _____

Status of Application: Approved Denied On file



**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant must reside in Richland County.

Name: Felicia Rhue Howard

Home Address: 127 King Charles Road, Columbia, SC 29209

Telephone: (home) 803-776-8944 (work) 803-217-9788

Office Address: 220 Operation Way, MC B211, Cayce, SC 29033

Email Address: fhoward@scana.com

Educational Background: USC – B.S. Electrical and Computer Engineering; MBA

Professional Background: Director, Demand Side Management – SCE&G

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Palmetto Health Richland Board of Trustees

Reason for interest: With the hospital's commitment to leading technology, teaching, research and community outreach, I view serving on Palmetto Health Richland's Board of Trustees to offer the opportunity to combine many of the interests that I have dedicated myself to serving over many years.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

My demonstrated business acumen, effectiveness in communication, customer-centric attitude and leadership and personal accountability in achieving results will be a significant asset to the Palmetto Health Richland Board of Trustees.

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give? Please see attached Biographical Summary

Recommended by Council Member(s): Paul Livingston, Norman Jackson

Hours willing to commit each month: Flexibility to commit several hours each month, as needed

CONFLICT OF INTEREST POLICY

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Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ *No* _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No _____

If so, describe: _____

Stacia Rhue Howard
Applicant's Signature

12/3/10
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	

FELICIA RHUE HOWARD

Biographical Summary

Felicia Rhue Howard is a native South Carolinian who has resided in Richland County for more than 27 years.

She holds a B.S. Degree in Electrical and Computer Engineering and a Master of Business Administration Degree from the University of South Carolina.

Felicia joined South Carolina Electric and Gas Company (SCE&G) as a Quality Advisor for the company's process improvement efforts. During her seventeen year tenure with SCE&G and its parent company, SCANA Corporation, she has also worked as a Key Accounts Manager, providing energy and technology consultation to SCE&G's largest industrial customers. Prior to her current position, she worked as the Manager of Community/Economic Development and Local Government, overseeing industry and other business recruiting activities and the company's interface with municipal and county governments in the central and western districts of SCE&G's electric and gas service territory. In Felicia's current position as Director of Demand Side Management, she is responsible for a portfolio of energy efficiency and conservation programs that provide education, rebates and other incentives to assist SCE&G's residential and non-residential customers in adopting more energy efficient behaviors and technologies in order to reduce electricity consumption.

Prior her work at SCE&G, Felicia began her career with Westinghouse Electric Corporation in Asheville, North Carolina, where she provided technical support for electrical generator equipment. She went on to hold other positions with Westinghouse in product engineering, quality engineering and technical sales support in Sumter and Charleston, South Carolina and Charlotte, North Carolina.

Felicia has served as a member of various community and business organizations, including Columbia's City Center Partnership Board of Directors, the Greater Columbia Chamber of Commerce Issues Committee, Central South Carolina Alliance's Committee of 100 Board of Directors and as an officer of the South Carolina Economic Developers Association Board of Directors. She is also a graduate of the inaugural Midlands Diversity Leadership Academy. Currently serving as a member of A. C. Flora High School's School Improvement Council and secretary of the Athletic Booster Club, Felicia has held a number of leadership and other positions on the PTO Boards and School Improvement Councils at Brennen Elementary, Crayton Middle and A. C. Flora High schools over many years. She is a member of Wesley United Methodist Church, where she has also served in a number of leadership positions, including an extended term as chair of the congregation's governing administrative body.

Felicia enjoys spending time with her husband and three children and is very involved in their various school and extracurricular team sports and other activities. In recent years, she has become an avid runner and has run in the Disney World, New York, Myrtle Beach and Kiawah Island marathons.

Richland County Council Request of Action

Subject

Township Auditorium-1; applications were received from the following: Dawn Mills Campbell, Kem R. Smith, and Tony B. White [**PAGES 173-183**]



**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant must reside in Richland County.

Name: Dawn Mills Campbell

Home Address: 6441 Bluff road, Hopkins, SC 29061

Telephone: (home) 803-776-3187 (work) 803-705-4383

Office Address: Benedict College, 1600 Harden St., Admin. Bldg, #200, Columbia, SC 29204

Email Address: dmillscampbell@gmail.com

Educational Background: BA, Benedict College; MPW, Chatham University, Doctoral
Candidate, University of Phoenix

Professional Background: Professional writer, radio broadcaster, research coordinator

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Township Auditorium Board of Trustees

Reason for interest: I would like to work with this committee to have a voice for my community
and the Midlands at large about the nature of business and entertainment at the Township.

Your characteristics/qualifications, which would be an asset to Committee, Board or
Commission:

I am honest, reliable, dependable; I have a voice in the community as well as a listening ear for
community concerns.

Presently serve on any County Committee, Board or Commission? No.

Any other information you wish to give? _____

Recommended by Council Member(s): Councilman Kelvin Washington

Hours willing to commit each month: 4 to 6 or as many as needed to complete a task.

