



**RICHLAND COUNTY COUNCIL
REGULAR SESSION AGENDA**

**FEBRUARY 21, 2012
6:00 PM**

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

INVOCATION THE HONORABLE NORMAN JACKSON

PLEDGE OF ALLEGIANCE THE HONORABLE NORMAN JACKSON

Approval Of Minutes

1. Regular Session: February 7, 2012 [PAGES 5-19]

Adoption Of The Agenda

Report Of The Attorney For Executive Session Items

2. a. Eastover Water/Sewer Update

Citizen's Input

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

Report Of The County Administrator

4. a. Firefighters Driving Ambulances Update
b. An Afternoon with the Red Tails, Feb. 25th, 2:30-4:00 p.m., Hamilton-Owens Airport Lobby

Report Of The Clerk Of Council

Report Of The Chairman

5. a. Fire Contract
b. Transportation Steering Committee

Presentations

6. a. Voterheads.com, Mike Switzer, Chair, Board of Directors
- b. Township Auditorium, Aundrai Holloman

Approval Of Consent Items

7. 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 [**THIRD READING**] [**PAGES 25-28**]
8. 12-02MA
E. Randall Mosteller
RU to GC (0.40 Acres)
Hwy. 76/Dutch Fork Rd.
TMS # 01511-01-07 [**THIRD READING**] [**PAGES 29-30**]
9. 12-03MA
Peter & Debra Giglotti
Novella Taylor
RU to NC (1.95 Acres)
2233 Clemson Rd.
TMS # 20281-01-33 [**THIRD READING**][**PAGES 31-32**]
10. 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 [**THIRD READING**] [**PAGES 33-35**]
11. 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 [**SECOND READING**] [**PAGES 36-38**]
12. 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 [**SECOND READING**] [**PAGES 39-41**]
13. 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 [**SECOND READING**] [**PAGES 42-44**]
14. 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 [**SECOND READING**] [**PAGES 45-49**]
15. An Ordinance to repeal Ordinance Number 055-08HR in its entirety, and to ensure that businesses are not harmed by such repeal [**SECOND READING**] [**PAGES 50-52**]

16. Sunnyside Drainage Ditch Capital Improvement Project Right-of-Way Purchase and Transfer [PAGES 53-57] {Deferred at the Feb. 7th Council Mtg.}

17. Commercial Facade Improvement Grant Program [PAGES 58-76]{Deferred at Feb. 7th Council Mtg.}

First Reading Items

18. An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$775,000 of General Fund Undesignated Fund Balance to be transferred to the Mass Transit Fund [PAGES 77-80]

Report Of Administration And Finance Committee

19. Specialized Aviation Service Operation (SASO) negotiation [PAGES 81-84]{Deferred at Feb. 7th Council Mtg.}

Report Of Rules And Appointments Committee

1. Discussion From Rules And Appointments Committee

20. 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]

21. 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]

22. Request for an opinion from the Ethics Commission

23. Reviewing Committee Qualifications

Other Items

24. Richland County Public Library/Purchase of Ballentine Property [PAGES 89-91]

Citizen's Input

25. Must Pertain to Items Not on the Agenda

Executive Session

Motion Period

26.
a. Richland County will create the "Richland County Fire Department" which will provide firefighting and other emergency services to all of the unincorporated areas of the county and regional townships within the unincorporated portions of the county. To develop a fire

department with the following mission: The mission of the “Richland County Fire Department” is to provide safe, professional service through education, prevention, emergency services, community relations and highest achievable ISO rating. [WASHINGTON]

b. That Council conduct a work session to discuss the Unified Fire Service Contract. Said work session is to be scheduled & conducted before the end of February 2012 and will be held in County Council chambers, open to the public & media, City Council and Staff to be invited, and Fire Chief Aubrey Jenkins to be present to answer questions. [ROSE]

c. I move that Council fix the animal shelter ordinance passed February 7, 2012 by implementing those items placed into the substitution motion made that same night. [MANNING]

Adjournment



Richland County Council Request of Action

Subject

Regular Session: February 7, 2012 [PAGES 5-19]

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, FEBRUARY 7, 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. |
| Vice Chair | L. Gregory Pearce, Jr. |
| 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 |

OTHERS PRESENT – Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Sara Salley, Stephany Snowden, Larry Smith, Dale Welch, David Hoops, Sandra Haynes, Bill Peters, John Hixon, Andy Metts, Brian Cook, Rodolfo Callwood, Dwight Hanna, 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 Bill Malinowski

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Bill Malinowski

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson recognized that Ed Garrison, Town of Blythewood Councilmember, was in the audience.

APPROVAL OF MINUTES

Regular Session: January 17, 2012 – Ms. Hutchinson moved, seconded by Mr. Pearce, to approve the minutes as distributed. The vote in favor was unanimous.

