

RICHLAND COUNTY
COUNTY COUNCIL AGENDA



Tuesday, JULY 21, 2020

6:00 PM

ZOOM MEETING

RICHLAND COUNTY COUNCIL 2020



Bill Malinowski
District 1
2018-2022



Joyce Dickerson
District 2
2016-2020



Yvonne McBride
District 3
2016-2020



Paul Livingston
District 4
2018-2022



Allison Terracio
District 5
2018-2022



Joe Walker, III
District 6
2018-2022



Gwendolyn Kennedy
District 7
2016-2020



Jim Manning
District 8
2016-2020



Calvin "Chip" Jackson
District 9
2016-2020



Dalhi Myers
District 10
2016-2020



Chakisse Newton
District 11
2018-2022





Richland County Council

Regular Session
July 21, 2020 - 6:00 PM
Zoom Meeting
2020 Hampton Street, Columbia, SC 29201

1. **CALL TO ORDER**

The Honorable Paul Livingston,
Chair Richland County Council

a. ROLL CALL

2. **INVOCATION**

The Honorable Dalhi Myers

3. **PLEDGE OF ALLEGIANCE**

The Honorable Dalhi Myers

4. **APPROVAL OF MINUTES**

The Honorable Paul Livingston

a. Special Called Meeting: July 14, 2020 [PAGES 7-28]

5. **ADOPTION OF AGENDA**

The Honorable Paul Livingston

6. **PRESENTATION OF PROCLAMATION**

a. Proclamation Honoring the 30th Anniversary of the
Americans with Disabilities Act (ADA)

The Honorable Calvin Jackson

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

Larry Smith,
County Attorney

8. **CITIZEN'S INPUT**

The Honorable Paul Livingston

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

9. **CITIZEN'S INPUT**

The Honorable Paul Livingston

a. Must Pertain to Richland County Matters Not on the Agenda

(Items for which a public hearing is required or a public hearing has been scheduled cannot be addressed at time.)

10. REPORT OF THE COUNTY ADMINISTRATOR

Leonardo Brown,
County Administrator

- a. Coronavirus Update
- b. Personnel Matter – Grievance Reviews and Recommendations

11. REPORT OF THE INTERIM CLERK OF COUNCIL

Michelle Onley,
Interim Clerk to Council

12. REPORT OF THE CHAIR

13. APPROVAL OF CONSENT ITEMS

The Honorable Paul Livingston

- a. 20-001MA
Robert Giles
RM-HD to NC (2 Acres)
Ohio Street & Olympia Avenue
TMS # R11203-01-01, 03, 04 & 05 [THIRD READING] [PAGES 29-30]
- b. 20-003MA
Chad Monteith
RU to GC (5 Acres)
6505 N. Main Street
TMS # R11716-01-04 [THIRD READING] [PAGES 31-32]
- c. 20-009MA
Bill Dixon
PDD to PDD (13.4 Acres)
Greenhill Parish Parkway
TMS # R25800-03-44 [THIRD READING] [PAGES 33-34]
- d. 20-010MA
Yong M. Han & Kyu H. Han
RU to GC (.071 Acres)
10804 Two Notch Road
TMS # R25915-02-05 [THIRD READING] [PAGES 35-36]
- e. 20-014MA
Alex Serkes
10501 Farrow Road
TMS # R17500-02-07 and 15 [THIRD READING] [PAGES 37-38]

14. THIRD READING ITEMS

The Honorable Paul Livingston

- a. 20-016MA
John Ecton

RU to RS-LD
2304, 2312, and 2314 Johnson Marina Road
TMS # R01315-01-17; R01315-01-14; and R01311-02-20
[PAGES 39-40]

15. SECOND READING ITEMS

The Honorable Paul Livingston

- a. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes and Infrastructure Credit Agreement, and amendments of certain existing fee-in-lieu of ad valorem agreements, by and between Richland County, South Carolina and Project Quattro; to provide for payments of fees-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters [PAGES 41-108]

16. BLUE RIBBON AD HOC COMMITTEE

The Honorable Paul Livingston

- a. CDBG-MIT Action Plan Update - Approval of the CDBG-MIT Action Plan [PAGES 109-284]

17. OTHER ITEMS

The Honorable Paul Livingston

- a. FY2020-2021 CDBG and HOME Annual Action Plan Budget [PAGES 285-287]
- b. CDBG-DR Rehabilitation Project Change Order [PAGES 288-348]
- c. Ole Towne Antique Mall – Proposed Improvements [PAGES 349-382]
- d. COVID-19 Pandemic Relief Grant Update [PAGES 383-394]
- e. Richland County’s Fiber Broadband Partnership for Southeast Richland County [PAGES 395-399]

18. EXECUTIVE SESSION

Larry Smith, County Attorney

19. MOTION PERIOD

20. ADJOURNMENT



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Richland County Council

SPECIAL CALLED MEETING

July 14, 2020 – 6:00 PM

Zoom Meeting

COUNCIL MEMBERS PRESENT: Paul Livingston, Chair; Dalhi Myers, Vice Chair; Joyce Dickerson, Calvin Jackson, Bill Malinowski, Jim Manning, Yvonne McBride, Chakisse Newton, Allison Terracio, and Joe Walker

OTHERS PRESENT: Michelle Onley, Kimberly Williams-Roberts, Ashley Powell, Leonardo Brown, Brad Farrar, Dale Welch, Angela Weathersby, Ashiya Myers, Stacey Hamm, Michael Niermeier, John Thompson, Larry Smith, Tammy Addy, Clayton Voignier, Kyle Holsclaw, Quinton Epps, Synithia Williams, Jennifer Wladischkin, Judy Carter, Tariq Hussain, Dwight Hanna, John Hopkins, Jeff Ruble, Tyler Kirk, James Hayes, Allison Steele, Tommy DeLage and Brittney Hoyle-Terry

1. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The invocation was led by the Honorable Joyce Dickerson
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Joyce Dickerson.
4. **APPROVAL OF MINUTES**
 - a. **Regular Session: June 16, 2020** – Ms. McBride moved, seconded by Ms. Dickerson, to approve the minutes as distributed.

Mr. Livingston noted that “Tourism Development” needs to be changed to “Temporary Alcohol” throughout the minutes.

Mr. Walker noted the vote on Item 19 (p. 25 ~ Minutes) should be in favor, and not unanimous.

In Favor: Dickerson, McBride, Livingston, Terracio, Walker, Jackson, Myers and Newton

Opposed: Malinowski and Manning

The vote was in favor.

- b. **Zoning Public Hearing: June 23, 2020** – Ms. Newton moved, seconded by Ms. McBride, to approve the minutes as distributed.

In Favor: Dickerson, McBride, Livingston, Terracio, Walker, Jackson, Myers and Newton

Opposed: Malinowski

The vote was in favor.

- c. Special Called Meeting: June 23, 2020 – Ms. McBride moved, seconded by Ms. Dickerson, to approve the minutes as distributed.

In Favor: Dickerson, McBride, Livingston, Terracio, Walker, Manning, Jackson, Myers and Newton

Opposed: Malinowski

The vote was in favor.

- d. Special Called Meeting: July 2, 2020 – Ms. McBride moved, seconded by Ms. Terracio, to approve the minutes as distributed.

Mr. Walker noted the vote for the Adoption of the Agenda should reflect it was in favor, and not unanimous.

In Favor: Dickerson, McBride, Livingston, Terracio, Walker, Manning, Jackson, Myers and Newton

Opposed: Malinowski

The vote was in favor.

- 5. **ADOPTION OF AGENDA** – Mr. Livingston stated the “Award of Records Management Storage Services”, which was unanimously approved at the June 23rd A&F Committee meeting, was inadvertently left off of the agenda. The item is time-sensitive and needs to be placed on tonight’s agenda for action. He requested the item be placed on agenda as Item (n) under Approval of Consent Items.

Mr. Manning noted tonight’s meeting is a Special Called Meeting due to the meeting not being held on the 1st Tuesday of the month, even though it was scheduled in Fall 2019.

Ms. Dickerson moved, seconded by Ms. McBride, to approve the agenda as corrected.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Manning, Jackson, Myers and Newton

The vote in favor was unanimous.

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

Mr. Smith stated the following items are appropriate for Executive Session:

- a. Pending Litigation Update: Richland County vs. SC Dept. of Revenue
- b. Economic Development: Project Quattro
- c. Economic Development: Sale of Farrow Road Property
- d. Personnel Matter – Grievance Reviews and Recommendations
- e. Personnel Matter (Chair’s Report)

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Mr. Manning moved, seconded by Mr. Malinowski, to divide the question.

In Favor: Malinowski, Terracio, Walker, Dickerson, Manning, Jackson and Newton

Opposed: McBride, Livingston and Myers

The vote was in favor.

Ms. McBride moved, seconded by Ms. Newton, to go into Executive Session to discuss "Pending Litigation Update: Richland County vs. SC Dept. of Revenue".

In Favor: Dickerson, McBride, Livingston, Terracio, Jackson and Newton

Opposed: Malinowski, Walker, Manning and Myers

The vote was in favor.

Mr. Manning moved, seconded by Mr. Jackson, to go into Executive Session to discuss "Economic Development: Project Quattro" and "Economic Development: Sale of Farrow Road Property".

In Favor: Malinowski, Dickerson, McBride, Livingston, Walker, Jackson and Newton

Opposed: Terracio, Manning and Myers

The vote was in favor.

Council went into Executive Session at approximately 6:23 PM and came out at approximately 8:13 PM

Mr. Walker moved, seconded by Mr. Manning, to come out of Executive Session.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Manning, Jackson, Myers and Newton

The vote in favor was unanimous.

- a. Pending Litigation Update: Richland County vs. SC Dept. of Revenue – Ms. Terracio moved, seconded by Mr. Malinowski, to instruct staff to continue negotiations on this matter.

Mr. Smith stated he is not quite sure what aspects Council would like for us to address, in the form of negotiations, with the other party. If it is all aspects, we understand that. If there are specific aspects, then he requested Council to articulate which aspects, for clarity.

Mr. Malinowski stated, for clarification, to not accept what the County was provided, but to move forward with all the aspects discussed, to include the start of discovery.

Mr. Lindemann responded those cannot be done at the same time, given the procedural posture.

Mr. Malinowski inquired if the motion can be that we do not accept any offers made, and move forward, as discussed in Executive Session.

Mr. Malinowski made a substitute motion, seconded by Ms. Dickerson, to not enter into any agreements provided to us, and to move forward with the other matters, as discussed in Executive Session.

Mr. Smith stated, based on the substitute motion, there was a proposal made by the other party, which was discussed with Council in Executive Session. Mr. Malinowski's motion was for the County to reject the offer and move forward with the pending matters, as discussed in Executive Session.

In Favor: Malinowski, Dickerson, McBride, Livingston, Jackson and Myers

Opposed: Terracio, Walker and Newton

The vote was in favor.

Mr. Malinowski moved, seconded by Ms. McBride, to reconsider this item.

In Favor: Terracio, Walker, Myers and Newton

Opposed: Malinowski, Dickerson, McBride, Livingston and Jackson

The motion for reconsideration failed.

- b. Economic Development: Project Quattro – [See Item 17(b)]
- c. Economic Development: Sale of Farrow Road Property – Mr. Jackson moved, seconded by Ms. Dickerson, to defer this item until the September 15th Council meeting.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Jackson, Myers and Newton

Opposed: Walker

The vote was in favor.

7. **CITIZENS' INPUT**

- a. For Items on the Agenda Not Requiring a Public Hearing – No comments were received for this item.

8. **CITIZENS' INPUT**

- a. Must Pertain to Richland County Matters Not on the Agenda (Items for which a public hearing has been scheduled cannot be addressed at this time) – Mr. Franklin Buie provided comments regarding Spears Creek Erosion.

9. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Coronavirus Update – Mr. Brown stated in a recent letter from the Governor it was noted there is evidence of high rates of infection in people who do not have symptoms, and do not realize they are infectious. They specifically pointed to the Center for Disease and Prevention that estimates that 40% of people infected with COVID-19 do not have any outward symptoms and may transmit the disease unknowingly. We had a report of a potential COVID-19 case, related to the Detention Center. Upon receipt of the report, we took immediate precautions. We instituted a process by which we

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tested staff, as well as the detainee. It was discovered there were several individuals who were asymptomatic, but were positive for COVID-19. In addition, on July 6th, the mask ordinance went into effect. PIO and Community Government Services has been receiving communication opportunities and requests about the ordinance. We are developing a fact sheet to provide to the community, so the public can better understand the ordinance. We have received several questions that may require us to take a second look at our ordinance to provide additional clarity. The County has purchased masks to be passed out to the community. We are currently awaiting the shipment. Upon receipt, staff will work with Council to coordinate distribution. We will also be providing information, via the County's website, on how to create your own masks.

Ms. Newton requested an update on the services the County is currently providing.

Mr. Brown stated the Register of Deeds Office is open in a limited capacity, via appointments. All other areas are closed to the public, but we are still performing services online and via telephone. In reference to reopening, some of those things have changed in light of the increase in cases. We are instituting a training program for staff, so as they interact in the workplace they will know how to handle themselves, how to handle situations if someone is experiencing signs or symptoms, as well as, if you are a supervisor and you are notified someone is potentially exposed or ill. If you recall there was some time when we talked about looking at a 14-day downward trend to lead the discussion about when we would reopen. Since then, we have not seen a downward trend, so we started looking at positivity rates, and having a positivity rate of 5%. Now we are looking at positivity rates in double digits, and even using that as a criteria, we would not qualify for opening.

Ms. Newton stated we do not know how long this environment is going to last, so preparations to continue to allow people to work from home, and perhaps expand that capacity so the employees can be working safely and meeting the constituents needs remotely.

Ms. McBride inquired about the funds Richland County provided for non-profits organizations, and if those funds are still available.

Mr. Brown stated this matter would be addressed later on in the agenda under "Other Items".

Mr. Malinowski inquired if Richland County Sheriff's Department asked about enforcement, or assistance, in the enforcement of the face mask ordinance.

Mr. Livingston responded that he spoke with the Sheriff and Major Cowan before the ordinance was passed. At that time, they indicated they would rather not be the primary one to enforce the ordinance.

Mr. Malinowski inquired as to who is enforcing the ordinance, if a violation is reported.

Mr. Brown responded there are members of Richland County team that can address that, and have the ability, if necessary, to write citations, even though we are not focused on writing citations. There are 2 Code Enforcement Officers, the Fire Marshals, the Fire Service who can assist with addressing any questions/concerns and enforcement.

Mr. Manning stated, for clarification, when we established the policies it addressed staff's travel for work, as well as all the aspects of them coming in, or not coming in to the office.

Mr. Brown responded the plan is not supportive any employee traveling to any work conferences. The only exception would be if there was a license that had to be renewed through some sort of conference outside of the Richland County environment.

Ms. Dickerson stated some places are making you go into a 14-day quarantine, if you do travel.

Mr. Brown stated, for example, if an employee travels for personal reasons, the plan is for the employee to self-quarantine for 14-days.

- b. P-Card Process Report – Mr. Brown stated, as indicated in the documentation he provided, he was asked to look into concerns raised about P-Card usage and internal controls. In looking at some of the internal controls that exist in Richland County’s policy, he wanted to bring some things to Council’s attention. The P-Card policy, in its current form, has gaps in its internal control measures. Specifically, card users have the ability to spend an amount not supported by their budget. For example, if you have a P-Card limit, you can go out and spend your P-Card limit and not have that exact amount in my budget. Using the P-Card, the system will not stop you from using it. Then, when the reconciliation process happens, Procurement and/or Finance would note that the funds are not there, but because the County is obligated to pay those funds for the P-Card, the County would pay the statement, and money would have to transferred to cover for that expenditure. He noted that purchasing limits are directly linked to the Department’s budget, so there is not a specific mechanism he was able to determine that explains why a particular department has a particular amount on their P-Card. Also, deference is given to Council members and Elected Officials. Council members are able to approve their own request for a P-Card, which is different from Department Heads. Department Heads have to get their request approved by the County Administrator. Receipts documenting purchases may be requested, but not required, which goes to the point of people feeling they do not want to step on the toes of their superiors. Elected and Appointed Officials are exempt from the two signature requirement. If an individual signs for a purchasing card use, there is at least two other people, the approving official and the Department Head, who have to sign off on the statement. He stated you want a policy that communicates to everyone that is a P-Card user what the requirements are, and let that lead how things are managed. Additionally, the P-Card policy does not clearly define and classify all of the various uses of the P-Card program. For example, if you look at the definitions, you will not see Council members, but then going to the policy you will see some wording about Council members, which could potentially add a layer of confusion, when you are looking at how this is managed, and who is responsible to answer to whom. Lastly, the P-Card policy does not cite the spending authority associated with different classes of P-Card users. For example, if there are opportunities for P-Card users to spend County funds, it should be clear where the authority comes from. The P-Card policy does not address what happens when you bring in discretionary funds, which are tied to the Council’s individual expense accounts. The P-Card policy may address certain criteria that are prohibited in its P-Card policy, but because some of the discretionary abilities afforded to Council. They can use their expenditures different from the P-Card, but the P-Card may be used, which goes back to us needing a policy that clears all those things up, so everyone is on the same page. He is asking to work with County staff to create a policy that governs everybody that uses P-Cards, so that way individuals will not be in a position to where they do not feel it is appropriate to question is a superior position.

Mr. Manning inquired as to what GFOA stand for, and the award they have given the County for the last 12 years.

Mr. Brown responded it stands for Government Finance Officer Association, and the award has the same title.

Ms. Hamm responded the award is for excellence in reporting.

Ms. Myers stated, as the person who asked Mr. Brown to undertake this review, she would like to thank him for doing so. She noted, during the process of this review, and while it is obvious from Mr. Brown's report there are members of staff who fear reprisal by asking questions about P-Card use, they do not fear reprisal from passing along information that in its raw form could be detrimental to people's reputation. She noted, for the record, there is nothing on her P-Card to indicate that Richland County ever paid for her to take an international trip. In fact, Richland County's record, from March 2019, reflects, while she took a personal trip, she met with local elected officials and took them dinner. The day she got back, she talked with Richland County staff and asked if that information would be weaponized, and misused. Dr. Yudice, who was in charge of the Finance Department, indicated she thought it could. She immediately repaid the charges, and is reflected in the County's records. The charge that scared her out of her wits, and was approved by staff, and never brought to me, was an absurd car charge, which was well over any limits that anyone in Richland County should be approving. No one ever asked her about. No one told her they were going to pay it. No one told her it had been brought to the County. Had anyone asked her anything, or even told her, rather than discussing it as internal gossip with other Council members, she would have said this needs to be challenged. She would have immediately said this does not look like a legitimate charge. As it stands, when she found out, she immediately had the charge reversed because it was not a legitimate charge. She stated we have come to a point where we weaponized everything, and we point them squarely at people's reputations. She suggests that is something we need to be a little more careful about. She stated what is on her P-Card is a lot of doughnuts, Sam's Club, flyers and running around, because we have a \$30Msewer project that nobody, but her, is providing public information for. She has held 25 meetings, which are reflected in her P-Card. If staff is serious about policing this, then maybe we should each learn to go to whomever it is that can actually answer the questions, rather than reporting on each other, and weaponizing information. When all of this happened, it was intentional, and it was clear there was an agenda. She noted this agenda is routinely used against people on this Council who look like her. She stated this is a tough job, and it is made tougher when we are in the circular firing squad against each other. Mr. Brown has done what she asked him to do. At no point, did she ask him to investigate her colleagues. He did not suggest that he was investigating me, but that is the narrative that was suggested. She stated we all have reputations to protect, and we have an opportunity to fix it. We do not have to run to the newspaper with things that are within our control to fix, and make other people look like criminals and thieves. She asked Council to take more seriously the reputations of themselves, and their colleagues. For the record, she has voluntarily met with law enforcement, and given them all this information because she wants it to be clear that she is not running around doing things that are illegal, and stealing from the County, which is the narrative that has fomented. She is happy to answer any questions about her P-Card spending, or the things she has to do for Richland County. She pointed out she does not represent a 10 mile district. It is 350 sq. miles, and it takes a lot more to do what she is doing, than what someone else has to do.

- c. Personnel Matter – Grievance Reviews and Recommendations – This was moved to Executive Session.

10. **REPORT OF THE CLERK OF COUNCIL**

- a. Institute of Government and Annual SCAC Conference: August 1 – 3 – Ms. Roberts reminded Council of the upcoming Institute of Government and Annual SCAC Conference.

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11. **REPORT OF THE CHAIR**

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

12. **OPEN/CLOSE PUBLIC HEARINGS**

- a. Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain property located in Richland County; the execution and delivery of a Public Infrastructure Credit Agreement to provide for public infrastructure credits to Washington & Assembly, LLC, a company previously identified as Project Novel; and other related matters – Mr. Barton Walrath, Mr. Andrew Savoy, Mr. Matt Kennell, Ms. Maureen O’Hare, and Mr. Robert Coble.

13. **APPROVAL OF CONSENT ITEMS**

- a. 20-001MA, Robert Giles, RM-HD to NC (2 Acres), Ohio Street & Olympia Avenue, TMS # R11203-01-01, 03, 04 & 05 [SECOND READING]
- b. 20-003MA, Chad Monteith, RU to GC (5 Acres), 6505 N. Main Street, TMS # R11716-01-04 [SECOND READING]
- c. 20-009MA, Bill Dixon, PDD to PDD (13.4 Acres), Greenhill Parish Parkway, TMS # R25800-03-44 [SECOND READING]
- d. 20-010MA, Yong M. Han & Kyu H. Han, RU to GC (.071 Acres), 10804 Two Notch Road. TMS # R259115-02-05 [SECOND READING]
- e. 20-014MA, Alex Serkes, GC to HI (6 Acres), 10501 Farrow Road, TMS # R17500-02-07 and 15 [SECOND READING]
- f. Columbia Area Mental Health Lease Agreement Renewal – 2000 Hampton St.
- g. Sweetwater Drive Culvert Repair Project
- h. Melody Garden Stream/Ditch Stabilization Construction Contract
- i. Replacement of Metal Storage Building at the Eastover Camp for the Department of Public Works, Road and Drainage Division
- j. Contract Award, RC-336-B-2020, Riverwalk and Stockland Drive Resurfacing
- k. Airport Construction Contract Award Recommendations
- l. Solid Waste –Host Community Agreement
- m. Request for Sewer Availability Approval Proposed Development on Koon Road Tract (Tax # R03400-02-56)
- n. Award of Records Management Storage Services

Mr. Walker moved, seconded by Ms. Dickerson, to approve the consent items.

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In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Jackson, Myers and Newton

The vote in favor was unanimous.

14. **THIRD READING ITEMS**

Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain property located in Richland County; the execution and delivery of a Public Infrastructure Credit Agreement to provide for public infrastructure credits to Washington & Assembly, LLC, a company previously identified as Project Novel; and other related matters – Mr. Jackson moved, seconded by Mr. Walker, to approve this item.

Ms. Terracio stated she has heard from both the Vista and Arsenal Hill neighborhoods, and they are not supportive of this. She noted, for the record, that she had previously expressed her concerns regarding student housing and these credits. Therefore, she will be supporting the neighborhoods and not supporting this item.

Mr. Malinowski inquired about the dollar amount of the infrastructure credit that will be given out.

Mr. Ruble responded, the way the program is structured, the dollar amount of the incentives is limited to the eligible infrastructure, as they submit receipts. At the present time, we cannot give you a dollar amount.

Mr. Malinowski stated, for clarification, we will taking our money and giving someone a credit, when we could actually pay someone to do the same thing.

Mr. Ruble responded, the way the program is structured, you can receive a tax break of up to 50% for 10 years, and it is capped at your public infrastructure. We require the receipts on the backend to ensure they have spent the funds for public infrastructure.

Mr. Malinowski inquired if they will be reimbursed, up to a certain dollar amount, their total expense for public infrastructure.

Mr. Ruble responded the total dollar amount is based off their capital investment. It would be 50% of the taxes they pay.

Mr. Malinowski inquired about the difference between us giving them the credit and the County hiring a construction company to do the same thing.

Mr. Ruble responded the company is making the investment, and we are abating some of their taxes. The County is not actually going out and borrowing money and giving it to anybody.

Mr. Malinowski stated, if he was a developer, he could say, "I'd like to put a sidewalk and some landscaping in in this area. Will you pay me back after I do it?" The County would say yes, because that is what we are doing with this group.

Mr. Ruble responded if you spend \$30M on a development, and it meets the approval of Council, you could because it would qualify as public infrastructure.

Ms. Dickerson stated she supports Ms. Terracio's opposition to this project. She noted there is another building going up on Huger Street.

In Favor: McBride, Livingston, Walker, Jackson and Newton

Opposed: Malinowski, Dickerson Terracio and Myers

The vote was in favor.

15. **SECOND READING ITEMS**

- a. 20-016MA, RU to RS-LD, 2304, 2312, and 2314 Johnson Marina Road, TMS # R01315-01-17; R01315-01-14; and R01311-02-20 – Mr. Malinowski moved, seconded by Ms. Myers, to approve this item.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Jackson, Myers and Newton.

The vote in favor was unanimous.

16. **REPORT OF THE ADMINISTRATION AND FINANCE REPORT**

- a. Midlands Business Leadership Group – Gateway Beautification – Ms. Dickerson stated the committee recommended approval of this item.

Mr. Malinowski stated the reason he voted against this in committee is because the briefing document referred to critics, and we do not know who the critics are that has harshly judged the County's appearance. These critics recommended more trees and less surface parking. He took a trip out there, and he does not see how you are going to get more trees and less surface parking unless you get some of the businesses to agree to give up property. A lot of the area has already been landscaped by the businesses, and he was not able to locate the rebel flag referenced in the document. In the committee they were told the business community is in favor of this, and willing to support it. Yet, when he asked how much the businesses has pledged toward this, he was told they did not know because they were just starting to work on that. Also, it was indicated the cost would be between \$500,000 - \$1M; however, at the committee meeting it was stated the cost would be between \$1M - \$1.5M. In addition, it refers to gateways, yet the only thing the resolution addresses is one gateway, and no guarantee that any other gateways will be addressed in the future, or efforts will be made once this one is done.

Mr. Livingston stated the intent of the resolution is for us to get on one page, and try to come up with a regional design. The intent was not to deal with every detail, but to start a process.

In Favor: Dickerson, McBride, Livingston, Terracio, Walker, Manning, Jackson, Myers and Newton

Opposed: Malinowski

The vote was in favor.

17. **REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE**

- a. Presentation of Knowledge Economy Jobs Study – Mr. Ruble stated there are a couple different philosophies that compete in Economic Development. They are embodied by two directors of the old State Development Board. Mac Holladay took an academic approach to Economic Development. He thought that if you build it they will come. He was replaced with Mr. Wayne Sterling, and he had a totally different philosophy. He believed in big game hunting, and to not fix anything because that

is somebody else's job. His job was sell, sell, sell.... A lot of us, in the State, follow that latter approach. We are transaction oriented, and he approached it with that same mindset. He started looking at the big white-collar operations we have (i.e. Blue Cross, Colonial), and how do we grow those companies. And, what other companies could benefit from being here. We started having conversations around the community, and we developed a partnership among a number of our allies (i.e. Midlands Tech, City of Columbia, Lexington County, USC, SC Research Authority, I-77 Economic Development Alliance, and the CentralSC Alliance). The University of South Carolina hired a consultant to do a study for us. We focused on insurance technology. After hiring the consultant, the scope expanded. What was decided was that had competitive advantages in approximately 6 areas: IT, Financial Services, Health Information Technology, Aerospace, Bio-Tech and Medical Device. The fields of Bio-Tech and Medical Device are growing so fast that our community cannot afford not to be in that arena. The consultant developed 67 recommendations, across 5 general topics, including Workforce Incentives and Marketing. This was truly a collaborative effort, which is a monumental step forward for the community. We have been criticized for not leveraging the University. He has been doing Economic Development on behalf of Richland County since the early '90s, and we understand today better than we ever have what assets the universities are, and how to leverage them. This is an action plan, and not an academic study to sit on a shelf. We are creating working group, and are planning on implementing this. The general idea is to get 30 – 40% of the 67 recommendations. This is going to have benefits down the year, and he commended Council for supporting this. He also thanked Gary Powers for coming out of retirement to assist on this endeavor.

Mr. Jackson stated he would like to see this whole effort expanded, so the composition of everyone involved is reflective of Richland County, the technical colleges, the CATE Program, and the HPCU college and universities are engaged. He believes this is a great first step, but a lot more diversity needs to occur to be more reflective of Richland County.

- b. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes and Infrastructure Credit Agreement, and amendments of certain existing fee-in-lieu of ad valorem agreements, by and between Richland County, South Carolina and Project Quattro; to provide for payments of fees-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters [FIRST READING] – Mr. Jackson moved, seconded by Mr. Walker, to approve this item.

Mr. Malinowski requested the name of the company by 2nd Reading.

Ms. Myers requested to be briefed on this matter since it is in her district.

In Favor: Malinowski, McBride, Livingston, Terracio, Walker, Jackson and Newton

Opposed: Dickerson and Myers

The vote was in favor.

- c. Committing to negotiate a fee-in-lieu of ad valorem taxes agreement between Richland County and Project Quattro; identifying the Project; and other matters related thereto – Mr. Jackson moved, seconded by Mr. Walker, to approve this item.

In Favor: Malinowski, McBride, Livingston, Terracio, Walker, Jackson and Newton

Opposed: Dickerson and Myers

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The vote was in favor.

- d. A Resolution approving certain sponsor affiliates to join in the fee-in-lieu of ad valorem taxes and incentive agreement between Eastover Solar, LLC and Richland County, South Carolina; and other matters related thereto – Mr. Jackson stated the committee recommended approval of this item.

Ms. Myers inquired if anyone spoke with the Mayor of Eastover regarding this item.

Mr. Ruble responded he does not believe anyone spoke to the Mayor. He stated this is a technical legal issue related to transferring the property to a third-party. He stated he will follow-up with the Mayor to answer any questions.

In Favor: Malinowski, McBride, Livingston, Terracio, Walker, Manning, Jackson, Myers and Newton

Opposed: Dickerson

The vote was in favor.

18. **REPORT OF THE RULES AND APPOINTMENTS COMMITTEE**

I. **NOTIFICATION OF APPOINTMENTS**

- a. Lexington Richland Alcohol and Drug Abuse Council (LRADAC) – 1 – Mr. Malinowski stated the committee recommended re-appointing Mr. L. L. “Buddy” Wilson, Jr.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Jackson, Myers and Newton

The vote in favor was unanimous.

19. **REPORT OF THE BLUE RIBBON AD HOC COMMITTEE**

- a. Continuation of Recovery Consultancy Services – Change Order #8 for Task Order #7 – Mr. Voignier stated at the May 28th meeting the Blue Ribbon Ad Hoc Committee unanimously recommended Council approve the Tetra Tech Change Order to extend the period of performance to October 2, 2020, and increase the Task Order for disaster recovery planning and implementation services to \$214,176, due to delay related to COVID-19 and other construction-related delays. This item was deferred at the June 16th Council meeting. On July 9th staff provided Council an issues briefing, via email, to address outstanding questions, and document the progress of the County’s disaster recovery efforts through the Single Family Homeowner Rehabilitation Program, which is administered by Tetra Tech, as the implementing contractor. Since Tetra Tech began management of the program, the program has experienced a significant increase in the combined output of completed mobile home replacements, and home repairs and rebuilds, in comparison to the first 3 years of the program. Tetra Tech has done so while remaining within the funding allocation designated by HUD, and the County, as this program is funded by grant dollars, through CDBG-DR. Tetra Tech is vital to the continuation and completion of this program, not only due to their efficiency and effectiveness, but also because the County does not currently have staff with the experience or expertise to administer this program. Tetra Tech’s Task Order expires on July 17th.

Mr. Malinowski stated, Mr. Voignier indicated this increase will bring the task order to \$214,000. When he was reviewing the information, it appeared this task order is already approximately \$4M.

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Mr. Voignier responded the change order for this task order is an increase of \$214,176. The task order itself is approximately \$4.4M.

Mr. Malinowski stated the County could have bought a vehicle and sold it at the conclusion of Tetra Tech's services instead of paying \$20,000 in rental car fees. In addition, the \$73,000 for hotel stays could have been used to assist the citizens. To take advantage of this system, whether it is legitimate or not, and have one person reap the benefit of over \$90,000, is atrocious and uncalled for.

Ms. McBride inquired if there a final report, in terms of the number of houses that were rebuilt, and where they were built.

Mr. Voignier responded that information is readily available. The information is submitted internally amongst staff on a weekly basis, and he could be shared with Council.

Ms. McBride requested a summary, by year, since the information is available.

Mr. Voignier responded that information was included in the June 16th Council agenda packet, and some of the information was also in the issues briefing.

Mr. Walker inquired, if this item were not to pass, what would be the impact on the CDBG-DR program, and our ability to move forward.

Mr. Voignier given the fact that we have approximately 22 additional homes, currently in progress, we would have to suspend operations for 3 – 6 months to ensure that we can maintain the temporary relocation and storage expenses for the homeowners, who are currently not in their homes. We would also have to find staff with the experience to administer this program effectively.

Mr. Malinowski stated, in the agenda packet, it said that Richland County was going to have to take over to finish this. If that is the case, why did the County have the expertise then, and not now?

Mr. Voignier responded we do not have the expertise. A CDBG-DR Program Manager was hired. Unfortunately, that person resigned about a month into the position, and we found it very difficult to recruit this type of expertise, which is why we approached Tetra Tech about serving as the implementing contractor.

In Favor: Dickerson, McBride, Livingston, Terracio, Walker, Manning, Jackson, Myers and Newton

Opposed: Malinowski

The vote was in favor.

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

In Favor: Manning

Opposed: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Jackson, Myers and Newton

The motion for reconsideration failed.

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

- a. Mitigation Credit Sales – Kershaw County, Beechwood at Camden Project – Mr. Jackson stated the committee recommended approval of this item.

Mr. Malinowski stated all of the reviews, and dates of reviews, are blank in the briefing document, so he does not know what reviews or recommendations resulted in. He noted on p. 300 it says “gross proceeds” and it was indicated at the committee meeting it should have been “net”, but the briefing document still reflects “gross”; therefore, he cannot support this item.

Mr. Jackson responded that the reviews did take place by Legal, Finance and Budget, and should have been indicated.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Jackson and Newton

Opposed: Walker and Myers

Abstain: Manning

The vote was in favor.

- b. Staff Augmentation Additional Selection Approval – Mr. Jackson stated the committee recommended approval of 4 additional groups to support the Transportation Department.

In Favor: Dickerson, McBride, Livingston, Terracio, Walker, Jackson, Myers and Newton

Opposed: Malinowski and Manning

The vote was in favor.

21. **REPORT OF THE SEWER AD HOC COMMITTEE**

- a. Council Motion: I move that Richland County staff reevaluate the sewer project methodology to potentially allow for usage based rather than flat rate fees [MYERS] – Mr. Malinowski stated the committee recommendation was for new development, dependent on Richland County water or sewer services, or both, that the developer be required to meter the homes for usage, and that going forward Richland County develop a phased-in plan, so that a certain number of historic customers are annually brought into a metered system, until all customers are metered.

Ms. Newton made a substitute motion to approve staff’s rate recommendation (p. 317) and adopt Scenario 4 (p. 323), with a slight modification that whenever the County’s flat rate increased by more than 15% that the transfer customer rates be allowed to increase up to 20%, not to exceed the County’s flat rate. Ms. Dickerson seconded the motion.

Mr. Malinowski stated, if we do this, we are not addressing the situation, which has been around for years of how we get away from the flat rate. In Scenario 4, it says the transfer customers’ rate will increase at the same percentage year, as the other utility customers. He would like to know how anyone ends up getting near the flat rate, if the increase is the same.

Mr. Brown responded the County already had some rates approved for the next few fiscal years, so the assumption the information makes is that those rates will not be increasing annually.

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Mr. Malinowski stated if the rate does not increase, then these other people's rates will not increase. It says, "it will increase at the same percentage each year, as other utility customers." Therefore, it does not address the "catch up" rate or "usage vs. flat rate".

Mr. Brown stated an individual, whose rates are not equivalent to the County's flat rate, their rate will continue to increase, until it meets the County's flat rate.

Mr. Malinowski made the following friendly amendment to the substitute motion: that addition to the proposed rate structure in Scenario 4 that we also move forward with requirements to meter new homes and develop a phased-in plan for existing homes.

Ms. Newton stated, for clarification, these are homes located in the Richland County service area.

Ms. Myers stated she understands Ms. Newton's concerns, but none of what she has put in her motion speaks to what we discussed in the committee regarding fair treatment of people, within the same class. We have still not spoken to the disparity within a class. She would like some analysis of that from Legal staff.

Ms. Newton stated, when Ms. Myers says disparity within the class, she is specifically referring to the transfer customers where, because Richland County has a flat rate, the objective is to get those customers to a flat rate.

Ms. Myers stated, at the committee meeting, when we discussed the transfer customers, as well as the Franklin Park, we discussed the issue that they could all be one class because they had the same experience with rates dramatically increasing, but some of the customers had a decrease in the rate. She understands what Ms. Newton is saying is that they hit the ceiling faster, but that means the class is not all being treated the same. It also introduces the possibility for someone outside of the class to say they want a different rate.

Ms. Newton stated, she cannot speak to the Franklin Park customers, but looking at the City of Columbia customers, she spoke to some sewer attorneys about the rate structure we are proposing, which is where she got her information. As everyone is moving toward the flat rate, within the transfer customers, they will all be treated the same.

Ms. Myers inquired, if someone's rates dramatically increased, but someone else's rate went down, are we saying they are being treated the same.

Mr. Smith stated he did not review this matter. He believes Ms. McLean did, but he knows we were talking about the importance of making sure we were consistent and the rates were the same. If we were going to create a class to make the rates the same in the class, unless we could come up with a rational basis to treat them differently. He is not sure what format this particular version is in. It sounds like, from what Ms. Newton has said, this version did not get our review, but she spoke to someone else about it. If that is the case, then he would say, in order for him to address the question, he would need to take a look at it.

Mr. Brown responded this information was shared, and he is not sure who did, or did not, review it. The criteria that went into some of this information clearly states, with the unified system, if it contends to charge different rates to different customers, they need to be group together, in classes, where each class member is treated equally. These classes we are talking about are grouped based on the service, and the services provided. Currently the services are provided by mechanisms. One service is provided by wastewater treated by Richland County, and the other service is provided by

wastewater treated by the City of Columbia. Therefore, those two classes are distinct, so each member in that class is being provided service the same way. Those classes are defined by the services they receive.

Ms. Myers stated, what she is saying is, they are not being treated the same within the class, and Franklin Park, which is getting less service than all of the classes, is being left out. The reason we did not bring forward this recommendation is, while the classes were established, within the transfer customer class, we are basically establishing two rate structures, and the Legal Department told us we could not do that.

Mr. Brown responded he is not sure he agrees on the two different rate structures, within the class, but he hears Ms. Myers' question.

Ms. Myers stated, if one person in the class was paying more than our flat rate, and one was paying substantially less than our flat rate, and we take one back to the old rate they were paying and raise them up until they get to the ceiling, but we take the other one, within the same class, and lower their rate to our ceiling, we do not have parody within the class. We have two separate rate categories within the class. We also discussed that Franklin Park is getting service from no one, but is paying for future service.

Mr. Malinowski responded he recalls that Ms. Myers requested some information to be brought back. He was supporting Ms. Newton's substitute motion because it will be a while before we meet again, and trying to get those customers from the City back where they should be, which may be possible in the overall motion. If the objective is to have customers, within the class, reach the flat rate the County is charging, then reducing the rate of those at the high end, will accomplish that.