CONFLICT OF INTEREST POLICY

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Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ *No* _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No _____

If so, describe: _____

DM Campbell
Applicant's Signature

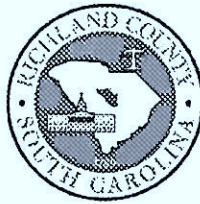
11/30/12
Date

**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only		
Date Received: _____	Received by: _____	
Date Sent to Council: _____		
Status of Application:	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file



**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant must reside in Richland County.

Name: Kem R. Smith

Home Address: 10 Ascot Court; Blythewood, SC 29016

Telephone: (home) 803 422-1915 (work) 803 786-5200

Office Address: 158 Langford Road; Suite B; Blythewood, SC 29016

Email Address: kem@kemsmithcpa.com

Educational Background: BA-Furman University magna cum laude

Professional Background: CPA Certified Public Accountant 33 years

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Board of Trustees-Township Auditorium

Reason for interest: Grew up in Columbia therefore know history of the Township; interested in preserving and maintaining this historical building

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

Active in the arts & non-profit organizations such as Columbia Music Festival Assc, Carolina Ballet, and SC Governor's School for the Arts & Humanities

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give? please see resume and bio attached

Recommended by Council Member(s): Joyce Dickerson is my representative

Hours willing to commit each month: 20-40 or whatever is required

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No NO _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No NO _____

If so, describe: _____
N/A

Kem R. Smith, CPA
Applicant's Signature

1-15-12
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file

2

Kem R. Smith, CPA

Professional Summary

Kem is a 1977 magna cum laude graduate of Furman University who received her Certified Public Accountancy license shortly thereafter.

In 2001, she formed her own tax, financial planning and accounting firm in Blythewood, South Carolina, where she serves clients from around the state.

Kem is a member of the NATP (National Association of Tax Professionals), NSA (National Association of Accountants), and GFOA (Government Finance Officers Association) as well as the Fairfield County and Blythewood Chambers of Commerce.

PROFESSIONAL EXPERIENCE

Kem R. Smith CPA, LLC • Blythewood, SC 29016 • 2001 - Present

Owner

- Small business and individual accounting, tax planning and compliance
- Billings started at \$10,000 and are now \$400,000+
- Business clients include municipalities, national and regional franchises, numerous woman owned and operated companies

Various International and Regional Firms • Columbia, SC • 1977-2001

Partner in Davis And Company before establishing own business

- Public accounting and auditing experience with international firm (Arthur Young)
- Performed successful audits in manufacturing and lumber companies, as well as local governments; corporate, non-profit and individual tax compliance
- Began to establish niche with professional women and small business owners

EDUCATION

1977: Furman University graduate (magna cum laude) with a BA in business accounting

1973: Spring Valley High School graduate (ranked 6th out of 607 students)

VOLUNTEER WORK

Founding Board member and Treasurer for the Blythewood Historical Society • February 2010

- Secured non-profit status of the BHS
- Handles all tax and accounting aspects pro bono
- Involved in site digging and artifact cataloging
- Collects all membership applications and helps plan public meetings

Blythewood High School Internship Program • 2007- Present

- Hires BHS student for a paid internship each year
- Student learns business from an entry level, meets other business owners and assists with accounting functions
- Partnering with the Town of Blythewood in 2011 to include experience with local government for student

Volunteer trip to Ghana, West Africa • November 2010

- Taught math, reading and sex education in local village's Junior High School
- Presented sermon to children as guest speaker (a rare honor for outsiders)
- Participated in village ceremonies

Established Habit of Thinking, LLC • December 2010

- Non-profit organization to support and facilitate education, business opportunities and health needs for citizens of New Akraide, Ghana
- Collected and delivered 28 books of books for new library, along with school supplies such as pens, pencils, rulers, paper etc
- Raised funds for each child in the village to receive a new school uniform at no cost
- Used local village seamstresses to make uniforms and support their businesses

CPA for Columbia Music Festival Association • 2001- Present

- Pro bono preparation of accounting and payroll, annual tax Form 990

Board Member and Treasurer for Ann Brodie's Carolina Ballet • 1991-2001

- Pro bono tax and accounting work
- Active in costume design and production, advertising and marketing
- Interacted with young girls and boys to help with rehearsals and performances

Active in Blythewood area schools • 10+ years

- Participates in reading and career days
- Gives lectures on business savvy to high school students
- Participated in Langford Elementary School's Strategic Planning Committee
- Initiated pen pal program between Langford Elementary students and children in New Akraide, Ghana- gave presentations in both schools

OTHER ACTIVITIES

Member of Persimmon Fork Road Book Club • 2009- Present

Rescued two dogs from Pets Incorporated and took in stray off the street • 2004

Sewed costumes for the Carolina Ballet, Columbia Music Festival Association and the South Carolina Governor's School for the Arts and Humanities • 1991-2004