Zoning Public Hearing: January 24, 2012 – Mr. Livingston moved, seconded by Mr. Malinowski, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

Mr. Jackson requested that clarification for removal from the agenda of motions made by Council members be added under the Report of the County Attorney for Executive Session.

Mr. Washington requested that the following items be added under the Report of the Chairman: Dialogue with Legislative Delegation, Ethiopian Ambassador and a Personnel Matter.

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

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

- a. **Contractual Matter**
- b. **Classification & Compensation Study**
- c. **Legal Opinion—Agenda Items**
- d. **Personnel Matter**

CITIZENS' INPUT

Mr. Reggie McKnight, Mr. David Lewis, Ms. Becky Bailey, Mr. Andre Chambers, Ms. Joanne Clark, Mr. Wiley Cooper, Mr. Henry Hopkins, Ms. Mamie Jackson, Ms. Audrey Bowers, Ms. Catherine Grossner spoke regarding the CMRTA Gap Funding.

REPORT OF THE COUNTY ADMINISTRATOR

Eastover Wastewater Treatment Plant – Mr. Pope stated that an invitation to tour the facility will be forwarded to Council.

SCE&G Update – Mr. Pope stated Legal is still awaiting easement information from SCE&G. Once the information has been received the settlement will be finalized.

Caughman Creek Property Update – Mr. Pope stated that the County Attorney's office has been in contact with the owner of the property and they are awaiting a revised agreement and property survey. Once the documents have been received the County will have 15 days to finalize the agreement. Council will be updated throughout the process.

Susan McPherson, Chamber's Governmental Affairs Liaison – Mr. Pope introduced Ms. Susan McPherson, the Chamber's new Governmental Affairs Liaison to Council.

REPORT OF THE CLERK OF COUNCIL

SCAC Mid-Year Conference and Institute of Government Registration Deadline – Ms. Onley reminded Council of the deadline for registration for the SCAC Mid-Year Conference and Institute of Government classes.

REPORT OF THE CHAIRMAN

Schedule Transportation Work Session – Council unanimously scheduled the transportation work session for March 14th, 5-7 p.m.

Reinstate Transportation Steering Committees – Mr. Washington requested that staff obtain the list of members and projects.

Committee Assignments – Mr. Washington stated that the committee assignments were forwarded to Council members.

Dinner/Dialogue with Richland County Legislative Delegation – Mr. Washington stated that Dinner/Dialogue with the Legislative Delegation was scheduled for February 15th, 6-8 p.m. at Tapp's.

Ethiopian Ambassador Resolution – Mr. Jackson moved, seconded by Mr. Manning, to adopt a resolution for the Ethiopian Ambassador. The vote in favor was unanimous.

Personnel Matter – This item was taken up in Executive Session.

OPEN/CLOSE PUBLIC HEARINGS

- **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** – No one signed up to speak.
- **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. Mary Williams, Ms. Melissa Poage, Ms. Joan Marshall, Mr. Nick Leventis and MS. Dean Lake spoke against the proposed ordinance

Ms. Mary Denis Cauthen spoke in favor of the proposed ordinance.

- **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** – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

- **Ordinance to amend Chapter 6, Building and Building Regulations, so as to correct the improper reference to the “Building Code Board of Adjustments.”**
[THIRD 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** **[SECOND READING]**
- **12-02MA, E. Randall Mosteller, RU to GC (0.40 Acres), Hwy. 76/Dutch Fork Rd., 01511-01-07** **[SECOND READING]**
- **12-03MA, Peter & Debra Giglotti, Novella Taylor, RU to NC (1.95 Acres), 2233 Clemson Rd., 20281-01-33** **[SECOND READING]**
- **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]**
- **FEMA Flood Mitigation Assistance Grant-Richland County All Hazard Plan**
- **Purchase of One Tandem Axle Dump Truck**

- Rezoning a portion of TMS numbers 09309-03-07/08/09/10 from General Commercial to Residential Multi-Family, Medium Density
- Town of Eastover Animal Care Intergovernmental Agreement
- An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$29,2003 of General Fund Undesignated Fund Balance to the Treasurer's Office for the purchase of a new AS400 computer system [FIRST READING]
- 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]
- 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]
- 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]
- An Ordinance to repeal Ordinance Number 055-08HR in its entirety, and to ensure that businesses are not harmed by such repeal [FIRST READING]
- Credentialing System Equipment Project
- Curtiss-Wright Hangar
- Forensic Laboratory Enhancement Grant—Sheriff's Department
- RCSD Entry Deputy Pay Increase FY12

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

THIRD READING

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 – Mr. Livingston moved, seconded by Ms. Dickerson, to approve Option 2 of the proposed ordinance. A discussion took place.