Mr. Brown stated, if we have to place meters before we are able to make movement on this particular area that will not be resolved by next week, because we will not have the ability do that in the short-term.

Ms. Myers responded she does not think the questions coming out of committee did not turn on whether there were meters. We were trying to figure out how to put people in classes, and how to fairly find a rate for the Franklin Park people, who are not receiving service from either Richland County or the City of Columbia.

POINT OF ORDER – Mr. Walker stated there is an appropriately seconded motion on the floor. Therefore, the unilateral decision to not address it tonight is out of order.

Mr. Malinowski stated, according to his notes from the committee meeting, Ms. Myers referred to the rate study, and that the assumptions were flawed.

Ms. Myers made a second substitute motion, seconded by Mr. Malinowski, to defer this item.

In Favor: Malinowski, McBride, Livingston, Terracio and Myers

Opposed: Dickerson, Walker, Manning, Jackson and Newton

The second substitute motion for failed.

Ms. Newton stated part of the question is based on a broad policy of metering, and part is based on creating a rate structure for the transfer customers. Therefore, she moved to adopt staff's rate

recommendations, and adopt Scenario 4, as presented on p. 323. Ms. Dickerson seconded the motion.

Mr. Malinowski requested a legal opinion on if Ms. Newton's motion is properly before Council because her motion has nothing to do with the committee's recommendation.

Mr. Smith responded, once a committee's recommendation comes before Council, Council can decide to either act on that recommendation or amend the recommendation.

Ms. Myers stated we now have the transfer customers, who are being treated in a class, but we have a class of customers who are getting service below all classes of our customers, and they will be charged considerably more than everybody if we take this action, without including those customers. Her issue at the committee meeting, and tonight, is if we are talking about fairness in the system, they are the ones who are being treated least fair because they are not getting treated wastewater. They are getting wastewater that runs into a hole. She does not know how we create this class, for the sake of fairness. She would like Franklin Park to be included, but the issue, at the committee, is that we did not have information on how they should be included. They are the ones whose rates doubled for literally nothing, so they are below the transfer customers. She thought we were trying to give staff some time to tell us what to do with them. She does not think you can create these new classes and leave them out.

Ms. Newton stated, when it comes to a class structure, what makes a class is there are a definable group by their characteristics. Franklin Park can certainly be a separate class because they do not meet the criteria for the City of Columbia, since they did not have their services transferred by the City of Columbia. Perhaps that is something the committee could take up and bring back next Tuesday, but for this particular group, this is something that was brought to Council in February, with a motion to have a solution by March, and it is now July. The motion before us is something that has been investigated by staff, and recommended on several occasions. It does not preclude us, or the Sewer Ad Hoc Committee, from going back and looking at Franklin Park. It does not preclude us from looking at how we do metering in the future, but it does allow us to address some customers who literally woke up not having their service changed, but having their rates double and triple, for the benefit of others, which is inherently unfair.

Ms. Newton moved, seconded by Mr. Walker, to call for the question.

In Favor: Dickerson, Livingston, Terracio, Walker, Manning, Jackson, Myers and Newton

Opposed: Malinowski

The vote was in favor of calling for the question.

Ms. Roberts restated the motion before Council is as follows: was to approve staff's recommendation, which is Scenario 4.

In Favor: Dickerson, Livingston, Terracio, Walker, Jackson, Myers and Newton

Opposed: Malinowski

Abstain: Manning

The vote was in favor.

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Ms. Myers instructed staff to deal with some fix for the Franklin Park who are not getting any treatment, and are paying more in this new class.

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

In Favor: Malinowski

Opposed: Dickerson, Livingston, Terracio, Walker, Jackson, Myers and Newton

The motion for reconsideration failed.

22. **OTHER ITEMS**

- a. Letter of Support for McEntire JNGB – Mr. Brown stated we received a request for a letter of support, which was submitted to Council. In order for them to move forward with the procurement of the land they are trying to buy, they need to obtain letters of support from Council.

Mr. Walker moved, seconded by Mr. Malinowski, to approve the request.

Mr. Malinowski inquired about the amount of taxes received from this piece of property.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Jackson, Myers and Newton

The vote in favor was unanimous.

- b. COVID-19 Pandemic Relief Grant Update – Ms. A. Myers stated the grant closed to new applications at 11:59 PM on June 30th, with a total of 490 applicants. Staff reviewed all applications for eligibility. There was \$1.9M in funding requests from area non-profits, which would have impacted low-income families, healthcare workers, children and youth, and individuals experiencing homeless. There were \$5.2M in funding requests from area small businesses. We also noticed an overall decrease in staff across the County's small businesses. The next round of award recommendations begin on p. 350 of the agenda packet. In absence of a designated Council member, the grant committees met to review and score applications. The recommendations for both non-profit and small business recipients are included in the agenda packet. Ultimately, we are asking that Council consider these entities for award, and should these entities be approved for award, staff will begin to disburse funds following the receipt of all appropriate documentation from those entities.

Ms. McBride stated we have not provided any funds to the constituents that are need. For clarification, right now we are just dealing with the entities that will be managing the funds for us.

Ms. A. Myers inquired if Ms. McBride is asking if we have disburse funds to recipients from the first round.

Ms. McBride responded she is referring to the constituents that are in need of rental assistance and food from these grants.

Ms. A. Myers stated they have disbursed funds to the first round of non-profit grant recipients.

Ms. McBride stated, for clarification, the entities, we awarded the funds to, are doing this. She would like to know how the citizens know who to contact to get resources.

Ms. A. Myers responded they have a list of the entities that are recommended for award, as well as those that received an award. She will be glad to provide that list, and request that it be posted publicly.

Ms. McBride stated citizens do not know where to go for funding because she does not know where to tell them. She stated the outreach is not reaching the people we need to reach.

Mr. Walker moved, seconded by Ms. Terracio, to approve the award of the funds to the recommended entities.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Jackson, Myers and Newton

The vote in favor was unanimous.

23. **EXECUTIVE SESSION**

- a. Personnel Matter: Grievance Reviews and Recommendations – Mr. Malinowski moved, seconded by Ms. Terracio, to defer this item until the July 21st Council meeting.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Manning, Jackson, Myers and Newton

Opposed: Walker

The vote was in favor.

Ms. Newton moved, seconded by Mr. Jackson to go into Executive Session.

In Favor: Malinowski, Dickerson, McBride, Livingston, Jackson, Myers and Newton

Opposed: Terracio, Walker and Manning

The vote was in favor.

Council went into Executive Session at approximately 10:45 PM and came out at approximately 11:13 PM

Mr. Manning moved, seconded by Mr. Walker, to come out of Executive Session

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Manning, Jackson, Myers and Newton

The vote in favor was unanimous.

- a. Personnel Matter: Interim Clerk to Council – Ms. Terracio moved, seconded by Mr. Walker, to proceed as discussed in Executive Session.

In Favor: Malinowski, Dickerson, Livingston, Terracio, Walker, Manning, Jackson, Myers and Newton

Opposed: McBride

The vote was in favor.

Mr. Walker moved, seconded by Mr. Manning, to reconsider this item.

In Favor: McBride, Jackson, Myers and Newton

Opposed: Malinowski, Dickerson, Livingston, Terracio, Walker and Manning

The motion for reconsideration failed.

- b. Personnel Matter: Health Insurance Coverage – Mr. Manning moved, seconded by Ms. McBride, as allowable that we cover 3 months of health insurance as the Clerk to Council leaves the position.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Manning, Jackson, Myers and Newton

The vote in favor was unanimous.

Mr. Manning moved, seconded by Ms. Myers, to reconsider this item.

Opposed: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Manning, Jackson, Myers and Newton

The motion for reconsideration failed.

24. **MOTION PERIOD**

- a. A Resolution Recognizing June as LGBTQ+ Pride Month in Richland County [MANNING and TERRACIO] – Ms. Terracio moved, seconded by Mr. Manning, to unanimously adopt the resolution recognizing June as LGBTQ+ Pride Month in Richland County.

Mr. Malinowski stated, while it is his belief that individuals referenced in this resolution must be accepted with respect, compassion, and sensitivity, and any, and ever, sign of discrimination in their regard must be avoided, and should be investigated, and he supports the intent of the resolution, he does not want to be misinterpreted as supporting the lifestyle choices of those individuals. Therefore, he cannot support the resolution.

Mr. Walker stated, in a similar lens, he acknowledges that all people should be treated equally, and acknowledgment by month could get overwhelming for every different sect of life. Therefore, he agrees with Mr. Malinowski, and bringing this forward as a motion, instead of a unanimous consent item would be a better alternative.

Ms. Terracio expressed her disappointment that the resolution could not be unanimously adopted.

Ms. Terracio made a substitute motion, seconded by Mr. Manning, to suspend the rules.

Mr. Walker reiterated his point that you do not need to take months out of the year to recognize certain sects of the population. He feels like inclusion and opportunity should be available to all 12 months out of the year.

Ms. Terracio responded to Mr. Walker's comments by stating that South Carolina is one of the only states that does not have a hate crime bill. While we do not effect that at the local level, we can certainly support those in the LGBTQ community in this one month that is historically recognized as

Pride Month. Until it is absolutely true that all groups of people have exactly the same opportunities that this is an appropriate thing to do.

In Favor: McBride, Livingston, Terracio, Manning, Myers and Newton

Opposed: Malinowski, Walker, Jackson

Mr. Livingston stated the vote to suspend the rules requires a super majority; therefore, the motion to suspend the rules failed.

Mr. Walker inquired as to what is required to suspend the rules, in terms of votes.

Mr. Livingston responded, it is his recollection, it is 2/3 of the members present.

Mr. Walker requested to have the Clerk state the vote for the record.

Ms. Roberts responded there were 3 negative votes, 6 positive votes, and no vote from Ms. Dickerson.

Mr. Walker moved, seconded by Mr. Malinowski, to challenge the Chairs' ruling.

Mr. Walker inquired if we are going to address the technical aspect of Zoom, at this point, or is this something that would be appropriate to defer until we have an appropriate quorum, and there are no questions about technical difficulties.

Mr. Livingston requested clarification on what Mr. Walker means by technical difficulties.

Mr. Walker responded Ms. Dickerson was present, and now she is not. Therefore, he would challenge if that is a technical difficulty. Council is facing a lot of different challenges due to COVID-19, and with the meeting platform. He would suggest in fairness of all that we defer this to the next Council meeting to make sure this is not a technical difficulty.

Mr. Walker made a substitute motion, seconded by Mr. Malinowski, to defer this item until the July 21st Council meeting.

In Favor: Malinowski, Walker and Jackson

Opposed: McBride, Livingston, Terracio, Manning, Myers and Newton

The motion for deferral failed.

Mr. Manning moved, seconded by Ms. Terracio, to adopt the resolution, as published on the agenda.

Mr. Malinowski stated, for the record, hate crimes are against federal law, so even if we do not have a law, the federal government would come in and investigate them.

In Favor: McBride, Livingston, Terracio, Manning and Newton

Opposed: Malinowski and Walker

The vote was in favor of adopting the resolution.

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Mr. Walker stated, for the record, his no vote is indicative of his continued pursuance of not isolating particular groups of people to create freedoms for month by month. Everyone should enjoy the liberties of this country, the liberties that has been fought for every day, and that is what he will continue to pursue.

- b. We move to immediately terminate the individual issuance of and usage of Government Procurement Cards by elected and appointed officials in Richland County [WALKER and MALINOWSKI] – This item was referred to the A&F Committee.
 - c. We move to reduce the amount of discretionary funds available to individuals council members; be it funds for training, travel and entertainment, printing materials, or otherwise, by one half of the currently authorized amount. This is to include funds reimbursed to council members as well, be it from a discretionary account or otherwise. [WALKER and MALINOWSKI] – This item was referred to the A&F Committee.
 - d. Repeal and change a portion of Richland County Ordinance Article XI, INQUIRIES AND INVESTIGATIONS, Sec. 2-652. Conduct of investigations. (a)(1), that starts with, “Commence any official investigation...”. In addition, have the Richland County Legal Department in conjunction with the Richland County lobbyist contact SC State Legislators and the South Carolina Association of Counties to request Section 4-9-660 of the South Carolina Code of Laws be repealed/changed. – This item was referred to the A&F Committee.
 - e. Richland County amend the retirement insurance benefit for employees to be granted full insurance benefit to employees who serve a total of accumulated years instead of total consecutive years for their perspective terms for full retirement. Example: Employees who qualify for full retirement at 25, 28, and 30 years be granted full retirement based on a total accumulated years served instead of consecutive years. The total years must be with Richland County Government [KENNEDY] – This item was referred to the A&F Committee.
25. **ADJOURNMENT** – The meeting adjourned at approximately 11:50 PM.

Richland County Council Request for Action

Subject:

20-001MA
Robert Giles
RM-HD to NC (2 Acres)
Ohio Street & Olympia Avenue
TMS # R11203-01-01, 03, 04 & 05

Notes:

First Reading: June 23, 2020
Second Reading: July 14, 2020
Third Reading:
Public Hearing: February 25, 2020

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-20HR

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 # R11203-01-01, 03, 04, AND 05 FROM RESIDENTIAL MULTI-FAMILY HIGH DENSITY DISTRICT (RM-HD) TO NEIGHBORHOOD COMMERCIAL DISTRICT (NC); 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 # R11203-01-01, 03, 04, and 05 from Residential Multi-Family High Density District (RM-HD) to Neighborhood Commercial District (NC).

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 _____, 2020.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2020.

Michelle M. Onley
Deputy Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: June 23, 2020
First Reading: June 23, 2020
Second Reading: July 14, 2020
Third Reading: July 21, 2020

Richland County Council Request for Action

Subject:

20-003MA
Chad Monteith
RU to GC (5 Acres)
6505 N. Main Street
TMS # R11716-01-04

Notes:

First Reading: June 23, 2020
Second Reading: July 14, 2020
Third Reading:
Public Hearing: June 23, 2020

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-20HR

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 # R11716-01-04 FROM RURAL DISTRICT (RU) TO GENERAL COMMERCIAL DISTRICT (GC); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # R11716-01-04 from Rural (RU) to General Commercial District (GC).

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

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

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2020.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2020.

Michelle M. Onley
Deputy Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: June 23, 2020
First Reading: June 23, 2020
Second Reading: July 14, 2020
Third Reading: July 21, 2020

Richland County Council Request for Action

Subject:

20-009MA
Bill Dixon
PDD to PDD (13.4 Acres)
Greenhill Parish Parkway
TMS # R25800-03-44

Notes:

First Reading: June 23, 2020
Second Reading: July 14, 2020
Third Reading:
Public Hearing: June 23, 2020

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-20HR

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 # R25800-03-44 FROM PLANNED DEVELOPMENT DISTRICT (PDD) TO PLANNED DEVELOPMENT DISTRICT (PDD); 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 # R25800-03-44 from Planned Development District (PDD) to Planned Development District (PDD).

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 _____, 2020.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2020.

Michelle M. Onley
Deputy Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: June 23, 2020
First Reading: June 23, 2020
Second Reading: July 14, 2020
Third Reading: July 21, 2020

Richland County Council Request for Action

Subject:

20-010MA
Yong M. Han & Kyu H. Han
RU to GC (.071 Acres)
10804 Two Notch Road
TMS # R25915-02-05

Notes:

First Reading: June 23, 2020
Second Reading: July 14, 2020
Third Reading:
Public Hearing: June 23, 2020

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-20HR

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 # R25915-02-05 FROM RURAL DISTRICT (RU) TO GENERAL COMMERCIAL DISTRICT (GC); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # R25915-02-05 from Rural (RU) to General Commercial District (GC).

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

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

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2020.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2020.

Michelle M. Onley
Deputy Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: June 23, 2020
First Reading: June 23, 2020
Second Reading: July 14, 2020
Third Reading: July 21, 2020

Richland County Council Request for Action

Subject:

20-014MA
Alex Serkes
10501 Farrow Road
TMS # R17500-02-07 and 15

Notes:

First Reading: June 23, 2020
Second Reading: July 14, 2020
Third Reading:
Public Hearing: June 23, 2020

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-20HR

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 # R17500-02-07 and 15 FROM GENERAL COMMERCIAL DISTRICT (GC) TO HIGH INDUSTRIAL DISTRICT (HI); 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 # R17500-02-07 and 15 from General Commercial District (GC) to High Industrial District (HI).

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 _____, 2020.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2020.

Michelle M. Onley
Deputy Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: June 23, 2020
First Reading: June 23, 2020
Second Reading: July 14, 2020
Third Reading: July 21, 2020

Richland County Council Request for Action

Subject:

20-016MA
John Ecton
RU to RS-LD
2304, 2312, and 2314 Johnson Marina Road
TMS # R01315-01-17; R01315-01-14; and R01311-02-20

Notes:

First Reading: June 23, 2020
Second Reading: July 14, 2020
Third Reading:
Public Hearing: June 23, 2020

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-20HR

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 # R01315-01-17, R01315-01-14, AND R01311-02-20 FROM RURAL DISTRICT (RU) TO RESIDENTIAL SINGLE-FAMILY LOW DENSITY DISTRICT (RS-LD); 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 # R01315-01-17, R01315-01-14, and R01311-02-20 from Rural District (RU) to Residential Single-Family Low Density District (RS-LD).

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 _____, 2020.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2020.

Michelle M. Onley
Deputy Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: June 23, 2020
First Reading: June 23, 2020
Second Reading: July 14, 2020
Third Reading: July 21, 2020

Richland County Council Request for Action

Subject:

Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes and Infrastructure Credit Agreement, and amendments of certain existing fee-in-lieu of ad valorem agreements, by and between Richland County, South Carolina and Project Quattro; to provide for payments of fees-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters

Notes:

First Reading: July 14, 2020

Second Reading:

Third Reading:

Public Hearing:

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

AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND INFRASTRUCTURE CREDIT AGREEMENT, AND AMENDMENTS OF CERTAIN EXISTING FEE-IN-LIEU OF AD VALOREM AGREEMENTS, BY AND BETWEEN RICHLAND COUNTY, SOUTH CAROLINA AND PROJECT QUATTRO; TO PROVIDE FOR PAYMENTS OF FEES-IN-LIEU OF TAXES; AUTHORIZING CERTAIN INFRASTRUCTURE CREDITS; AND OTHER RELATED MATTERS.

WHEREAS, Richland County, South Carolina (“County”), acting by and through its County Council (“County Council”) is authorized pursuant to the provisions of Title 12, Chapter 44, Code of Laws of South Carolina, 1976 (the “Code”), as amended (the “Simplification Act”), Title 4, Chapter 12 of the Code (the “Chapter 12 Act”) and Title 4, Chapter 29 of the Code (the “Chapter 29 Act”, and together with the Simplification Act and the Chapter 12 Act the “Acts”) to encourage manufacturing and commercial enterprises to locate in the State of South Carolina (“South Carolina” or “State”) or to encourage manufacturing and commercial enterprises now located in the State to expand their investments and thus make use of and employ the manpower, products, and other resources of the State by entering into an agreement with a sponsor, as defined in the Acts, that provides for the payment of a fee-in-lieu of *ad valorem* tax (“FILOT Payments”), with respect to economic development property, as defined in the Acts;

WHEREAS, pursuant to Article VIII, Section 13 of the South Carolina Constitution and Title 4, Section 1, Code of Laws of South Carolina, 1976, as amended (collectively, “MCIP Act”), the County is authorized to jointly develop multicounty parks with counties having contiguous borders with the County and, in the County’s discretion, include property within the boundaries of such multicounty parks. Under the authority provided in the MCIP Act, the County has created a multicounty park with Fairfield County, South Carolina more particularly known as the I-77 Corridor Regional Industrial Park (“Park”);

WHEREAS, the County is authorized and empowered under and pursuant to the provisions of the Simplification Act to enter into and amend certain agreements with any industry that constructs, operates, maintains, and improves certain properties (which constitute “projects” as defined in the Simplification Act);

WHEREAS, pursuant to the Acts and MCIP Act, the County is authorized to provide credits (“Infrastructure Credits”) against FILOT Payments derived from economic development property to pay costs of designing, acquiring, constructing, improving or expanding (i) infrastructure serving a project or the County and (ii) improved and unimproved real estate and personal property used in the operation of a commercial enterprise or manufacturing facility (“Infrastructure”);

WHEREAS, through employment of the powers granted by the Act, the County is empowered to promote the economic and industrial development of the State of South Carolina (the “State”) and develop its trade by inducing manufacturing and commercial enterprises to locate and remain in the State and thus use and employ the manpower, agricultural products, and natural resources of the State and benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally by providing for the exemption of such project from property taxes and for the payment of a fee in lieu of property taxes (a “fee agreement,” as defined in the Simplification Act);

WHEREAS, Project Quattro (the “Sponsor”) owns and operates a manufacturing facility (the “Facility”) located in the County;

WHEREAS, the Sponsor desires to expand the Facility consisting of taxable investment in real and personal property of not less than \$175,000,000 (“Project”);

WHEREAS, at the request of the Sponsor and as an inducement to locate the Project in the County, the County desires to enter into a Fee-in-Lieu of *Ad Valorem* Taxes and Incentive Agreement with the Sponsor, as sponsor, the substantially final form of which is attached as Exhibit A (“2024 Fee Agreement”), pursuant to which the County will provide certain incentives to the Sponsor with respect to the Project, including (i) providing for FILOT Payments, to be calculated as set forth in the Fee Agreement, with respect to the portion of the Project which constitutes economic development property; and (ii) providing Infrastructure Credits, as described in the Fee Agreement, to assist in paying the costs of certain Infrastructure;

WHEREAS, the County and Sponsor are parties to a Lease Purchase Agreement dated as of December 1, 1991, as amended by a First Amendment to Lease Purchase Agreement dated as of May 1, 2010 (the “1991 Lease Agreement”);

WHEREAS, the County and Sponsor desire to amend certain provisions of the 1991 Lease Agreement in order to extend the term thereof (the “1991 Extension”) by entering into the Second Amendment to Lease Purchase Agreement between the County and Sponsor, the substantially final form of which is attached as Exhibit B;

WHEREAS, the County and Sponsor are parties to a Lease and Financing Agreement dated as of November 1, 2004 (the “2004 Lease Agreement”);

WHEREAS, the County and Sponsor desire to amend certain provisions of the 2004 Lease Agreement to extend the term thereof (the “2004 Extension”) by entering into the First Amendment to Lease and Financing Agreement between the County and Sponsor, the substantially final form of which is attached as Exhibit C;

WHEREAS, the County and Sponsor are parties to a Fee Agreement dated as of December 31, 2013 (the “2013 Fee Agreement”, and together with the 1991 Lease Agreement and the 2004 Lease Agreement the “Existing Fee Agreements”);

WHEREAS, the County and Sponsor desire to amend certain provisions of the 2013 Fee Agreement to extend the term thereof (the “2013 Extension”, and together with the 1991 Extension and the 2004 Extension the “Existing Agreement Extensions”) by entering into the First Amendment to Fee Agreement between the County and Sponsor, the substantially final form of which is attached as Exhibit D;

WHEREAS, as an inducement to maintaining the Facility and further investing in the Facility through the Project, through any combination of the following: additions and/or improvements to infrastructure, the construction of one or more new buildings, investment involving one or more existing buildings, and/or the addition of machinery and equipment at the Facility, the Sponsor has requested the County to provide Infrastructure Credits against certain of the FILOT Payments derived from the Existing Fee Agreements and Payments derived from property located in the Park that is not subject to a fee agreement under the Acts; and

WHEREAS, the County desires to enter into an Infrastructure Credit Agreement between the County and Sponsor, the substantially final form of which is attached as Exhibit E (the “Infrastructure Agreement”), to provide Infrastructure Credits against certain of the Sponsor’s FILOT Payments derived from the

Existing Fee Agreements and FILOT Payments derived from property located in the Park that is not subject to a fee agreement under the Acts.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED:

Section 1. Statutory Findings. Based on information supplied to the County by the Sponsor, County Council evaluated the Project based on relevant criteria including, the purposes the Project is to accomplish, the anticipated dollar amount and nature of the investment and the anticipated costs and benefits to the County, and hereby finds:

(a) The Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally;

(b) The Project gives rise to no pecuniary liability of the County or incorporated municipality or a charge against its general credit or taxing power;

(c) The purposes to be accomplished by the Project are proper governmental and public purposes and the benefits of the Project are greater than the costs;

(d) The Facility and the Project, including the Existing Agreement Extensions and the 2024 Fee Agreement, and the Infrastructure Credit Agreement will directly and substantially benefit the general public welfare of the County by providing the retention of jobs and employment; the increase of the ad valorem tax base; and other public benefits.

Section 2. Approval of Incentives; Authorization to Execute and Deliver 2024 Fee Agreement. The incentives as described in this Ordinance (“Ordinance”), and as more particularly set forth in the 2024 Fee Agreement, with respect to the Project are hereby approved. The form, terms and provisions of the 2024 Fee Agreement that is before this meeting are approved and all of the 2024 Fee Agreement’s terms and conditions are incorporated in this Ordinance by reference. The Chair of County Council (“Chair”) is authorized and directed to execute the 2024 Fee Agreement in the name of and on behalf of the County at such time as is requested by the Sponsor, but no later than December 31, 2024, subject to the approval of any revisions or changes as are not materially adverse to the County by the County Administrator and counsel to the County, and the Clerk to County Council is hereby authorized and directed to attest the Fee Agreement and to deliver the 2024 Fee Agreement to the Sponsor.

Section 3. Inclusion within the Park. The expansion of the Park boundaries to include the Project, and the Facility to the extent any portion is not already included in the Park, is authorized and approved. The Chair, the County Administrator and the Clerk to County Council are each authorized to execute such documents and take such further actions as may be necessary to complete the expansion of the Park boundaries. Pursuant to the terms of the agreement governing the Park (“Park Agreement”), the expansion of the Park’s boundaries and the amendment to the Park Agreement is complete on adoption of this Ordinance by County Council and delivery of written notice to Fairfield County of the inclusion of the Project in the Park.

Section 4. Approval of Existing Agreement Extensions; Authorization to Execute and Deliver Existing Agreement Amendments. The incentives as described in this Ordinance, and as more particularly set forth in the Existing Agreement Extensions, with respect to the Facility and/or Project are hereby approved. The form, terms and provisions of the Existing Agreement Extensions that are before this meeting are approved and all of the Existing Agreement Extensions’ terms and conditions are incorporated in this Ordinance by reference. The Chair is authorized and directed to execute the Existing Agreement Extensions

in the name of and on behalf of the County, subject to the approval of any revisions or changes as are not materially adverse to the County by the County Administrator and counsel to the County, and the Clerk to County Council is hereby authorized and directed to attest the Existing Agreement Extensions and to deliver the Existing Agreement Extensions to the Sponsor.

Section 5. Approval of Infrastructure Agreement; Authorization to Execute and Deliver Infrastructure Agreement. The incentives as described in this Ordinance, and as more particularly set forth in the Infrastructure Agreement, with respect to the Facility and/or Project are hereby approved. The form, terms and provisions of the Infrastructure Agreement that are before this meeting are approved and all of the Infrastructure Agreement's terms and conditions are incorporated in this Ordinance by reference. The Chair is authorized and directed to execute the Infrastructure Agreement in the name of and on behalf of the County, subject to the approval of any revisions or changes as are not materially adverse to the County by the County Administrator and counsel to the County, and the Clerk to County Council is hereby authorized and directed to attest the Infrastructure Agreement and to deliver the Infrastructure Agreement to the Sponsor.

Section 6. Further Assurances. The County Council confirms the authority of the Chair, the County Administrator, the Director of Economic Development, the Clerk to County Council, and various other County officials and staff, acting at the direction of the Chair, the County Administrator, the Director of Economic Development or Clerk to County Council, as appropriate, to take whatever further action and to negotiate, execute and deliver whatever further documents as may be appropriate to effect the intent of this Ordinance and the incentives offered to the Sponsor under this Ordinance, the 2024 Fee Agreement, the Existing Agreement Extensions, and the Infrastructure Agreement.

Section 7. Savings Clause. The provisions of this Ordinance are separable. If any part of this Ordinance is, for any reason, unenforceable then the validity of the remainder of this Ordinance is unaffected.

Section 8. General Repealer. Any prior ordinance, resolution, or order, the terms of which are in conflict with this Ordinance, is, only to the extent of that conflict, repealed.

Section 9. Effectiveness. This Ordinance is effective after its third reading and public hearing.

RICHLAND COUNTY, SOUTH CAROLINA

Chair, Richland County Council

(SEAL)
ATTEST:

Clerk of Council, Richland County Council

First Reading: July 14, 2020
Second Reading:
Public Hearing:
Third Reading:

EXHIBIT A
FORM OF 2024 FEE AGREEMENT

FEE-IN-LIEU OF *AD VALOREM* TAXES AND INCENTIVE AGREEMENT

BETWEEN

PROJECT QUATTRO

AND

RICHLAND COUNTY, SOUTH CAROLINA

EFFECTIVE AS OF JANUARY 1, 2024

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- Exhibit A – Description of Property
- Exhibit B – Form of Joinder Agreement
- Exhibit C – Accountability Resolution
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**SUMMARY OF CONTENTS OF
FEE AGREEMENT**

The parties have agreed to waive the requirement to recapitulate the contents of this Fee Agreement pursuant to Section 12-44-55 of the Code (as defined herein). However, the parties have agreed to include a summary of the key provisions of this Fee Agreement for the convenience of the parties. This summary is included for convenience only and is not to be construed as a part of the terms and conditions of this Fee Agreement.

PROVISION	BRIEF DESCRIPTION	SECTION REFERENCE
Sponsor Name	Project Quattro	
Project Location	[to be added]	
Tax Map No.	[to be added]	
FILOT		
• Phase Exemption Period	Thirty (30) years	
• Contract Minimum Investment Requirement	\$120,000,000	
• Investment Period	Ten (10) years	
• Assessment Ratio	6%	
• Millage Rate	Lowest allowable	
• Fixed or Five-Year Adjustable Millage	Fixed	
Multicounty Park	n/a	
Infrastructure Credit	10%	
• Brief Description	10%	
• Credit Term	10 years	
• Claw Back Information	Pro-rata repayment required if Contract Minimum Investment Requirement not met by the end of the Investment Period	
Other Information	FILOT Payment calculation to be made using net present value FILOT terms pursuant to Section 12-44-50(A)(2) of the FILOT Act based on net present value calculations	

FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT

THIS FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT (“*Fee Agreement*”) is entered into, effective, as of [DATE], between Richland County, South Carolina (“*County*”), a body politic and corporate and a political subdivision of the State of South Carolina (“*State*”), acting through the Richland County Council (“*County Council*”) as the governing body of the County, and Project Quattro, a corporation organized and existing under the laws of the State of [] (“*Sponsor*”).

WITNESSETH:

(a) Title 12, Chapter 44, (“*Act*”) of the Code of Laws of South Carolina, 1976, as amended (“*Code*”), authorizes the County to induce manufacturing and commercial enterprises to locate in the State or to encourage manufacturing and commercial enterprises currently located in the State to expand their investments and thus make use of and employ the manpower, products, and other resources of the State by entering into an agreement with a sponsor, as defined in the Act, that provides for the payment of a fee-in-lieu of *ad valorem* tax (“*FILOT*”) with respect to Economic Development Property, as defined below;

(b) Sections 4-1-175 and 12-44-70 of the Code authorize the County to provide credits (“*Infrastructure Credit*”) against payments in lieu of taxes for the purpose of defraying of the cost of designing, acquiring, constructing, improving, or expanding (i) the infrastructure serving the County or a project and (ii) for improved and unimproved real estate, and personal property, including machinery and equipment, used in the operation of a manufacturing facility or commercial enterprise (collectively, “*Infrastructure*”);

(c) The Sponsor desires to invest in its facility located in the County (“*Facility*”), through any combination of the following: additions and/or improvements to Infrastructure, the construction of one or more new buildings, investment involving one or more existing buildings, and/or the addition of machinery and equipment at the Facility and has requested the County to commit to provide certain incentives to the Sponsor by entering into this Fee Agreement;

(d) By an ordinance enacted on [DATE], County Council authorized the County to enter into this Fee Agreement with the Sponsor to provide for a FILOT and the other incentives as more particularly described in this Fee Agreement.

NOW, THEREFORE, AND IN CONSIDERATION of the respective representations and agreements hereinafter contained, the parties agree as follows:

ARTICLE I DEFINITIONS

Section 1.1. Terms. The defined terms used in this Fee Agreement have the meaning given below, unless the context clearly requires otherwise.

“*Act*” means Title 12, Chapter 44 of the Code, and all future acts successor or supplemental thereto or amendatory of this Fee Agreement.

“*Act Minimum Investment Requirement*” means an investment of at least \$2,500,000 in the Project within five years of the Commencement Date.

“*Administration Expenses*” means the reasonable expenses incurred by the County in the negotiation, approval and implementation of the terms and provisions of this Fee Agreement, including reasonable attorney’s and consultant’s fees. Administration Expenses does not include any costs, expenses, including attorney’s fees, incurred by the County (i) in defending challenges to the FILOT

Payments[, Infrastructure Credits or other incentives] provided by this Fee Agreement brought by third parties or the Sponsor or its affiliates and related entities, or (ii) in connection with matters arising at the request of the Sponsor outside of the immediate scope of this Fee Agreement, including amendments to the terms of this Fee Agreement.

“**Code**” means the Code of Laws of South Carolina, 1976, as amended.

“**Commencement Date**” means the last day of the property tax year during which Economic Development Property is placed in service. The Commencement Date shall not be later than the last day of the property tax year which is three years from the year in which the County and the Sponsor enter into this Fee Agreement. For purposes of this Fee Agreement, the Commencement Date is expected to be January 1, 2024.

“**Contract Minimum Investment Requirement**” means a taxable investment in real and personal property at the Project of not less than \$120,000,000.

“**County**” means Richland County, South Carolina, a body politic and corporate and a political subdivision of the State, its successors and assigns, acting by and through the County Council as the governing body of the County.

“**County Council**” means the Richland County Council, the governing body of the County.

“**Credit Term**” means the years during the Fee Term in which the Infrastructure Credit is applicable, as described in Exhibit C.

“**Department**” means the South Carolina Department of Revenue.

“**Diminution in Value**” means a reduction in the fair market value of Economic Development Property, as determined in Section 4.1(a)(i) of this Fee Agreement, which may be caused by (i) the removal or disposal of components of the Project pursuant to Section 4.3 of this Fee Agreement; (ii) a casualty as described in Section 4.4 of this Fee Agreement; or (iii) a condemnation as described in Section 4.5 of this Fee Agreement.

“**Economic Development Property**” means those items of real and tangible personal property of the Project placed in service not later than the end of the Investment Period that (i) satisfy the conditions of classification as economic development property under the Act, and (ii) are identified by the Sponsor in its annual filing of a PT-300S or comparable form with the Department (as such filing may be amended from time to time).

“**Equipment**” means all of the machinery, equipment, furniture, office equipment, and fixtures, together with any and all additions, accessions, replacements, and substitutions.

“**Event of Default**” means any event of default specified in Section 7.1 of this Fee Agreement.

“**Fee Agreement**” means this Fee-In-Lieu Of *Ad Valorem* Taxes and Incentive Agreement.

“**Fee Term**” means the period from the effective date of this Fee Agreement until the Final Termination Date.

“**FILOT Payments**” means the amount paid or to be paid in lieu of *ad valorem* property taxes as provided in Section 4.1.

“Final Phase” means the Economic Development Property placed in service during the last year of the Investment Period.

“Final Termination Date” means the date on which the last FILOT Payment with respect to the Final Phase is made, or such earlier date as the Fee Agreement is terminated in accordance with the terms of this Fee Agreement. Assuming the Phase Termination Date for the Final Phase is December 31, 2034, the Final Termination Date is expected to be January 15, 2065, which is the due date of the last FILOT Payment with respect to the Final Phase.

“Improvements” means all improvements to the Real Property, including buildings, building additions, roads, sewer lines, and infrastructure, together with all additions, fixtures, accessions, replacements, and substitutions.

“Infrastructure” means (i) the infrastructure serving the County or the Project, (ii) improved and unimproved real estate, and personal property, including machinery and equipment, used in the operation of a manufacturing or commercial enterprise, or (iii) such other items as may be described in or permitted under Section 4-29-68 of the Code.

“Infrastructure Credit” means the credit provided to the Sponsor pursuant to Section 12-44-70 of the Act and Section 5.1 of this Fee Agreement, with respect to the Infrastructure. Infrastructure Credits are to be used for the payment of Infrastructure constituting real property, improvements and infrastructure before any use for the payment of Infrastructure constituting personal property, notwithstanding any presumptions to the contrary.

“Investment Period” means the period beginning with the first day of any purchase or acquisition of Economic Development Property and ending ten years after the Commencement Date. For purposes of this Fee Agreement, the Investment Period is expected to end on December 31, 2034.

“MCIP Act” means Article VIII, Section 13(D) of the Constitution of the State of South Carolina, and Sections 4-1-170, 4-1-172, 4-1-175, and 4-29-68 of the Code.

“Multicounty Park” means the multicounty industrial or business park governed by the [NAME OF MULTICOUNTY PARK AGREEMENT], dated as of [DATE], between the County and [PARTNER COUNTY], South Carolina, as may be amended.

“Net FILOT Payment” means the FILOT Payment net of the Infrastructure Credit.

“NPV FILOT Minimum Investment Requirement” means an investment of at least \$45,000,000 in the Project within the period beginning with the first day of any purchase or acquisition of Economic Development Property and ending five years after the Commencement Date, as set forth in Section 12-44-50(A)(3).

“Phase” means the Economic Development Property placed in service during a particular year of the Investment Period.

“Phase Exemption Period” means, with respect to each Phase, the period beginning with the property tax year the Phase is placed in service during the Investment Period and ending on the Phase Termination Date.

“Phase Termination Date” means, with respect to each Phase, the last day of the property tax year which is the 29th year following the first property tax year in which the Phase is placed in service.

“**Project**” means all the Equipment, Improvements, and Real Property in the County that the Sponsor determines to be necessary, suitable, or useful by the Sponsor in connection with its investment in the County.

“**Real Property**” means real property that the Sponsor uses or will use in the County for the purposes that Section 2.2(b) describes, and initially consists of the land identified on Exhibit A of this Fee Agreement.

“**Removed Components**” means Economic Development Property which the Sponsor, in its sole discretion, (a) determines to be inadequate, obsolete, worn-out, uneconomic, damaged, unsuitable, undesirable, or unnecessary pursuant to Section 4.3 of this Fee Agreement or otherwise; or (b) elects to be treated as removed pursuant to Section 4.4(c) or Section 4.5(b)(iii) of this Fee Agreement.

“**Replacement Property**” means any property which is placed in service as a replacement for any Removed Component regardless of whether the Replacement Property serves the same functions as the Removed Component it is replacing and regardless of whether more than one piece of Replacement Property replaces a single Removed Component.

“**Sponsor**” means Project Quattro and any surviving, resulting, or transferee entity in any merger, consolidation, or transfer of assets; or any other person or entity which may succeed to the rights and duties of the Sponsor under this Fee Agreement.

“**Sponsor Affiliate**” means an entity that participates in the investment at the Project and, following receipt of the County’s approval pursuant to Section 9.1 of this Fee Agreement, joins this Fee Agreement by delivering a Joinder Agreement, the form of which is attached as Exhibit B to this Fee Agreement.

“**State**” means the State of South Carolina.

Any reference to any agreement or document in this Article I or otherwise in this Fee Agreement shall include any and all amendments, supplements, addenda, and modifications to such agreement or document.