Short Biography

Kem R. Smith, CPA

A Columbia native, Kem became interested in the arts at an early age when her father, Colonel George Rankin, was stationed in Bremerhaven, Germany. With no television available, the focus was on the performing arts involving the entire community. Kem developed a passion for sewing. Kem fashioned clothes for herself as a teen, learned smocking and heirloom hand sewing to create dresses for her daughter, and later created costumes for ballet performances at the Township Auditorium, Koger Center, and the South Carolina Governor's School for the Arts in Greenville. After moving back to Columbia, Kem graduated 6th out of 607 students at Spring Valley High School and magna cum laude from Furman University in 1977. She received her Certified Public Accountancy license shortly thereafter and worked tenaciously to break into male dominated international and regional accounting firms. In 2001, Kem left the security of a well established company, in which she was a partner, to form her own tax, financial planning and accounting firm in Blythewood, South Carolina. Kem is a member the NATP (National Association of Tax Professionals), NSA (National Association of Accountants), and GFOA (Government Finance Officers Association) as well as the Fairfield County and Blythewood Chambers of Commerce and is a Founding Member and Treasurer of the Blythewood Historical Society. She served on the Board of Carolina Ballet for 10 years. Her most rewarding volunteer work was a trip to teach Junior High students in a rural village in Ghana, West Africa. Upon her return, she formed the non-profit organization Habit for Thinking, LLC to raise funds and collect supplies for the citizens of New Akra. So far, she has shipped 28 boxes of books to the village's new library, provided school supplies for the children and raised funds to have four local village seamstresses create new school uniforms for each child at no cost to the families, which are required to attend school and unaffordable to most. To include local Blythewood students in her experience, she initiated a pen pal program between children at Langford Elementary School and the Junior High School students in New Akra.



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Tony B. White
Home Address: 1117 Pineywoods Rd Apt 1B Columbia SC 29210
Telephone: (home) 917-561-7611 (work) 803-254-4000
Office Address: 2800 Two Natch Rd Columbia SC
Email Address: twhite317@yahoo.com 29204
Educational Background: Midland Technical College
Professional Background: (* 15 yrs. Entertainment industry) SALES, MARKETING, COMMUNICATIONS, PUBLIC RELATIONS
Male [X] Female [] Age: 18-25 [] 26-50 [X] Over 50 []
Name of Committee in which interested: Township Board
Reason for interest: * (Community involvement, great ideas on events and programs to the township, Entertainment Background)
Your characteristics/qualifications, which would be an asset to Committee, Board or Commission: * Christian
* 15 years Entertainment Industry, founder of Nappy Fest - Cultural Hair Festival, Board member - Carolina Scholarships Inc.
Presently serve on any County Committee, Board or Commission? (Carolina Scholarships) Inc.
Any other information you wish to give? People person, married 14 years, 2 kids
Recommended by Council Member(s): Paul Livingston
Hours willing to commit each month: (Flexible)

CONFLICT OF INTEREST POLICY

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All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

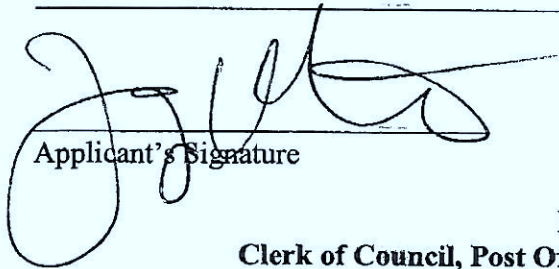
Yes _____ No ✓

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No ✓

If so, describe: _____


Applicant's Signature

01/31/2012
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	

Richland County Council Request of Action

Subject

Whenever a motion is forwarded to full Council from Committee, the only way it goes back to Committee is if Council directs it back to Committee [JACKSON]

Richland County Council Request of Action

Subject

Motion that Council rules be amended such that when 5 or fewer people are signed up to speak on a non-agenda item they be allowed to speak after those speaking to an agenda item have finished (towards the beginning of the meeting). If 6 or more people are signed up to speak on a non-agenda item then Council's current rule will take affect [**HUTCHINSON, JACKSON, ROSE**]

Richland County Council Request of Action

Subject

Request for an opinion from the Ethics Commission

Richland County Council Request of Action

Subject

Reviewing Committee Qualifications

Richland County Council Request of Action

Subject

A Resolution to appoint and commission Diamond Webster and Dante Roberts as Code Enforcement Officers for the proper security, general welfare, and convenience of Richland County **[PAGE 189]**

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

**A RESOLUTION OF THE
RICHLAND COUNTY COUNCIL**

**A RESOLUTION TO APPOINT AND COMMISSION DIAMOND WEBSTER AND
DANTÉ ROBERTS AS CODE ENFORCEMENT OFFICERS FOR THE PROPER
SECURITY, GENERAL WELFARE, AND CONVENIENCE OF RICHLAND
COUNTY.**

WHEREAS, the Richland County Council, in the exercise of its general police power, is empowered to protect the health and safety of the residents of Richland County; and

WHEREAS, the Richland County Council is further authorized by Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many code enforcement officers as may be necessary for the proper security, general welfare, and convenience of the County;

NOW, THEREFORE, BE IT RESOLVED THAT Diamond Webster and Danté Roberts are hereby appointed and commissioned Code Enforcement Officers of Richland County for the purpose of providing for the proper security, general welfare, and convenience of the County, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon them by the governing body of this County, including the enforcement of the County's business license regulations and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended. Provided, however, Diamond Webster and Danté Roberts shall not perform any custodial arrests in the exercise of their duties as code enforcement officers. These appointments shall remain in effect only until such time as Diamond Webster and/or Danté Roberts are no longer employed by Richland County to enforce the County's business license regulations.