Mr. Manning made a substitute motion, seconded by Mr. Jackson, to allow the owner the option, within 48 hours, to take their pet to their personal veterinarian and that all registered animals be given a second chance. A discussion took place.

Mr. Manning made a second substitute motion, seconded Mr. Malinowski, to defer this item to the Feb. 21st Council meeting.

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

The vote on the second substitute motion failed.

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

The vote on the substitute motion failed.

The vote was in favor of approving Option 2 of the proposed ordinance.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Sunnyside Drainage Ditch Capital Improvement Project Right-of-Way Purchase and Transfer – Mr. Pearce moved, seconded by Mr. Malinowski, to defer this item. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-22, Definitions; the Development; term “Accessory Use/Structure (Building)” [DENIAL] – Ms. Hutchinson stated that the committee recommended denial of this item. A discussion took place.

Mr. Jackson made a substitute motion to approve this item. The substitute motion died for lack of a second.

The vote was in favor of the committee's recommendation.

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] – Ms. Hutchinson stated that the committee recommended approval of this item. A discussion took place.

Ms. Hutchinson made a substitute motion, seconded by Mr. Livingston, to deny this item. A discussion took place.

Ms. Hutchinson moved, seconded by Ms. Kennedy. The vote was in favor.

| <u>For</u> | <u>Against</u> |
|-------------------|-----------------------|
| Rose | Malinowski |
| Hutchinson | Jackson |
| Pearce | |
| Washington | |
| Manning | |
| Kennedy | |
| Manning | |
| Dickerson | |
| Jeter | |

The vote was in favor of the substitute motion.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Commercial Façade Improvement Grant Program – Ms. Hutchinson moved, seconded by Mr. Malinowski, to defer this item until the February 21st Council meeting. The vote in favor was unanimous.

Specialized Aviation Service Operation (SASO) negotiation – Mr. Malinowski moved, seconded by Mr. Jackson, to defer this item until the February 21st Council meeting. The vote in favor was unanimous.

Broad River Administration Building—Loan Payment – Mr. Malinowski moved, seconded by Mr. Jackson, to deny this item. A discussion took place.

| <u>For</u> | <u>Against</u> |
|------------|----------------|
| Rose | Pearce |
| Malinowski | Livingston |
| Jackson | Manning |
| Hutchinson | |
| Washington | |
| Dickerson | |
| Kennedy | |

The vote was in favor of denial.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Approval of Mars Petcare Set Aside Grant – Mr. Washington stated that the committee recommended deferring this item until the February 21st Council meeting.

Approval of Project Roadrunner Closing Fund Grant – Mr. Washington stated that the committee recommended deferring this item until the February 21st Council meeting.

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES

- a. **Accommodations Tax Committee—1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous.
- b. **Board of Assessment Control—1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous.

II. NOTIFICATION OF APPOINTMENTS

- a. **Richland Memorial Hospital Board—2** – Mr. Malinowski stated that the committee recommended appointing Mr. James Best and Ms. Felicia Rhue Howard. The vote in favor was unanimous.
- b. **Township Auditorium—1** – Mr. Malinowski stated that the committee recommended appointing Ms. Kem R. Smith.

Mr. Jackson moved seconded by Mr. Washington, to appoint Ms. Dawn Mills Campbell.

Ms. Dickerson moved, seconded by Mr. Rose, to appoint Kem R. Smith.

Mr. Jackson and Mr. Washington voted for Ms. Dawn Mills Campbell.

Mr. Rose, Mr. Malinowski, Ms. Hutchinson, Mr. Pearce, Ms. Dickerson and Ms. Kennedy voted for Ms. Kem R. Smith.

Mr. Livingston, Mr. Jeter and Mr. Manning voted for Mr. Tony White.

Ms. Kem R. Smith was appointed.

III. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **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]** – Mr. Malinowski stated that this item was held in committee.
- b. **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]** – Mr. Malinowski stated that this item was held in committee.
- c. **Request for an opinion from the Ethics Commission** – Mr. Malinowski stated that this item was held in committee.
- d. **Reviewing Committee Qualifications** – Mr. Malinowski stated that this item was held in committee.

OTHER ITEMS

A Resolution to appoint and commission Diamond Webster and Dante Roberts as Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County – Mr. Malinowski moved, seconded by Ms. Hutchinson, to approve the resolution to appoint Diamond Webster and Dante Roberts as Code Enforcement Officers. The vote in favor was unanimous.

CMRTA Funding Gap – Mr. Jackson made a motion, seconded by Ms. Hutchinson, to approve Option 4.a. for \$1.9M: “31% of \$1.9M = \$589,000”. A discussion took place.