The term “investment” or “invest” as used in this Fee Agreement includes not only investments made by the Sponsor, but also to the fullest extent permitted by law, those investments made by or for the benefit of the Sponsor in connection with the Project through federal, state, or local grants, to the extent such investments are or, but for the terms of this Fee Agreement, would be subject to *ad valorem* taxes to be paid by the Sponsor.

ARTICLE II REPRESENTATIONS AND WARRANTIES

Section 2.1. Representations and Warranties of the County. The County represents and warrants as follows:

(a) The County is a body politic and corporate and a political subdivision of the State and acts through the County Council as its governing body. The Act authorizes and empowers the County to enter into the transactions that this Fee Agreement contemplates and to carry out its obligations under this Fee Agreement. The County has duly authorized the execution and delivery of this Fee Agreement and all other documents, certificates or other agreements contemplated in this Fee Agreement and has obtained all consents from third parties and taken all actions necessary or that the law requires to fulfill its obligations under this Fee Agreement.

(b) Based on representations by the Sponsor, County Council evaluated the Project based on all relevant criteria including the purposes the Project is to accomplish, the anticipated dollar amount and nature of the investment resulting from the Project, and the anticipated costs and benefits to the County and following the evaluation, the County determined that (i) the Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally; (ii) the Project gives rise to no pecuniary liability of the County or any incorporated municipality and to no charge against the County's general credit or taxing power; (iii) the purposes to be accomplished by the Project are proper governmental and public purposes; and (iv) the benefits of the Project are greater than the costs.

(c) The County identified the Project, as a "project" on [DATE] by adopting an Inducement Resolution, as defined in the Act on [DATE].

(d) The County is not in default of any of its obligations (contractual or otherwise) as a result of entering into and performing its obligations under this Fee Agreement.

(e) The County has located the Facility in the Multicounty Park and will take all reasonable action to locate the Project in the Multicounty Park.

Section 2.2. Representations and Warranties of the Sponsor. The Sponsor represents and warrants as follows:

(a) The Sponsor is in good standing under the laws of the state of its organization, is duly authorized to transact business in the State (or will obtain such authority prior to commencing business in the State), has power to enter into this Fee Agreement, and has duly authorized the execution and delivery of this Fee Agreement.

(b) The Sponsor intends to operate the Project as a manufacturing facility and for such other purposes that the Act permits as the Sponsor may deem appropriate.

(c) The Sponsor's execution and delivery of this Fee Agreement and its compliance with the provisions of this Fee Agreement do not result in a default under any agreement or instrument to which the Sponsor is now a party or by which it is bound.

(d) The Sponsor will use commercially reasonable efforts to achieve the Contract Minimum Investment Requirement.

(e) The execution and delivery of this Fee Agreement by the County and the availability of the FILOT and other incentives provided by this Fee Agreement has been instrumental in inducing the Sponsor to locate the Project in the County.

(f) The Sponsor has retained legal counsel to confirm, or has had a reasonable opportunity to consult legal counsel to confirm, its eligibility for the FILOT and other incentives granted by this Fee Agreement and has not relied on the County, its officials, employees or legal representatives with respect to any question of eligibility or applicability of the FILOT and other incentives granted by this Fee Agreement.

ARTICLE III THE PROJECT

Section 3.1. The Project. The Sponsor intends and expects to (i) construct or acquire the Project and (ii) meet the Contract Minimum Investment Requirement within the Investment Period. The Sponsor anticipates that the first Phase of the Project will be placed in service during the calendar year ending

December 31, 2024. Notwithstanding anything contained in this Fee Agreement to the contrary, the Sponsor is not obligated to complete the acquisition of the Project. However, if the Contract Minimum Investment Requirement is not met, the benefits provided to the Sponsor, or Sponsor Affiliate, if any, pursuant to this Fee Agreement may be reduced, modified or terminated as provided in this Fee Agreement.

Section 3.2 *Leased Property.* To the extent that State law allows or is revised or construed to permit leased assets including a building, or personal property to be installed in a building, to constitute Economic Development Property, then any property leased by the Sponsor is, at the election of the Sponsor, deemed to be Economic Development Property for purposes of this Fee Agreement, subject, at all times, to the requirements of State law and this Fee Agreement with respect to property comprising Economic Development Property.

Section 3.3. *Filings and Reports.*

(a) On or before January 31 of each year during the term of this Fee Agreement, commencing on January 31, 2025, the Sponsor shall deliver to the Economic Development Director of the County with respect to the Sponsor and all Sponsor Affiliates, if any, the information required by the terms of the County’s Resolution dated December 12, 2017, which is attached hereto as Exhibit C, as may be amended by subsequent resolution.

(b) The Sponsor shall file a copy of this Fee Agreement and a completed PT-443 with the Economic Development Director and the Department and the Auditor, Treasurer and Assessor of the County.

(c) On request by the County Administrator or the Economic Development Director, the Sponsor shall remit to the Economic Development Director records accounting for the acquisition, financing, construction, and operation of the Project which records (i) permit ready identification of all Economic Development Property; (ii) confirm the dates that the Economic Development Property or Phase was placed in service; and (iii) include copies of all filings made in accordance with this Section.

**ARTICLE IV
FILOT PAYMENTS**

Section 4.1. *FILOT Payments.*

(a) The FILOT Payment due with respect to each Phase through the Phase Termination Date is calculated as follows:

- (i) The fair market value of the Phase calculated as set forth in the Act (for the Real Property portion of the Phase, the County and the Sponsor have elected to use the fair market value established in the first year of the Phase Exemption Period), multiplied by
- (ii) An assessment ratio of six percent (6%), multiplied by
- (iii) A fixed millage rate equal to [], which is the cumulative millage rate levied by or on behalf of all the taxing entities within which the Project is located as of June 30, 20[].

As authorized in, and subject to the provisions of, Section 12-44-50(A)(3) of the FILOT Act, the County hereby approves the Sponsor’s request to calculate the FILOT Payments based on an alternative payment method yielding (over the Phase Exemption Period for each Phase) a payment stream which has

the same net present value as the payment stream which would be generated using the standard FILOT calculation provided under Section 12-44-50(A)(1) of the FILOT Act and the factors set forth above in Section 4.1 of this Fee Agreement. Such net present value calculations shall be determined using a discount rate which is equivalent to the yield in effect for new or existing United States Treasury bonds of similar maturity as published during the month in which this Fee Agreement is executed, which the parties believe to be []% (i.e., the discount rate so in effect on []). If no yield is available for the month in which this Fee Agreement is executed, the last published yield for the appropriate maturity available must be used. If there are no bonds of appropriate maturity available, bonds of different maturities may be averaged to obtain the appropriate maturity.

The calculation of the FILOT Payment must allow all applicable property tax exemptions except those excluded pursuant to Section 12-44-50(A)(2) of the Act. The Sponsor acknowledges that (i) the calculation of the annual FILOT Payment is a function of the Department and is wholly dependent on the Sponsor timely submitting the correct annual property tax returns to the Department, (ii) the County has no responsibility for the submission of returns or the calculation of the annual FILOT Payment, and (iii) failure by the Sponsor to submit the correct annual property tax return could lead to a loss of all or a portion of the FILOT and other incentives provided by this Fee Agreement.

(b) If a final order of a court of competent jurisdiction from which no further appeal is allowable declares the FILOT Payments invalid or unenforceable, in whole or in part, for any reason, the parties shall negotiate the reformation of the calculation of the FILOT Payments to most closely afford the Sponsor with the intended benefits of this Fee Agreement. If such order has the effect of subjecting the Economic Development Property to *ad valorem* taxation, this Fee Agreement shall terminate, and the Sponsor shall owe the County regular *ad valorem* taxes from the date of termination, in accordance with Section 4.7.

Section 4.2. FILOT Payments on Replacement Property. If the Sponsor elects to place Replacement Property in service, then, pursuant and subject to the provisions of Section 12-44-60 of the Act, the Sponsor shall make the following payments to the County with respect to the Replacement Property for the remainder of the Phase Exemption Period applicable to the Removed Component of the Replacement Property:

(a) FILOT Payments, calculated in accordance with Section 4.1, on the Replacement Property to the extent of the original income tax basis of the Removed Component the Replacement Property is deemed to replace.

(b) Regular *ad valorem* tax payments to the extent the income tax basis of the Replacement Property exceeds the original income tax basis of the Removed Component the Replacement Property is deemed to replace.

Section 4.3. Removal of Components of the Project. Subject to the other terms and provisions of this Fee Agreement, the Sponsor is entitled to remove and dispose of components of the Project in its sole discretion. Components of the Project are deemed removed when scrapped, sold or otherwise removed from the Project. If the components removed from the Project are Economic Development Property, then the Economic Development Property is a Removed Component, no longer subject to this Fee Agreement and is subject to *ad valorem* property taxes to the extent the Removed Component remains in the State and is otherwise subject to *ad valorem* property taxes; provided, however, that notwithstanding the foregoing provisions of this **Section 4.3**, if any part of the Economic Development Property is so removed and disposed of, then the Sponsor is obligated to pay to the County an amount equal to the difference between (i) what the Sponsor would have paid to the County with respect to such Economic Development Property using the standard FILOT calculation described in Section 12-44- 50(A)(1) of the FILOT Act and the factors set forth in **Section 4.1** of this Fee Agreement and (ii) the amount actually paid by the Sponsor using the alternative payment method FILOT described in Section 12-44-50(A)(2) and the

factors set forth in **Section 4.1** of this Fee Agreement (a “Differential Payment”), after taking into account the Special Source Credits that would have applied, or did apply, to each such FILOT Payment, as the case may be. Such Differential Payment will be made and included by the Sponsor with the FILOT Payment due to the County for the tax year corresponding to the property tax year in which such removal and disposal occurs.

Section 4.4. *Damage or Destruction of Economic Development Property.*

(a) *Election to Terminate.* If Economic Development Property is damaged by fire, explosion, or any other casualty, then the Sponsor may terminate this Fee Agreement. For the property tax year corresponding to the year in which the damage or casualty occurs, the Sponsor is obligated to make FILOT Payments with respect to the damaged Economic Development Property only to the extent property subject to *ad valorem* taxes would have been subject to *ad valorem* taxes under the same circumstances for the period in question.

(b) *Election to Restore and Replace.* If Economic Development Property is damaged by fire, explosion, or any other casualty, and the Sponsor does not elect to terminate this Fee Agreement, then the Sponsor may restore and replace the Economic Development Property. All restorations and replacements made pursuant to this subsection (b) are deemed, to the fullest extent permitted by law and this Fee Agreement, to be Replacement Property.

(c) *Election to Remove.* If Economic Development Property is damaged by fire, explosion, or any other casualty, and the Sponsor elects not to terminate this Fee Agreement pursuant to subsection (a) and elects not to restore or replace pursuant to subsection (b), then the damaged portions of the Economic Development Property are deemed Removed Components.

Section 4.5. *Condemnation.*

(a) *Complete Taking.* If at any time during the Fee Term title to or temporary use of the Economic Development Property is vested in a public or quasi-public authority by virtue of the exercise of a taking by condemnation, inverse condemnation, or the right of eminent domain; by voluntary transfer under threat of such taking; or by a taking of title to a portion of the Economic Development Property which renders continued use or occupancy of the Economic Development Property commercially unfeasible in the judgment of the Sponsor, the Sponsor shall have the option to terminate this Fee Agreement by sending written notice to the County within a reasonable period of time following such vesting.

(b) *Partial Taking.* In the event of a partial taking of the Economic Development Property or a transfer in lieu, the Sponsor may elect: (i) to terminate this Fee Agreement; (ii) to restore and replace the Economic Development Property, with such restorations and replacements deemed, to the fullest extent permitted by law and this Fee Agreement, to be Replacement Property; or (iii) to treat the portions of the Economic Development Property so taken as Removed Components.

(c) In the year in which the taking occurs, the Sponsor is obligated to make FILOT Payments with respect to the Economic Development Property so taken only to the extent property subject to *ad valorem* taxes would have been subject to taxes under the same circumstances for the period in question.

Section 4.6. *Calculating FILOT Payments on Diminution in Value.* If there is a Diminution in Value, the FILOT Payments due with respect to the Economic Development Property or Phase so diminished shall be calculated by substituting the diminished value of the Economic Development Property or Phase for the original fair market value in Section 4.1(a)(i) of this Fee Agreement.

Section 4.7. *Payment of Ad Valorem Taxes.* If Economic Development Property becomes subject to *ad valorem* taxes as imposed by law pursuant to the terms of this Fee Agreement or the Act, then the

calculation of the *ad valorem* taxes due with respect to the Economic Development Property in a particular property tax year shall: (i) include the property tax reductions that would have applied to the Economic Development Property if it were not Economic Development Property; and (ii) include a credit for FILOT Payments the Sponsor has made with respect to the Economic Development Property.

Section 4.8. Place of FILOT Payments. All FILOT Payments shall be made directly to the County in accordance with applicable law.

Section 4.9. Failure to Satisfy the NPV FILOT Minimum Investment Requirement. In the event that the NPV FILOT Minimum Investment Requirement is not satisfied, but the Act FILOT Minimum Investment Requirement is nevertheless satisfied, then the FILOT Payments shall revert retroactively and prospectively to the amounts due under Section 12-44- 50(A)(1) of the FILOT Act and the factors set forth in **Section 4.1** of this Fee Agreement, and in such event, the Sponsor shall pay to the County a Differential Payment as described in **Section 4.3** of this Fee Agreement.

ARTICLE V ADDITIONAL INCENTIVES

Section 5.1. Infrastructure Credits. To assist in paying for costs of Infrastructure, the Sponsor is entitled to claim Infrastructure Credits to reduce certain FILOT Payments due and owing from the Sponsor to the County under this Fee Agreement. The term, amount and calculation of the Infrastructure Credit is described in Exhibit D. In no event may the Sponsor’s aggregate Infrastructure Credit claimed pursuant to this **Section 5.1** exceed the aggregate expenditures by the Sponsor on Infrastructure.

For each property tax year in which the Infrastructure Credit is applicable (“*Credit Term*”), the County shall prepare and issue the annual bills with respect to the Project showing the Net FILOT Payment, calculated in accordance with Exhibit D. Following receipt of the bill, the Sponsor shall timely remit the Net FILOT Payment to the County in accordance with applicable law.

ARTICLE VI CLAW BACK

Section 6.1. Claw Back. If the Sponsor fails to perform its obligations under this Fee Agreement as described in Exhibit E, then the Sponsor is subject to the claw backs as described in Exhibit E. Any amount that may be due from the Sponsor to the County as calculated in accordance with or described in Exhibit E is due within 30 days of receipt of a written statement from the County. If not timely paid, the amount due from the Sponsor to the County is subject to the minimum amount of interest that the law may permit with respect to delinquent *ad valorem* tax payments. The repayment obligation arising under this Section and Exhibit E survives termination of this Fee Agreement.

ARTICLE VII DEFAULT

Section 7.1. Events of Default. The following are “Events of Default” under this Fee Agreement:

(a) Failure to make FILOT Payments, which failure has not been cured within 30 days following receipt of written notice from the County specifying the delinquency in FILOT Payments and requesting that it be remedied;

(b) Failure to timely pay any amount, except FILOT Payments, due under this Fee Agreement;

(c) A Cessation of Operations. For purposes of this Fee Agreement, a “*Cessation of Operations*” means a publicly announced closure of the Facility or a complete cessation of production at the Facility that continues for a period of twelve (12) months;

(d) A representation or warranty made by the Sponsor which is deemed materially incorrect when deemed made;

(e) Failure by the Sponsor to perform any of the terms, conditions, obligations, or covenants under this Fee Agreement (other than those under (a), above), which failure has not been cured within 30 days after written notice from the County to the Sponsor specifying such failure and requesting that it be remedied, unless the Sponsor has instituted corrective action within the 30-day period and is diligently pursuing corrective action until the default is corrected, in which case the 30-day period is extended to include the period during which the Sponsor is diligently pursuing corrective action;

(f) A representation or warranty made by the County which is deemed materially incorrect when deemed made; or

(g) Failure by the County to perform any of the terms, conditions, obligations, or covenants hereunder, which failure has not been cured within 30 days after written notice from the Sponsor to the County specifying such failure and requesting that it be remedied, unless the County has instituted corrective action within the 30-day period and is diligently pursuing corrective action until the default is corrected, in which case the 30-day period is extended to include the period during which the County is diligently pursuing corrective action.

Section 7.2. Remedies on Default.

(a) If an Event of Default by the Sponsor has occurred and is continuing, then the County may take any one or more of the following remedial actions:

(i) terminate this Fee Agreement; or

(ii) take whatever action at law or in equity may appear necessary or desirable to collect amounts due or otherwise remedy the Event of Default or recover its damages.

(b) If an Event of Default by the County has occurred and is continuing, the Sponsor may take any one or more of the following actions:

(i) bring an action for specific enforcement;

(ii) terminate this Fee Agreement; or

(iii) in case of a materially incorrect representation or warranty, take such action as is appropriate, including legal action, to recover its damages, to the extent allowed by law.

Section 7.3. Reimbursement of Legal Fees and Other Expenses. On the occurrence of an Event of Default, if a party is required to employ attorneys or incur other reasonable expenses for the collection of payments due under this Fee Agreement or for the enforcement of performance or observance of any obligation or agreement, the prevailing party is entitled to seek reimbursement of the reasonable fees of such attorneys and such other reasonable expenses so incurred.

Section 7.4. Remedies Not Exclusive. No remedy described in this Fee Agreement is intended to be exclusive of any other remedy or remedies, and each and every such remedy is cumulative and in

addition to every other remedy given under this Fee Agreement or existing at law or in equity or by statute.

ARTICLE VIII PARTICULAR RIGHTS AND COVENANTS

Section 8.1. *Right to Inspect.* The County and its authorized agents, at any reasonable time on prior written notice (which may be given by email), may enter and examine and inspect the Project for the purposes of permitting the County to carry out its duties and obligations in its sovereign capacity (such as, without limitation, for such routine health and safety purposes as would be applied to any other manufacturing or commercial facility in the County).

Section 8.2. *Confidentiality.* The County acknowledges that the Sponsor may utilize confidential and proprietary processes and materials, services, equipment, trade secrets, and techniques (“***Confidential Information***”) and that disclosure of the Confidential Information could result in substantial economic harm to the Sponsor. The Sponsor may clearly label any Confidential Information delivered to the County pursuant to this Fee Agreement as “***Confidential Information.***” Except as required by law, the County, or any employee, agent, or contractor of the County, shall not disclose or otherwise divulge any labeled Confidential Information to any other person, firm, governmental body or agency. The Sponsor acknowledges that the County is subject to the South Carolina Freedom of Information Act, and, as a result, must disclose certain documents and information on request, absent an exemption. If the County is required to disclose any Confidential Information to a third party, the County will use its best efforts to provide the Sponsor with as much advance notice as is reasonably possible of such disclosure requirement prior to making such disclosure, and to cooperate reasonably with any attempts by the Sponsor to obtain judicial or other relief from such disclosure requirement.

Section 8.3. *Indemnification Covenants.*

(a) Except as provided in paragraph (d) below, the Sponsor shall indemnify and save the County, its employees, elected officials, officers and agents (each, an “***Indemnified Party***”) harmless against and from all liability or claims arising from the County’s execution of this Fee Agreement, performance of the County’s obligations under this Fee Agreement or the administration of its duties pursuant to this Fee Agreement, or otherwise by virtue of the County having entered into this Fee Agreement.

(b) The County is entitled to use counsel of its choice and the Sponsor shall reimburse the County for all of its costs, including attorneys’ fees, incurred in connection with the response to or defense against such liability or claims as described in paragraph (a), above. The County shall provide a statement of the costs incurred in the response or defense, and the Sponsor shall pay the County within 30 days of receipt of the statement. The Sponsor may request reasonable documentation evidencing the costs shown on the statement. However, the County is not required to provide any documentation which may be privileged or confidential to evidence the costs.

(c) The County may request the Sponsor to resist or defend against any claim on behalf of an Indemnified Party. On such request, the Sponsor shall resist or defend against such claim on behalf of the Indemnified Party, at the Sponsor’s expense. The Sponsor is entitled to use counsel of its choice, manage and control the defense of or response to such claim for the Indemnified Party; provided the Sponsor is not entitled to settle any such claim without the consent of that Indemnified Party.

(d) Notwithstanding anything in this Section or this Fee Agreement to the contrary, the Sponsor is not required to indemnify any Indemnified Party against or reimburse the County for costs arising from any claim or liability (i) occasioned by the acts of that Indemnified Party, which are unrelated to the execution of this Fee Agreement, performance of the County’s obligations under this Fee Agreement, or the administration of its duties under this Fee Agreement, or otherwise by virtue of the County having

entered into this Fee Agreement; or (ii) resulting from that Indemnified Party's own negligence, bad faith, fraud, deceit, or willful misconduct.

(e) An Indemnified Party may not avail itself of the indemnification or reimbursement of costs provided in this Section unless it provides the Sponsor with prompt notice, reasonable under the circumstances, of the existence or threat of any claim or liability, including, without limitation, copies of any citations, orders, fines, charges, remediation requests, or other claims or threats of claims, in order to afford the Sponsor notice, reasonable under the circumstances, within which to defend or otherwise respond to a claim.

Section 8.4. No Liability of County Personnel. All covenants, stipulations, promises, agreements and obligations of the County contained in this Fee Agreement are binding on members of the County Council or any elected official, officer, agent, servant or employee of the County only in his or her official capacity and not in his or her individual capacity, and no recourse for the payment of any moneys under this Fee Agreement may be had against any member of County Council or any elected or appointed official, officer, agent, servant or employee of the County and no recourse for the payment of any moneys or performance of any of the covenants and agreements under this Fee Agreement or for any claims based on this Fee Agreement may be had against any member of County Council or any elected or appointed official, officer, agent, servant or employee of the County except solely in their official capacity.

Section 8.5. Limitation of Liability. The County is not liable to the Sponsor for any costs, expenses, losses, damages, claims or actions in connection with this Fee Agreement, except from amounts received by the County from the Sponsor under this Fee Agreement. Notwithstanding anything in this Fee Agreement to the contrary, any financial obligation the County may incur under this Fee Agreement is deemed not to constitute a pecuniary liability or a debt or general obligation of the County.

Section 8.6. Assignment. The Sponsor may assign this Fee Agreement in whole or in part with the prior written consent of the County or a subsequent written ratification by the County, which may be done by resolution, and which consent or ratification the County will not unreasonably withhold. The Sponsor agrees to notify the County and the Department of the identity of the proposed transferee within 60 days of the transfer. In case of a transfer, the transferee assumes the transferor's basis in the Economic Development Property for purposes of calculating the FILOT Payments.

Section 8.7. No Double Payment; Future Changes in Legislation. Notwithstanding anything contained in this Fee Agreement to the contrary, and except as expressly required by law, the Sponsor is not required to make a FILOT Payment in addition to a regular *ad valorem* property tax payment in the same year with respect to the same piece of Economic Development Property. The Sponsor is not required to make a FILOT Payment on Economic Development Property in cases where, absent this Fee Agreement, *ad valorem* property taxes would otherwise not be due on such property.

Section 8.8. Administration Expenses. The Sponsor will reimburse, or cause reimbursement to, the County for Administration Expenses in the amount of \$[_____]. The Sponsor will reimburse the County for its Administration Expenses on receipt of a written request from the County or at the County's direction, which request shall include a statement of the amount and nature of the Administration Expense. The Sponsor shall pay the Administration Expense as set forth in the written request no later than 60 days following receipt of the written request from the County. The County does not impose a charge in the nature of impact fees or recurring fees in connection with the incentives authorized by this Fee Agreement. The payment by the Sponsor of the County's Administration Expenses shall not be construed as prohibiting the County from engaging, at its discretion, the counsel of the County's choice.

**ARTICLE IX
SPONSOR AFFILIATES**

Section 9.1. Sponsor Affiliates. The Sponsor may designate Sponsor Affiliates from time to time, including at the time of execution of this Fee Agreement, pursuant to and subject to the provisions of Section 12-44-130 of the Act. To designate a Sponsor Affiliate, the Sponsor must deliver written notice to the Economic Development Director identifying the Sponsor Affiliate and requesting the County's approval of the Sponsor Affiliate. Except with respect to a Sponsor Affiliate designated at the time of execution of this Fee Agreement, which may be approved in the County Council ordinance authorizing the execution and delivery of this Fee Agreement, approval of the Sponsor Affiliate may be given by the County Administrator delivering written notice to the Sponsor and Sponsor Affiliate following receipt by the County Administrator of a recommendation from the Economic Development Committee of County Council to allow the Sponsor Affiliate to join in the investment at the Project. The Sponsor Affiliate's joining in the investment at the Project will be effective on delivery of a Joinder Agreement, the form of which is attached as Exhibit B, executed by the Sponsor Affiliate to the County.

Section 9.2. Primary Responsibility. Notwithstanding the addition of a Sponsor Affiliate, the Sponsor acknowledges that it has the primary responsibility for the duties and obligations of the Sponsor and any Sponsor Affiliate under this Fee Agreement, including the payment of FILOT Payments or any other amount due to or for the benefit of the County under this Fee Agreement. For purposes of this Fee Agreement, "primary responsibility" means that if the Sponsor Affiliate fails to make any FILOT Payment or remit any other amount due under this Fee Agreement, the Sponsor shall make such FILOT Payments or remit such other amounts on behalf of the Sponsor Affiliate.

**ARTICLE X
MISCELLANEOUS**

Section 10.1. Notices. Any notice, election, demand, request, or other communication to be provided under this Fee Agreement is effective when delivered to the party named below or when deposited with the United States Postal Service, certified mail, return receipt requested, postage prepaid, addressed as follows (or addressed to such other address as any party shall have previously furnished in writing to the other party), except where the terms of this Fee Agreement require receipt rather than sending of any notice, in which case such provision shall control:

IF TO THE SPONSOR:

Project Quattro
Attn: _____

WITH A COPY TO (does not constitute notice):

Burr & Forman LLP
Attn: Erik Doerring
1221 Main Street, Suite 1800 (29201)
Post Office Box 11390
Columbia, South Carolina 29211

IF TO THE COUNTY:

Richland County, South Carolina
Attn: Richland County Economic Development Director
2020 Hampton Street
Columbia, South Carolina 29204

WITH A COPY TO (does not constitute notice):

Parker Poe Adams & Bernstein LLP
Attn: Emily Luther
1221 Main Street, Suite 1100 (29201)
Post Office Box 1509
Columbia, South Carolina 29202-1509

Section 10.2. Provisions of Agreement for Sole Benefit of County and Sponsor. Except as otherwise specifically provided in this Fee Agreement, nothing in this Fee Agreement expressed or implied confers on any person or entity other than the County and the Sponsor any right, remedy, or claim under or by reason of this Fee Agreement, this Fee Agreement being intended to be for the sole and exclusive benefit of the County and the Sponsor.

Section 10.3. Counterparts. This Fee Agreement may be executed in any number of counterparts, and all of the counterparts together constitute one and the same instrument.

Section 10.4. Governing Law. South Carolina law, exclusive of its conflicts of law provisions that would refer the governance of this Fee Agreement to the laws of another jurisdiction, governs this Fee Agreement and all documents executed in connection with this Fee Agreement.

Section 10.5. Headings. The headings of the articles and sections of this Fee Agreement are inserted for convenience only and do not constitute a part of this Fee Agreement.

Section 10.6. Amendments. This Fee Agreement may be amended only by written agreement of the parties to this Fee Agreement.

Section 10.7. Agreement to Sign Other Documents. From time to time, and at the expense of the Sponsor, to the extent any expense is incurred, the County agrees to execute and deliver to the Sponsor such additional instruments as the Sponsor may reasonably request and as are authorized by law and reasonably within the purposes and scope of the Act and this Fee Agreement to effectuate the purposes of this Fee Agreement.

Section 10.8. Interpretation; Invalidity; Change in Laws.

(a) If the inclusion of property as Economic Development Property or any other issue is unclear under this Fee Agreement, then the parties intend that the interpretation of this Fee Agreement be done in a manner that provides for the broadest inclusion of property under the terms of this Fee Agreement and the maximum incentive permissible under the Act, to the extent not inconsistent with any of the explicit terms of this Fee Agreement.

(b) If any provision of this Fee Agreement is declared illegal, invalid, or unenforceable for any reason, the remaining provisions of this Fee Agreement are unimpaired, and the parties shall reform such illegal, invalid, or unenforceable provision to effectuate most closely the legal, valid, and enforceable intent of this Fee Agreement so as to afford the Sponsor with the maximum benefits to be derived under this Fee Agreement, it being the intention of the County to offer the Sponsor the strongest inducement possible, within the provisions of the Act, to locate the Project in the County.

(c) The County agrees that in case the FILOT incentive described in this Fee Agreement is found to be invalid and the Sponsor does not realize the economic benefit it is intended to receive from the County under this Fee Agreement as an inducement to locate in the County, the County agrees to negotiate with the Sponsor to provide a special source revenue or Infrastructure Credit to the Sponsor [(in addition to the Infrastructure Credit explicitly provided for above)] to the maximum extent permitted by law, to allow the Sponsor to recoup all or a portion of the loss of the economic benefit resulting from such invalidity.

Section 10.9. Force Majeure. The Sponsor is not responsible for any delays or non-performance caused in whole or in part, directly or indirectly, by strikes, accidents, freight embargoes, fires, floods, inability to obtain materials, conditions arising from governmental orders or regulations, war or national emergency, acts of God, and any other cause, similar or dissimilar, beyond the Sponsor's reasonable control.

Section 10.10. Termination; Termination by Sponsor.

(a) Unless first terminated under any other provision of this Fee Agreement, this Fee Agreement terminates on the Final Termination Date.

(b) The Sponsor is authorized to terminate this Fee Agreement at any time with respect to all or part of the Project on providing the County with 30 days' notice.

(c) Any monetary obligations due and owing at the time of termination and any provisions which are intended to survive termination, survive such termination.

(d) In the year following termination, all Economic Development Property is subject to *ad valorem* taxation or such other taxation or payment in lieu of taxation that would apply absent this Fee Agreement. The Sponsor's obligation to make FILOT Payments under this Fee Agreement terminates to the extent of and in the year following the year the Sponsor terminates this Fee Agreement pursuant to this Section.

Section 10.11. Entire Agreement. This Fee Agreement expresses the entire understanding and all agreements of the parties, and neither party is bound by any agreement or any representation to the other party which is not expressly set forth in this Fee Agreement or in certificates delivered in connection with the execution and delivery of this Fee Agreement.

Section 10.12. Waiver. Either party may waive compliance by the other party with any term or condition of this Fee Agreement only in a writing signed by the waiving party.

Section 10.13. Business Day. If any action, payment, or notice is, by the terms of this Fee Agreement, required to be taken, made, or given on any Saturday, Sunday, or legal holiday in the jurisdiction in which the party obligated to act is situated, such action, payment, or notice may be taken, made, or given on the following business day with the same effect as if taken, made or given as required under this Fee Agreement, and no interest will accrue in the interim.

Section 10.14. Agreement's Construction. Each party and its counsel have reviewed this Fee Agreement and any rule of construction to the effect that ambiguities are to be resolved against a drafting party does not apply in the interpretation of this Fee Agreement or any amendments or exhibits to this Fee Agreement.

[Signature pages follow]

IN WITNESS WHEREOF, the County, acting by and through the County Council, has caused this Fee Agreement to be executed in its name and on its behalf by the Chair of County Council and to be attested by the Clerk of the County Council; and the Sponsor has caused this Fee Agreement to be executed by its duly authorized officer, all as of the day and year first above written.

RICHLAND COUNTY, SOUTH CAROLINA

(SEAL)

By: _____
County Council Chair
Richland County, South Carolina

ATTEST:

By: _____
Clerk to County Council
Richland County, South Carolina

[Signature Page 1 to Fee in Lieu of Ad Valorem Taxes and Incentive Agreement]

PROJECT QUATTRO

By: _____
Its: _____

[Signature Page 2 to Fee in Lieu of Ad Valorem Taxes and Incentive Agreement]

EXHIBIT A
PROPERTY DESCRIPTION

[TO BE INSERTED]

EXHIBIT B (see Section 9.1)
FORM OF JOINDER AGREEMENT

Reference is hereby made to the Fee-in-Lieu of *Ad Valorem* Taxes Agreement, effective [DATE] (“Fee Agreement”), between Richland County, South Carolina (“County”) and [COMPANY] (“Sponsor”).

1. Joinder to Fee Agreement.

[_____], a [STATE] [corporation]/[limited liability company]/[limited partnership] authorized to conduct business in the State of South Carolina, hereby (a) joins as a party to, and agrees to be bound by and subject to all of the terms and conditions of, the Fee Agreement as if it were a Sponsor [except the following: _____]; (b) shall receive the benefits as provided under the Fee Agreement with respect to the Economic Development Property placed in service by the Sponsor Affiliate as if it were a Sponsor [except the following _____]; (c) acknowledges and agrees that (i) according to the Fee Agreement, the undersigned has been designated as a Sponsor Affiliate by the Sponsor for purposes of the Project; and (ii) the undersigned qualifies or will qualify as a Sponsor Affiliate under the Fee Agreement and Section 12-44-30(20) and Section 12-44-130 of the Act.

2. Capitalized Terms.

Each capitalized term used, but not defined, in this Joinder Agreement has the meaning of that term set forth in the Fee Agreement.

3. Representations of the Sponsor Affiliate.

The Sponsor Affiliate represents and warrants to the County as follows:

(a) The Sponsor Affiliate is in good standing under the laws of the state of its organization, is duly authorized to transact business in the State (or will obtain such authority prior to commencing business in the State), has power to enter into this Joinder Agreement, and has duly authorized the execution and delivery of this Joinder Agreement.

(b) The Sponsor Affiliate’s execution and delivery of this Joinder Agreement, and its compliance with the provisions of this Joinder Agreement, do not result in a default, not waived or cured, under any agreement or instrument to which the Sponsor Affiliate is now a party or by which it is bound.

(c) The execution and delivery of this Joinder Agreement and the availability of the FILOT and other incentives provided by this Joinder Agreement has been instrumental in inducing the Sponsor Affiliate to join with the Sponsor in the Project in the County.

4. Governing Law.

This Joinder Agreement is governed by and construed according to the laws, without regard to principles of choice of law, of the State of South Carolina.

5. Notice.

Notices under Section 10.1 of the Fee Agreement shall be sent to:

[_____]

IN WITNESS WHEREOF, the undersigned has executed this Joinder Agreement to be effective as of the date set forth below.

Date

Name of Entity
By: _____
Its: _____

IN WITNESS WHEREOF, the County acknowledges it has consented to the addition of the above-named entity as a Sponsor Affiliate under the Fee Agreement effective as of the date set forth above.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Its: _____

EXHIBIT C (see Section 3.3)
RICHLAND COUNTY RESOLUTION REQUIRING CERTAIN ACCOUNTABILITY PRACTICES CONCERNING
ECONOMIC DEVELOPMENT PROJECTS IN THE COUNTY

**A RESOLUTION TO AMEND THE DECEMBER 21, 2010,
RESOLUTION REQUIRING CERTAIN ACCOUNTABILITY
PRACTICES CONCERNING ECONOMIC DEVELOPMENT
PROJECTS IN RICHLAND COUNTY**

WHEREAS, Richland County Council adopted a resolution dated as of December 21, 2010 (“Prior Resolution”), which requires companies receiving economic development incentives from Richland County, South Carolina (“County”) to submit annual reports to the Richland County Economic Development Office; and

WHEREAS, the County desires to make the form of the annual reports submitted by such companies uniform in order to make the substantive information contained in the annual reports more easily tracked and documented by the Richland County Economic Development Office.

NOW, THEREFORE, BE IT RESOLVED by Richland County Council as follows:

Section 1. The County affirms that each company awarded an incentive by the County in exchange for the location or expansion of a facility or facilities within the County shall submit an annual report to the Richland County Economic Development Office by January 31 of each year throughout the term of the incentives.

Section 2. The Richland County Economic Development Office is authorized to create (and from time to time, if necessary, amend or recreate) and make available the form of the annual report; however, such form, shall require, at a minimum, the following information:

- a. Name of company;
- b. Cumulative capital investment (less any removed investment) to date as a result of the project;
- c. Net jobs created to date as a result of the project;

Section 3. A copy of the then-current form of the annual report may be obtained from the following address. The annual report shall likewise be submitted to the following address by the required date.

Richland County Economic Development Office
Attention: Kim Mann
1201 Main Street, Suite 910
Columbia, SC 29201

Section 4. This Resolution amends the Prior Resolution and sets forth the County’s requirements with respect to the annual reports to be submitted by each company awarded an incentive by the County as described in Section 1.

Section 5. The substance of this Resolution shall be incorporated into the agreement between the County and each company with respect to the incentives granted by the County to the company.

Section 6. In the event that any company shall fail to submit an annual report, or any portion thereof, such company may be required to return all incentives, or a dollar amount equal thereof, to the County. Such incentives, or the dollar amount equal thereto, shall be paid to the County within 60 days after the date upon which the information was originally due.

RESOLVED: December 12 2017

RICHLAND COUNTY, SOUTH CAROLINA


Chair, Richland County Council

(SEAL)
ATTEST:



Clerk to County Council

EXHIBIT D (see Section 5.1)
DESCRIPTION OF INFRASTRUCTURE CREDIT

The Sponsor shall be entitled to receive, and the County shall provide, Infrastructure Credits against each FILOT Payment due from the Sponsor under this Fee Agreement for the first ten (10) years of this Fee Agreement in an amount equal to ten percent (10%) of each such FILOT Payment, commencing with the tax year for which the initial FILOT Payment is due under this Fee Agreement.

THE SPECIAL SOURCE CREDITS AUTHORIZED HEREIN SHALL NOT CONSTITUTE A GENERAL OBLIGATION OF THE COUNTY, BUT SHALL BE A LIMITED OBLIGATION OF THE COUNTY PAYABLE SOLELY FROM THE FILOT PAYMENTS RECEIVED BY THE COUNTY UNDER THIS FEE AGREEMENT WITH RESPECT TO THE PROJECT.

EXHIBIT E (see Section 6.1)
DESCRIPTION OF CLAW BACK

If the Sponsor fails to meet the Contract Minimum Investment Requirement by the end of the Investment Period the Sponsor shall be required to pay the Repayment Amount.

Repayment Amount = Total Received x Claw Back Percentage

Claw Back Percentage = 100% - Investment Achievement Percentage

Investment Achievement Percentage = Actual Investment Achieved / Contract Minimum Investment Requirement

In calculating the investment achievement percentage, only the investment made up to the Contract Minimum Investment Requirement will be counted.

For example, and by way of example only, if the County granted \$1,000,000 in Infrastructure Credits, and \$96,000,000 had been invested at the Project by the end of the Investment Period, the Repayment Amount would be calculated as follows:

Investment Achievement Percentage = \$96,000,000/\$120,000,000 = 80%

Claw Back Percentage = 100% - 80% = 20%

Repayment Amount = \$1,000,000 x 20% = \$200,000

The Sponsor shall pay any amounts described in or calculated pursuant to this Exhibit E within 30 days of receipt of a written statement from the County. If not timely paid by the Sponsor, the amount due is subject to the minimum amount of interest that the law may permit with respect to delinquent *ad valorem* tax payments. The repayment obligation described in this Exhibit E survives termination of this Fee Agreement.