ADOPTED THIS THE ____ DAY OF FEBRUARY, 2012.

Kelvin E. Washington, Sr., Chair
Richland County Council

Attest: _____
Michelle M. Onley
Clerk of Council

Richland County Council Request of Action

Subject

CMRTA Funding Gap [**ACTION**] [**PAGE 191**]

Options to Address the CMRTA's Funding Gap

CURRENT GAP

Options for \$2.5M

1. RC fund 100% of the \$2.5M
2. RC fund 0% of the \$2.5M
3. RC fund 50% of the \$2.5M = \$1,250,000
4. IGA* / CMRTA's CPA's analysis**
 - a. 31% of \$2.5M = \$775,000
 - b. 69% of \$2.5M = \$1,725,000

Options for \$1.9M

1. RC fund 100% of the \$1.9M
2. RC fund 0% of the \$1.9M
3. RC fund 50% of the \$1.9M = \$950,000
4. IGA* / CMRTA's CPA's analysis**
 - a. 31% of \$1.9M = \$589,000
 - b. 69% of \$1.9M = \$1,311,000

PROJECTED FUTURE GAP (Beginning 10/1/12)

Options for \$2.5M (Beginning 10/1/12):

1. RC fund 100% of the \$2.5M
2. RC fund 0% of the \$2.5M
3. RC fund 50% of the \$2.5M = \$1,250,000
4. IGA* / CMRTA's CPA's analysis**
 - a. 31% of \$2.5M = \$775,000
 - b. 69% of \$2.5M = \$1,725,000

Notes:

* IGA (FY 12, 13)

RC = \$1,670,000 (31%)

City = \$3,800,000 (69%)

** The CMRTA's CPA's **DRAFT** analysis puts Richland County's percentage of service at 31% based on route mileage (Fixed and DART). This is consistent with the percentage breakout in the FY 12, 13 IGA.

Richland County Council Request of Action

Subject

FY 12-13 Budget Calendar **[ACTION]** **[PAGE 193]**



Budget Calendar for Fiscal Year 2012 – 2013

December 5, 2011	Budget Kickoff Meeting
January 26-27, 2011	County Council Planning Retreat
January 27	All Internal Department Budget Worksheets are due to Finance Office.
February 7	Presentation of budget calendar to County Council for adoption.
February 24	Accommodations and Hospitality Tax grant applications due to Grants Manager.
February 6 – March 2	Council Members and Administrator to meet with school district representatives and other millage agencies.
February 13 – March 16	Administrator’s Budget Meetings with Elected and Appointed Officials and Department Directors to review individual departmental requests.
March 2	Discretionary Grant request due to Grants Manager.
March 9	Presentation of Total General Fund Budget request to Administrator for review.
April 6	Hospitality Tax, Accommodation Tax , Discretionary Grants, Neighborhood Grants, Conservation Grants recommendations due to Budget Manager.
April 13	Submit advertisement for Budget 2 nd reading and Public Hearing.
May 1	Presentation of Recommended Budget by County Administrator; First Reading of county budget and millage ordinances (title only) by Council.
May 3	Council Work session 4-6pm
May 4	Millage Agency Budget Requests are due to Richland County Finance Office.
May 8	Council Work session 4-6pm
May 10	Council work session 4-6pm
May 15	Council to receive millage agency requests
May 17	Public Hearing - 6pm
May 24	Special Called Meeting - 2nd reading of Budget and Millage Ordinance – 6pm
May 31	Special Called Meeting – 3rd reading and adoption of Budget Ordinance – 6pm
July 1	Begin new fiscal year with implementation of adopted budget

Richland County Council Request of Action

Subject

Classification & Compensation Study **[ACTION]** **[PAGES 195-200]**

Richland County Council Request of Action

Subject: Responses from RFQ to Class and Compensation Study Services

A. Purpose

County Council is being asked to approve and authorize staff to negotiate and award a contract to the recommended vendor in response to RFQ (Request for Qualification). Several vendors responded to the RFQ seeking to provide Classification and Compensation Study services to Richland County.

B. Background / Discussion

The following actions have taken place:

- The County's Procurement Department published a RFQ for the Classification and Compensation Study in November 2011.
- County Procurement received five submittals by November 30, 2011, the date the receipt of solicitations was closed.
- County Procurement conducted a responsiveness evaluation of the submittals and provided results to County Human Resources Department December 2011.
- County Human Resources requested the vendors qualified by County Procurement to provide proposals based on the scope and costs December 2011.
- Vendors provided proposals and cost based on the scope of services December 2011.
- County Human Resources evaluated the proposals from the qualified vendors and is now making a recommendation on which vendor the County should use for the Classification and Compensation Study.