Mr. Livingston made a substitute motion, seconded by Mr. Rose, to approve Option 3 for \$1.9M: “RC fund 50% of the \$1.9M = \$950,000”. A discussion took place.

Ms. Hutchinson moved, seconded by Mr. Jackson, to call for the question.

| <u>For</u> | <u>Against</u> |
|------------|----------------|
| Malinowski | Rose |
| Hutchinson | Washington |
| Pearce | Jackson |
| Dickerson | Livingston |
| | Manning |
| | Jeter |

The motion failed to call for the question. *[Ms. Kennedy was not present during vote.]*

Mr. Jeter made a second substitute motion, seconded by Mr. Pearce, to approve Option 4.a. for \$2.5M: “31% of \$2.5M = \$775,000” and bring back funding options at the February 21st Council meeting. A discussion took place.

The vote was in favor of the second substitute motion.

FY12-13 Budget Calendar – Mr. Manning requested that the 2nd Reading of the Budget be re-scheduled to May 23rd.

Council unanimously adopted the Budget Calendar as amended.

2012 Retreat Goals/2012 Legislative Agenda – Mr. Malinowski moved, seconded by Mr. Jeter, to direct the millage agencies to submit a budget 20% below the cap, but will receive no less than what they got last year.

Mr. Livingston made a substitute motion, seconded by Mr. Manning, to direct the millage agencies to submit a budget at last year’s funding level with an addendum for anything that is needed beyond last year’s funding level. A discussion took place.

The vote was in favor of the substitute motion.

Mr. Pearce moved, seconded by Mr. Livingston, to approve the 2012 Retreat Goals and Legislative Agenda as presented.

Mr. Malinowski made a substitute motion, seconded by Mr. Rose, to defer the 2012 Retreat Goals and Legislative Agenda to the February 21st Council meeting.

Mr. Malinowski withdrew his deferral.

The vote in favor was unanimous to approve the 2012 Retreat Goals and Legislative Agenda.

CITIZEN’S INPUT

No one signed up to speak.

EXECUTIVE SESSION

=====
Council went into Executive Session at approximately 9:13 p.m. and came out at approximately 9:58 p.m.
=====

- a. **Contractual Matter** – Mr. Pearce moved, seconded by Mr. Malinowski, to proceed as directed in Executive Session. The vote in favor was unanimous.

Mr. Malinowski moved, seconded by Mr. Pearce, to reconsider this item. The vote failed for reconsideration.

- b. **Classification & Compensation** – Mr. Jackson moved, seconded by Mr. Pearce, to utilize Buck Consulting to conduct the Class & Comp Study. The vote in favor was unanimous.

Mr. Jackson moved, seconded by Ms. Kennedy, to reconsider this item. The vote failed for reconsideration.

- c. **Personnel Matter** – No action was taken.

- d. **Legal Opinion** – No action was taken.

MOTION PERIOD

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] – This item was referred to the A&F Committee.

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] – This item was referred to the Rules & Appointments Committee.

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] – Mr. Pearce moved, seconded by Mr. Malinowski, to direct the Administrator to stop providing quarterly reports related to the smoking ban. The vote in favor was unanimous.

Richland County Council Rules reflect the primary responsibilities of the Chair and Vice Chair in section 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] – This item was referred to the Rules & Appointments Committee.

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] – Mr. Pearce moved, seconded by Mr. Manning, to unanimously adopt a resolution requesting the Legislative Delegation's individual and collective support of full funding of the Local Government Fund. The vote in favor was unanimous.

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] – This item was referred to the A&F Committee.

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] – This item was referred to the A&F Committee.

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] – This item was referred to the A&F Committee.

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 energy management system upgrades; parking lots and road system repairs; roof repairs; refurbishment of granite 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] – This item was referred to the A&F Committee.

By resolution and or action, I move that Richland County confirm that all businesses in Richland County are treated fairly and equally and will continue to be treated fairly and

equally in the manner in which they may be subjected to inspections, that no businesses be targeted for enforcement, to include random enforcement, especially in circumstances where law-enforcement backup is used (i.e., the investigation is not one initiated by law enforcement), in a way that targets businesses, including Minority Businesses, that no businesses be subjected to harassment, degradation, intimidation of any kind, and that the County be mindful of the unnecessary use of blue lights (unless required by law enforcement) during the conduct of non-law enforcement initiated investigations. This confirmation should be a regular administrative function undertaken with enough frequency to ensure compliance with the intent of this motion. To do a simple inspection whether for food, safety or capacity, the Fire Marshal, DHEC and other County officials shall use the utmost care and respect to all businesses. All businesses should be treated equally and with respect [JACKSON] – This item was referred to the Economic Development Committee.