EXHIBIT B

FORM OF SECOND AMENDMENT TO LEASE PURCHASE AGREEMENT (1991 EXTENSION)

SECOND AMENDMENT TO LEASE PURCHASE AGREEMENT

THIS SECOND AMENDMENT TO LEASE PURCHASE AGREEMENT (this “Amendment”), dated as of _____, 2020, is made and entered into by and between RICHLAND COUNTY, SOUTH CAROLINA, a public body corporate and a political subdivision of the State of South Carolina (the “County”), and PROJECT QUATTRO, a [state] corporation (the “Company”). All capitalized terms used herein without definition shall have the same meanings herein as such terms are defined in the Lease Agreement (hereinafter defined).

RECITALS

WHEREAS, pursuant to Lease Purchase Agreement dated as of December 1, 1991 (the “Lease Agreement”) between the County and the Company, as successor by merger to [to be inserted prior to third reading], County agreed to lease to the Company and the Company agreed to lease from the County the Building and Equipment;

WHEREAS, the County and the Company entered a First Amendment to Lease Purchase Agreement dated as of May 1, 2010 (the “First Amendment”) in order to extend the term of the Lease Agreement and modify the payment in lieu of ad valorem taxes payable by the Company thereunder during such extended term;

WHEREAS, [insert applicable language for memorandum of lease, any related amendments to the memorandum of lease]; and

WHEREAS, the County and the Company desire to amend certain provisions of the Lease Agreement and Memorandum of lease, as amended, to further extend the term thereof and modify the payment in lieu of ad valorem taxes payable by the Company thereunder during such extended term.

NOW, THEREFORE, in consideration of the foregoing premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

ARTICLE I AMENDMENTS

Section 1.1. Section 4.3 of the Lease Agreement is hereby amended and restated as follows:

The County agrees to deliver to the Company sole and exclusive possession of the Building and the Equipment for twenty (20) years from the date of acquisition of title of each asset by the County (the “Original Lease Term”) plus an additional period of twenty (20) years from the expiration of the Original Lease Term, forty (40) years in total (the “Extended Lease Term”), and the Company thereupon and thereafter shall have sole and exclusive possession of each asset during that period. The Original Lease Term and the Extended Lease Term shall be referred to collectively herein as the “Lease Term”.

Section 1.2 Section 4.6 of the Lease Agreement is hereby amended and restated as follows:

Payments-in-Lieu-of-Taxes. The parties acknowledge that under Article I, Section 3 of the South Carolina Constitution, the Project is exempt from ad valorem property taxes. However, the Company shall be required to make payments to the County in lieu of ad valorem property taxes with respect to the Project. In accordance with Section 4-29-67 of the Act, and unless sooner terminated in accordance with Section 11.1 or unless the option to purchase provided for in Section 11.2 is exercised, the Company shall make forty (40) annual Payments-in-Lieu-of-Taxes for the portion of the Project placed in service each year during the Project Period, said payments being due and payable and subject to penalty assessments on the same dates and in the same manner as prescribed by the County for ad valorem taxes. Such amounts shall be calculated as follows:

In each year of the Original Lease Term, the Payment-in-Lieu-of-Taxes payable by the Company shall be the amount determined pursuant to the Lease Agreement prior to the effective date of the First Amendment.

Thereafter, in each year of the Extended Lease Term, the Company shall become liable to the County for an amount equal to the sum of (a) the amount that would be due as taxes on the undeveloped property if it were taxable, and (b) the product of multiplying (i) the millage rate in effect for the then current year by (ii) six percent (6%) of the fair market value of each asset included within the Building or Equipment (determined by the South Carolina Department of Revenue as though title to such assets were in the name of the Company and subject to ad valorem taxes) that has been placed into service prior to the year of payment, determined at the time of payment and including all deductions for depreciation or diminution in value allowed by the tax laws and all applicable ad valorem tax exemptions except the exemption allowed pursuant to Section 3(g) of Article X of the Constitution of the State and the exemption allowed pursuant to Section 12-37-220(B)(32) of the Code of Laws of South Carolina, 1976, as amended, and determined without regard to capitalized interest.

ARTICLE II MISCELLANEOUS

Section 2.1. This Amendment shall be effective from the date first above written.

Section 2.2. Except as specifically amended hereby, the Lease Agreement shall continue in full force and effect in accordance with its terms. Reference to this specific Amendment [including amendment to memo] need not be made in the Lease Agreement or any other instrument or document executed in connection therewith, or in any certificate, letter or communication issued or made pursuant to or with respect to the Lease Agreement, any reference in any of such items to the Lease Agreement [including memo] being sufficient to refer to the Lease Agreement [and memo] as amended hereby. The County and the Company confirm all their respective

representations and covenants made under the Lease Agreement as if made on the date of this Amendment.

Section 2.3. This Amendment and/or memo may be recorded in the office Richland County Register of Deeds, or in such other office as may be at the time provided by law as the proper place for such recordation.

Section 2.4. This Amendment shall be governed by South Carolina law.

This Amendment may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument.

[Remainder of Page Intentionally Left Blank]

[Signature Pages Follow]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed and delivered by their respective duly authorized officers as of the date first above written.

RICHLAND COUNTY, SOUTH CAROLINA

(SEAL)

By: _____
County Council Chair
Richland County, South Carolina

ATTEST:

By: _____
Clerk to County Council
Richland County, South Carolina

WITNESSES:

[Signature Page of the County]

[Signature Page of the Company Follows]

INTERNATIONAL PAPER COMPANY

[SEAL]

ATTEST:

By: _____

WITNESSES:

[Signature Page of the Company]

EXHIBIT C

FORM OF FIRST AMENDMENT TO LEASE AND FINANCING AGREEMENT (2004 EXTENSION)

FIRST AMENDMENT TO LEASE AND FINANCING AGREEMENT

THIS FIRST AMENDMENT TO LEASE AND FINANCING AGREEMENT (this “Amendment”), dated as of _____, 2020, is made and entered into by and between RICHLAND COUNTY, SOUTH CAROLINA, a public body corporate and a political subdivision of the State of South Carolina (the “County”), and PROJECT QUATTRO, a [state] corporation (the “Company”). All capitalized terms used herein without definition shall have the same meanings herein as such terms are defined in the Lease Agreement (hereinafter defined).

RECITALS

WHEREAS, pursuant to Lease and Financing Agreement dated as of November 1, 2004 (the “Lease Agreement”) between the County and the Company, County agreed to lease to the Company and the Company agreed to lease from the County the Fee Property;

WHEREAS, [memo of lease reference]; and

WHEREAS, the County and the Company desire to amend certain provisions of the Lease Agreement, [and the related memo], to extend the term thereof and modify the payment in lieu of ad valorem taxes payable by the Company thereunder during such extended term.

NOW, THEREFORE, in consideration of the foregoing premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

ARTICLE I AMENDMENTS

Section 1.1. The definition of “Term” in Article I is hereby amended and restated as follows:

“Term” shall mean the term of this Agreement which shall coincide with the maximum term of the fee in lieu of tax payment benefits provided under the Act. The maximum term of the fee in lieu of tax payment benefits provided under the Act is thirty (30) years for each Phase of the Project.

Section 1.2 Section 5.3 of the Lease Agreement is hereby amended and restated as follows:

The Issuer agrees to deliver to the Company sole and exclusive possession of the Project for thirty (30) years from the first day of the Tax Year immediately after the In-Service Date for each Phase of the Project, and the Company thereupon and thereafter shall have sole and exclusive possession of the Project during that period. This Agreement shall terminate upon the earliest to occur of (a) payment of the final installment of Fee Payments pursuant to Section 5.6(b), (b) exercise by the Company of its option to terminate pursuant to Section 11.1 hereof, and (c) exercise by the Company of its option to purchase pursuant to Section 11.5 hereof; but in no event shall the Company be relieved of its obligations under Section 5.4 of this

Agreement prior to the date when all of the Bonds shall have been fully paid and retired.

Section 1.3 The first sentence of Section 5.6(b)(iii) of the Lease Agreement is hereby amended and restated as follows:

Any asset becoming a part of the Project (other than Replacement Property) during the Fee Property Investment Period shall be included in the calculation of payments pursuant to paragraph (b)(i) above, for a period not exceeding thirty (30) years following the year in which the Phase in which such asset is included became a part of the Project.

Section 1.4 There shall be added a new Section 5.3(b)(v):

(v) Following the extension of the Term from twenty (20) years to thirty (30) years provided for by this Amendment, the Fee Payments shall be recalculated using a discount rate of 4.6 percent per annum.

Section 1.5 [corresponding amendment to memo]

ARTICLE II MISCELLANEOUS

Section 2.1. This Amendment shall be effective from the date first above written.

Section 2.2. Except as specifically amended hereby, the Lease Agreement shall continue in full force and effect in accordance with its terms. Reference to this specific Amendment need to be made in the Lease Agreement or any other instrument or document executed in connection therewith, or in any certificate, letter or communication issued or made pursuant to or with respect to the Lease Agreement, any reference in any of such items to the Lease Agreement being sufficient to refer the Lease Agreement as amended hereby. The County and the Company confirm all their respective representations and covenants made under the Lease Agreement as if made on the date of this Amendment.

Section 2.3. This Amendment [and/or related memo] may be recorded in the office Richland County Register of Deeds, or in such other office as may be at the time provided by law as the proper place for such recordation.

Section 2.4. This Amendment shall be governed by South Carolina law.

This Amendment may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument.

[Signature Pages Follow]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed and delivered by their respective duly authorized officers as of the date first above written.

RICHLAND COUNTY, SOUTH CAROLINA

(SEAL)

By: _____
County Council Chair
Richland County, South Carolina

ATTEST:

By: _____
Clerk to County Council
Richland County, South Carolina

WITNESSES:

[Signature Page of the County]

[Signature Page of the Company Follows]

INTERNATIONAL PAPER COMPANY

[SEAL]

ATTEST:

By: _____

WITNESSES:

[Signature Page of the Company]

EXHIBIT D

FORM OF FIRST AMENDMENT TO FEE AGREEMENT (2013 EXTENSION)

FIRST AMENDMENT TO FEE AGREEMENT

THIS FIRST AMENDMENT TO FEE AGREEMENT (this “Amendment”), dated as of _____, 2020, is made and entered into by and between RICHLAND COUNTY, SOUTH CAROLINA, a public body corporate and a political subdivision of the State of South Carolina (the “County”), and PROJECT QUATTRO, a [state] corporation (the “Company”). All capitalized terms used herein without definition shall have the same meanings herein as such terms are defined in the Fee Agreement (hereinafter defined).

RECITALS

WHEREAS, the County and the Company entered into a Fee Agreement dated as of December 31, 2013 (the “Fee Agreement”);

WHEREAS, the County and the Company desire to amend certain provisions of the Fee Agreement to extend the term thereof.

NOW, THEREFORE, in consideration of the foregoing premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

ARTICLE I AMENDMENTS

Section 1.1. Section 4.1 of the Fee Agreement is hereby amended and restated as follows:

Subject to the provisions herein, this Fee Agreement shall be and remain in full force and effect for a term (the “Term”) commencing on the Commencement Date, and, unless earlier terminated in accordance with this Fee Agreement, ending at midnight on December 31 of the fortieth (40th) year after the last year during which any portion of the Project is placed in service or the last FILOT Payment hereunder, whichever is later.

ARTICLE II MISCELLANEOUS

Section 2.1. This Amendment shall be effective from the date first above written.

Section 2.2. Except as specifically amended hereby, the Fee Agreement shall continue in full force and effect in accordance with its terms. Reference to this specific Amendment need to be made in the Fee Agreement or any other instrument or document executed in connection therewith, or in any certificate, letter or communication issued or made pursuant to or with respect to the Fee Agreement, any reference in any of such items to the Fee Agreement being sufficient to refer the Fee Agreement as amended hereby. The County and the Company confirm all their respective representations and covenants made under the Fee Agreement as if made on the date of this Amendment.

Section 2.3. This Amendment shall be governed by South Carolina law.

This Amendment may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument.

[Remainder of Page Intentionally Left Blank]

[Signature Pages Follow]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed and delivered by their respective duly authorized officers as of the date first above written.

RICHLAND COUNTY, SOUTH CAROLINA

(SEAL)

By: _____
County Council Chair
Richland County, South Carolina

ATTEST:

By: _____
Clerk to County Council
Richland County, South Carolina

WITNESSES:

[Signature Page of the County]

[Signature Page of the Company Follows]

PROJECT QUATTRO

[SEAL]

ATTEST:

By: _____

WITNESSES:

[Signature Page of the Company]

EXHIBIT E

FORM OF INFRASTRUCTURE CREDIT AGREEMENT

INFRASTRUCTURE CREDIT AGREEMENT

by and between

RICHLAND COUNTY, SOUTH CAROLINA

and

PROJECT QUATTRO

Effective as of: [_____]

INFRASTRUCTURE CREDIT AGREEMENT

This INFRASTRUCTURE CREDIT AGREEMENT, effective as of [DATE] (“Agreement”), is by and between RICHLAND COUNTY, SOUTH CAROLINA, a body politic and corporate, and a political subdivision of the State of South Carolina (“County”), and Project Quattro, a [STATE] corporation (“Company” together with the County, “Parties,” each, a “Party”).

W I T N E S S E T H :

WHEREAS, the County, acting by and through its County Council (“County Council”), is authorized and empowered under and pursuant to the provisions of Article VIII, Section 13(D) of the South Carolina Constitution, the provisions of Title 4, Chapter 1 (the “Act”) of the Code of Laws of South Carolina, 1976, as amended (the “Code”), Title 4, Chapter 29 of the Code, Title 4, Chapter 12 of the Code, and Title 12, Chapter 44 (collectively, “Acts”), to grant credits (“Infrastructure Credit”) against fees-in-lieu of ad valorem property taxes (“Fee Payments”) to pay costs of designing, acquiring, constructing, improving or expanding (i) infrastructure serving a project or the County and (ii) improved and unimproved real estate and personal property used in the operation of a commercial enterprise or manufacturing facility (collectively, “Infrastructure”);

WHEREAS, pursuant to the authority provided in the Act, the County has developed with Fairfield County, South Carolina, the I-77 Corridor Regional Industrial Park (“Park”) and executed the “Amended and Restated Master Agreement Governing the I-77 Corridor Regional Industrial Park” dated September 1, 2018 (“Park Agreement”), which governs the operation of the Park;

WHEREAS, Company owns and operates a manufacturing facility (the “Facility”) located in the County, and desires to expand the Facility through new investment of approximately \$175 million in taxable real and personal property (the “Project”);

WHEREAS, the County has approved the execution of a Fee-in-Lieu of Ad Valorem Taxes and Incentive Agreement with the Company related to the Project (the “New Fee Agreement”);

WHEREAS, the County and Company are parties to a Lease Purchase Agreement dated as of December 1, 1991, as amended by a First Amendment to Lease Purchase Agreement dated as of May 1, 2010 and a Second Amendment to Lease Purchase Agreement dated as of [Month, Day], 2020 (the “1991 Lease Agreement”);

WHEREAS, the County and Company are parties to a Lease and Financing Agreement dated as of November 1, 2004, as amended by the First Amendment to Lease and Financing Agreement dated as of [Month, Day], 2020 (the “2004 Lease Agreement”);

WHEREAS, the County and Company are parties to a Fee Agreement dated as of December 31, 2013, as amended by the First Amendment to Fee Agreement dated as of [Month, Day], 2020 (the “2013 Fee Agreement”, and together with the 1991 Lease Agreement and the 2004 Lease Agreement the “Existing Fee Agreements”);

WHEREAS, the Company makes certain Fee Payments on property that is located in the Park but not subject to the Existing Fee Agreements (the “Park Property”);

WHEREAS, as inducement to maintaining the Facility and further investing in the Facility through the Project, through any combination of the following: additions and/or improvements to infrastructure, the construction of one or more new buildings, investment involving one or more existing buildings,

and/or the addition of machinery and equipment at the Facility the Company has requested the County provide Infrastructure Credits against the Fee Payments derived from the Existing Fee Agreements and the Park Property;

WHEREAS, by an ordinance enacted on [DATE] (“Ordinance”), the County authorized the execution and delivery of this Agreement to provide Infrastructure Credits against the Company’s Fee Payments with respect to the Existing Fee Agreements and the Park Property for the purpose of assisting in paying the costs of certain Infrastructure, subject to the terms and conditions below.

NOW, THEREFORE, in consideration of the respective representations and agreements hereinafter contained, the County and the Company agree as follows:

ARTICLE I REPRESENTATIONS

Section 1.1. *Representations by the County.* The County represents to the Company as follows:

(a) The County is a body politic and corporate and a political subdivision of the State of South Carolina;

(b) The County is authorized and empowered by the provisions of the Acts to enter into and carry out its obligations under this Agreement;

(c) The County has duly authorized and approved the execution and delivery of this Agreement by adoption of the Ordinance in accordance with the procedural requirements of the Acts and any other applicable state law;

(d) The County is not in default of any of its obligations (contractual or otherwise) as a result of entering into and performing its obligations under this Agreement; and

(e) Based on representations made by the Company to the County, the County has determined the Facility, the Project, and the Infrastructure will directly and substantially benefit the general public welfare of the County by providing the retention of jobs and employment; the increase of the ad valorem tax base; and other public benefits, including the economic development of the County.

Section 1.2. *Representations by the Company.* The Company represents to the County as follows:

(a) The Company is in good standing under the laws of the State of [STATE], has power to conduct business in the State of South Carolina and enter into this Agreement, and by proper company action has authorized the officials signing this Agreement to execute and deliver it;

(b) The Company will use commercially reasonable efforts to achieve the Investment Commitment, as defined below, for the Project; and

(c) The Company’s execution and delivery of this Agreement, and its compliance with the provisions of this Agreement do not result in a default under any agreement or instrument to which the Company is now a party or by which it is bound.

**ARTICLE II
INFRASTRUCTURE CREDITS**

Section 2.1. Investment Commitment. The Company shall invest not less than \$50,000,000 in taxable real and personal property at the Project (“Investment Commitment”) by the Certification Date, as defined below. The Company shall certify to the County achievement of the Investment Commitment by no later than December 31, 2023 (“Certification Date”), by providing documentation to the County sufficient to reflect achievement of the Investment Commitment. If the Company fails to achieve and certify the Investment Commitment by the Certification Date, the County may terminate this Agreement and, on termination, the Company is no longer entitled to any further benefits under this Agreement.

Section 2.2. Infrastructure Credits.

(a) To assist in paying for costs of Infrastructure, the County shall provide Infrastructure Credits against certain of the Company’s Fee Payments due with respect to the Facility. The term, amount and calculation of the Infrastructure Credits is described in Exhibit A.

(b) For each property tax year in which the Company is entitled to Infrastructure Credits (“Credit Term”), the County shall prepare and issue the Company’s annual bill with respect to the Facility net of the Infrastructure Credits set forth in Section 2.2 (a) (“Net Fee Payment”). Following receipt of the bill, the Company shall timely remit the Net Fee Payment to the County in accordance with applicable law.

(c) THIS AGREEMENT AND THE INFRASTRUCTURE CREDITS PROVIDED BY THIS AGREEMENT ARE LIMITED OBLIGATIONS OF THE COUNTY. THE INFRASTRUCTURE CREDITS ARE DERIVED SOLELY FROM AND TO THE EXTENT OF THE FEE PAYMENTS MADE BY THE COMPANY TO THE COUNTY PURSUANT TO THE ACTS AND THE PARK AGREEMENT. THE INFRASTRUCTURE CREDITS DO NOT AND SHALL NOT CONSTITUTE A GENERAL OBLIGATION OF THE COUNTY OR ANY MUNICIPALITY WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY LIMITATION AND DO NOT AND SHALL NOT CONSTITUTE OR GIVE RISE TO A PECUNIARY LIABILITY OF THE COUNTY OR ANY MUNICIPALITY OR A CHARGE AGAINST THE GENERAL CREDIT OR TAXING POWER OF THE COUNTY OR ANY MUNICIPALITY. THE FULL FAITH, CREDIT, AND TAXING POWER OF THE COUNTY OR ANY MUNICIPALITY ARE NOT PLEDGED FOR THE PROVISION OF THE INFRASTRUCTURE CREDITS.

Section 2.3. Clawback. If the Company fails to meet the Investment Commitment by the Certification Date, then the Company shall be required to pay the Repayment Amount and future credits shall be reduced by the Claw Back Percentage.

Repayment Amount = Total Received x Claw Back Percentage

Claw Back Percentage = 100% - Investment Achievement Percentage

Investment Achievement Percentage = Actual Investment Achieved / Investment Commitment

In calculating the investment achievement percentage, only the investment made up to the Investment Commitment will be counted.

For example, and by way of example only, if the County granted \$1,000,000 in Infrastructure Credits, and \$40,000,000 had been invested at the Project by the Certification Date, the Repayment Amount would be calculated as follows:

Investment Achievement Percentage = \$40,000,000/\$50,000,000 = 80%

Claw Back Percentage = 100% - 80% = 20%

Repayment Amount = \$1,000,000 x 20% = \$200,000

Future credits would be reduced by 20%.

The Sponsor shall pay any amounts described in or calculated pursuant to this Exhibit E within 30 days of receipt of a written statement from the County. If not timely paid by the Sponsor, the amount due is subject to the minimum amount of interest that the law may permit with respect to delinquent *ad valorem* tax payments. The repayment obligation described in this Exhibit E survives termination of this Fee Agreement.

Section 2.4. Filings. To assist the County in administering the Infrastructure Credits, the Company shall, for the Credit Term, prepare and file a separate schedule to the SCDOR PT-100, PT-300 with respect to the property subject to the Existing Fee Agreement, Park Property, and New Fee Agreement. Additionally, the Company shall, on or before January 31 of each year during the Credit Term, commencing in January 31, 2021, deliver to the Economic Development Director of the County the information required by the terms of the County's Resolution dated December 12, 2017, which is attached hereto as Exhibit B, as may be amended by subsequent resolution, with respect to the Company.

Section 2.5 Cumulative Infrastructure Credits. The cumulative dollar amount expended by the Company on Infrastructure shall equal or exceed the cumulative dollar amount of all the Infrastructure Credits received by the Company.

ARTICLE III DEFAULTS AND REMEDIES

Section 3.1. Events of Default. The following are "Events of Default" under this Fee Agreement:

(a) Failure by the Company to make a Net Fee Payment, which failure has not been cured within 30 days following receipt of written notice from the County specifying the delinquency in payment and requesting that it be remedied;

(b) A Cessation of Operations. For purposes of this Agreement, a "Cessation of Operations" means closure of the Facility or the cessation of production and shipment of products to customers for a continuous period of twelve (12) months;

(c) A representation or warranty made by the Company which is deemed materially incorrect when deemed made;

(d) Failure by the Company to perform any of the terms, conditions, obligations, or covenants under this Agreement (other than those described under (a) above), which failure has not been cured within 30 days after written notice from the County to the Company specifying such failure and requesting that it be remedied, unless the Company has instituted corrective action within the 30-day period and is diligently pursuing corrective action until the default is corrected, in which case the 30-day

period is extended to include the period during which the Company is diligently pursuing corrective action;

(e) A representation or warranty made by the County which is deemed materially incorrect when deemed made; or

(f) Failure by the County to perform any of the terms, conditions, obligations, or covenants hereunder, which failure has not been cured within 30 days after written notice from the Company to the County specifying such failure and requesting that it be remedied, unless the County has instituted corrective action within the 30-day period and is diligently pursuing corrective action until the default is corrected, in which case the 30-day period is extended to include the period during which the County is diligently pursuing corrective action.

Section 3.2. Remedies on Default.

(a) If an Event of Default by the Company has occurred and is continuing, then the County may take any one or more of the following remedial actions:

(i) terminate the Agreement; or

(ii) take whatever action at law or in equity may appear necessary or desirable to collect amounts due or otherwise remedy the Event of Default or recover its damages.

(b) If an Event of Default by the County has occurred and is continuing, the Company may take one or more of the following actions:

(i) bring an action for specific enforcement;

(ii) terminate the Agreement; or

(iii) in case of a materially incorrect representation or warranty, take such action as is appropriate, including legal action, to recover its damages, to the extent allowed by law.

Section 3.3. Reimbursement of Legal Fees and Other Expenses. On the occurrence of an Event of Default, if a Party is required to employ attorneys or incur other reasonable expenses for the collection of payments due under this Agreement or for the enforcement of performance or observance of any obligation or agreement, the prevailing Party is entitled to seek reimbursement of the reasonable fees of such attorneys and such other reasonable expenses so incurred.

Section 3.4. Remedies Not Exclusive. No remedy described in this Agreement is intended to be exclusive of any other remedy or remedies, and each and every such remedy is cumulative and in addition to every other remedy given under this Agreement or existing at law or in equity or by statute.

Section 3.5. Nonwaiver. A delay or omission by the Company or County to exercise any right or power accruing on an Event of Default does not waive such right or power and is not deemed to be a waiver or acquiescence of the Event of Default. Every power and remedy given to the Company or County by this Agreement may be exercised from time to time and as often as may be deemed expedient.

**ARTICLE IV
MISCELLANEOUS**

Section 4.1. *Examination of Records; Confidentiality.*

(a) The County and its authorized agents, at any reasonable time on prior notice, may enter and examine the Facility and have access to and examine the Company's books and records relating to the Facility for the purposes of (i) identifying the Facility; (ii) confirming achievement of the Investment Commitment; and (iii) permitting the County to carry out its duties and obligations in its sovereign capacity (such as, without limitation, for such routine health and safety purposes as would be applied to any other manufacturing or commercial facility in the County).

(b) The County acknowledges that the Company may utilize confidential and proprietary processes and materials, services, equipment, trade secrets, and techniques ("Confidential Information") and that disclosure of the Confidential Information could result in substantial economic harm to the Company. The Company may clearly label any Confidential Information delivered to the County pursuant to this Agreement as "Confidential Information." Except as required by law, the County, or any employee, agent, or contractor of the County, shall not disclose or otherwise divulge any labeled Confidential Information to any other person, firm, governmental body or agency. The Company acknowledges that the County is subject to the South Carolina Freedom of Information Act, and, as a result, must disclose certain documents and information on request, absent an exemption. If the County is required to disclose any Confidential Information to a third party, the County will use its best efforts to provide the Company with as much advance notice as is reasonably possible of such disclosure requirement prior to making such disclosure and to cooperate reasonably with any attempts by the Company to obtain judicial or other relief from such disclosure requirement.

Section 4.2. *Assignment.* The Company may assign or otherwise transfer any of its rights and interest in this Agreement on prior written consent of the County, which may be given by resolution, and which consent will not be unreasonably withheld.

Section 4.3. *Provisions of Agreement for Sole Benefit of County and Company.* Except as otherwise specifically provided in this Agreement, nothing in this Agreement expressed or implied confers on any person or entity other than the County and the Company any right, remedy, or claim under or by reason of this Agreement, this Agreement being intended to be for the sole and exclusive benefit of the County and the Company.

Section 4.4. *Severability.* If any provision of this Agreement is declared illegal, invalid, or unenforceable for any reason, the remaining provisions of this Agreement are unimpaired, and the Parties shall reform such illegal, invalid, or unenforceable provision to effectuate most closely the legal, valid, and enforceable intent of this Agreement.

Section 4.5. *Limitation of Liability.*

(a) The County is not liable to the Company for any costs, expenses, losses, damages, claims or actions in connection with this Agreement, except from amounts received by the County from the Company under this Agreement.

(b) All covenants, stipulations, promises, agreements and obligations of the County contained in this Agreement are binding on members of the County Council or any elected official, officer, agent, servant or employee of the County only in his or her official capacity and not in his or her individual capacity, and no recourse for the payment of any moneys or performance of any of the

covenants and agreements under this Agreement or for any claims based on this Agreement may be had against any member of County Council or any elected official, officer, agent, servant or employee of the County except solely in their official capacity.

Section 4.6. *Indemnification Covenant.*

(a) Except as provided in paragraph (d) below, the Company shall indemnify and save the County, its employees, elected officials, officers and agents (each, an “Indemnified Party”) harmless against and from all liability or claims arising from the County’s execution of this Agreement, performance of the County’s obligations under this Agreement or the administration of its duties pursuant to this Agreement, or otherwise by virtue of the County having entered into this Agreement.

(b) The County is entitled to use counsel of its choice and the Company shall reimburse the County for all of its costs, including attorneys’ fees, incurred in connection with the response to or defense against such liability or claims as described in paragraph (a) above. The County shall provide a statement of the costs incurred in the response or defense, and the Company shall pay the County within 30 days of receipt of the statement. The Company may request reasonable documentation evidencing the costs shown on the statement. However, the County is not required to provide any documentation which may be privileged or confidential to evidence the costs.

(c) The County may request the Company to resist or defend against any claim on behalf of an Indemnified Party. On such request, the Company shall resist or defend against such claim on behalf of the Indemnified Party, at the Company’s expense. The Company is entitled to use counsel of its choice, manage and control the defense of or response to such claim for the Indemnified Party; provided the Company is not entitled to settle any such claim without the consent of that Indemnified Party.

(d) Notwithstanding anything herein to the contrary, the Company is not required to indemnify any Indemnified Party against or reimburse the County for costs arising from any claim or liability (i) occasioned by the acts of that Indemnified Party, which are unrelated to the execution of this Agreement, performance of the County’s obligations under this Agreement, or the administration of its duties under this Agreement, or otherwise by virtue of the County having entered into this Agreement; or (ii) resulting from that Indemnified Party’s own negligence, bad faith, fraud, deceit, or willful misconduct.

(e) An Indemnified Party may not avail itself of the indemnification or reimbursement of costs provided in this Section unless it provides the Company with prompt notice, reasonable under the circumstances, of the existence or threat of any claim or liability, including, without limitation, copies of any citations, orders, fines, charges, remediation requests, or other claims or threats of claims, in order to afford the Company notice, reasonable under the circumstances, within which to defend or otherwise respond to a claim.

Section 4.7. *Notices.* All notices, certificates, requests, or other communications under this Agreement are sufficiently given and are deemed given, unless otherwise required by this Agreement, when (i) delivered and confirmed by United States first-class, registered mail, postage prepaid or (ii) sent by facsimile, and addressed as follows:

if to the County:

Richland County, South Carolina
Attn: Director of Economic Development
2020 Hampton Street
Columbia, South Carolina 29204
Phone: 803.576.2043

Fax: 803.576.2137

with a copy to
(does not constitute notice):

Parker Poe Adams & Bernstein LLP
Attn: Emily Luther
1221 Main Street, Suite 1100 (29201)
Post Office Box 1509
Columbia, South Carolina 29202
Phone: 803.255.8000
Fax: 803.255.8017

if to the Company:

Project Quattro
[]

with a copy to

Burr & Forman LLP
Attn: Erik Doerring
1221 Main Street, Suite 1800 (29201)
Post Office Box 11390
Columbia, South Carolina 29211
Phone: 803.799.9800
Fax: 803.753.3278

The County and the Company may, by notice given under this Section, designate any further or different addresses to which subsequent notices, certificates, requests or other communications shall be sent.

Section 4.8. Administrative Fees. The Company will reimburse, or cause reimbursement to, the County for the Administration Expenses in the amount of \$[]. The Company will reimburse the County for its Administration Expenses on receipt of a written request from the County or at the County's direction, which request shall include a statement of the amount and nature of the Administration Expense. The Company shall pay the Administration Expenses as set forth in the written request no later than 60 days following receipt of the written request from the County. For purposes of this Section, "Administration Expenses" means the reasonable expenses incurred by the County in the negotiation, approval and implementation of the terms and provisions of this Agreement, including reasonable attorneys' fees. Administration Expenses do not include any costs, expenses, including attorneys' fees, incurred by the County (i) in defending challenges to the Fee Payments or Infrastructure Credits brought by third parties or the Company or its affiliates and related entities, or (ii) in connection with matters arising at the request of the Company outside of the immediate scope of this Agreement, including amendments to the terms of this Agreement. The payment by the Company of the County's Administration Expenses shall not be construed as prohibiting the County from engaging, at its discretion, the counsel of the County's choice.

Section 4.9. Entire Agreement. This Agreement expresses the entire understanding and all agreements of the Parties with each other, and neither Party is bound by any agreement or any representation to the other Party which is not expressly set forth in this Agreement or in certificates delivered in connection with the execution and delivery of this Agreement.

Section 4.10 Agreement to Sign Other Documents. From time to time, and at the expense of the Company, to the extent any expense is incurred, the County agrees to execute and deliver to the Company such additional instruments as the Company may reasonably request and as are authorized by law and

reasonably within the purposes and scope of the Act and this Agreement to effectuate the purposes of this Agreement.

Section 4.11. *Agreement's Construction.* Each Party and its counsel have reviewed this Agreement and any rule of construction to the effect that ambiguities are to be resolved against a drafting party does not apply in the interpretation of this Agreement or any amendments or exhibits to this Agreement.

Section 4.12. *Applicable Law.* South Carolina law, exclusive of its conflicts of law provisions that would refer the governance of this Agreement to the laws of another jurisdiction, governs this Agreement and all documents executed in connection with this Agreement.

Section 4.13. *Counterparts.* This Agreement may be executed in any number of counterparts, and all of the counterparts together constitute one and the same instrument.

Section 4.14. *Amendments.* This Agreement may be amended only by written agreement of the Parties.

Section 4.15. *Waiver.* Either Party may waive compliance by the other Party with any term or condition of this Agreement but the waiver is valid only if it is in a writing signed by the waiving Party.

Section 4.16. *Termination.* Unless first terminated under any other provision of this Agreement, this Agreement terminates on the expiration of the Credit Term and payment by the Company of any outstanding Net Fee Payment due on the Facility pursuant to the terms of this Agreement.

Section 4.17. *Business Day.* If any action, payment, or notice is, by the terms of this Agreement, required to be taken, made, or given on any Saturday, Sunday, or legal holiday in the jurisdiction in which the Party obligated to act is situated, such action, payment, or notice may be taken, made, or given on the following business day with the same effect as if taken, made or given as required under this Agreement, and no interest will accrue in the interim.

*[TWO SIGNATURE PAGES FOLLOW]
[REMAINDER OF PAGE INTENTIONALLY BLANK]*

IN WITNESS WHEREOF, Richland County, South Carolina, has caused this Agreement to be executed by the appropriate officials of the County and its corporate seal to be affixed and attested, effective the day and year first above written.

RICHLAND COUNTY, SOUTH CAROLINA

Chair, Richland County Council

(SEAL)
ATTEST:

Clerk to Council, Richland County Council

[SIGNATURE PAGE 1 TO INFRASTRUCTURE CREDIT AGREEMENT]

IN WITNESS WHEREOF, PROJECT QUATTRO, has caused this Agreement to be executed by its authorized officer(s), effective the day and year first above written.

PROJECT QUATTRO

By: _____

Name: _____

Its: _____

[SIGNATURE PAGE 2 TO INFRASTRUCTURE CREDIT AGREEMENT]

EXHIBIT A (See Section 2.1)

DESCRIPTION OF INFRASTRUCTURE CREDIT

The County shall provide a ten percent (10%) Infrastructure Credit against the Fee Payments due and owing from the Company to the County under the Existing Fee Agreements and for other property located in the Park; provided the cumulative total amount of the Infrastructure Credit shall not exceed the Company's Infrastructure Costs. The Company's Infrastructure Costs shall include all Infrastructure Costs at the Facility, regardless of whether the Infrastructure Costs are made under or subject to the Existing Fee Agreements.

The Company is eligible to receive the Infrastructure Credit for a period of ten (10) consecutive years, beginning with the Fee Payments due on January 15, 2021 (the "Credit Term").

EXHIBIT B (See Section 2.2)

**RICHLAND COUNTY RESOLUTION REQUIRING CERTAIN ACCOUNTABILITY PRACTICES CONCERNING
ECONOMIC DEVELOPMENT PROJECTS IN THE COUNTY**

**A RESOLUTION TO AMEND THE DECEMBER 21, 2010,
RESOLUTION REQUIRING CERTAIN ACCOUNTABILITY
PRACTICES CONCERNING ECONOMIC DEVELOPMENT
PROJECTS IN RICHLAND COUNTY**

WHEREAS, Richland County Council adopted a resolution dated as of December 21, 2010 (“Prior Resolution”), which requires companies receiving economic development incentives from Richland County, South Carolina (“County”) to submit annual reports to the Richland County Economic Development Office; and

WHEREAS, the County desires to make the form of the annual reports submitted by such companies uniform in order to make the substantive information contained in the annual reports more easily tracked and documented by the Richland County Economic Development Office.

NOW, THEREFORE, BE IT RESOLVED by Richland County Council as follows:

Section 1. The County affirms that each company awarded an incentive by the County in exchange for the location or expansion of a facility or facilities within the County shall submit an annual report to the Richland County Economic Development Office by January 31 of each year throughout the term of the incentives.

Section 2. The Richland County Economic Development Office is authorized to create (and from time to time, if necessary, amend or recreate) and make available the form of the annual report; however, such form, shall require, at a minimum, the following information:

- a. Name of company;
- b. Cumulative capital investment (less any removed investment) to date as a result of the project;
- c. Net jobs created to date as a result of the project;

Section 3. A copy of the then-current form of the annual report may be obtained from the following address. The annual report shall likewise be submitted to the following address by the required date.

Richland County Economic Development Office
Attention: Kim Mann
1201 Main Street, Suite 910
Columbia, SC 29201

Section 4. This Resolution amends the Prior Resolution and sets forth the County’s requirements with respect to the annual reports to be submitted by each company awarded an incentive by the County as described in Section 1.

Section 5. The substance of this Resolution shall be incorporated into the agreement between the County and each company with respect to the incentives granted by the County to the company.


Section 6. In the event that any company shall fail to submit an annual report, or any portion thereof, such company may be required to return all incentives, or a dollar amount equal thereof, to the County. Such incentives, or the dollar amount equal thereto, shall be paid to the County within 60 days after the date upon which the information was originally due.

RESOLVED: December 12 2017

RICHLAND COUNTY, SOUTH CAROLINA


Chair, Richland County Council

(SEAL)
ATTEST:


Clerk to County Council

Richland County Council Request of Action

Subject:

Report of the Blue Ribbon Ad Hoc Committee:

CDBG-MIT Action Plan Update - Approval of the CDBG-MIT Action Plan

RICHLAND COUNTY GOVERNMENT ADMINISTRATION

2020 Hampton Street, Suite 4069, Columbia, SC 29204
P 803-576-2050 | F 803-576-2137 | TDD 803-576-2045
richlandcountysc.gov



July 6, 2020

The Blue Ribbon Committee (BRC) met on May 28, 2020. Councilmembers Livingston, Myers, and Dickerson are the representatives from the County Council. Councilmembers Livingston and Myers were present. A copy of the PowerPoint presentation from the meeting and the CDBG-MIT Action Plan with public comments and staff responses are attached.

Through Federal Register Notice vol. 84, no. 169, published on August 30, 2019, the U.S Department of Housing and Urban Development (HUD) allocated \$21,864,000 in Community Development Block Grant Mitigation (CDBG-MIT) funds to Richland County as a grantee recovering from a qualifying disaster in 2015. At least fifty percent (50%) of the funds must benefit low-and-moderate income individuals.

The CDBG-MIT Federal Register Notice requires the County to develop an action plan by March 2, 2020 for the expenditure of these funds through mitigation activities. HUD granted an initial 60-day extension in December 2019 to ensure that the County had adequate time to meet the requirements of the Federal Register Notice. Due to COVID-19, HUD granted an additional 90-day extension to August 31, 2020 for the County.