The County received five responses for the Classification and Compensation Study; however, only four of the five qualifiers were able to provide a Classification and Compensation Study within ninety (90) calendar days.

a) Qualified to provide a Classification and Compensation Study within ninety (90) calendar days:

- Management Advisory Group (MAG)
- Buck Consultants
- Evergreen Solutions, LLC
- Milliman, Inc.

b) Not qualified to provide the ninety-calendar-day Classification and Compensation Study

- Public Sector Personnel Consultants

The selection was based on the responses from the vendors' adherence to the requirements in the published RFQ. The criteria included the following: experience, history of success, past performance and experience on similar projects, ability of professionals assigned to study, recent and current workload, pricing, ability to deliver results in 90 days, deliverables (such as reports, presentations, implementation).

In an effort to mitigate inaccurate expectations about the deliverables of the Classification and Compensation Study, Human Resources drafted a scope of services. The scope of services includes deliverables the Classification and Compensation Study will provide as well as deliverables the Classification and Compensation Study will not provide.

The Classification and Compensation Study will include the following deliverables:

1. Review All Jobs in All Departments except IT Department
2. The County considers internal equity and market competitive salaries to be equally important
3. Permit Job Classification Appeals by Department Heads
4. Meeting with Administration
5. Meeting with Department Heads
6. Utilize In-House Wage Surveys
7. Utilize SCAC Wage and Salary Survey
8. Utilize MASC Wage and Salary Survey
9. Utilize Current Richland County Job Descriptions & JCQs for Job Matches
10. Identify Where Richland County is Compared to Market
11. Provide Richland County Findings and Recommendations on Which Grade Each Job Should be Slotted
12. Provide Richland County Findings and Recommendations on Classification Plan
13. Provide Richland County Findings and Recommendations on Compensation Plan
14. Provide Richland County Findings and Recommendations on Internal Equity
15. Provide Richland County Draft Report
16. Provide Richland County with Implementation Plan Options
17. Provide Richland County with Implementation Cost Projections for Each Option
18. Provide Richland County Final Report Including Executive Summary

19. Conduct Meetings with Elected & Appointed Officials or Directors (Department Heads)
20. Develop or Make Recommendations on New Pay Ranges

Because of the approved scope of services and the 90 days time frame the Classification and Compensation Study will not include the following deliverables:

1. Send Out Total Compensation Survey
2. Analyze or Develop Career Paths
3. Develop Job Families
4. Send Out Benefits Survey
5. Perform Benefits Comparison or Analysis
6. Survey Any Specific Employers
7. Conduct Meetings with Employees
8. Permit Job Classification Appeals by Employees
9. Develop, Send Out, or Collect Custom Survey Instrument
10. Prepare or Make Recommendations on New Job Descriptions
11. Develop or Make Recommendations on New Org Charts
12. Perform or Make Recommendations on FLSA Compliance Review or Designation
13. Perform or Make Recommendations on ADA Compliance Review of Designation
14. Develop, Analyze, Survey, or Make Recommendations on Career Ladders
15. Analyze, Survey, or Make Recommendations on Skill Based Pay
16. Analyze Survey, or Make Recommendations on Equity Pay Adjustments
17. Analyze, Survey, or Make Recommendations on Market Pay Adjustments
18. Analyze, Survey, or Make Recommendations on Wage Compression Pay
19. Analyze, Survey or Make Recommendations on Certification Pay
20. Analyze, Survey, or Make Recommendations on Longevity Pay
21. Analyze, Survey, or Make Recommendation on Bilingual Pay

22. Analyze, Survey, or Make Recommendation on Shift Differential Pay
23. Analyze, Survey, or Make Recommendation on ON-Call Pay
24. Analyze, Survey, or Make Recommendation on Call Back Pay
25. Analyze, Survey, or Make Recommendation on Spot Awards
26. Analyze, Survey, or Make Recommendation on Paid Time Off
27. Analyze, Survey, or Make Recommendation on Sick Leave
28. Analyze, Survey, or Make Recommendation on Annual Leave
29. Analyze, Survey, or Make Recommendation on Bereavement Leave
30. Analyze, Survey, or Make Recommendation on Advanced Sick Leave
31. Analyze, Survey, or Make Recommendation on Leave Pool
32. Analyze, Survey, or Make Recommendation on Comp Time
33. Analyze, Survey, or Make Recommendation on Uniform Allowance
34. Analyze, Survey, or Make Recommendation on Take Home Vehicle
35. Analyze, Survey, or Make Recommendation on Wellness Programs
36. Analyze, Survey, or Make Recommendation on Retiree Insurance
37. Analyze, Survey, or Make Recommendation on Medical Insurance
38. Analyze, Survey, or Make Recommendation on Dental Insurance
39. Analyze, Survey, or Make Recommendation on Merit Pay
40. Analyze, Survey, or Make Recommendation on Promotion Pay
41. Analyze, Survey, or Make Recommendation on Special Pay Increase
42. Analyze, Survey, or Make Recommendation on Equity Pay Adjustment
43. Analyze, Survey, or Make Recommendation on Wage Compression Adjustment
44. Analyze, Survey, or Make Recommendation on New Hire Pay Wages
45. Analyze, Survey, or Make Recommendation on Reclassification Pay
46. Analyze, Survey, or Make Recommendation on Other Rewards and Recognition
47. Analyze, Survey, or Make Recommendation on Demotion

48. Analyze, Survey, or Make Recommendation on Transfer

49. Analyze, Survey, or Make Recommendation on Pay Guidelines

50. Analyze, Survey, or Make Recommendation on Alternative Work Schedule

There are two common expectations that will not be included in the Classification and Compensation Study. The Classification and Compensation Study will not provide pay increases for employees at the end of the 90 days, because the focus of the Study is to identify more competitive pay ranges while maintaining internal equity among County jobs. Also the Classification and Compensation Study will not utilize a single or just two employers to develop job classifications (pay ranges) for any County job.