ADJOURNMENT

The meeting adjourned at approximately 10:04 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

- a. Eastover Water/Sewer Update

Richland County Council Request of Action

Subject

For Items on the Agenda Not Requiring a Public Hearing

Richland County Council Request of Action

Subject

- a. Firefighters Driving Ambulances Update
- b. An Afternoon with the Red Tails, Feb. 25th, 2:30-4:00 p.m., Hamilton-Owens Airport Lobby

Richland County Council Request of Action

Subject

- a. Fire Contract
- b. Transportation Steering Committee

Richland County Council Request of Action

Subject

- a. Voterheads.com, Mike Switzer, Chair, Board of Directors
- b. Township Auditorium, Aundrai Holloman

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 **[THIRD READING] [PAGES 25-28]**

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: February 7, 2012

Third Reading:

Public Hearing: February 7, 2012

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 anyway 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.

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:

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 **[THIRD READING] [PAGES 29-30]**

Notes

First Reading: January 24, 2012
Second Reading: February 7, 2012
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 **[THIRD READING][PAGES 31-32]**

Notes

First Reading: January 24, 2012
Second Reading: February 7, 2012
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 **[THIRD READING] [PAGES 33-35]**

Notes

First Reading: January 24, 2012
Second Reading: February 7, 2012
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

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
[SECOND READING] [PAGES 36-38]

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: February 7, 2012

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 **[SECOND READING] [PAGES 39-41]**

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: February 7, 2012

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 [**SECOND READING**] [**PAGES 42-44**]

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: February 7, 2012

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
[SECOND READING] [PAGES 45-49]

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: February 7, 2012

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 [**SECOND READING**] [**PAGES 50-52**]

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: February 7, 2012

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

Sunnyside Drainage Ditch Capital Improvement Project Right-of-Way Purchase and Transfer **[PAGES 53-57]**
{Deferred at the Feb. 7th Council Mtg.}

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

Commercial Facade Improvement Grant Program [**PAGES 58-76**]{*Deferred at Feb. 7th Council Mtg.*}

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.

The program shall be administrated on a first come first served basis, to the limit of available funding and in accordance with Richland County's appropriated funds for the fiscal year. Richland County shall be responsible for specifying the amount of their CDBG funds from their annual allocation to administer the Façade Improvement Program.

The total amount of \$136,000.00 has been allocated for the Commercial Façade Improvement Grant Program for FY12 through Community Development Block Grant funds. These funds were approved during committee on November 22, 2011 under the Decker Boulevard Request for Action. Decker Boulevard will be the pilot commercial corridor for the Commercial Façade Improvement Grant Program due to the S/B funds that were allotted for Decker Boulevard in FY11.

| | |
|---|---------------------|
| Commercial Façade Improvement Grant Program | \$136,000.00 |
| TOTAL: | \$136,000.00 |

D. Alternatives

1. To approve the request for a Richland County Government Commercial Façade Improvement Grant Program to retain and attract businesses, strengthen the Commercial Corridors, increase utilization of existing buildings, restore economic vitality and enhance property values. This would be a viable program to Richland County as well a great driving force towards implementation of the Neighborhood Master Plans.
2. To not approve for one master plan area, but make it immediately available for all commercial corridors in unincorporated Richland County while designating a specific funding source for the entire program. This may be a difficult task for the first year of this program. This will decrease the level of control the County has on the execution and monitoring of the Commercial Façade Improvement Grant Program. This option should only be considered if there is an available funding source for all commercial corridors in unincorporated Richland County.
3. To defer the program to FY13 to ensure that all businesses in Richland County can have the opportunity to apply for the grant funds as well as ensure that Richland County Government identifies a permanent funding source for the Commercial Façade Improvement Grant Program. This option should only be considered if a funding source wasn't currently available for implementation of the Commercial Façade Improvement Grant Program in the chosen pilot area.

E. Recommendation

It is recommended that Council approve the initiation of the Commercial Façade Improvement Grant Program as well as the program guidelines and application.

Recommended by: Planning and Development Services Date:

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 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

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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.

Business Length of Time Operator's Name Type of Business Number of Employees F/T P/T in
 Name of this Location

Street Address (if different than above) City State
 Zip

Daytime Phone Number Cellular/Evening Phone Number Email Address

How long have you been a Tenant at this property? ____ Yrs (Round Down in Terms of Years)

Is your property currently insured? ____Yes ____ No (Provide Copy of Insurance Policy(s))

Do you have the **Approval from the Building Owner** to participate in this program? ____ Yes ____ No
 If yes, please attach your Letter of Agency (included in your Application Package).