The CDBG-MIT Federal Register Notice also requires the County to conduct a risk-based Mitigation Needs Assessment that identifies and quantitatively analyzes all significant current and future disaster risks and provides a substantive basis for proposed mitigation activities. The Mitigation Needs Assessment was completed through a partnership with USC's Hazards and Vulnerability Research Institute, which also completed similar hazard mitigation assessments for the State of South Carolina and the Central Midlands Council of Governments. The Mitigation Needs Assessment concluded that flooding hazard in the County was significant due to the historic flood event of 2015. Thus, the County focused on the flooding hazard in identifying mitigation activities.

Mitigation activities are defined as those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters. The action plan proposes the following mitigation activities:

- Infrastructure programs aimed at improving resilience of public infrastructure, mitigating future flood damage, and reducing impacts of future storms on public safety and property damage:
 - a. Stormwater and Infrastructure Resilience Program
 - b. Water Supply Infrastructure Resilience Program
- Housing programs designed to reduce future impacts caused by climate-sensitive hazards related to flooding and severe storms, enhance the long-term resilience of community lifelines, and address the unmet household mitigation needs among the most socially vulnerable populations:
 - a. Single Family Housing Rehabilitation Program
 - b. Voluntary Buyout Program

The action plan was published to the County's Mitigation website on March 18, 2020 for an initial public comment period of 45 days as required by the Federal Register Notice. Due to COVID-19, the County extended the public comment period for an additional 34 days.

May 28, 2020: The BRC reviewed the CDBG-MIT Action Plan and unanimously recommended County Council approve the CDBG-MIT Action Plan for submission to HUD by the August 31, 2020 deadline.

Richland County Blue Ribbon Committee

May 28, 2020

CDBG-DR and CDBG-MIT Updates



CDBG-MIT Update





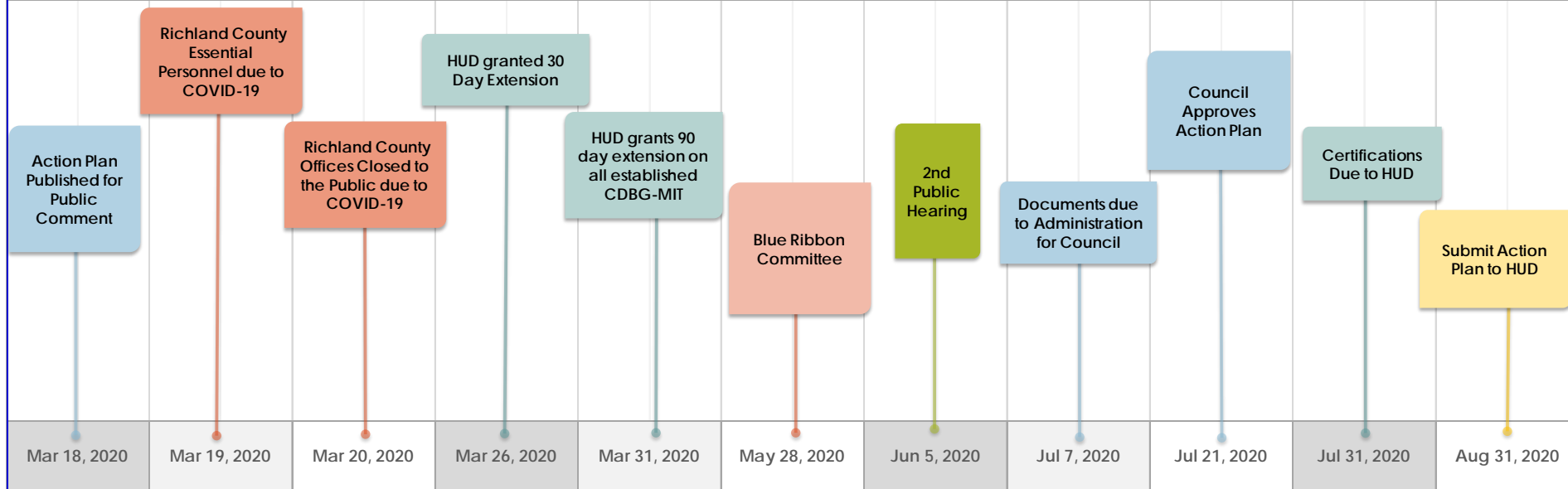
\$6.875 billion in Community Development Block Grant Mitigation (CDBG-MIT) funds to grantees recovering from qualifying 2015, 2016, and 2017 disasters

- **\$21,864,000 allocated to Richland County**
- **Increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters**
- **50% of funds must benefit low-and-moderate income (LMI) individuals**

Action Plan Approval Timeline



Updated CDBG-MIT Action Plan Timeline



Action Plan Overview



HUD granted extension to submit action plan by August 31, 2020 through COVID-19 Response Waivers

- Action Plan Elements
 - Mitigation Needs Assessment of MID areas
 - Planned Programs and Budgets
 - Infrastructure
 - Housing
 - Planning
 - Administration
 - Citizen Participation Plan
 - Mitigation Pre-Award Implementation Plan

Mitigation Needs Assessment



USC's Hazards and Vulnerability Research Institute conducted an empirical geospatial approach modeled to define the most vulnerable areas within Richland County

- Used similar approach as State of South Carolina
- Hazard Risk (flooding) – hazard risk profile compared to social vulnerability of census tracts
- Potential Community Lifeline Impact Index (PCLII) – potential lifeline impacts compared to social vulnerability of census tracts
- Household Mitigation Deficits – examination of recovery profiles and waiting list for support for rehabilitation of homes compared to social vulnerability of census tracts



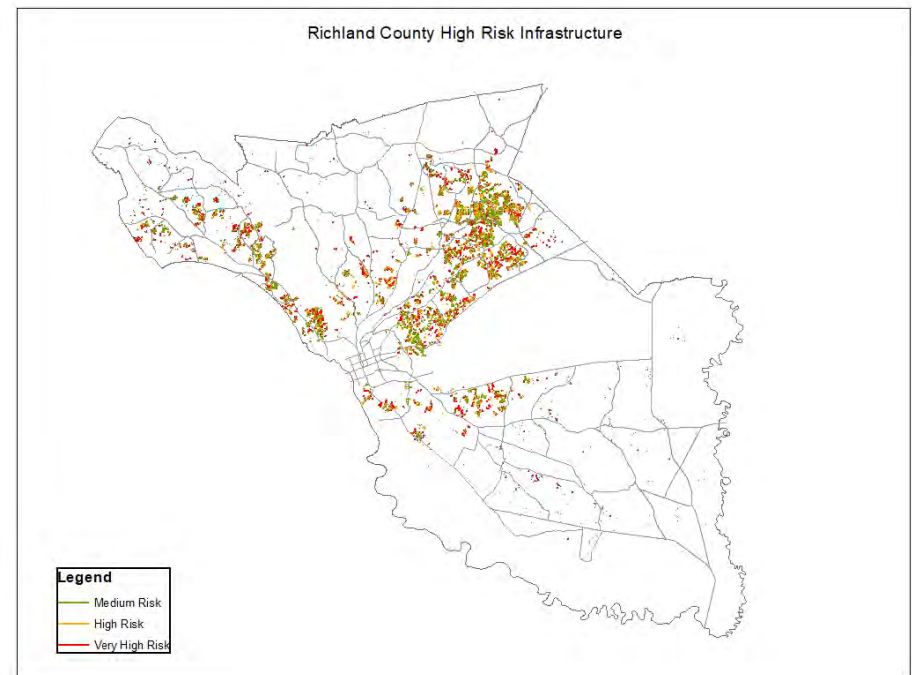
Water Supply Infrastructure Resilience Program

- Program Budget - \$832,500
- Richland County will use a portion of CDBG-MIT funds to build a resilient fire suppression water supply system
 - Replace water points decimated by 2015 Flood Event
 - Drilling of 3 wells located on County owned properties
 - If funding permits – up to 3 additional wells
 - Wells will be self-sufficient
 - High Capacity Pumps
 - Independent Power Generation Systems
 - Storage Tanks (as needed)



Stormwater and Drainage Infrastructure Resilience Program

- Program Budget - \$7,050,000
- Richland County selected projects using input from Roads and Drainage, Engineering, and Stormwater Management.
- Focused on High Risk Infrastructure, LMI areas, and critical needs.
- Utilized the Project Ranking Database created in the 25 Year Stormwater Strategic Plan to avoid bias during project ranking.
 - Infrastructure
 - Pipes
 - Culverts
 - Catch Basins





Single Family Housing Rehabilitation Program

- Program Budget - \$6,158,700
- Richland County will provide resilient housing in the Richland County or HUD MID areas through use of mitigation measures designed to mitigate against the impact of future disasters
 - Elevation
 - Dry flood proofing
 - Home hardening
 - Disaster-, flood-, and mold-resistant construction materials
- Prioritize the housing needs of low-and-moderate income households



Voluntary Buyout Program

- Program Budget - \$3,000,000
- Richland County will use a portion of the CDBG-MIT funds to acquire, demolish, and return to a naturalized state
 - 11 Residential Properties
 - 3 Non-Residential Properties
- These properties have been identified as being located in the Special Flood Hazard Area and have a history of repetitive loss

Planned Programs and Budgets: Planning



CDBG-MIT Planning

- Budget – 15% of the total grant award (\$3,729,600)
- Funds will support the following:
 - Development of and amendments to the action plan
 - Development of a property acquisition and land management policy for the County



CDBG-MIT Program Administration

- Budget – 5% of the total grant award (\$1,093,200)
- Funds will support the administration of the programs and the Implementation Plan

Citizen Participation Plan



Citizen Participation Plan is designed to encourage participation by the public and allow equal access to information about the CDBG-MIT program by all citizens

- Public hearings to collect input from citizens and stakeholders in writing or orally
 - March 12 and June 5
- Public notice and comment period via Richland County Mitigation website at <http://rcgov.us/mitigation>.
- Blue Ribbon Advisory Committee
- Performance reporting on a quarterly basis via website
- Accommodations for persons with limited English proficiency (LEP)

Implementation Plan



Grantee's capacity to carry out mitigation activities defined by:

- Financial Controls
- Procurement
- Duplication of Benefits
- Timely Expenditure of Funds
- Management of Funds
 - Hire an additional internal auditor
- Comprehensive Mitigation Website
- Capacity Assessment and Staffing
- Internal and Interagency Coordination
 - City of Columbia and Lexington County

Public Comments and Responses



- Extended public comment period 30 days to June 5 due to COVID-19 impacts
- Received public comments from Gills Creek Watershed Association and Richland County Conservation Commission
- HUD requires grantee to provide and respond to summary of comments and submit to HUD with action plan

Action: Recommend County Council approve the CDBG-MIT Action Plan

Next Steps



Questions?



RICHLAND COUNTY

Community Development Block Grant
Mitigation (CDBG-MIT)



Action Plan

PUBLISHED 2020



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SECTION 1. INTRODUCTION

On September 27, 2015, Hurricane Joaquin (Joaquin) developed over the Atlantic Ocean and strengthened into a Category 4 hurricane over the following several days. One of the largest storms to ever strike South Carolina, Joaquin brought historical rainfall and freshwater flooding throughout Richland County before dissipating on October 7, 2015. Unprecedented rainfall and the resulting 1,000 year flood event created major public safety threats and wrought considerable damage throughout the County including the destruction of homes, businesses, infrastructure, public facilities, and the impairment of the local and regional economy. On October 5, 2015, in response to these impacts, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 United States Code (U.S.C.) 5121 et seq. (the “Stafford Act”).

\$21 million in CDBG-MIT Funding has been awarded to Richland County, South Carolina to

“...increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters”

In the wake of this historical flood event, Richland County immediately began the long and arduous process of rebuilding. Over the weeks and months that followed, Richland County departments, with support from numerous organizations and volunteers, undertook a series of critical emergency response and recovery efforts. Vast quantities of debris were removed from roads, streams, and property throughout the County while essential infrastructure including roads, utilities, and municipal facilities were repaired. Concurrently, public health and safety issues were identified and addressed including emergency sheltering, temporary housing, medical attention, provision of household necessities, drinking water protection, housing repairs, and counselling among many others. Despite these efforts, many of the storm’s impacts remained unaddressed throughout the County.

In response to the magnitude of remaining recovery needs, The U.S. Department of Housing and Urban Development (HUD) Secretary Julián Castro announced on February 29, 2016, that \$157 million in Community Development Block Grant Disaster Recovery (CDBG-DR) funds would be provided to South Carolina communities, including \$23.5 million to Richland County. These resources provided a critically important opportunity to continue recovery efforts in Richland County, and were intended to help to meet remaining unmet housing, economic development, and infrastructure needs that resulted from thousands of homes and small businesses being damaged or destroyed. While the road to long-term recovery continues, apprehension and concern looms over Richland County because of the uncertainty and unpredictability of impacts from future storms and flooding events caused by climate change that could ultimately reverse these recovery efforts.

Hurricane Irma in 2017, Hurricane Michael in 2018, and Hurricane Dorian in 2019 represent recent examples of storms that created uncertainty within Richland County as the State of South Carolina incurred significant expense for evacuation efforts and debris removal operations while neighboring states sustained major damages. While Richland County received mild rain, others were severely impacted multiple times. Even after the storm, Richland County along with other communities faced uncertainty about the possibility of severe flooding as the deluge of water made its way to the Atlantic Ocean. Thus, to a large extent, the greatest impact of these declared storms were their destabilizing effects and unpredictability. Despite advances in meteorology, the destructive path of a storm and the associated damage left in its wake are oftentimes indeterminable due its volatility and instability until the aftermath has already occurred.

However, stability can be achieved through mitigating future storm damage. While it remains difficult to predict when or where a storm will occur, Richland County does know which areas are likely to experience the most



damage. With the appropriate funds, Richland County can target these areas for mitigation projects that will improve resiliency for individual households, neighborhoods, and communities.

In February 2018, Congress passed Public Law 115-123 to address resiliency by enabling the Department of Housing and Urban Development (HUD) to administer and award no less than \$12 billion in mitigation grants to previous CDBG-DR grant recipients impacted by disasters from 2015, 2016, and 2017. Subsequently, in August 2019, HUD allocated \$6.875 billion in Community Development Block Grant Mitigation (CDBG-MIT) funds, including \$21,864,000 in CDBG-MIT funds for Richland County intended to

“... increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters.”

Richland County, South Carolina has prepared this Action Plan as required by HUD to guide the expenditure of \$21,864,000 in CDBG-MIT funding and establish how the County will allocate its funds through its mitigation programs. This includes the proposed use of funds, criteria for eligibility, and how funds will address long-term mitigation throughout the County. The Mitigation Needs Assessment, which evaluates the risk profiles of the Richland County and HUD-defined Most Impacted and Distressed areas, the critical lifelines potentially at risk in those areas, and the social vulnerability of the target area, forms the basis for the decisions outlined in the Method of Distribution. This Action Plan was developed with the help of many state and local stakeholders as well as the public to target the greatest mitigation needs that can be addressed by these limited federal funds.

Planning, Coordination, and Consistency

Richland County developed this Action Plan with the participation and support of several County departments, and community and stakeholder organizations, as well as coordination with relevant federal, state, and local entities, such as the University of South Carolina Hazards and Vulnerability Research Institute, the State of South Carolina Disaster Recovery Office, City of Columbia, and Lexington County. While Richland County is the primary entity responsible for management of CDBG-MIT funding, these participating organizations were essential partners and provided information throughout the planning process and also helped ensure consistency with other local and regional planning efforts. The programs and activities outlined within this Action Plan have been designed to be consistent with key planning documents including:

- Richland County Comprehensive Plan
- Richland County CDBG Consolidated Plan
- Richland County CDBG-DR Action Plan
- Richland County 25-Year Roadmap and Stormwater Management Plan
- Richland County Capital Improvement Plan
- State of South Carolina Hazard Mitigation Plan



Richland County worked with two key groups during the development of this Action Plan, including the Richland County Mitigation Working Group (Working Group), and the Blue Ribbon Advisory Committee (Advisory Committee). Coordination with each of these groups allowed Richland County develop the mitigation programs and establish open communication channels and relationships that will support implementation of mitigation activities. Each group is described below.

Richland County Mitigation Working Group

The Richland County Mitigation Working Group (Working Group) provided oversight and strategic direction throughout the preparation of this Action Plan. The Working Group consisted of representatives of the following County departments:

- Richland County Administration
- Richland County Clerk of Council
- Richland County Legal Department
- Richland County Emergency Services Department
- Richland County Community Planning and Development Department
- Richland County Finance Department
- Richland County Budget Department
- Richland County Public Works Department
- Richland County Procurement Department
- Richland County Public Information Office

The Working Group participated in meetings on an as needed basis during the plan development and were responsible for helping to provide historical and local context to the disaster and any related data and information relevant to their areas of responsibility. The Working Group offered guidance related to their field of expertise, assistance with response to public comments, and participation in the development of programs and projects funded through the CDBG-MIT program.

The Working Group also provided assistance to ensure that mitigation activities are feasible, consistent with and not duplicative of other local and regional efforts. When establishing goals and identifying mitigation programs and projects, the Richland County Working Group verified consistency with other planning and related departmental efforts.

Richland County Blue Ribbon Advisory Committee

The Blue Ribbon Advisory Committee (Advisory Committee) consists of local stakeholders who form a diverse and knowledgeable representation of the County and its local communities. The Advisory Committee operated in an advisory capacity for the Working Group and County Council. The Advisory Committee included representatives from several stakeholder groups including:

- Richland County Government Officials
- Richland County municipalities
- Gills Creek Watershed Association
- Sustainable Midlands
- Conservation Commission
- United Way of the Midlands
- South Carolina Disaster Recovery Office
- Lower Richland County
- Underserved Populations



SECTION 2. MITIGATION NEEDS ASSESSMENT

Community Profile and Impact Overview

The October 2015 severe storm and flooding disaster (DR-4241) is the county's most significant hazard event since 2000. Richland County received \$23.5 million in HUD CDBG-DR funds to assist in longer-term recovery. The county estimated a total of \$194.1 million in unmet housing needs based on its CDBG-DR Action Plan. Many of the housing structures were outside of designated floodplains and lacked flood insurance, many residents received only minimal federal assistance or were denied completely, and some of the storm-related impacts were discovered after assistance deadlines had passed.¹

The entire county qualifies as a most impacted and distressed county according to the HUD CDBG-MIT guidelines as published in the Federal Register Notice.² Within Richland County, there are 118 census block groups (48% of the total) where the number of LMI individuals are more than 50% of the total population in that block group. The LMI areas are concentrated in the city of Columbia, in and around the municipality of Irmo, and in the southern third of the county (Lower Richland). According to the CDBG-DR Action Plan, 67% of the total losses in floodplains occurred in the LMI areas, while around 38% of the damaged homes in floodplains were in areas with primarily LMI households, the majority of which were single-family homes (81%).³

Profile Updates

South Carolina is vulnerable to a wide range of both natural and non-natural hazards of varying likelihoods and consequences. Among the hazards that affect South Carolina, wildfire is the most frequently experienced natural hazard in the state and landslides the least.⁴ The state is diverse with regional and county variability in social, economic, and infrastructural conditions. This means that given the same event magnitude, some areas may experience greater impacts based on their risks and vulnerabilities than other counties. For example, from 2000-2018, South Carolina accumulated more than \$1.7 billion in hazard event losses, and Richland County accounted for 2.5% of the state's losses, or more than \$44 million.⁵ The total losses for the state were primarily from hurricanes and flooding, followed by tornados and wildfires, while Richland County's losses were mostly from flooding. Statewide, the per capita property losses since 2000 are \$73.61, while in Richland it is about \$1.80.⁶ In

¹ Richland County, 2016. *Community Development Block Grant Disaster Recovery (CDBG-DR) Action Plan*. Accessed on February 7, 2020.

http://www.richlandcountysc.gov/Portals/0/Departments/PublicInformationOffice/Flood%20Recovery%20Webpage/Richland%20Cty_CDBG_DR_Initial%20Action%20Plan_Approved.pdf

² Department of Housing and Urban Development, 2019. Allocations, Common Application, Waivers, and Alternative Requirements for community Development Block Grant Mitigation Grantees, Docket No. FR-6109-N-02, *Federal Register Notice* 84, no. 169, August 30, 2019: 45838. Accessed February 8, 2020. <https://www.govinfo.gov/content/pkg/FR-2019-08-30/pdf/2019-18607.pdf>

³ Richland County, *pandoraNote 1*, page 15.

⁴ State of South Carolina, 2018. *South Carolina Hazard Mitigation Plan, October 2018 Update*. Accessed on February 7, 2020. <https://www.scemd.org/media/1391/sc-hazard-mitigation-plan-2018-update.pdf>

⁵ Hazards & Vulnerability Research Institute, 2020. Computed property and crop losses from 2000-2018 from Spatial Hazard Events and Loss Database (SHELDUS) v. 18.1. Accessed on February 7, 2020, <https://sheldus.org>

⁶ *Ibid.*



other words, the overall impact of natural hazard losses in the county is significantly less than the state average over the same period. However, a single flood event (the 2015 flooding) accounted for \$32 million in losses, representing 74% of the total property losses from natural hazards for the county since 2000.⁷

County Hazard Risk Scores

The county hazard risk scores are from the annual probabilities for each hazard for each county as identified in the South Carolina Hazard Mitigation Plan 2018.⁸ For each hazard, the county with the highest annual likelihood for that hazard received a score of 1.00 and the county with the lowest received a score of 0.00. The remaining counties scaled accordingly depending on where their values were relative to the highest and lowest counties.

The hazard scores originally appearing in the State Hazard Mitigation Plan, October 2018 Update were adjusted to include the likelihood of flooding, flash flooding, and liquefaction potential, and exclude hazmat scores. Relative to the other counties in the state, Richland County, with a hazard risk score of 7.58, ranks 6th in highest total hazard scores based on future annual probability, after Berkeley (9.61), Charleston (8.86), Orangeburg (8.81), Dorchester (7.85), and Horry (7.77) counties (Table 1). The greatest hazards in Richland County compared with the rest of the state are from flash flooding, extreme heat, fog, severe storms, droughts, and tornados.

Table 1 Hazard Risk Scores modified from South Carolina Hazard Mitigation Plan, 2018*

HAZARD SCORE BASED ON FUTURE ANNUAL PROBABILITY OF HAZARD BY COUNTY																	
(Values Min-Max Normalized)																	
County	Hazard Risk Score	Drought	Earthquake	Extreme Cold	Extreme Heat	Flash Flood	Flood	Fog	Hail	Lightning	Liquefaction	Severe Storm	Tornado	Tropical Cyclones	Wildfire	Wind	Winter Weather
Richland	7.58	0.71	0.07	0.58	0.92	0.94	0.07	0.81	0.44	0.42	0.09	0.71	0.70	0.25	0.22	0.52	0.13
Abbeville	4.30	0.97	0.05	0.42	0.15	0.38	0.07	0.41	0.12	0.04	0.00	0.61	0.35	0.05	0.12	0.15	0.40
Aiken	7.48	0.82	0.07	0.27	1.00	0.40	0.08	0.79	0.38	0.61	0.13	0.37	0.87	0.25	0.57	0.43	0.45
Allendale	5.66	0.78	0.00	0.27	0.91	0.27	0.15	0.99	0.00	0.12	0.24	0.63	0.35	0.25	0.00	0.39	0.30
Anderson	6.08	0.85	0.00	0.56	0.10	0.79	0.08	0.48	0.47	0.15	0.00	0.91	0.78	0.05	0.08	0.22	0.56
Bamberg	5.50	0.67	0.00	0.21	0.75	0.30	0.11	0.89	0.10	0.15	0.19	0.90	0.52	0.25	0.07	0.41	0.00
Barnwell	5.88	0.80	0.07	0.30	0.97	0.16	0.06	0.85	0.09	0.28	0.18	0.63	0.30	0.25	0.08	0.41	0.45
Beaufort	6.84	0.35	0.02	0.08	0.34	0.28	1.00	0.99	0.24	0.33	0.96	0.78	0.52	0.40	0.17	0.33	0.04

⁷ Ibid.

⁸ State of South Carolina, Note 4, Table 4.T.4 page 201.



Berkeley	9.61	0.26	0.20	0.14	0.48	0.70	0.29	1.00	0.75	1.00	0.50	0.90	0.87	0.70	0.89	0.50	0.43
Calhoun	5.05	0.65	0.00	0.22	0.86	0.24	0.10	0.82	0.11	0.13	0.16	0.57	0.22	0.30	0.09	0.50	0.09
Charleston	8.86	0.19	0.07	0.00	0.13	0.99	0.93	1.00	0.64	0.62	0.98	0.77	0.70	0.80	0.23	0.46	0.35
Cherokee	4.36	0.87	0.00	0.92	0.01	0.62	0.06	0.19	0.22	0.00	0.00	0.68	0.13	0.05	0.09	0.09	0.43
Chester	4.82	0.86	0.02	0.75	0.22	0.50	0.06	0.34	0.16	0.10	0.00	0.80	0.30	0.15	0.06	0.17	0.31
Chesterfield	6.17	0.50	0.00	0.51	0.68	0.35	0.10	0.81	0.18	0.41	0.12	0.63	0.26	0.25	0.38	0.78	0.21
Clarendon	6.83	0.32	0.00	0.30	0.72	0.21	0.26	0.91	0.23	0.44	0.15	0.70	0.61	0.35	0.54	0.67	0.43
Colleton	6.93	0.54	0.00	0.07	0.64	0.28	0.38	0.96	0.26	0.59	0.41	0.90	0.35	0.50	0.64	0.41	0.01
Darlington	6.29	0.38	0.02	0.43	0.65	0.58	0.10	0.81	0.20	0.28	0.27	0.43	0.48	0.35	0.35	0.89	0.06
Dillon	4.92	0.20	0.02	0.36	0.31	0.54	0.25	0.72	0.10	0.10	0.26	0.00	0.22	0.50	0.15	1.00	0.18
Dorchester	7.85	0.45	1.00	0.05	0.47	0.62	0.26	0.91	0.37	0.36	0.55	1.00	0.30	0.45	0.31	0.43	0.32
Edgefield	4.40	0.87	0.07	0.27	0.79	0.34	0.00	0.68	0.07	0.10	0.02	0.13	0.30	0.20	0.03	0.28	0.27
Fairfield	5.80	0.87	0.09	0.61	0.64	0.18	0.08	0.56	0.13	0.22	0.00	0.80	0.78	0.20	0.15	0.35	0.15
Florence	7.18	0.26	0.00	0.27	0.51	0.66	0.16	0.78	0.32	0.47	0.21	0.47	0.52	0.60	0.64	0.89	0.41
Georgetown	7.13	0.00	0.00	0.15	0.23	0.00	0.61	0.98	0.16	0.62	1.00	0.65	0.43	0.95	0.33	0.72	0.29
Greenville	7.20	0.85	0.07	0.89	0.00	1.00	0.04	0.28	1.00	0.25	0.00	0.95	0.35	0.05	0.09	0.37	1.00
Greenwood	4.47	0.94	0.02	0.43	0.43	0.60	0.05	0.56	0.20	0.02	0.00	0.39	0.22	0.15	0.14	0.13	0.19
Hampton	5.11	0.63	0.00	0.08	0.64	0.24	0.25	1.00	0.02	0.27	0.32	0.62	0.13	0.30	0.22	0.39	0.00
Horry	7.77	0.08	0.00	0.17	0.03	0.56	0.29	0.92	0.86	0.84	0.96	0.04	0.39	1.00	0.48	0.96	0.21
Jasper	6.30	0.56	0.00	0.02	0.48	0.31	0.62	0.99	0.03	0.44	0.80	0.78	0.09	0.35	0.48	0.35	0.00
Kershaw	6.26	0.66	0.02	0.45	0.80	0.25	0.22	0.84	0.24	0.33	0.19	0.57	0.48	0.25	0.31	0.63	0.03
Lancaster	5.40	0.66	0.02	0.45	0.45	0.63	0.11	0.72	0.17	0.11	0.00	0.78	0.13	0.20	0.07	0.46	0.44
Laurens	5.39	0.90	0.02	0.66	0.41	0.45	0.05	0.49	0.30	0.14	0.00	0.91	0.30	0.10	0.09	0.17	0.40
Lee	4.70	0.38	0.00	0.28	0.66	0.26	0.13	0.86	0.07	0.13	0.17	0.43	0.09	0.25	0.20	0.76	0.05
Lexington	7.23	0.70	0.00	0.34	0.79	0.60	0.19	0.68	0.57	0.35	0.08	0.59	0.61	0.25	0.64	0.50	0.34
Marion	5.15	0.16	0.00	0.19	0.21	0.39	0.47	0.92	0.10	0.20	0.52	0.10	0.00	0.70	0.06	0.93	0.20
Marlboro	5.84	0.34	0.05	0.52	0.65	0.51	0.22	0.77	0.08	0.19	0.26	0.45	0.13	0.45	0.19	0.98	0.10



McCormick	4.01	1.00	0.07	0.38	0.62	0.26	0.19	0.49	0.02	0.00	0.00	0.13	0.30	0.15	0.02	0.17	0.21
Newberry	5.64	0.87	0.07	0.57	0.57	0.40	0.09	0.61	0.12	0.11	0.00	0.61	0.74	0.20	0.04	0.28	0.34
Oconee	5.08	0.73	0.09	0.98	0.04	0.38	0.12	0.46	0.45	0.13	0.00	0.41	0.74	0.00	0.06	0.33	0.16
Orangeburg	8.81	0.69	0.02	0.25	0.79	0.51	0.16	0.92	0.42	0.82	0.20	1.00	1.00	0.35	0.74	0.50	0.43
Pickens	5.52	0.72	0.02	1.00	0.04	0.61	0.02	0.43	0.33	0.05	0.00	0.80	0.48	0.05	0.10	0.35	0.53
Saluda	4.57	0.85	0.00	0.38	0.66	0.56	0.06	0.68	0.10	0.04	0.00	0.22	0.13	0.25	0.04	0.28	0.33
Spartanburg	6.85	0.87	0.07	0.93	0.27	0.86	0.02	0.41	0.78	0.27	0.00	0.95	0.43	0.05	0.10	0.26	0.57
Sumter	6.55	0.46	0.00	0.30	0.84	0.63	0.21	0.87	0.24	0.37	0.19	0.56	0.43	0.30	0.39	0.70	0.05
Union	4.67	0.87	0.00	0.82	0.31	0.46	0.04	0.33	0.17	0.04	0.00	0.62	0.43	0.20	0.05	0.09	0.24
Williamsburg	6.90	0.11	0.00	0.31	0.53	0.20	0.21	0.96	0.15	0.63	0.23	0.69	0.17	0.55	1.00	0.72	0.44
York	4.61	0.85	0.00	0.91	0.06	0.74	0.08	0.00	0.35	0.13	0.00	0.56	0.30	0.10	0.05	0.00	0.47

Identified Hazards in County Mitigation Plan

There are nine significant hazards identified in Richland County’s Hazard Mitigation Plan (Table 2). Severe weather (thunderstorms including lightning, wind, hail, and heavy rain) and associated flooding (flash flooding and riverine flooding) are the major hazards of concern. Localized heavy precipitation (flooding smaller creeks and tributaries to the Broad, Saluda, and Congaree Rivers) and flash flooding (due to inadequate drainage) affect most of the county. Small pond dam failures (brought to light in the 2015 flooding where 16 dams in the county failed) also pose serious flooding risks, especially given the poor maintenance and structural deficiencies on the existing dams which have not been addressed since the 2015 floods (there are roughly 113 privately owned small pond or recreational dams). As noted in the mitigation plan with reference to future climate change, “... the frequency and possible damage from thunderstorms and other meteorological and hydrological hazards is very likely to increase.”⁹

Table 2 Hazards Identified in Richland County in the State Hazard Mitigation Plan

County	Flood	Hurricanes and Coastal Storms	Severe Storms, Tornadoes and Lightning	Wildfire	Drought/Extreme Heat	Winter Storms and Freezes	Hail	Erosion	Dam/Levee Failure	Earthquake	Tsunami	Other Hazards*
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⁹ Central Midlands Council of Governments, 2016. *An All Natural Hazard Risk Assessment and Hazard Mitigation Plan for the Central Midlands Region of South Carolina, 2016 Update*. Quote from p. 343. Accessed February 9, 2020, <http://www.centralmidlands.org/pdf/CMHMP%202016%20-%20Final.pdf>



Richland	X	X	X	X	X	X	X		X	X		X
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*Fog, wind

Source: South Carolina Hazard Mitigation Plan 2018 Update

Social Vulnerability

Following South Carolina’s Hazard Mitigation Plan and South Carolina’s Recovery Action Plan, we used the Social Vulnerability Index (or SoVI®) to define the most vulnerable populations within the county. SoVI® is a well-established and oft-cited metric used to highlight the geographic differences in relative vulnerability to environmental hazards at census tract to county scales.¹⁰ SoVI® synthesizes 29 socioeconomic variables that decades of research suggest contribute to a community’s ability (or uneven capacity) to prepare for, respond to, and recover from hazards. When examined in conjunction with specific hazards, it helps to identify the areas with the greatest physical impact from hazards, and those containing the most vulnerable populations.

The SoVI® was updated from the 2010-14 version used in the State Mitigation Plan. The SoVI® 2017 produced for the HUD CDBG-MIT plan includes the most recent five-year data from the U.S. Census American Community Survey (2013-17) for the entire state and then mapped to show the county (Figure 1 left). The panel on the right shows the changes in social vulnerability from 2010-14 to 2017 highlighting areas that have become more vulnerable. The Fort Jackson census tract is not included because of poor quality census data for some of the variables.

¹⁰ See <http://sovi.org> for information about the construction of SoVI® and its use in practice and in research.

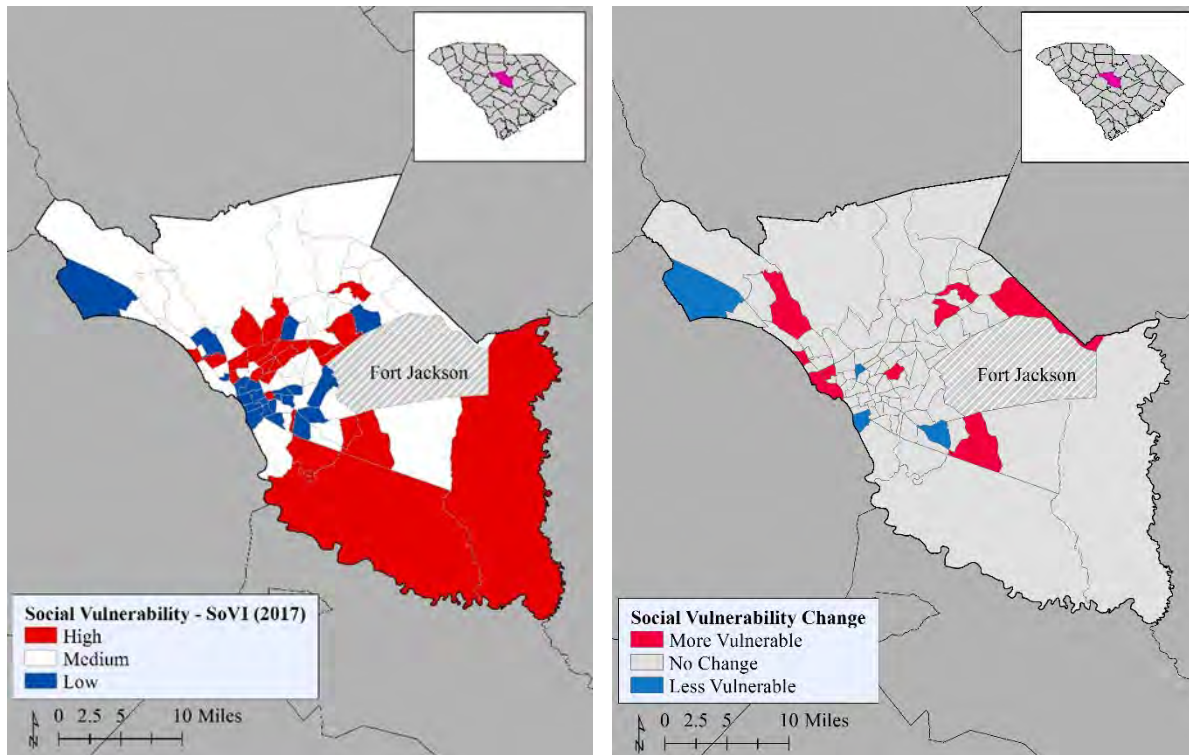


Figure 1 Social Vulnerability for the Richland county (by Census Tracts) (left) and changes in vulnerability from the 2010-14 to the 2017 SoVI® (right)

The majority of census tracts are in the medium vulnerability category, which also contain most of the county’s population and housing units (Table 3). However, there are roughly 96,000 residents in tracts defined as highly socially vulnerable and these are concentrated in the rural southern portions of the county and in the more urbanized tracts north of downtown Columbia.

Table 3 - Social Vulnerability Category (SoVI 2017) - Without Ft. Jackson (Census Tract 9801)

	High	Medium	Low
Number of Tracts	26	40	22
Population	95532	224259	84840
Housing Units	40395	91141	30114

Another indicator of vulnerable populations in the county beyond its social vulnerability is the at-risk electricity-dependent population among Medicare beneficiaries who require life-dependent medical and durable medical equipment such as ventilators and oxygen concentrators. Such populations are severely at risk during prolonged power outages caused by severe weather, flooding, and tropical storms and hurricanes, as recent studies and disasters have shown.¹¹ The emPower Program of the Assistant Secretary for Preparedness and Response (ASPR)

¹¹ C. Dominianni et al., 2018. Power outage preparedness and concern among vulnerable New York City residents, *J. Urban Health* 95(5): 716-726; A. Issa, 2018. Deaths related to Hurricane Irma-Florida, Georgia, and North Carolina, September 4-



at Health and Human Services (HHS) provides geospatial data on such beneficiaries to assist in preparedness, response, and recovery in emergencies at the local level.¹² Within the county, there are 59,026 Medicare beneficiaries, with 2,233 designated as electricity-dependent. These populations are concentrated in the northern half of the county (Table 4) and highlight a different type of vulnerable population.

Table 4 At-risk Medicare beneficiaries based on electricity-dependent medical equipment need

Zipcode	Beneficiaries	Electricity Dependent	Percentage Electricity Dependent
29016	3,609	105	4.0
29044	1,241	55	4.4
29052	491	14	2.8
29061	2,642	126	4.8
29063	5,142	181	3.5
29201	2,325	62	2.7
29203	7,607	342	4.5
29204	3,628	162	4.5
29205	3,342	115	3.4
29206	3,530	118	3.3
29207	22	0	0
29208	11	0	0
29209	5,666	195	3.4
29210	5,044	213	4.2
29223	8,765	318	3.6
29229	5,961	227	3.8

Mapping Hazard Zones and Vulnerability

The hazard zones for Richland County depicted in the map series below also include a short summary for each. The hazards data are from the South Carolina Hazard Mitigation Plan 2018—the most recent available. Where appropriate, and depending on the hazard type, the geographic variability in the hazard exposure is shown by hexagon grids of equal size to reduce the visual impact of the different sized census block groups and tracts as shown in the State’s Hazard Mitigation Plan. However, in order to merge the vulnerability data and calculate risk scores for each census tract (the unit of analysis for CDBG-MIT), hazards were summarized by taking the average of hexagon grid values within each census tract. In order to compare across diverse hazards using the same data classification values, we defined our mapping categories using standard deviations from the mean so that we could preserve the underlying distribution of the data.¹³ The color shading from light to dark hues represents low, medium, and high risk for each of the hazards.