Buck Consultants was evaluated as the most responsive, responsible and advantageous company for the study.

C. Financial Impact

The cost of the services to be performed by the vendor selected.

D. Alternatives

1. Approve and authorize staff to negotiate and award the Classification and Compensation Study project to Buck Consultants, the recommended vendor.
2. Approve vendor other than recommended vendor and authorize staff to proceed with the class and compensation study as outlined in the request for proposal.
3. Not approve moving forward with the Classification and Compensation Study or any vendor.

E. Recommendation

It is recommended that County Council approve option # 1 based on the recommendation and justification. Also because the direction for Human Resources Department is to complete a Classification and Compensation Study.

Recommended by: Human Resources Department

Date: January 31, 2012

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 2/2/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation

Procurement

Reviewed by: Rodolfo Callwood

Date: 2/2/2012

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 2/3/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald

Date: 2/3/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval of the award of a contract to Buck Consultants for the County-wide classification and compensation study. The classification and compensation study was authorized by the Council in 2011. The cost for the services to be provided will be shared with the Council at Tuesday's meeting.

Richland County Council Request of Action

Subject

2012 Retreat Goals/2012 Legislative Agenda [**ACTION**][**PAGES 202-209**]

2012 Council Retreat Goals / Directives

FY 13 Budget / Financial Items

- The Administrator is to incorporate \$100,000 - \$200,000 in his FY 13 budget recommendation for Transitions. This funding is contingent on other sources also funding Transitions. (This item is to be identified as a Retreat Goal in the budget binders, as are other Retreat Goal-related budgetary items.)
- Maintain current Fund Balance Policy. (Potentially consider under what circumstances to spend Fund Balance for non-recurring purposes.)
- Administrator is to present “responsible budget.”
- Millage agencies – submit 2% below the Cap; up to the Cap; or other direction. [Council is to provide direction at February 7, 2012 Council Meeting.]

Major Capital Projects

- Send recommended new bond issues to the A&F Committee for further discussion and recommendations. (See page 4.)
- Determine potential capital projects to be included during FY 13 budget process.

Long Range Sewer Plan

- Determine resolutions for the following. Bring recommendations to the February 7, 2012 Council Meeting.
 - Utilities Administration Building
 - Eastover sewer / water transfer and associated items

Broadcast of Council Meetings & Website

- Further publicize Richland County activities.
 - Staff is to research E-blasts and bring a recommendation to Council.
- Banner Accomplishments (Strategic Plan PowerPoint) to be placed on County’s website.

Transportation Items

- No further discussions re: transfer of CMRTA to the City of Columbia.
- Funding options to Council on February 7, 2012 re: CMRTA's current \$1.9M funding gap, and \$2.5M funding gap, which begins 10/1/12.
- A Workshop will be held to discuss long-term funding for the CMRTA, potential sales tax, etc.
- The Chair will appoint and/or reinstate Committee(s) to discuss transportation items, including, but not limited to: long-term funding for the CMRTA, potential sales tax, etc.

2012 Legislative Items

- Local Government Fund – Promote full funding.
- Unfunded mandates – Advise against.
- Legislative Contacts Program – Staff will resend information regarding the proposed Program.
- Approve proposed 2012 Legislative Agenda (Pages 5 – 8)
- Allow staff the latitude – in consultation with the Chair and Vice Chair – to add items to the 2012 Legislative Agenda of Council (Consider creation of Legislative Committee.)

Planning Items

- Staff review signage ordinance and bring recommendations to Council.
- Continue to keep Council members informed about DRT / Planning/Zoning-related items in their districts.

Riverbanks Zoo

- Council will direct staff as appropriate to prepare information for an upcoming Committee meeting.

Regional Recreation Complex

- Dedicate up to \$1M from the SCE&G settlement for the gas line relocation.
- Hold full council Workshop with Kahn Development team.
- Kahn Development team is to provide a \$20M project option.