4. Project Coordinator (If different than Applicant (Owner or Tenant) - must be one (1) Individual):

Name

Address City State
 Zip

Daytime Phone Number Cellular/Evening Phone Number Email Address

5. Project Description: (Briefly describe proposed façade improvement. **Submit a current photograph** of the building/business façade)

6. Has the Applicant, or anyone with an ownership interest of the project site:

- a) Received a Commercial Façade Improvement Program Forgivable Loan before?
 ___No ___Yes If yes, list date and amount:
 _____ \$ _____

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



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

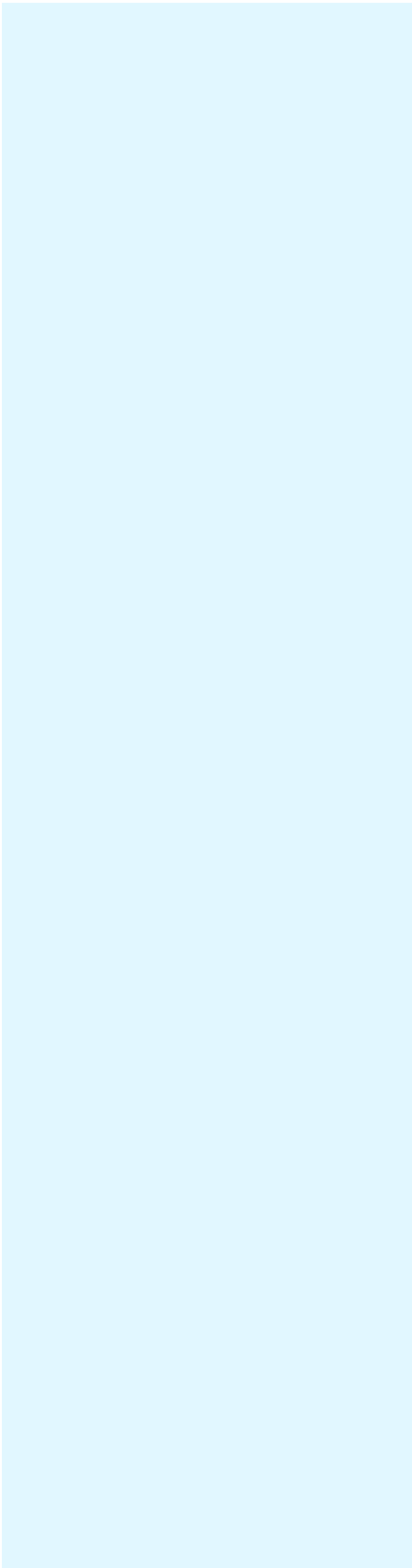
Signature: _____

Seal:

Notary

Printed Name: _____

Date:



Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$775,000 of General Fund Undesignated Fund Balance to be transferred to the Mass Transit Fund **[PAGES 77-80]**

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 \$775,000 OF GENERAL FUND UNDESIGNATED FUND BALANCE TO BE TRANSFERRED TO THE MASS TRANSIT 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 seven hundred seventy five thousand (\$775,000) of undesignated fund balance be appropriated for transfer from the General Fund to the Mass Transit Fund. Therefore, the Fiscal Year 2011-2012 General Fund and Mass Transit Fund Annual Budgets are hereby amended as follows:

GENERAL FUND

REVENUE

| | |
|---|----------------|
| Revenue appropriated July 1, 2011 as amended: | \$ 141,212,192 |
| Appropriation of General Fund undesignated fund balance | <u>775,000</u> |
| Total General Fund Revenue as Amended: | \$ 141,987,192 |

EXPENDITURES

| | |
|--|----------------|
| Expenditures appropriated July 1, 2011 as amended: | \$ 141,103,754 |
| Increase to Transfer Out | <u>775,000</u> |
| Total General Fund Expenditures as Amended: | \$ 141,987,192 |

MASS TRANSIT FUND

REVENUE

| | |
|---|----------------|
| Revenue appropriated July 1, 2011 as amended: | \$ 1,670,000 |
| Transfer In | <u>775,000</u> |
| Total Mass Transit Fund as Amended: | \$ 2,445,000 |

EXPENDITURES

| | | |
|--|----|----------------|
| Expenditures appropriated July 1, 2011 as amended: | \$ | 1,670,000 |
| Increase to Mass Transit | | <u>775,000</u> |
| Total Mass Transit Fund Expenditures as Amended: | \$ | 2,445,000 |

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:

Funding Options to Address the CMRTA's Funding Gap

CURRENT GAP

\$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

At the February 7, 2012 Council Meeting, Council voted to provide \$775,000 to the CMRTA for the current funding gap.

My recommendation is to take the new funds in the amount of \$775,000 from the County's General Fund Fund Balance regarding the County's participation in the GAP Funding.