October 10, 2017, *Morbidity and Mortality Weekly Report (MMWR)* 67(30): 829-832
<https://www.cdc.gov/mmwr/volumes/67/wr/mm6730a5.htm>

¹² See <https://empowermap.hhs.gov/>

¹³ The hazard risk was classified using 0.5 standard deviations from the mean (the mid-point in the distribution). The lighter shading represents cases that are less than the average (<-0.5 std. dev or 33% of the cases), while the darker shading on the



The bi-variate maps illustrate where the hazard risk scores intersect with social vulnerability. The areas with high social vulnerability and high hazard risk scores are shaded red. Areas with low risk scores and low social vulnerability are shaded in light blue.

The bi-variate maps illustrate where the hazard risk scores intersect with the social vulnerability. Those areas with high social vulnerability and high-risk scores are shaded red. Areas with low risk scores and low social vulnerability are shaded in light blue.

Major Hazards of Concern

Given the recent disaster experience in South Carolina and in Richland County, we highlight the climate-sensitive hazards related to flooding, severe storms, and hurricane/tropical storm systems, beginning with flood risk. All of the data are from the State Hazard Mitigation Plan 2018 Update –the most recent available.

Flood Risk (Riverine)

According to the South Carolina State Hazard Mitigation Plan 2018,¹⁴ about 75% of presidential disaster declarations in the state relate to hurricanes and flooding. The most significant of the presidential declared disasters to affect Richland County since Hurricane Hugo was the 2015 severe storms and flooding directed related to Hurricane Joaquin. Riverine flooding is described in this section, followed by a section on flash floods, due to the difference in the nature of the flooding hazard itself. The riverine flooding events typically occur in floodplains, delineated by the frequency of the floodwaters that would cover the area. The delineations for the 100-year and 500-year flood define the exposure to the flooding risk. The inundation from the 2015 floods was added to the map, as it exceeded the 500-year flood delineation in many areas.¹⁵

Figure 2 illustrates the riverine flood risk in the county based on designated flood zones and the inundation in 2015. When combined they show an overall flood risk. Further, when the social vulnerability of the population is added, the map shows where the flood risk and most socially vulnerable populations intersect (bottom panel).

map represents cases greater than the average (>0.5 std. dev or 33% of the cases). Approximately 34% of the cases are between the mean and 0.5 std. dev on either side of it (-0.5 to +0.5 std. dev).

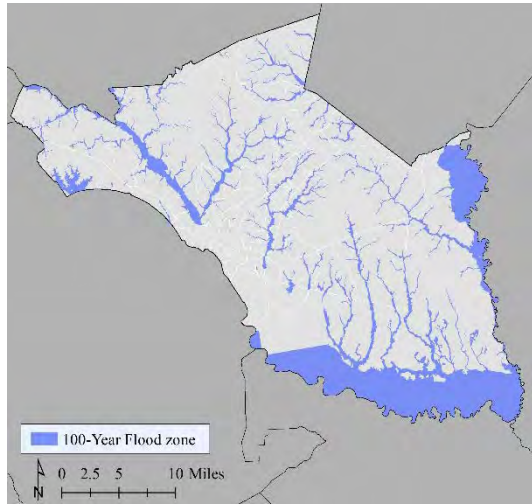
¹⁴ State of South Carolina, Note 4.

¹⁵ Musser, J.W., Watson, K.M., Painter, J.A., and Gotvald, A.J., 2016, *Flood-inundation maps of selected areas affected by the flood of October 2015 in central and coastal South Carolina*: U.S. Geological Survey Open-File Report 2016–1019, 81 p., <http://dx.doi.org/10.3133/ofr20161019>.

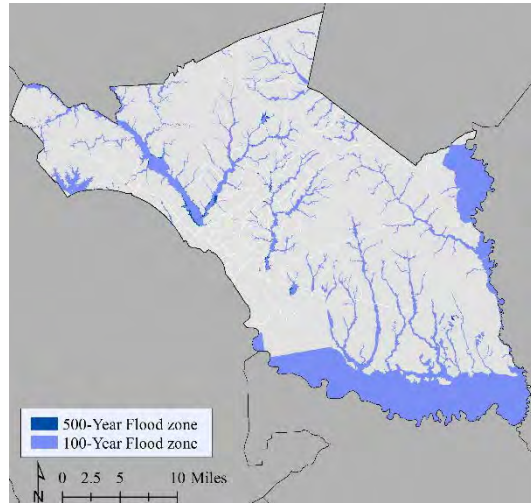


Flood Risk (Riverine)

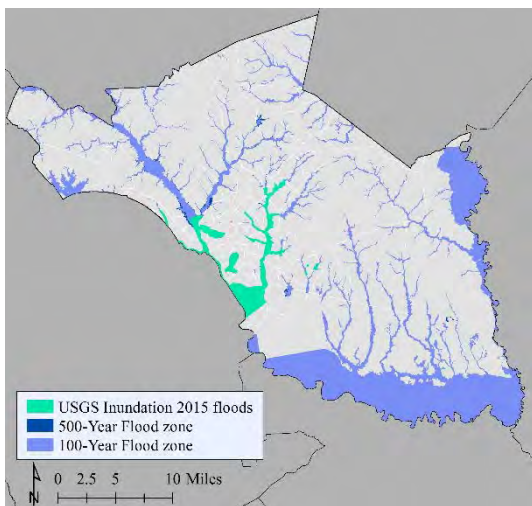
100-year flood



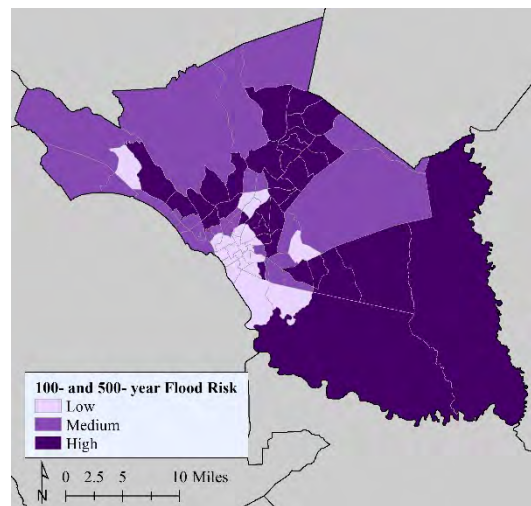
100 and 500-year flood



2015 floods



2015 floods, 100 and 500-year flood





Flood Risk (Riverine)

Flood risk (Riverine) (bivariate map)

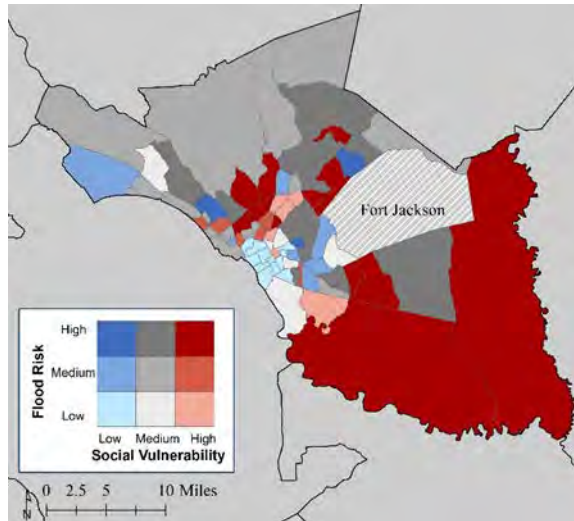


Figure 2 Flood Risk (Riverine) and Vulnerability

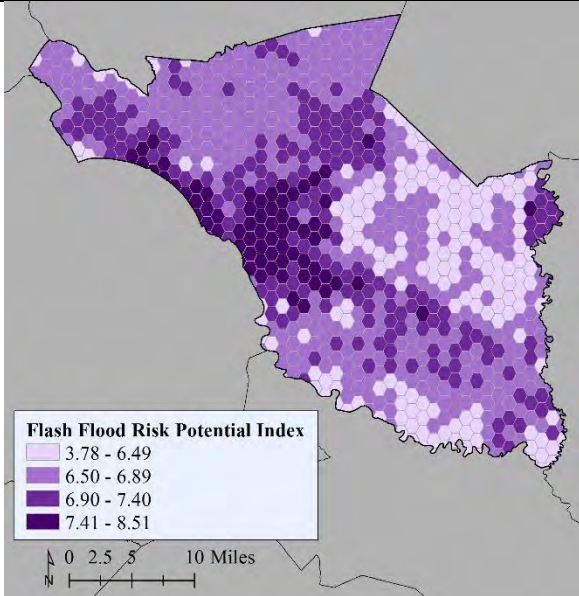
Flash Flood Risk

Flash floods result from locally heavy rains in areas with rapid water run-off. They are described here using the flash flood potential index. The flash flooding hazard is higher in urban areas because of impervious surfaces that causes rapid run-off. The flash flood risk is greatest in the most urbanized areas of the county (including the cities of Columbia, Irmo, and Forest Acres) as well the urbanized Gills Creek Watershed.

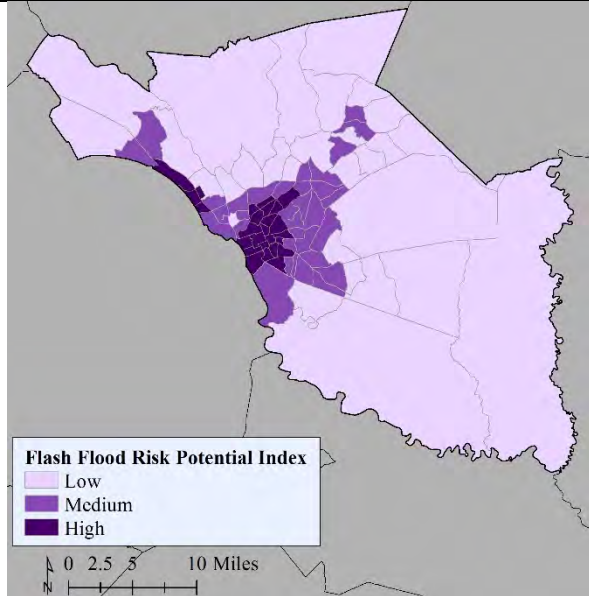


Flash Flood Risk

Flash flood potential index (in hexagon grids)



Flash flood potential index (by census tracts)



Flash flood risk (bivariate map)

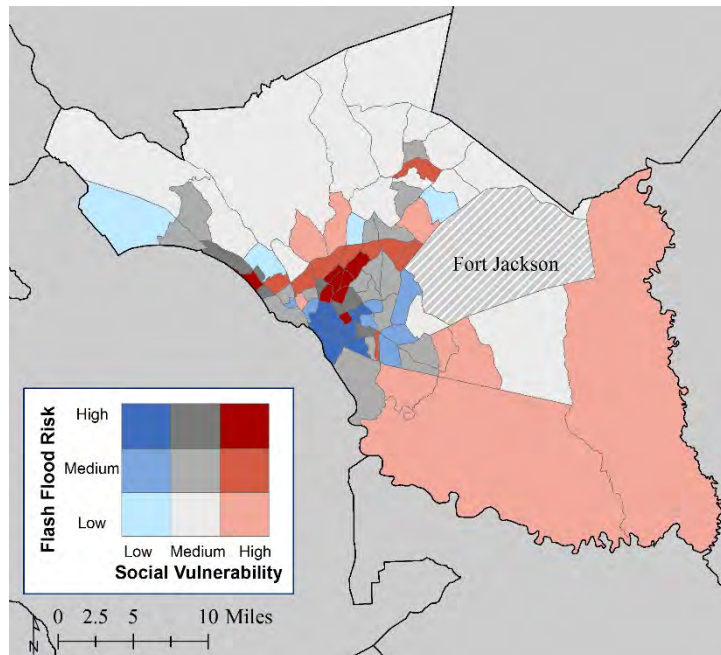
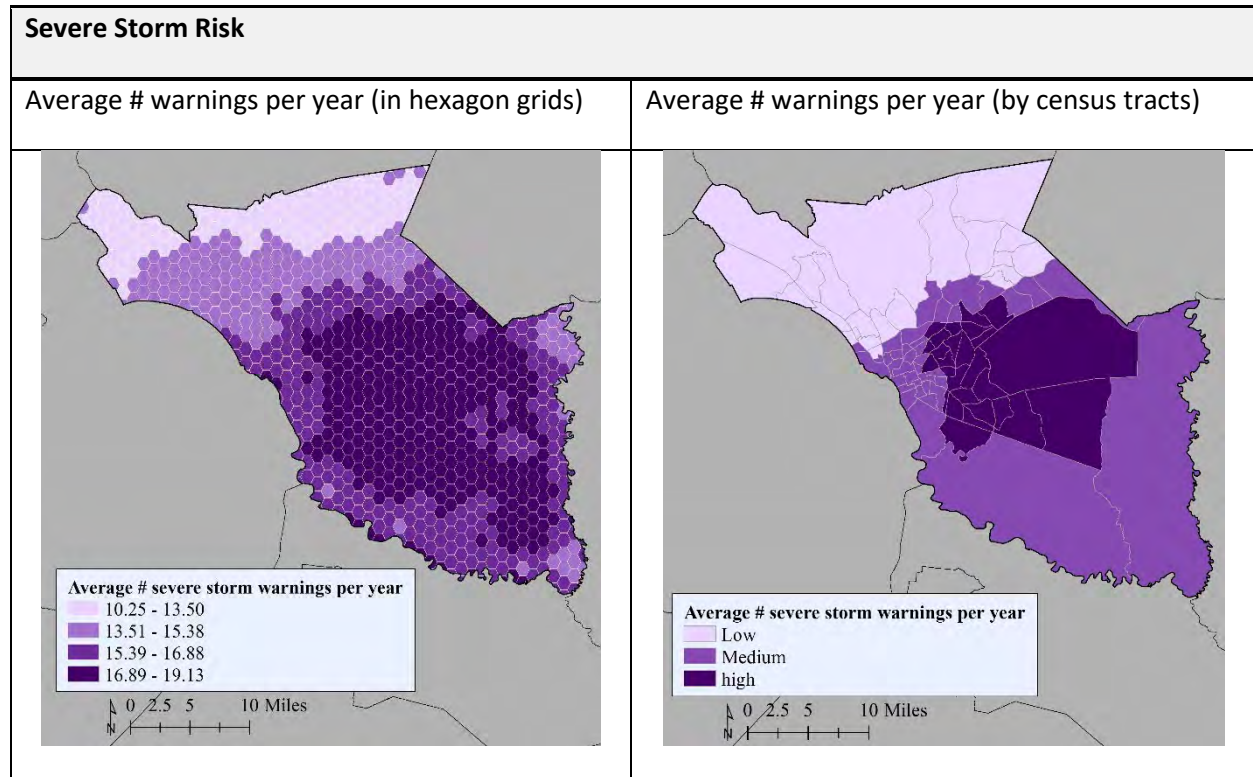


Figure 3 Flash Flood Risk and Vulnerability



Severe Storm Risk

The hazard classification for severe storm exposure is based on the average number of severe storm warnings issued per year by the National Weather Service.





Severe storm risk (bivariate map)

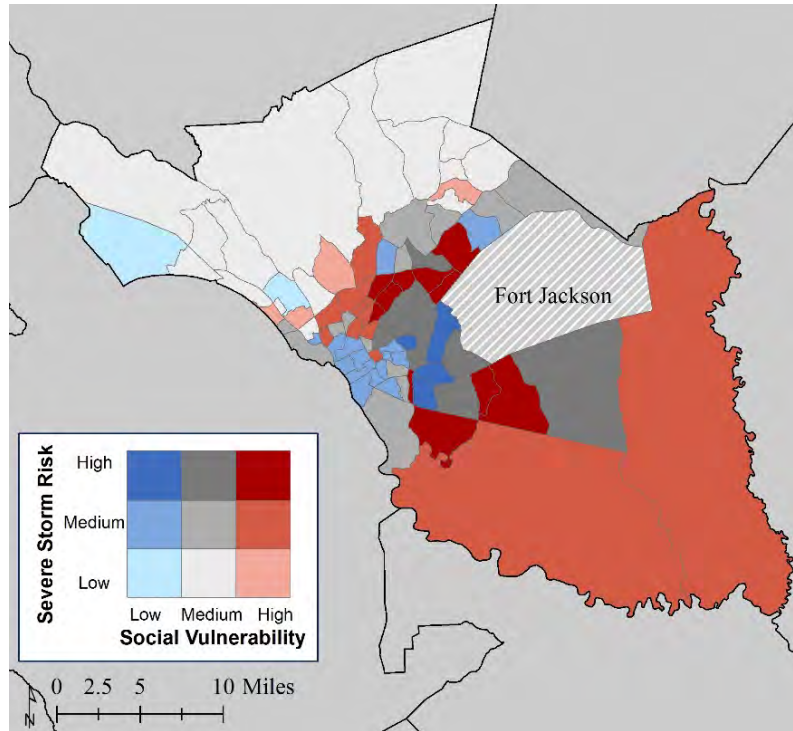


Figure 4 Severe Storm Risk and Vulnerability

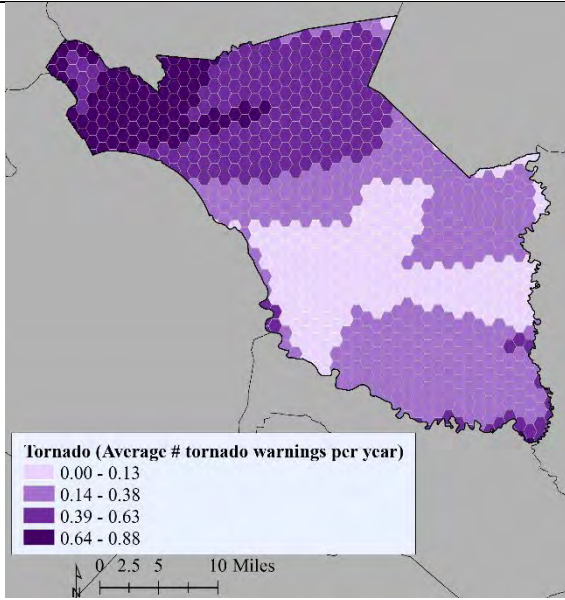
Tornado Risk

A tornado, characterized as a violent windstorm with a twisting, funnel-shaped cloud extending to the ground generated by severe thunderstorm activity or by land-falling tropical storms and hurricanes. The hazard classification for tornado exposure uses the average number of warnings per year issued for the county by the National Weather Service.

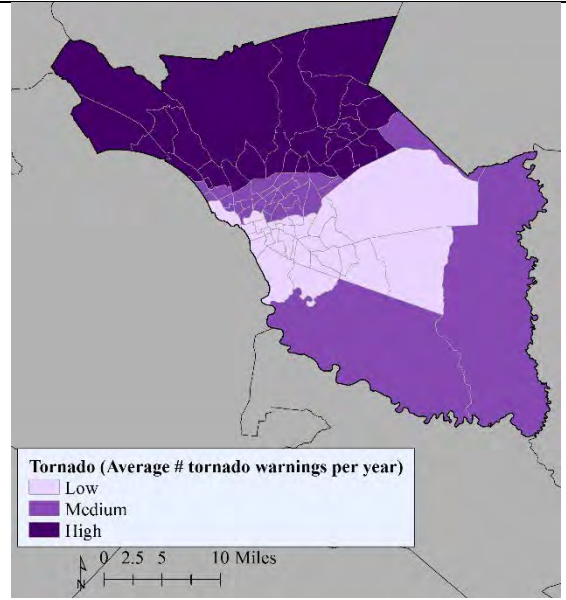


Tornado Risk

Average # warnings per year (in hexagon grids)



Average # warnings per year (by census tracts)



Tornado risk (bivariate map)

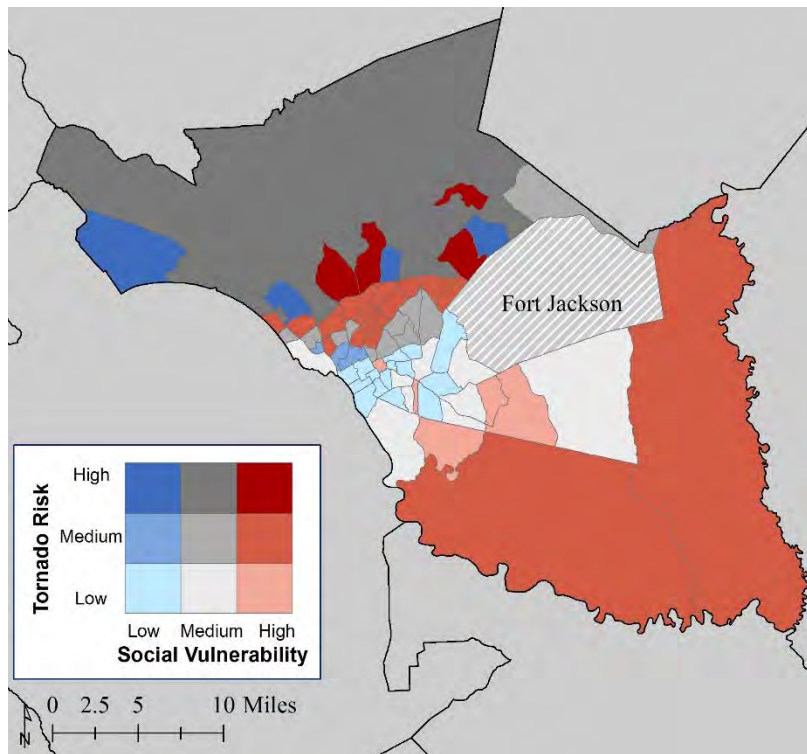
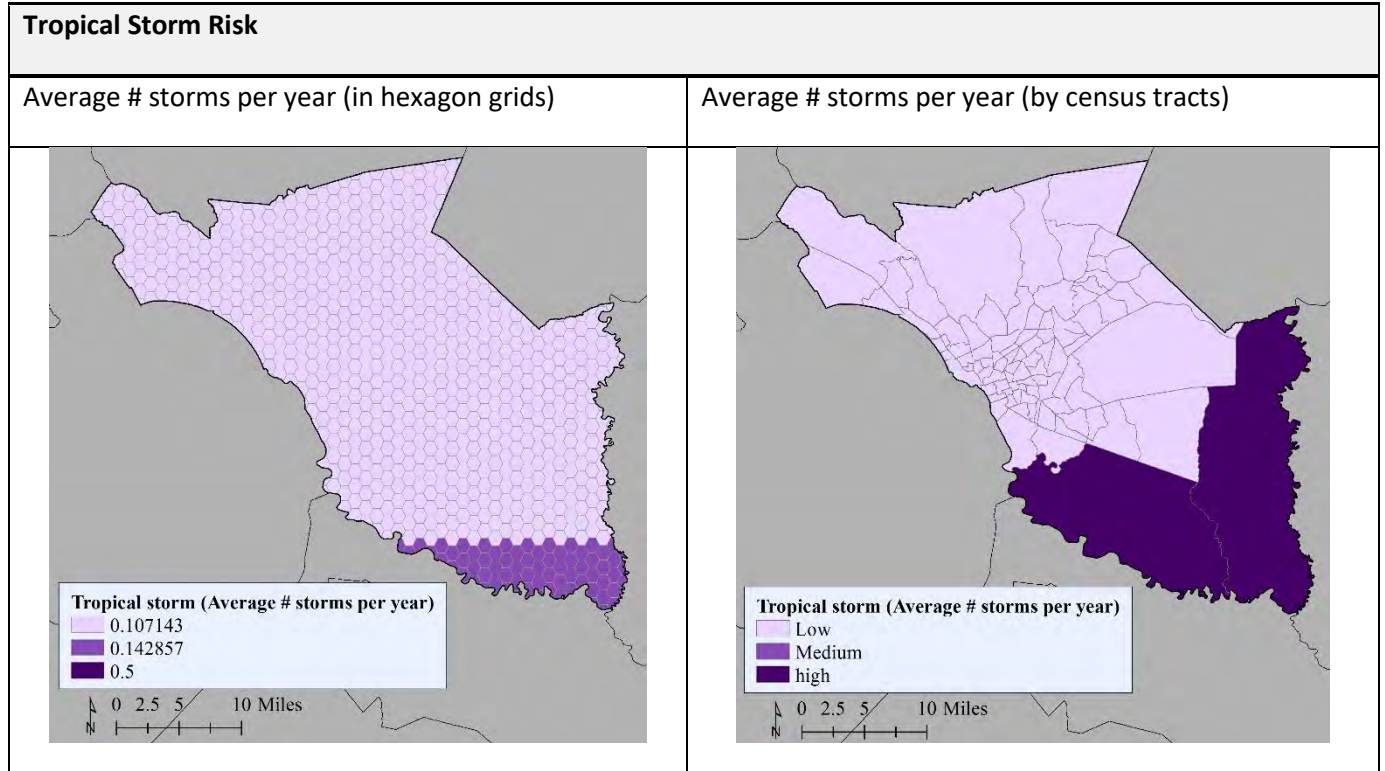




Figure 5 Tornado Risk and Vulnerability

Tropical Storm (Wind Risk)

In the Atlantic Ocean, wind speeds differentiate tropical systems into tropical storms or one of the five categories of hurricanes. Tropical storm risk is the average number of days per year that tropical storm force winds (39-74 mph) were recorded from known hurricane/tropical storm tracks crossing the state.





Tropical storm risk (bivariate map)

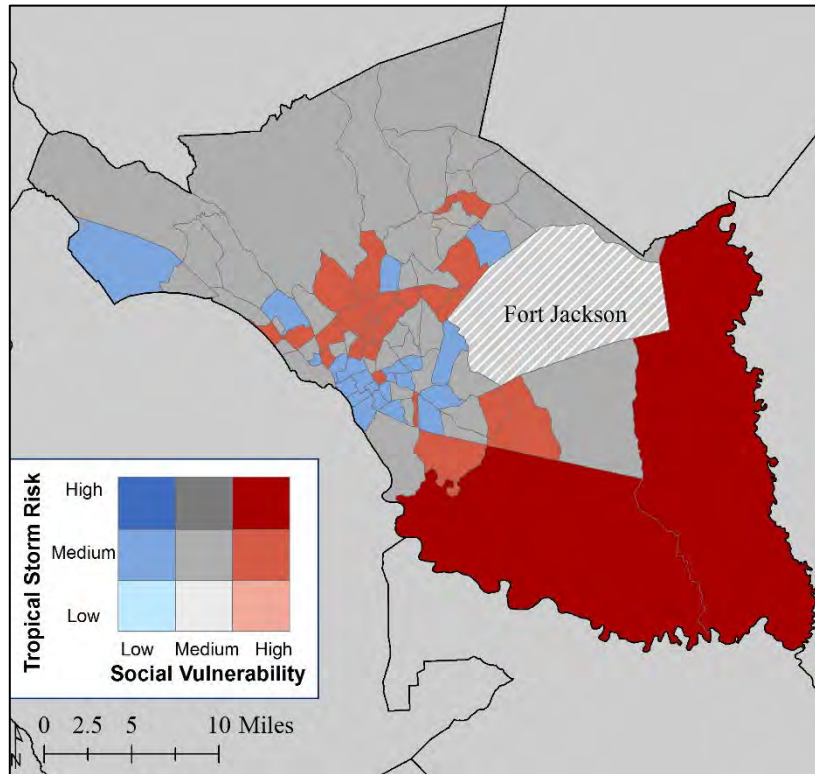


Figure 6 Tropical Storm Risk and Vulnerability

Other Hazards Affecting South Carolina

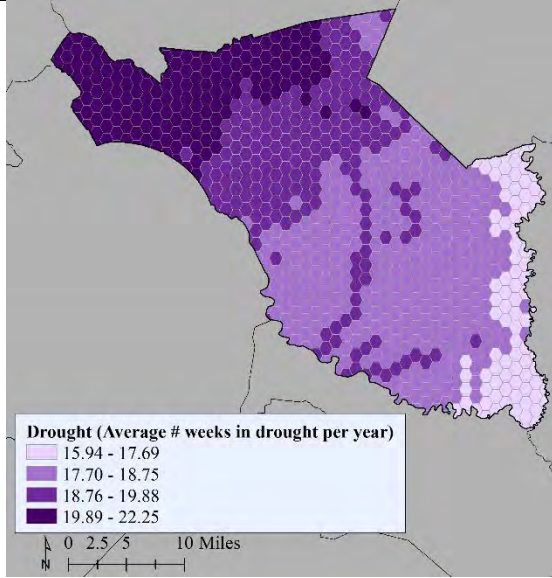
Drought Risk

Droughts are slow-onset events compared to some other hazards and take longer for their impacts to appear. The classification of drought hazard is defined as the average number of weeks in drought per year (severity of D1 or greater on the U.S. Drought Monitor) since 2000, based on historical occurrences of past droughts and probabilities of future occurrences.

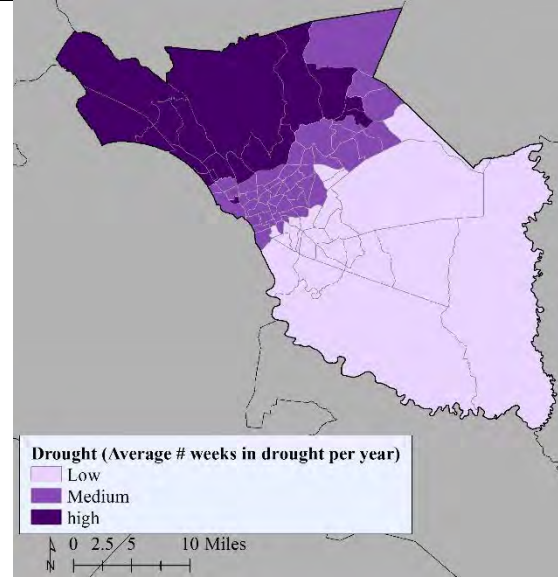


Drought Risk

Average # weeks in drought (in hexagon grids)



Average # weeks in drought (by census tracts)



Drought risk (bivariate map)

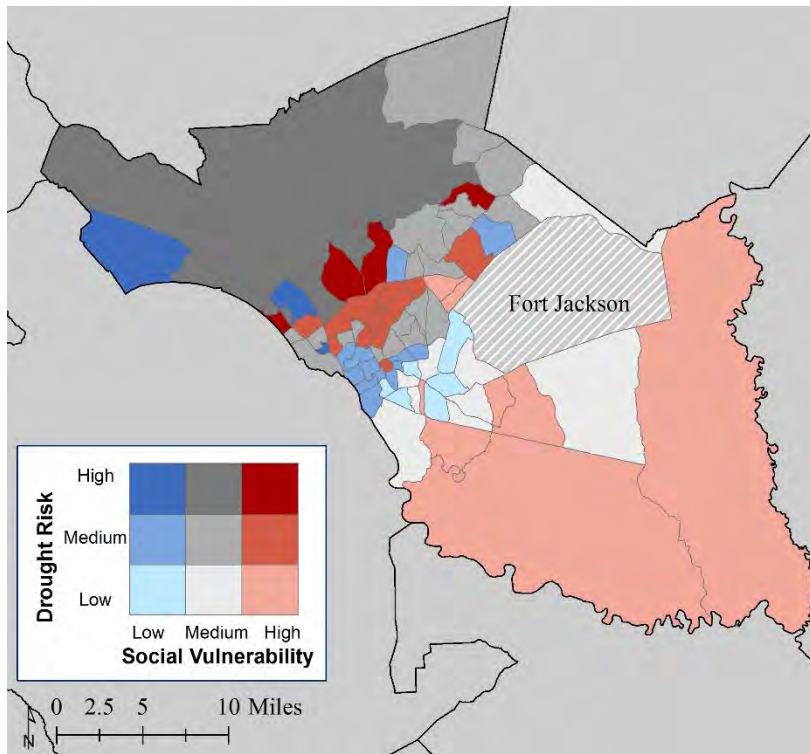


Figure 7 Drought Risk and Vulnerability



Earthquake Risk

While there are 10 to 15 earthquakes recorded annually in South Carolina, Richland County has only recorded six earthquakes since 2006, all of which were low-magnitude events (less than 2.9M). The peak ground acceleration (PGA) with 2% probability of exceedance in 50 years depicts the exposure to the earthquake hazard, which is greatest in the southern third of the county.

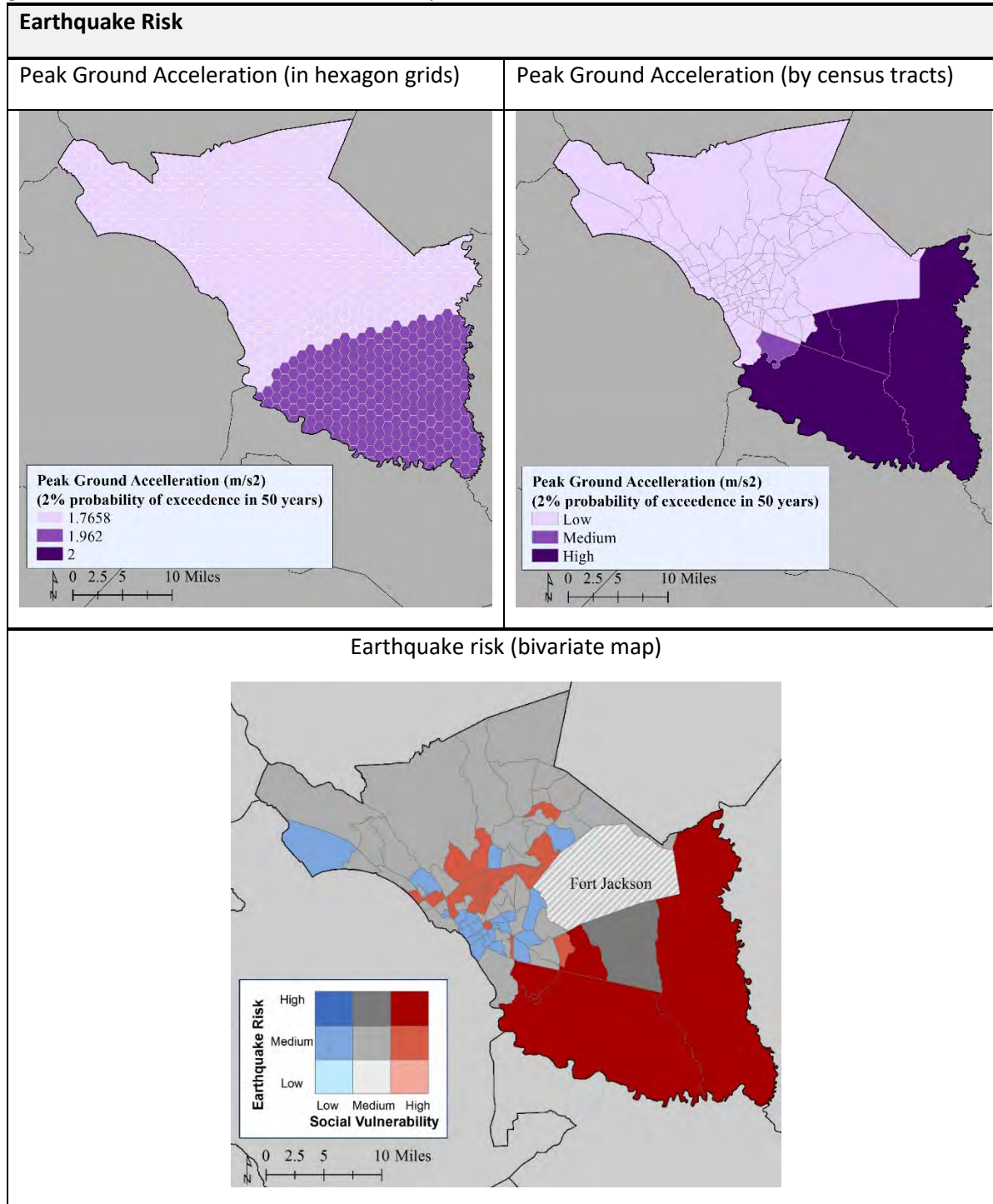
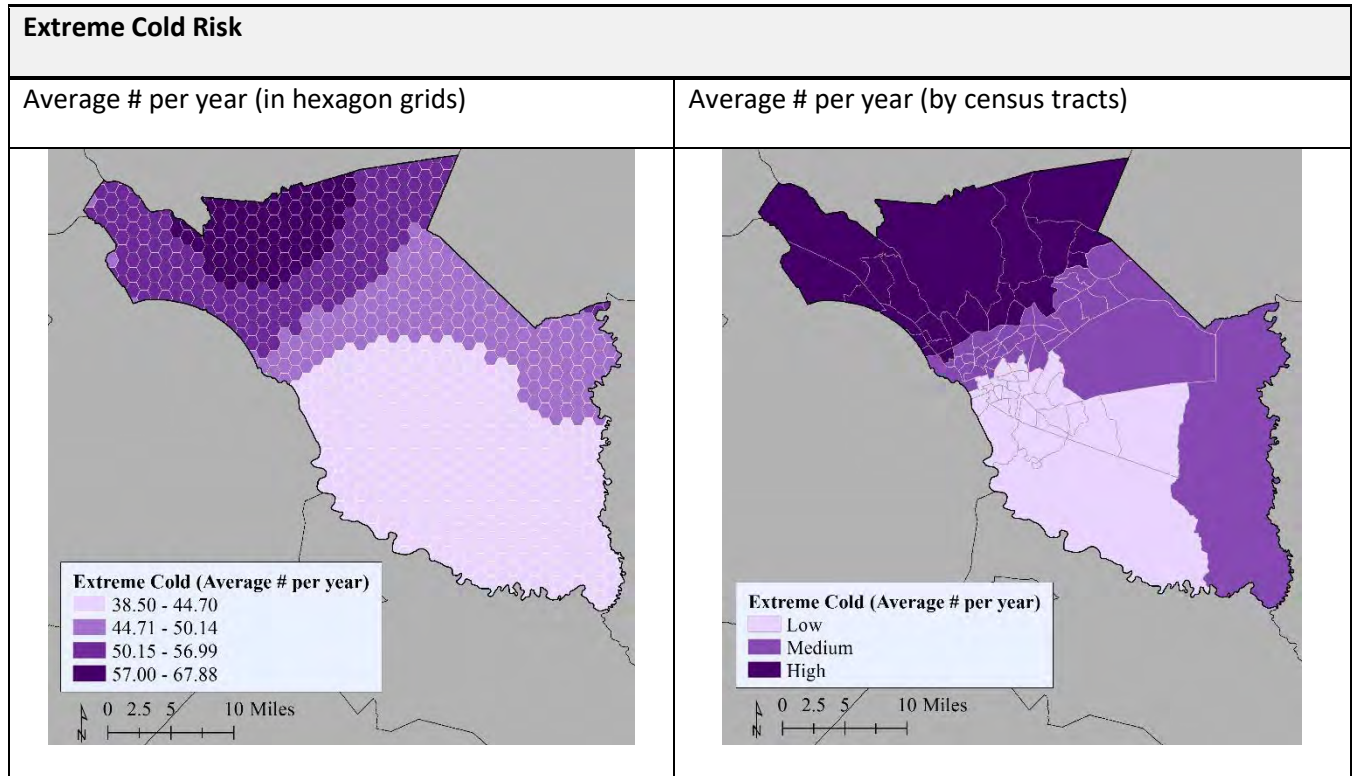


Figure 8 Earthquake Risk and Vulnerability



Extreme Cold Risk

The hazard classification for extreme cold exposure is based on the average number of days per year that the temperature is below freezing (less than 32 degrees Fahrenheit).