Richland County General Obligation Bond Review

	2010-11	2011-12
Annual Debt Service Required	\$ 13,912,983	\$ 12,085,297
Mill rate based on current outstanding	9.0	8.0

Current year recurring issues

	Project	Debt service
Sheriff Vehicle replacement	\$ 2,000,000	\$ 500,000
Public Safety Facility - Magistrate Consolidation	\$ 1,600,000	\$ 400,000
EMS Vehicle replacement	\$ 2,000,000	\$ 500,000
Total recurring	\$ 5,600,000	\$ 1,400,000

Recommended new issues

Record Retention Storage facility	\$ 3,000,000
2020 Parking redesign (post-LRADAC)	\$ 250,000
Redesign of Bond Court - Detention facility	\$ 1,000,000
Phase V - Detention facility	\$ 14,000,000
Economic Development site certification	\$ 5,600,000
EMS Headquarter facility	\$ 6,000,000

Total recommended additional issue	\$ 29,850,000
Total recurring issue	\$ 5,600,000
Total issue	\$ 35,450,000

2012 Legislative Items

1. Seek FULL restoration of the legislative intent for the Local Government Fund [This item is a *major* priority.]
2. Continue to track Assessor Legislation (See page 8.)
3. Continue to pursue funding for Hardscrabble Road Widening and Lower Richland Sewer Projects: Richland County is working closely with lobbyist Craig Metz from Nelson Mullins Riley and Scarborough to explore funding opportunities for the Hardscrabble Road Widening and the Lower Richland Sewer projects.
 - March 2011, Representative Wilson met with Richland County staff to discuss the Hardscrabble and Lower Richland projects.
 - March 2011, the lobbyist worked with the County on proposed HUD cuts for the CDBG grant program.
 - May 2011 the County submitted a proposal to Senator Graham's office for the Lower Richland Sewer Project with hopes it would be placed in the Water Resources Development Act. This request is on hold as this process is frozen at the federal level.
 - June 2011, County staff and the lobbyist met with the legislative staff (Rep. Clyburn, Rep. Wilson, Sen. Graham and Sen. DeMint) to discuss the Hardscrabble and Lower Richland projects.
 - December 2011 the County submitted a proposal to Representative Jim Clyburn's office for the Lower Richland Sewer project. While earmarks are no longer possible, we want to make sure that this project stays on Rep. Clyburn's radar. The lobbyist is working to schedule a tour of the sewer project area for Clyburn's Columbia staff.
 - Staff will continue to work with the lobbyist to ensure that possible avenues for federal funds for these and other projects are explored.
4. Develop a process for Council to contact Legislators. (Strategies to best communicate with Legislators.) [Jeter] [Staff will attempt to obtain information again in 2012.]
5. Continue to track Evidence Protection Act. [Pearce]
6. Continue to track Enclave Legislation.
7. Continue to track Hospitality Tax revenues for Transportation [Representative McEachern introduced a bill in 2011, but it didn't go anywhere. Will continue to track.]

8. Continue to track TRAC recommendations, with an emphasis on tourist dollars being forwarded to the Congaree National Park.
9. Review Representative James Harrison's legislation regarding County Council's options for the structure of the Recreation Commission and other Special Purpose Districts. [Livingston] Consider drafting Resolution regarding Council's position on this legislation. [Jackson] [Further direction from Council is requested *if* Council wishes to pursue.]
10. Impact fees for transportation improvements. [Hutchinson] [Staff response: Further direction from Council is requested *if* Council wishes to pursue.]
11. Verification of CTC Funding. [Hutchinson] [Staff response: Further direction from Council is requested *if* Council wishes to pursue.]
12. Track optional County Tax on gasoline; pre-filed bill by Senator Rose. [Hutchinson] [Item is still in Committee; hasn't progressed. Will continue to track.]
13. Track legislation regarding the transfer of SCDOT roads to the County. [Jackson] [SCAC working on; Will continue to track.]
14. Track **S 320** Sen. O'Dell and others. Insurer cannot pay insured for medical services provided to insured [Would assist Richland County with Emergency Services (EMS) payments.]
15. Track **S 472** Sen. O'Dell and others. Same purpose. [Would assist Richland County with Emergency Services (EMS) payments.]
16. Track **H 3509** Rep. Long and others. Same purpose. [Would assist Richland County with Emergency Services (EMS) payments.]
17. Track **H 4083**. Rep. Rutherford and others. Magistrate cannot commence trial on weekend or after 5 PM except in emergency; requires overtime pay to court personnel and extra pay to jurors in emergency.
18. Track **H 3149** Rep. Pitts and others. Clerk of Municipal Court or Magistrate to send summons or dated change to defendant or his/her attorney by certified mail.
19. Track **H 3720** Reps. Cooper, Henderson and Patrick. Re: Job Tax Credits / Economic Development
20. Track **S1002**, Sen. L. Martin, re tax increment financing for redevelopment projects.
21. Track **S1009**, Sens Sheheen and others, State DOT must bear costs of relocating public water and sewer systems in DOT road projects.
22. Track **S1016**, Sen. Knotts, creating task force on public water utility rates

23. Track **R4419**, Rep. Toole, proposed constitutional amendment to require in each county a publicly elected property tax assessor
24. Track **R4422**, Rep. Toole, statutory provisions consistent with 4419 regarding assessors
25. Track **R4429**, Rep. Ballentine, requires "life cycle cost analysis" for public works projects costing more than \$1 million and authorizes alternative infrastructure bidding procedures
26. Track **R4456**, Rep. Bowen, school bond election must be held on date of a general election
27. Track **R4462**, Rep. Rutherford, regarding transfer of certain criminal cases from general sessions court to magistrate court
28. Track **R4463**, Rep. Harrison, regarding transfer of certain criminal cases from general sessions court to magistrate court
29. Track **R4484**, Rep. Ballentine, property owner may claim the 4% assessment on two properties if trying to sell the first-acquired
30. Track **R4487**, Reps Pitts and others, State DOT must bear costs of relocating public water and sewer systems in DOT road projects, and other related provisions.