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

Specialized Aviation Service Operation (SASO) negotiation [**PAGES 81-84**]{*Deferred at Feb. 7th Council Mtg.*}

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

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

Richland County Public Library/Purchase of Ballentine Property **[PAGES 89-91]**

**Proposed Property Purchase
1200 Dutch Fork Road**

The Richland County Public Library Board of Trustees approved the purchase of an approximately 7.3 acre property at 1200 Dutch Fork Road, during their February 13th, 2012 meeting. The location of the property is 1/2 mile east of the current Ballentine Branch Library and the purchase is with the intent of building a library on the property to replace the current leased building.

The negotiated purchase price is \$97,300.00 per acre of usable land and \$22,500.00 per acre of land under SCE&G easement. An ALTA survey was performed by Cox & Dinkins and found 6.53 acres of usable land and 0.805 acres under easement for a purchase price of \$653,369.00 for the entire parcel.

A due diligence study was performed on the property by Genesis Consulting Group including: a Phase I Environmental Study, available utilities, zoning setbacks and restrictions, SCDOT driveway placement, site-work budget, building and parking placement estimate, and wetlands/endangered species research. No exceptions were found.

A comparison of similar near-by parcels showed the price to be a significant savings over current market prices.

According to our attorney and our by-laws the RCPL Board is empowered to:

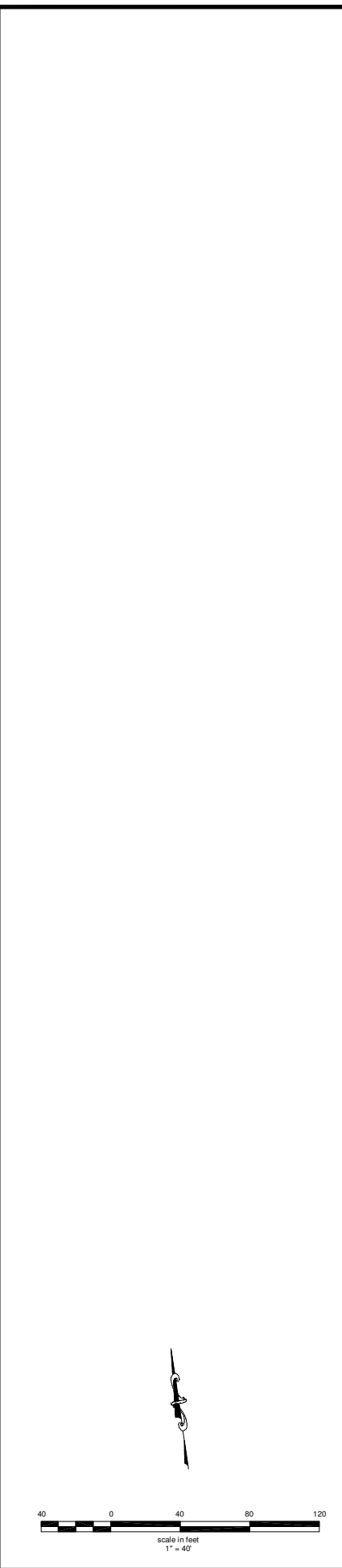
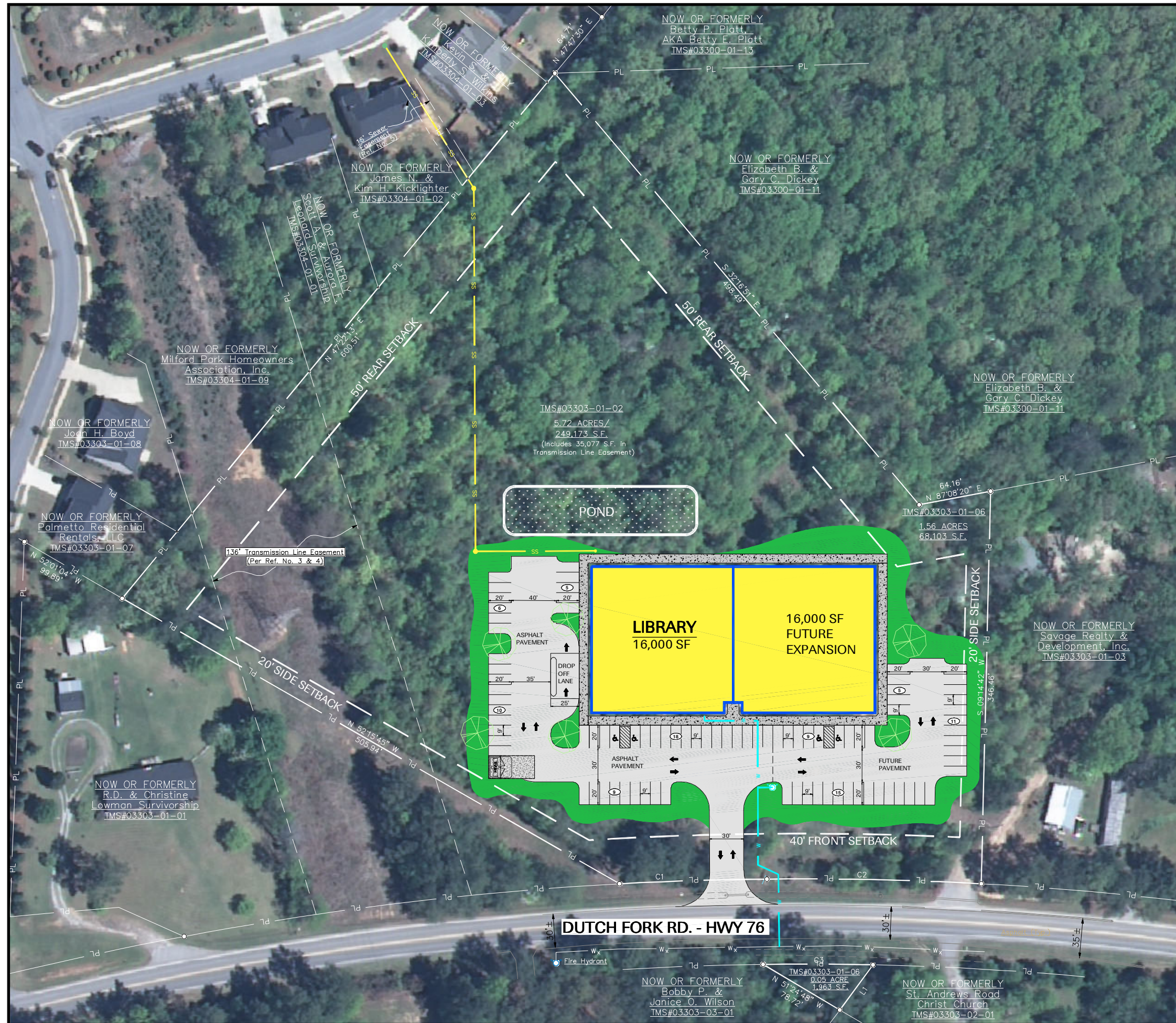
4-9-36 (2) Purchase, lease, hold and dispose of real and personal property in the name of the county for the exclusive use of the county public library system. Provided, however, any such conveyance, lease or purchase of real property shall be by the county governing body in accordance with the provisions of §§ 4-9-10 et seq. and §§ 5-1-10 et seq., as amended.