Extreme cold risk (bivariate map)

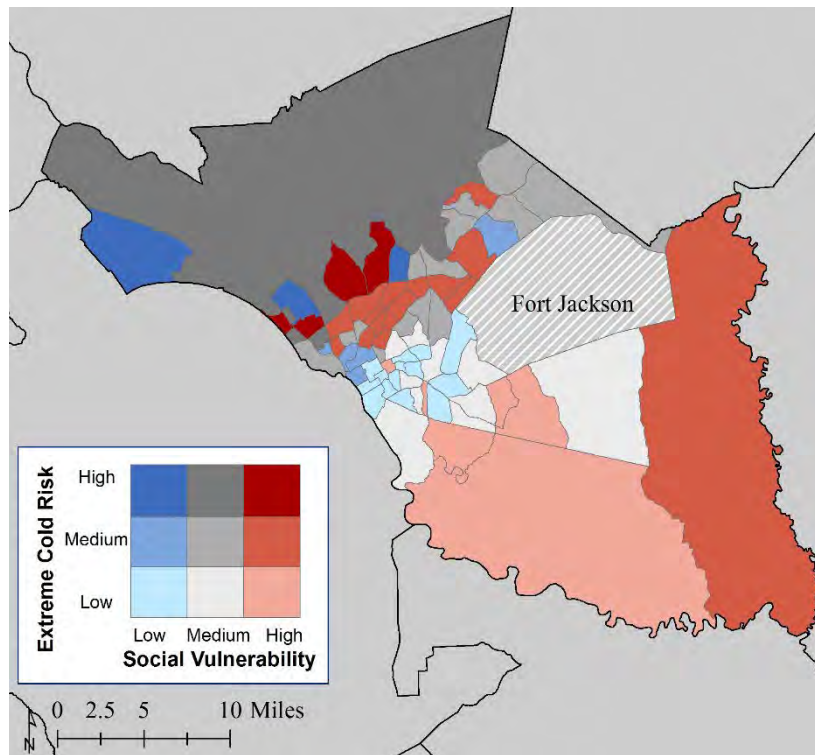


Figure 9 Extreme Cold and Vulnerability

Extreme Heat Risk

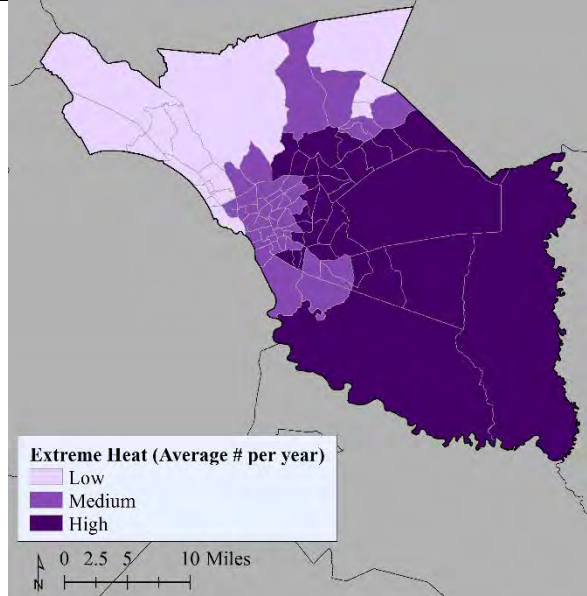
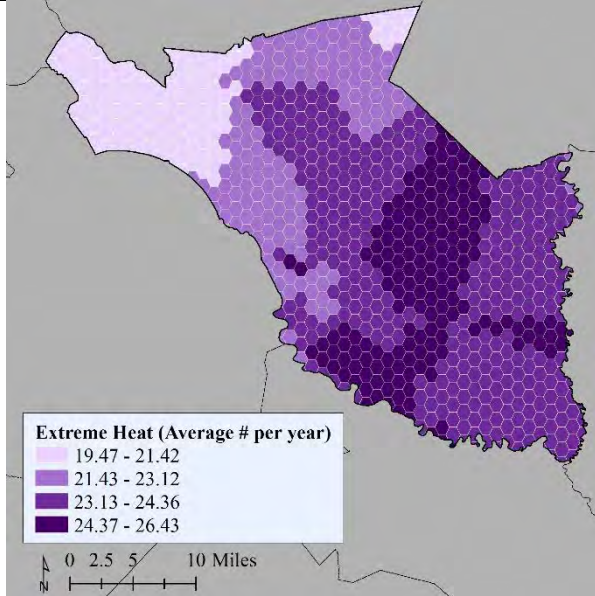
The hazard classification for extreme heat exposure is based on the average number of days per year that the temperature is above 95 degrees Fahrenheit.



Extreme Heat Risk

Average # per year (in hexagon grids)

Average # per year (by census tracts)



Extreme heat risk (bivariate map)

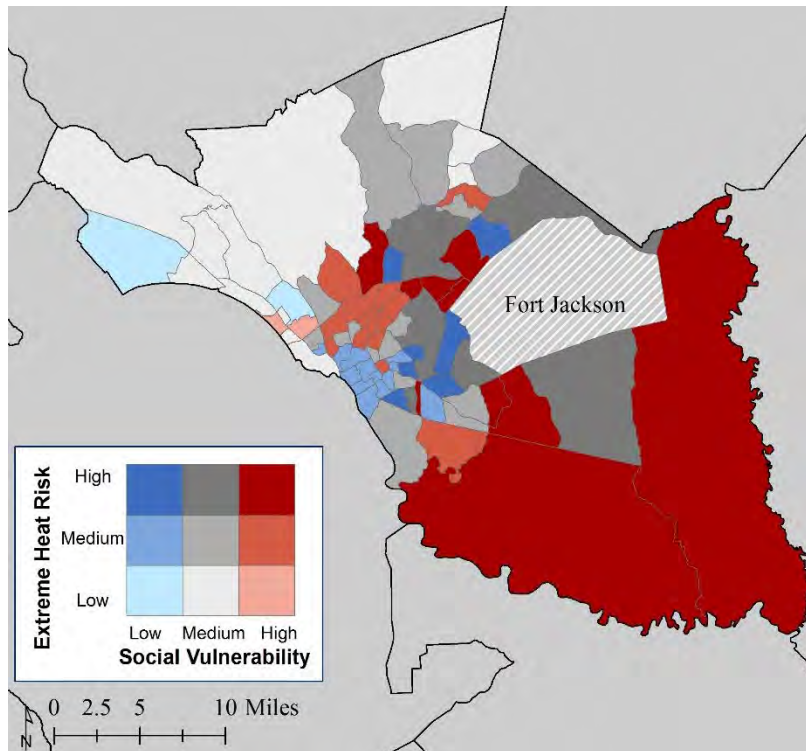
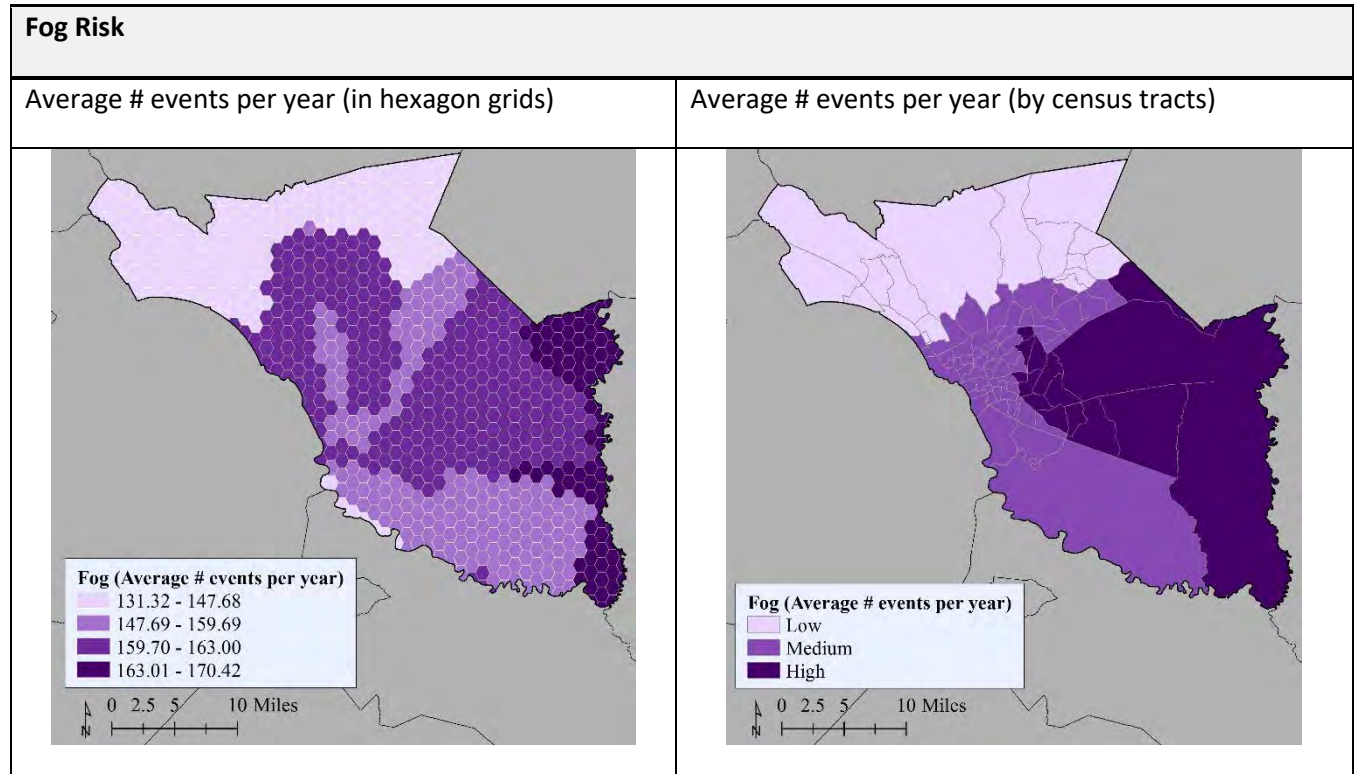


Figure 10 Extreme Heat and Vulnerability



Fog Risk

The hazard classification for fog exposure is based on the average number of days per year that a fog event has been recorded.



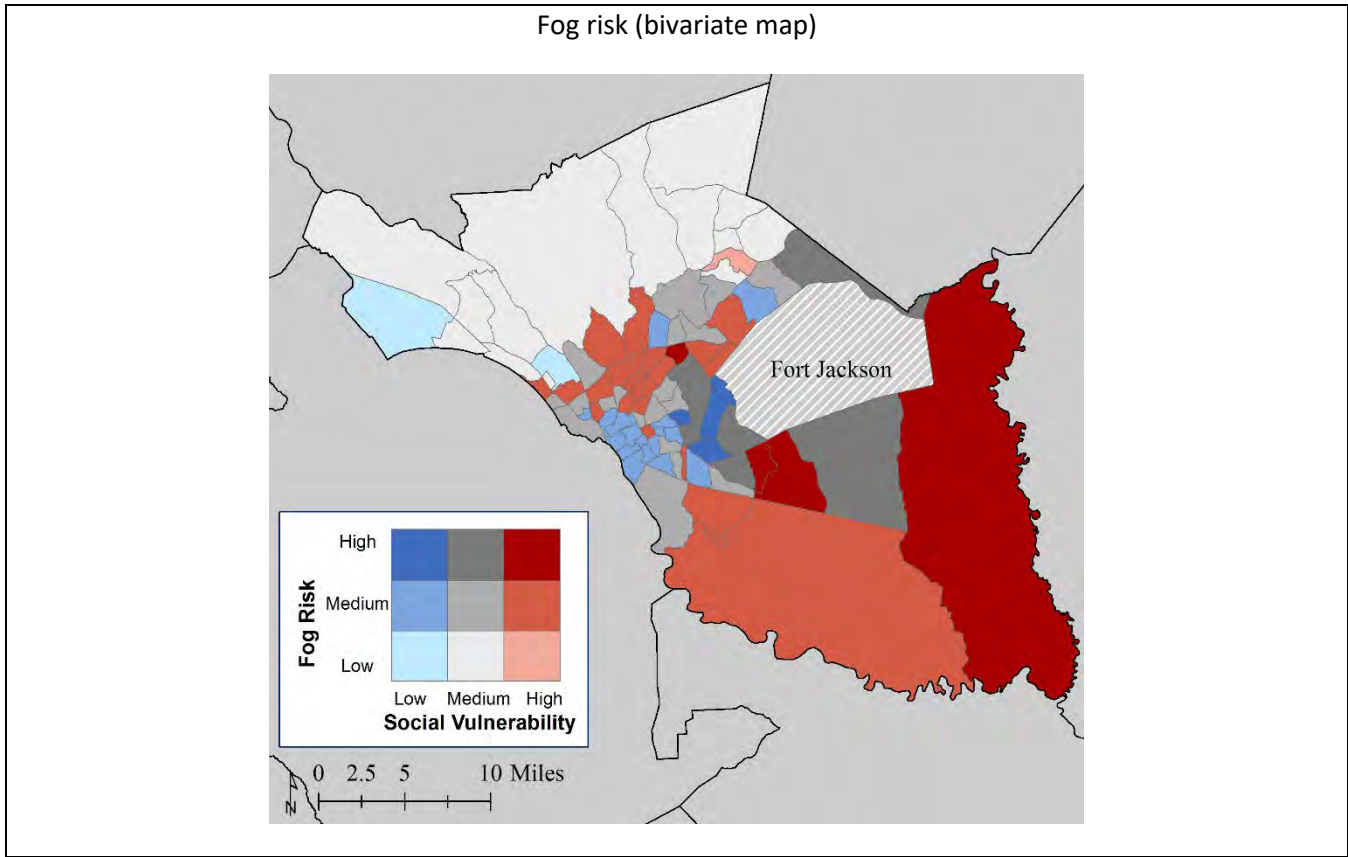


Figure 11 Fog Risk and Vulnerability

Hail Risk

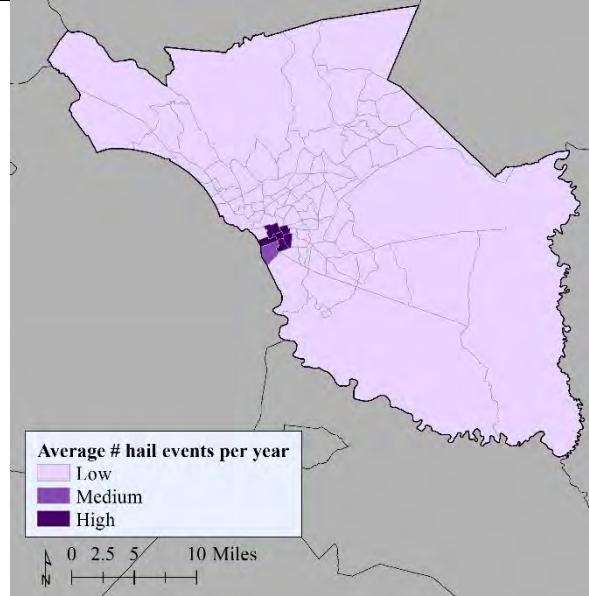
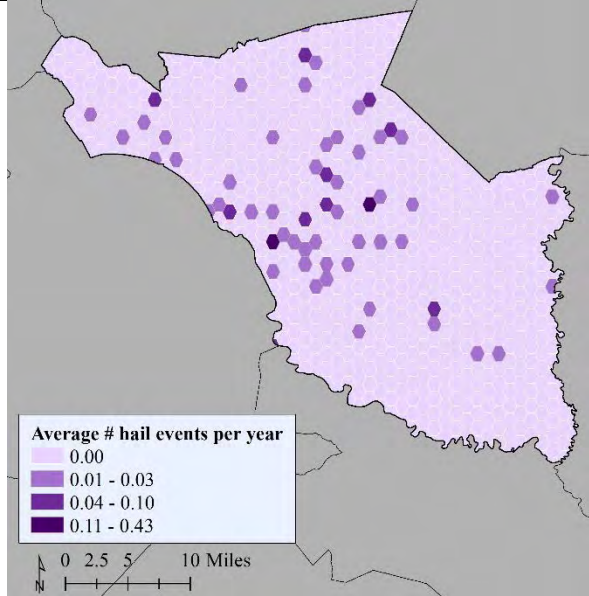
The hazard classification for hail exposure is based on the average number of days per year that a hail event has been recorded.



Hail Risk

Average # events per year (in hexagon grids)

Average # events per year (by census tracts)



Hail risk (bivariate map)

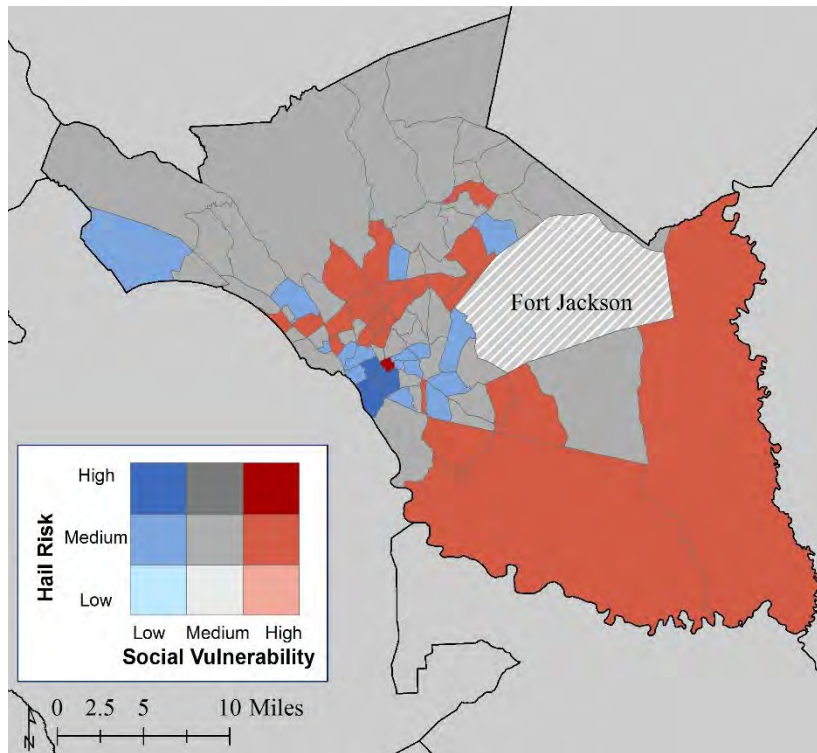
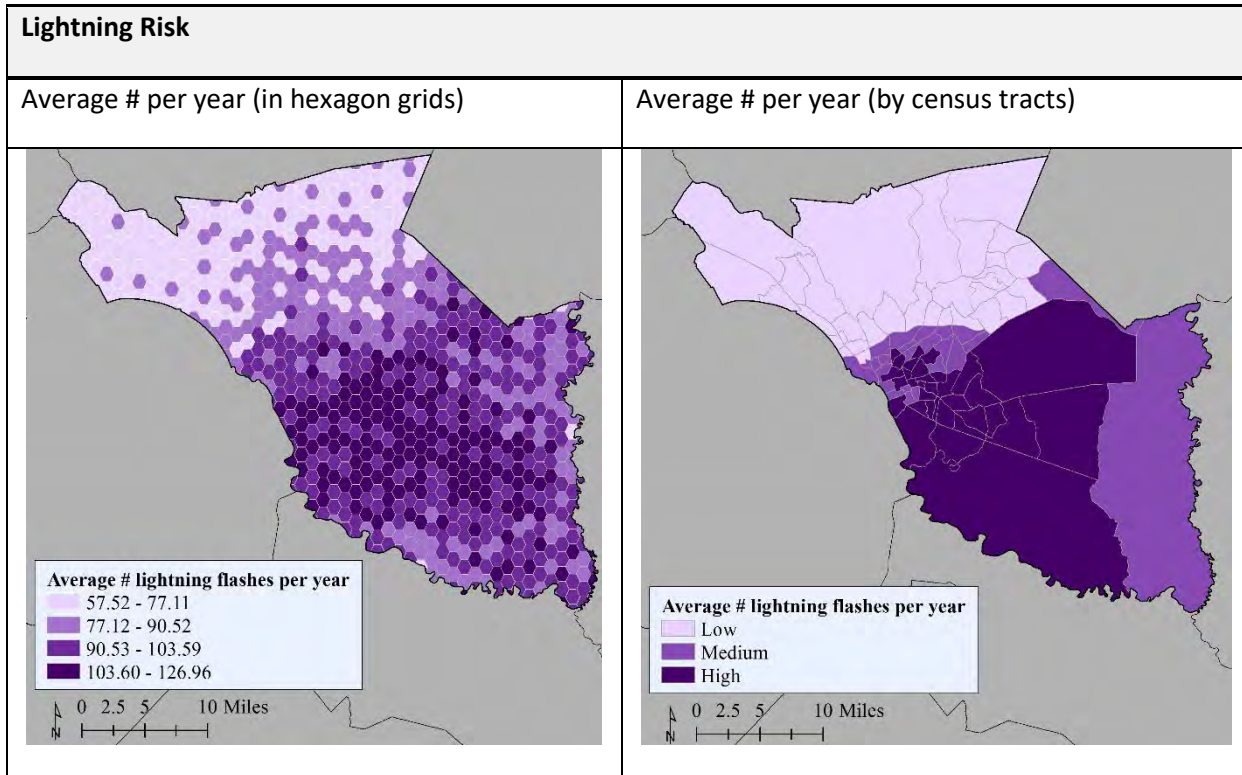


Figure 12 Hail Risk and Vulnerability



Lightning Risk

The average number of lightning flashes per year (total 27 years) is used to measure the lightning risk. In order to combine all hazards at the census tract level, the average for each tract is measured and assigned as the lightning risk score of 1, 2, or 3, based on the standard deviation from the mean.



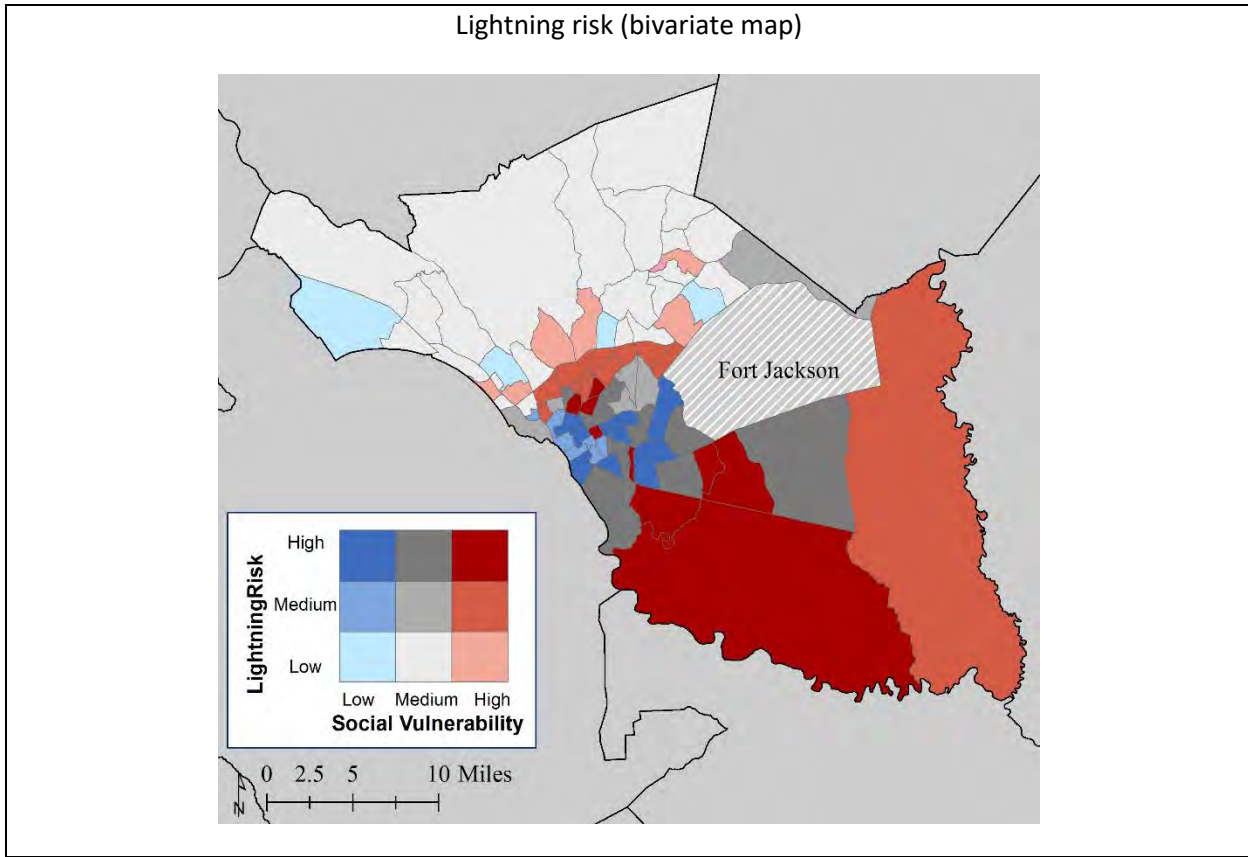


Figure 13 Lightning Risk and Vulnerability

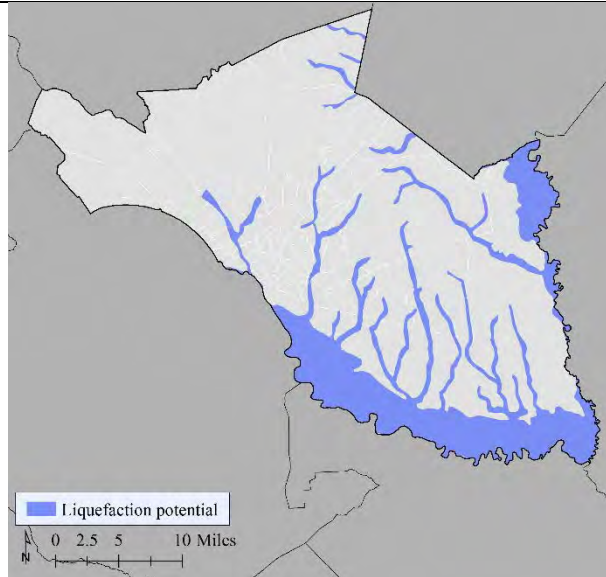
Liquefaction Risk

Liquefaction is the process whereby saturated soils lose strength and the ability to resist shear or the stress from ground shaking during an earthquake. The solid soil behaves like a liquid (e.g. quicksand) and is unable to support buildings on it. The liquefaction potential extent is delineated based on the earthquake hazard and soil conditions and type (sandy, silty, gravelly soils).

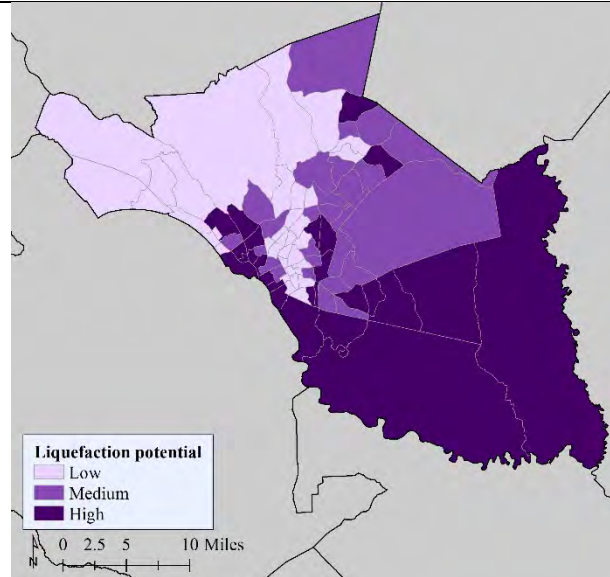


Liquefaction Risk

Liquefaction potential extent



Liquefaction potential (by census tracts)



Liquefaction risk (bivariate map)

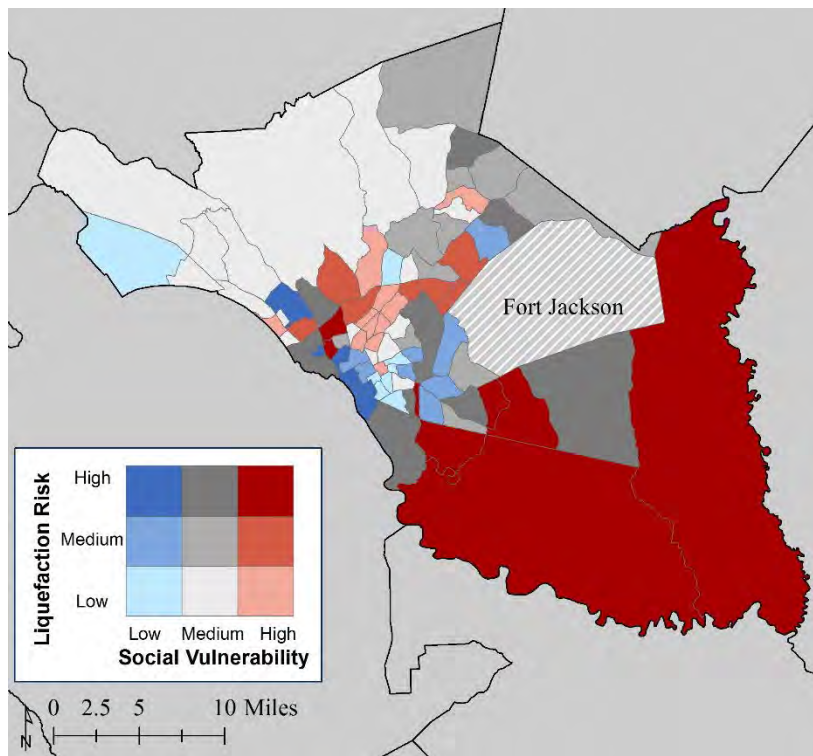
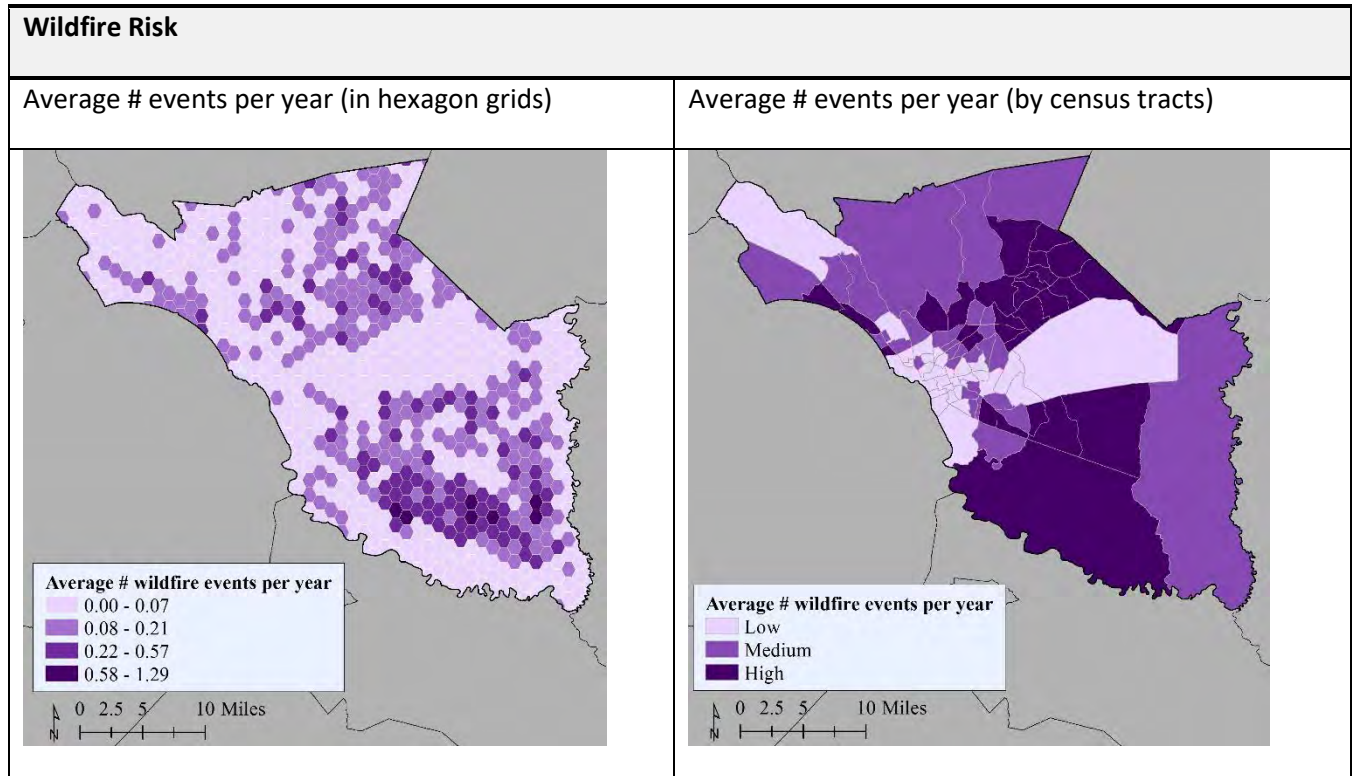


Figure 14 Liquefaction Risk and Vulnerability



Wildfire Risk

Wildfires are a natural process for the environment to clear dead vegetation, and they can be human-caused or from lightning strikes. Fire danger is highest in late winter and early spring. The hazard classification for wildfire exposure is defined based on the average number of recorded wildfire events per year since 1988, according to the South Carolina Hazard Mitigation Plan 2018 Update.





Wildfire risk (bivariate map)

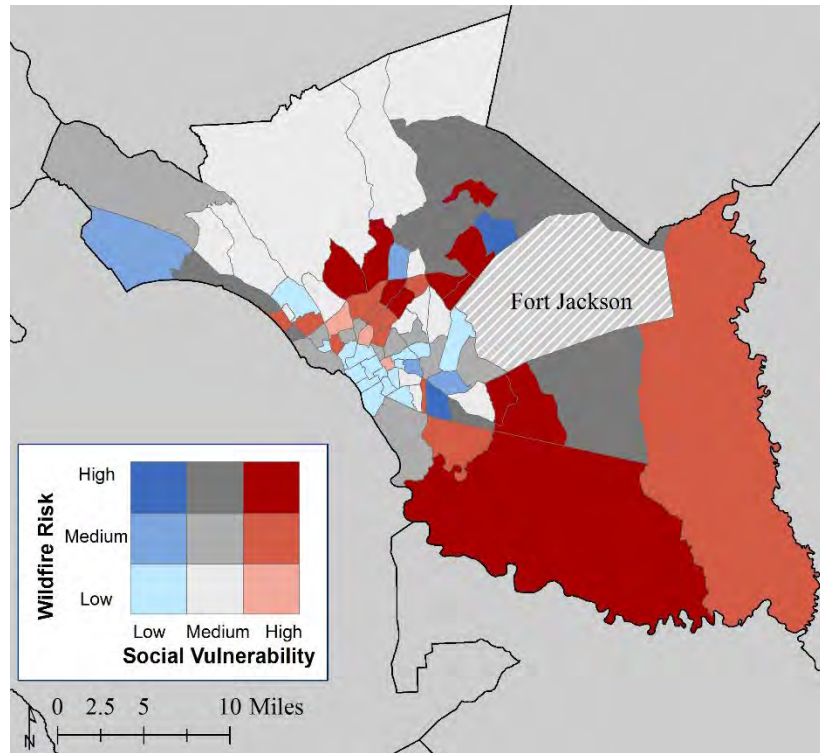


Figure 25 Wildfire Risk and Vulnerability

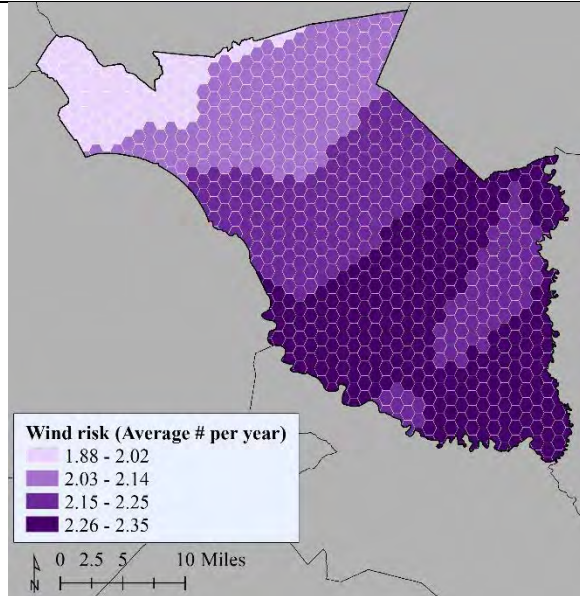
Wind Risk

The hazard classification for wind risk is based on the average number of days per year with recorded high winds (> 58 mph gusts excluding hurricane and tornadic winds).