Assessor Legislation

May 3, 2011 Regular Session Council Meeting

Organizationally place the County Assessor's Office under the County Administrator: Council directed the Administrator to request the Richland County Legislative Delegation introduce legislation that would repeal the special legislation and thereby allow the County Assessor and the County Assessor's Office to be organizationally placed under the County Administrator.

Update

Senate and House companion bills S 1092 and H 4550 devolving on Richland County Council the duties of the Board of Assessment Control were introduced the week of January 9, 2012.

S 1092

S 1092 General Bill, By Jackson, Courson, Lourie and Scott

Similar (H 4550)

Summary: Board of Assessment Control to be abolished

A BILL TO ABOLISH THE RICHLAND COUNTY BOARD OF ASSESSMENT CONTROL AND DEVOLVE ALL OF ITS DUTIES, POWERS, AND FUNCTIONS UPON THE RICHLAND COUNTY COUNCIL AND TO REPEAL SECTION 1 OF ACT 952 OF 1958.

S 1092 is on the Senate uncontested Calendar and is in position to pass soon if there is no objection raised to it.

H 4550

H 4550 General Bill, By Rutherford, Bales, Ballentine, Brady, Butler Garrick, Harrison, Hart, Howard, McEachern, J.H. Neal and J.E. Smith

Similar (S 1092)

Summary: Richland County Board of Assessment

A BILL TO ABOLISH THE RICHLAND COUNTY BOARD OF ASSESSMENT CONTROL AND DEVOLVE ALL OF ITS DUTIES, POWERS, AND FUNCTIONS UPON THE RICHLAND COUNTY COUNCIL AND TO REPEAL SECTION 1 OF ACT 952 OF 1958.

Richland County Council Request of Action

Subject

- a. Staff in conjunction with the Finance and Legal Departments will develop a policy relating to Richland County Council members individual spending accounts so that each council person will be restricted to only spending their authorized amount [MALINOWSKI]
- b. That all items currently listed at the end of the A & F and D & S committee agendas as "Items Pending Analysis" be cleared up within 90 days. There is no reason some action should not be taken, even if it means to table it for now [MALINOWSKI]
- c. That the Administrator stop providing quarterly reports relating to the smoking ban. He does not provide them for any other violations of county ordinances and people can go to the weekly update if they want to see these [MALINOWSKI]
- d. Richland County Council Rules reflect the primary responsibilities of the Chair and Vice Chair in sections 2.1 through 2.8 in addition to references throughout relating to meeting protocol. I move that other than the responsibilities listed in council rules for the Chair and Vice Chair all other matters the Administrator and/or staff has relating to a council matter will be provided to the full council for any action. Such matters will also be immediately provided to the full council for review. It is not up to the chair and vice chair to make decisions independently of the full council [MALINOWSKI]
- e. Request unanimous consent for a Council Resolution to be sent to every member of the Richland County Legislative Delegation requesting their individual and collective support of full funding of the Local Government Fund (LGF) consistent with statutory guidelines [PEARCE]
- f. When a Richland County resident reaches the age of 62 they will receive some form of a Richland County tax reduction, either through the property tax or some other type of credit. Note: Motion allows for Staff input and flexibility on how such credit or tax break would be implemented. [ROSE]
- g. Staff in conjunction with the Finance and Legal Departments will develop a policy relating to Richland County Council members' individual spending accounts so that each council person, as well as all other line items for which County Council authorizes spending in conjunction with the annual budget process, will be restricted to only spending their authorized amount [MANNING]
- h. If council approves the issuance of a \$35m bond that the County Administrator be directed to bring said bond ordinance based on the project list presented at the retreat and show the cost savings based on the issuing rate. If, after council approval, the effective interest rate has increased beyond 2 percent, the Administrator would be required to bring an updated analysis of the cost and savings prior to issue [MALINOWSKI]
- i. Forward the proposed Destination Riverbanks not to exceed \$32M general obligation bond issuance to Committee in February for review, discussion and recommendation to full Council. Destination Riverbanks includes, but is not limited to, the following improvements: a new sea lion exhibit; interactive animal demonstration area; new children's garden; replacement of the main Zoo entryway and ticketing facilities; replacement of restrooms, gift shop, and snack bar, and expansion of restaurant; HVAC and energy management system upgrades; parking lots and road system repairs; roof repairs; refurbishment of gunite structured; upgrade IT network; emergency communication and video surveillance systems; relocation of tram stop, and purchase additional tram cars; acquisition of buildings on Rivermont Drive; renovation of canal fountain in botanical garden [MANNING]

Richland County Council Request of Action

Subject

For Items on the Agenda Not Requiring a Public Hearing