We are asking the County Council to accept this property once purchased by RCPL since it will ultimately hold the title.

Additional information:

The existing library location, at 1321 Dutch Fork Rd, opened in 2006 and as a first step in our 10 year plan to address the needs of residents throughout Richland County. The 2100 SF Ballentine Library Branch is a leased space. The library is working hard to obtain the necessary capital funds needed to build a new library which is estimated to be between 12,000 and 16,000 SF. A survey of existing users and analysis of library card use of the current facility indicate that the property being purchased is in an optimal location for a new facility.

Since 2006, residents have clearly shown they need and want a library. Last year alone, the Ballentine library was visited more than 97,000 times and checked out more than 195,000 items.



PO Box 11504
Columbia, SC 29211

1330 Lady Street, Suite 205
Columbia, SC 29201
(803) 744-4500 (Main)
(803) 744-4501 (Fax)
www.genesis-consulting-group.com

GENESIS
CONSULTING GROUP

DUTCH FORK BRANCH

RICHLAND COUNTY LIBRARY
RICHLAND COUNTY, SC

| Project No. | Date |
|-------------|------|
| 12-251 | |

| Drawing Information | |
|---------------------|----------|
| Project No. | 12-251 |
| Drawn By | CHS |
| Date | 02/26/12 |
| Checked By | KHK |
| Date | 02/26/12 |
| Approved By | KHK |

SITE PLAN

Drawing No. **C1.1**

Richland County Council Request of Action

Subject

- a. Richland County will create the "Richland County Fire Department" which will provide firefighting and other emergency services to all of the unincorporated areas of the county and regional townships within the unincorporated portions of the county. To develop a fire department with the following mission: The mission of the "Richland County Fire Department" is to provide safe, professional service through education, prevention, emergency services, community relations and highest achievable ISO rating. [WASHINGTON]
- b. That Council conduct a work session to discuss the Unified Fire Service Contract. Said work session is to be scheduled & conducted before the end of February 2012 and will be held in County Council chambers, open to the public & media, City Council and Staff to be invited, and Fire Chief Aubrey Jenkins to be present to answer questions. [ROSE]
- c. I move that Council fix the animal shelter ordinance passed February 7, 2012 by implementing those items placed into the substitution motion made that same night. [MANNING]

Richland County Council Request of Action

Subject

Must Pertain to Items Not on the Agenda