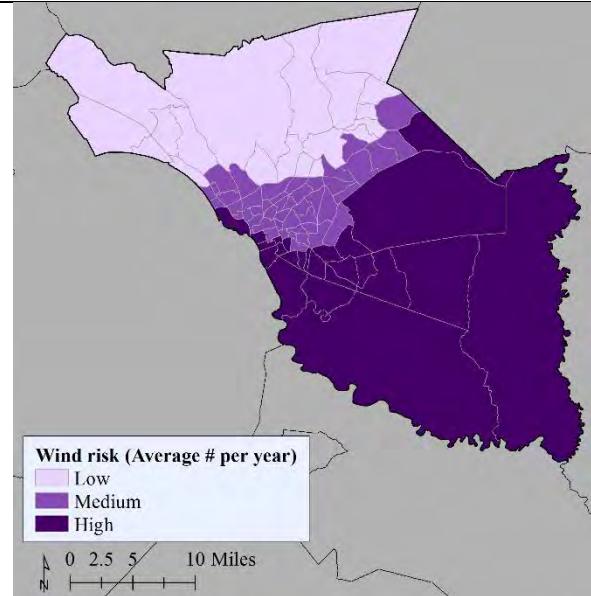


Wind Risk

Average # per year (in hexagon grids)



Average # per year (by census tracts)



Wind risk (bivariate map)

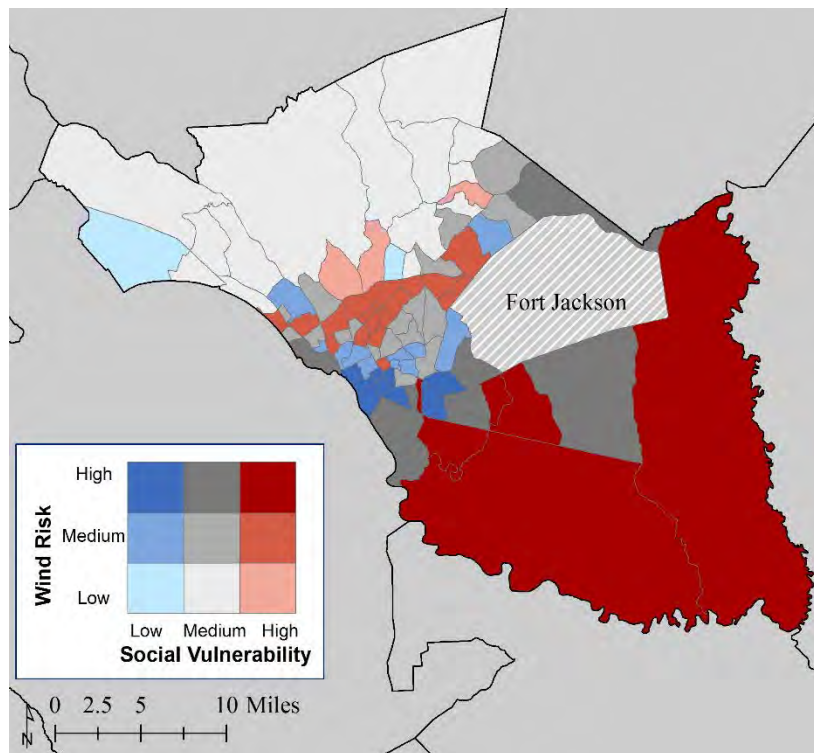
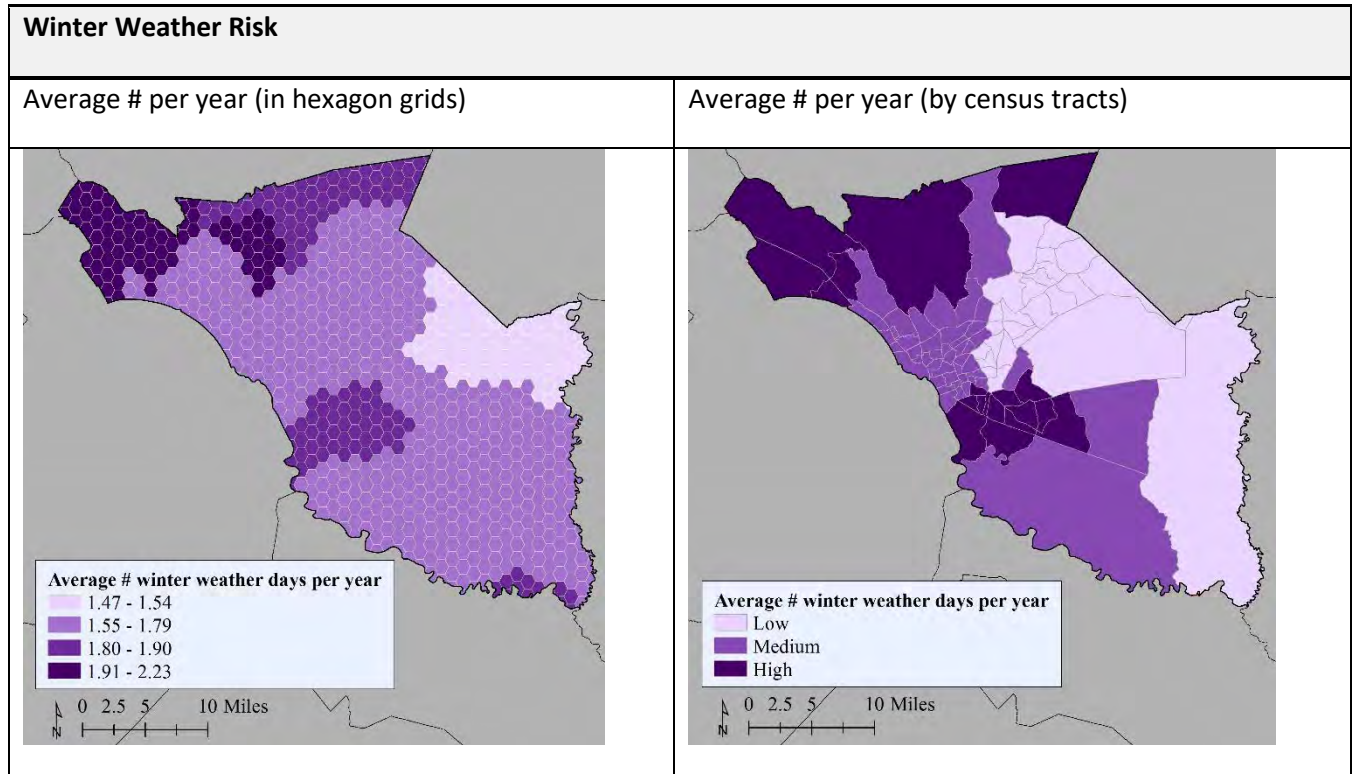


Figure 36 Wind Risk and Vulnerability



Winter Weather Risk

The hazard classification for winter weather exposure is defined based on the average number of days per year that the winter weather (snow, ice, sleet, freezing rain) conditions were recorded.





Winter weather risk (bivariate map)

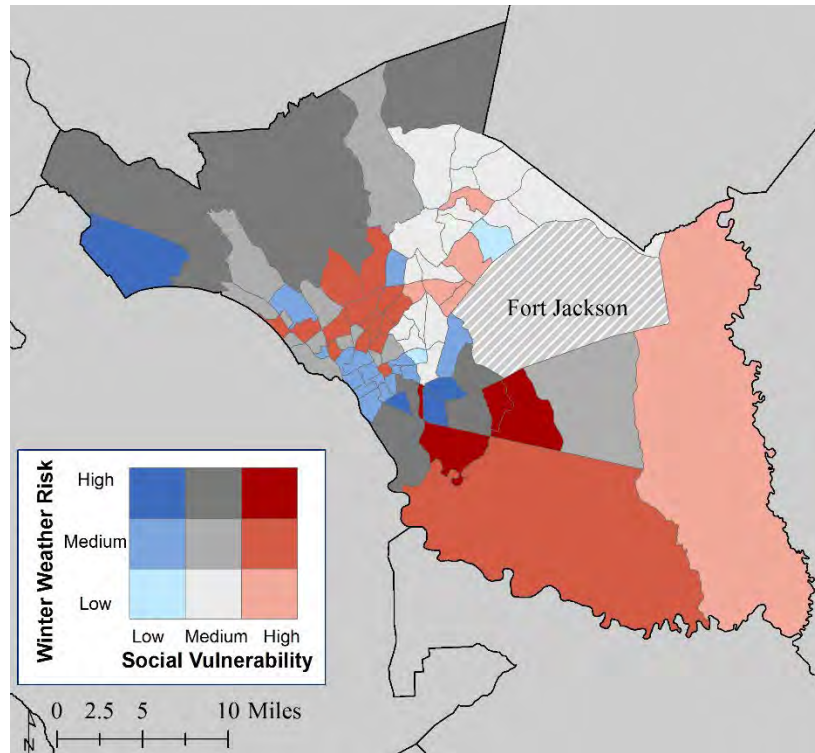


Figure 47 Winter Weather Risk and Vulnerability

Total Hazard Risk

The total hazard risk combines all the hazards described above into a comprehensive view of risk for Richland County, by census tracts. This risk map, when combined with social vulnerability, shows the intersection of the highest risk census tracts with those having higher levels of social vulnerability.

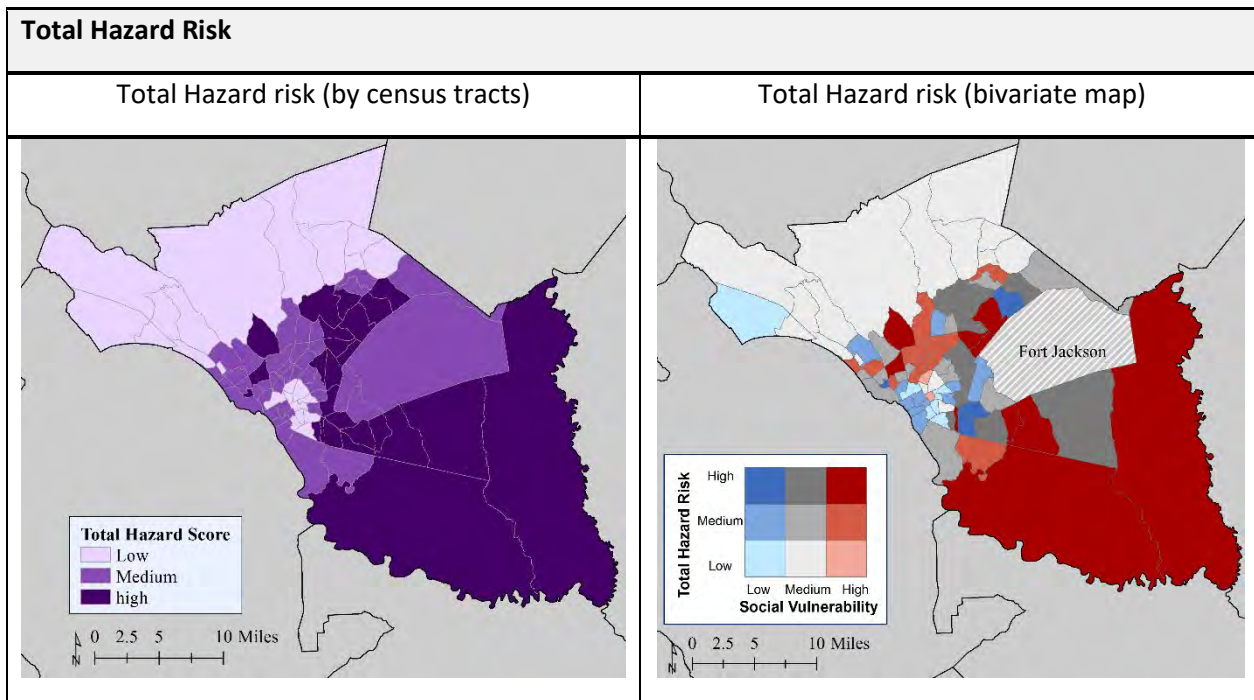


Figure 58 Total Hazard Risk and Vulnerability

The highest risk and most vulnerable census tracts (shown in dark red) are in Lower Richland County with a number of smaller areas located adjacent to the northwestern boundary of Fort Jackson, and a few tracts north of the downtown Columbia area. These correspond to those tracts with the highest total hazard score that include all of Lower Richland County and the Gills Creek Watershed to the west of Fort Jackson.

Assessment of Critical Community Lifelines

The Richland County CDBG-DR Action Plan identified unmet needs in the area of housing, infrastructure, and economic development. The need for housing rehabilitation was identified as the most important with funding to rehabilitate single-family owner-occupied housing, small rental housing reconstruction, and voluntary buyouts. According to the County’s Action Plan, the goal is to facilitate multiple and complimentary recovery programs (housing, infrastructure, business assistance) while planning for longer-term resilience within the community. The destruction of community lifelines or disruptions in the services they provide is an important consideration in post-disaster recovery and in mitigation activities as a community strives to become more disaster resilient.

Lifeline Impacts 2015 Floods

Richland County was at the center of the federally declared disaster area (PDD 4241) and experienced significant freshwater riverine flooding throughout the county. The transportation system (roads and bridges), water supply, and community safety all were affected. Sixteen earthen dams breached or failed in the county, including five high-hazard dams in the Gills Creek watershed and one on Fort Jackson. An embankment breach in a diversion supply canal along the Congaree River affected the provision of potable water to many residents for over a week. Finally, downstream flooding occurred as four of the six emergency spillways at Lake Murray opened to reduce the lake levels.¹⁶

¹⁶ S.L. Cutter, C.T. Emrich, M. Gall, and R. Reeves, 2018. Flash flood risk and the paradox of urban development, *Natural Hazards Review* 19(1): 05017005. Doi: 10.1061/(ASCE)NH.1527-6996.0000268.



Assessing Lifeline Impacts: Potential Community Lifeline Impact Index (PCLII)

Following the State of South Carolina's approach in determining the potential lifeline impacts of future hazards or high-impact events, Richland County also employed the PCLII customized for the county as a quantitative spatial assessment to show where mitigation efforts to reduce hazard impacts and enhance resilience are most needed.

The PCLII uses FEMA's Community Lifelines Implementation Toolkit as the guide for input data.¹⁷ Data on each of the seven components and subcomponents were collected from publicly available sources and represent proxies for the components. Given the Community Lifelines Implementation Toolkit is oriented towards response, not mitigation and enhancing long-term resilience, not all the sub-components were applicable and thus are not included in the PCLII. An abbreviated list of components and subcomponents used to create the Richland County PCLII is in Table 5. All input variables (N=46) represent counts of lifelines (raw number, miles, acreages), not access to them or the quality or level of service they provide.

The values for each input variable were sorted for each of the 89 census tracts from highest to lowest and then transformed into values from 1.0 (the highest) to 0 (the lowest).¹⁸ The variables comprising each of the seven lifelines were averaged to produce an overall score for each of the lifeline. This was done in order to make each component comparable regardless of the number of variables within it, which could have produced higher counts. The sum of the lifeline averages produce the overall PCLII score, which theoretically ranges from 0-7. The mapped total used five categories with the darker hues representing census tracts with greater potential lifeline impacts.

¹⁷ FEMA, 2020. Community Lifelines Implementation Toolkit V2.0. Accessed 16 February 2020.

<https://www.fema.gov/media-library-data/1576770152678-87196e4c3d091f0319da967cf47ffd9c/CommunityLifelinesToolkit2.0v2.pdf>

¹⁸ This is a statistical scaling procedure called min-max which permits comparisons among variables with different base-units (miles, numbers etc.) ranging from lowest to highest or vice versa.



Table 5 Variables Included in the Richland County Potential Community Lifeline Impact Index (RC-PCLII)¹⁹

Lifeline	Component
Safety & Security	Law enforcement & security
	Fire services
	Search and rescue
	Government services
	Community safety
Food, Water, & Shelter	Food
	Water
	Shelter
	Agriculture
Health & Medical	Medical care
	Patient movement
	Medical supply chain
	Fatality management
Energy	Power grid
	Fuel
Communications	Infrastructure
	Responder communications
	Alerts, warnings
	Finance
Transportation	Highway/roadway/motor vehicle
	Mass transit
	Railway
	Aviation
Waste & Hazardous Materials	Waste facilities
	Hazardous facilities

Potential Community Lifeline Impacts

Richland County has a mix of urban, suburban, and rural landscape attributes. With a population of nearly 415,000 according to 2018 U.S. Census estimates, the county has grown rapidly (7.8% population increase) since 2010. With a land area of 757.07 square miles, the average population density for the county is 548 persons per square mile.²⁰

The largest lifeline impact based on counts occurs in the more rural areas of the county including Lower Richland, in North Central Richland, and in the urban downtown area of Columbia (Figure 19). The primary contributors to these potential impacts are energy facilities (power lines, substations, and pipelines), waste facilities (solid waste landfills, toxic release sites, Superfund sites), and in the urban areas communications infrastructure (cell phone towers, broadcast and radio transmissions towers), and health and medical facilities. The spatial patterns may be somewhat deceiving because they are mapped by census tracts which visually highlight the larger areas. Census tracts are a permanent statistical subdivision within a county and contain roughly 4,000 people each (ranging from

¹⁹ See South Carolina Disaster Recovery Office, 2019, *South Carolina CDBG-MIT Action Plan*, for details on specific variables used and their sources, pp. 50-52. https://www.scdr.sc.gov/wp-content/uploads/2019/12/South-Carolina-Mitigation-Action-Plan-December-9-2019_compressed-1.pdf

²⁰ U.S. Census, 2020. *QuickFacts*. Accessed 16 February 2020. <https://www.census.gov/quickfacts/richlandcountysouthcarolina>



1,200-8,000). Based on the decadal census, if the tract has more than 8,000 it is split into two or more tracts, and if they contain less than 1,200 they are merged. Because they contain roughly the same number of people, rural or less populated tracts appear larger on the map, while urban or more populated areas appear smaller. For some of the rural tracts, there is more infrastructure (such as roads, transmission lines, etc.) because there is more area to be covered given the rural nature of the census tract.

A more detailed depiction of the most potentially-impacted infrastructure highlights not only the differences between urban and rural tracts, but also the components leading to higher scores.

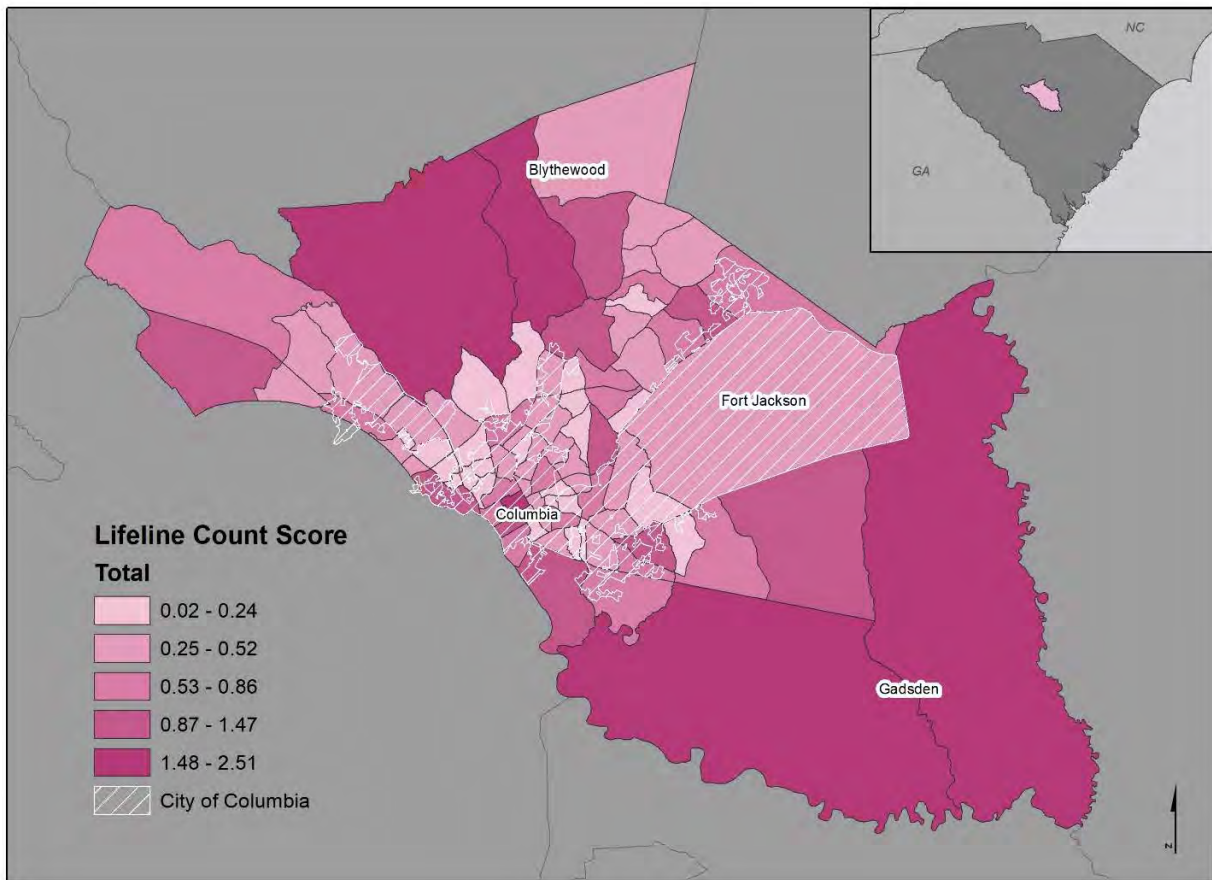


Figure 19 Potential Community Lifeline Impact Index for Richland County (RC-PCLII)

The Following figures (Figures 20-26) show the variability in potential lifeline impacts across Richland County based on each of the seven lifelines from FEMA Community Lifelines Implementation Toolkit.

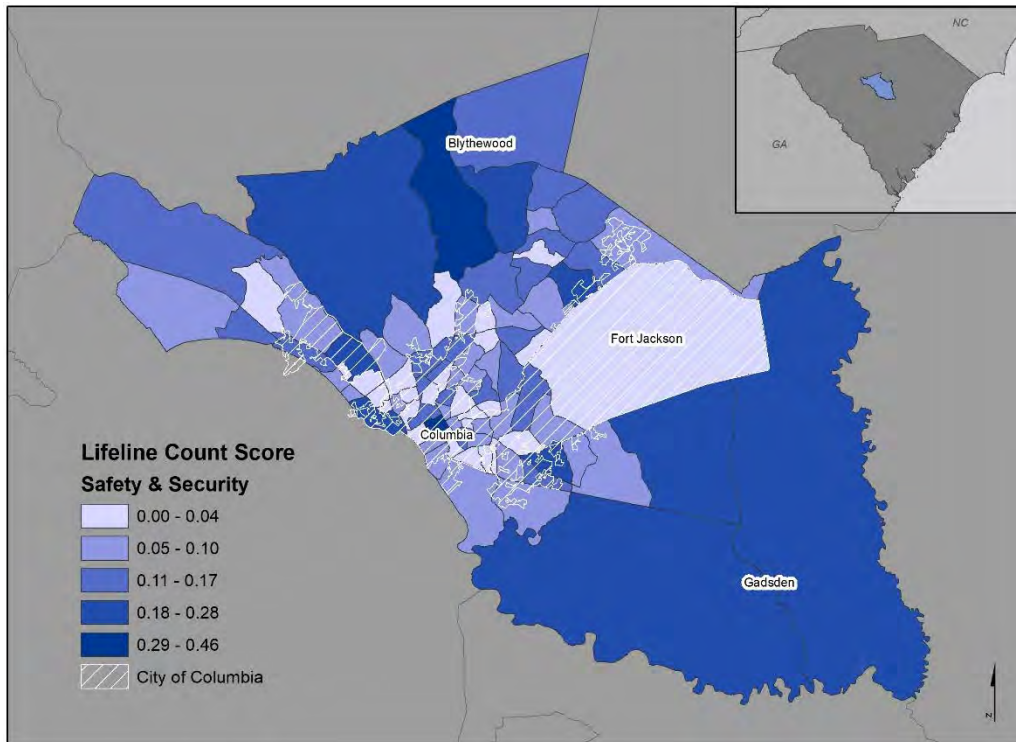


Figure 20 Safety & Security Lifeline Count Score

The spatial pattern for the Safety and Security Lifeline component highlights Lower Richland, North Central Richland, and Downtown Columbia (Figure 20). In Lower Richland, this pattern is due to the number of dams while in North Central Richland, it is the number of dams, as well as schools and daycare facilities. Downtown Columbia has a high score due to the number of government institutions. Notably, the tract just southeast of Harbison State Forest has a higher score due to the presence of prison facilities.

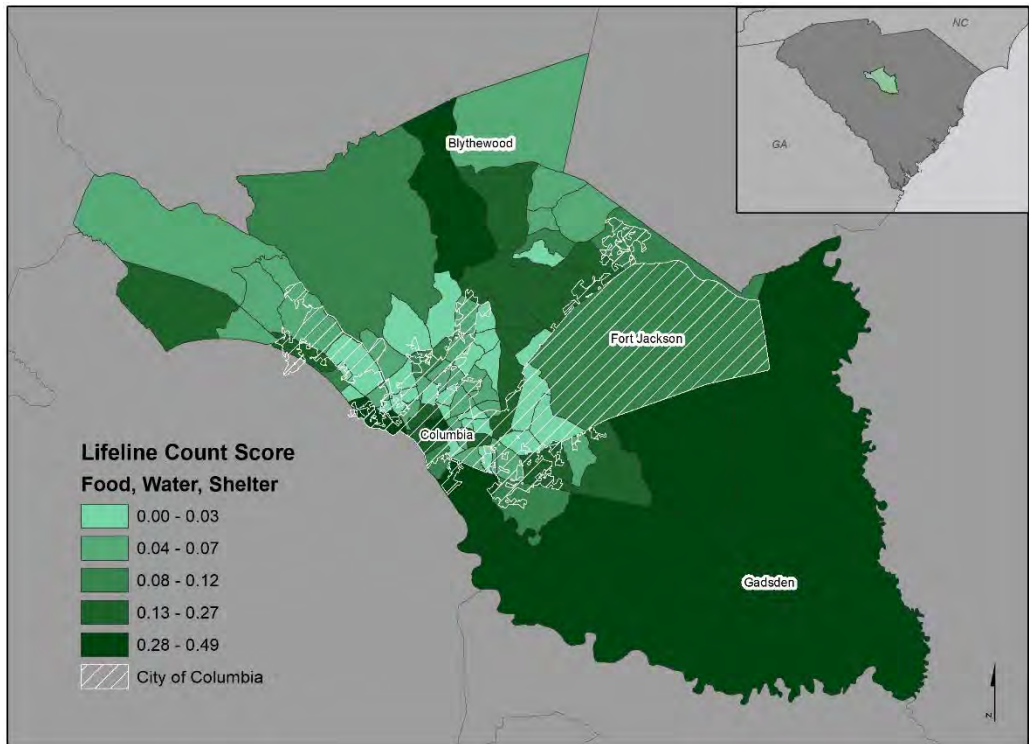


Figure 21 Food, Water, & Shelter Lifeline Count Score

In Lower Richland, the higher Food, Water, & Shelter Lifeline score is a function of agricultural cropland acreage and the number of water supply infrastructures (Figure 21). In Downtown Columbia, Blythewood, and the Decker-Two Notch Corridor, the primary drivers are the number of restaurants, grocery stores, and hotels/motels/inns, especially near exits off I-77 and I-20.

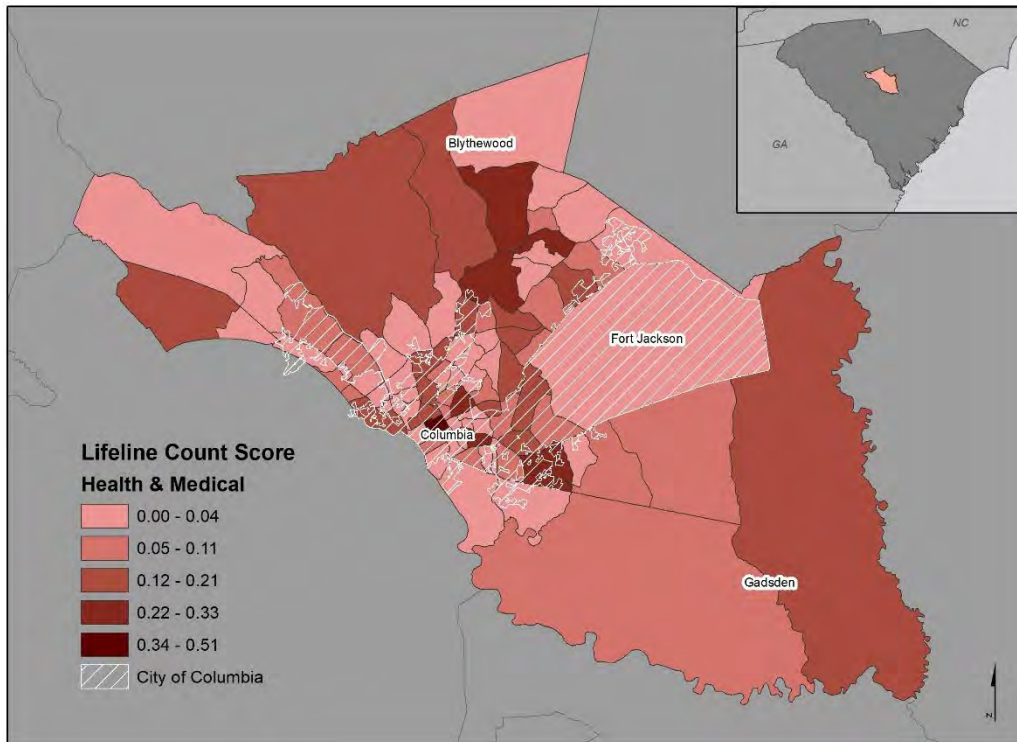


Figure 22 Health & Medical Lifeline Count Score

The Health and Medical Lifeline scores are highest in Downtown Columbia, Northeast Richland, and Garners Ferry Rd east of the I-77 Beltway (south of Fort Jackson) (Figure 22). The Intermedical Hospital, Prisma Health Baptist Hospital, and Providence Hospital are located in Downtown Columbia, along with EMS, pharmacies, and nursing homes. The scores in the Northeast Richland area and area south of Fort Jackson are a function of the number of pharmacies, nursing homes, urgent care, and emergency medical services (EMS) facilities.

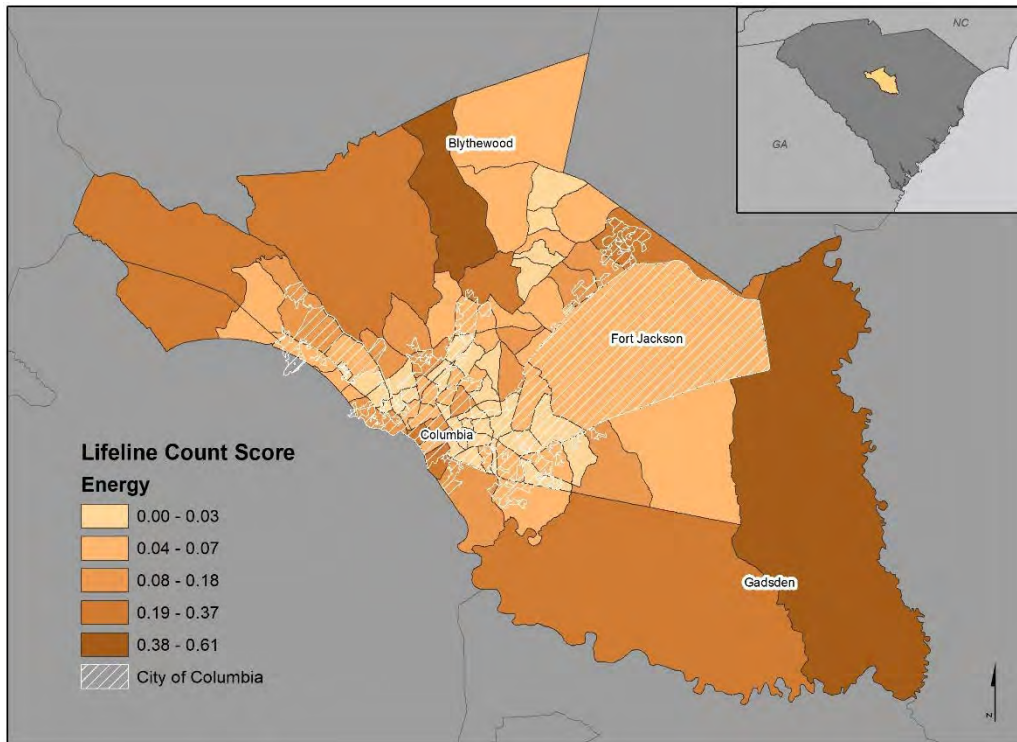


Figure 23 Energy Lifeline Count Score)

In Lower Richland (Figure 23), there are two facilities with electricity-generating capacity: International Paper Mill in Eastover, and the SCE&G Wateree Station power plant. There are also several substations and approximately 150 miles of transmission lines. In North Central to Northwest Richland County, there are approximately 163 miles of transmission lines, approximately 18 miles of liquefied natural gas (LNG) pipeline, and multiple electrical substations and fuel facilities/gas stations.

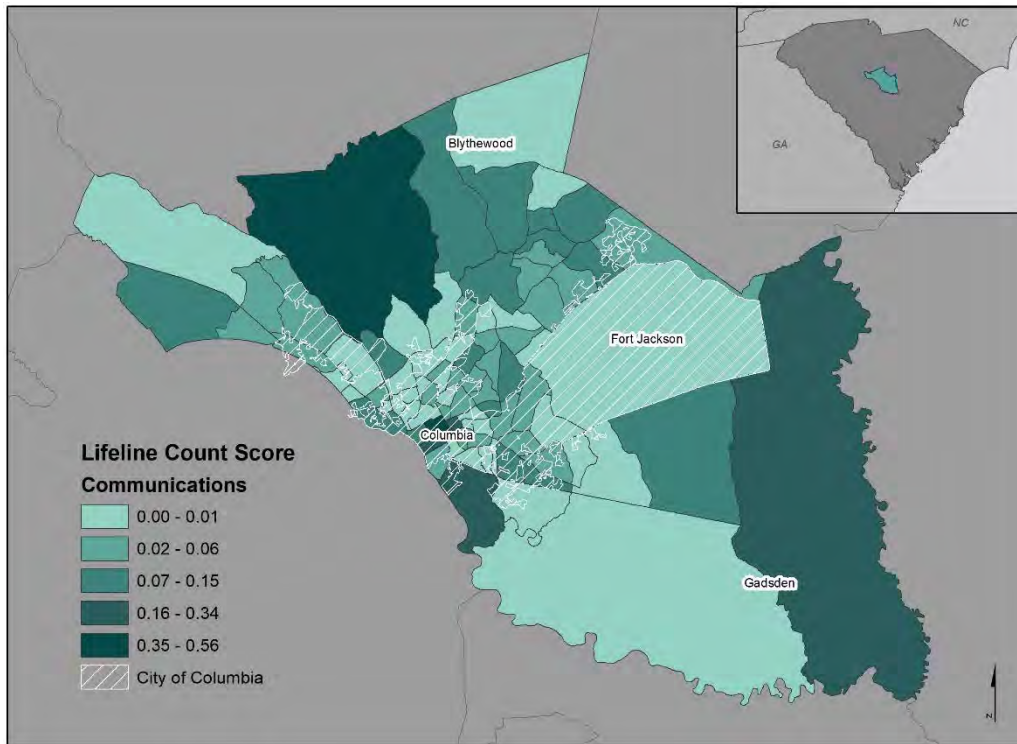


Figure 24 Communications Lifeline Count Score

In North Central Richland and Lower Richland, there are several cell, broadcast, and AM/FM towers (Figure 24). The higher score in Downtown Columbia is a function of the number of banks and credit unions, along with some communications towers. The tracts along the Two Notch corridor, Forest Drive, and Garners Ferry Road, there are also multiple banks and credit unions, which produce an elevated score on this lifeline component.

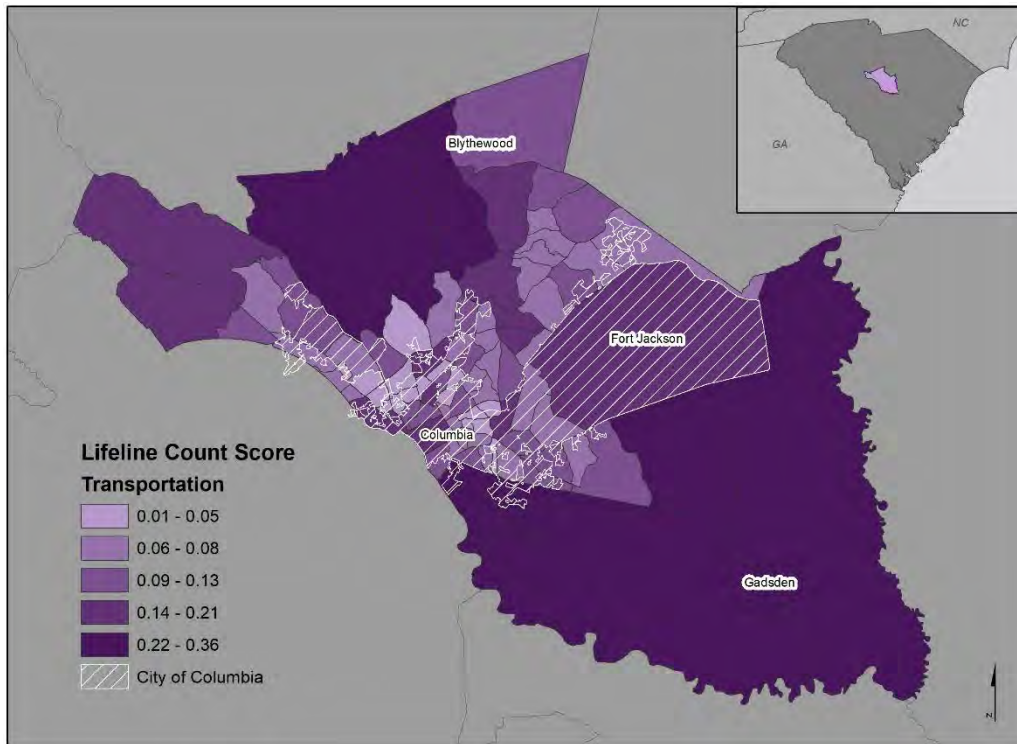


Figure 25 Transportation Lifeline Count Score

Similar to the spatial pattern for the Energy Lifeline Count score (Figure 25), the pattern for the Transportation Lifeline is due to road miles, rail miles, and the number of bridges. The pattern highlights Lower Richland as well as North Central Richland County.

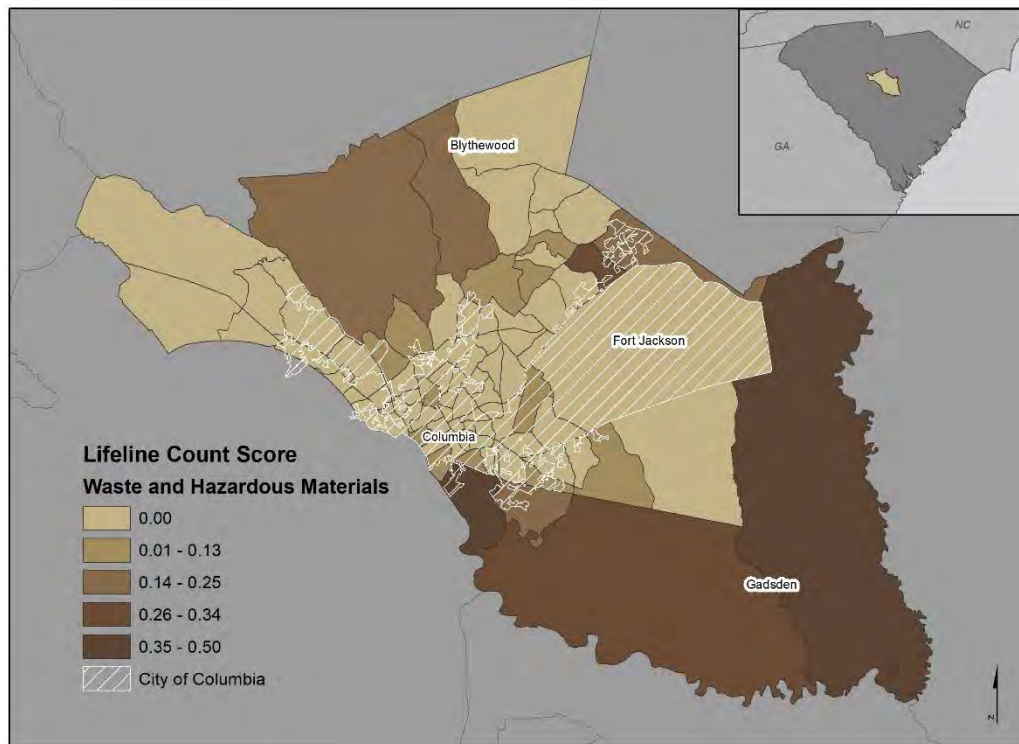


Figure 26 Waste and Hazardous Materials Lifeline Count Score

The Waste and Hazardous Waste Lifeline score (Figure 26) highlights Lower Richland, where the Republic Services Landfill is located on Jct. Westvaco Rd/Screaming Eagle Rd. For context, the other landfill is Waste Management on Jct. S-40-268 (Screaming Eagle Rd)/S-40-1904, north of Fort Jackson, where the landfill extends into Kershaw County). With just the one landfill, Lower Richland stands out primarily because of EPA-regulated Toxic Release Inventory (TRI) facilities and those with Risk Management Plans (RMP) (facilities that use large amounts of extremely hazardous substances need to file such plans). These sites include the International Paper Eastover Mill, SCE&G Wateree Station, and smaller facilities along Shop and Bluff Roads that use and/or storage hazardous substances.

The Richland County PCLII (Figure 19) clearly shows the geographic distribution of potential lifeline impacts concentrated in Lower Richland, downtown Columbia, and in the North-Central region. An additional consideration is the relationship between the potential lifeline impacts and the socially vulnerable populations within the county. As shown in Figure 27, there is a positive relationship between those census tracts with the highest lifeline potential impact and the most socially vulnerable populations (areas depicted in red). The bi-variate map graphically shows again that Lower Richland contains the most vulnerable populations and has the highest potential community lifeline impact. Another area is Decker-Two Notch area adjacent to I-20. Given the relative vulnerability and higher lifeline impact scores in the rural areas of Lower Richland, situations where there are interruptions in the services these lifelines provide may have more severe consequences thereby slowing its long-term recovery and reducing the resilience of the area because of the lack of access.

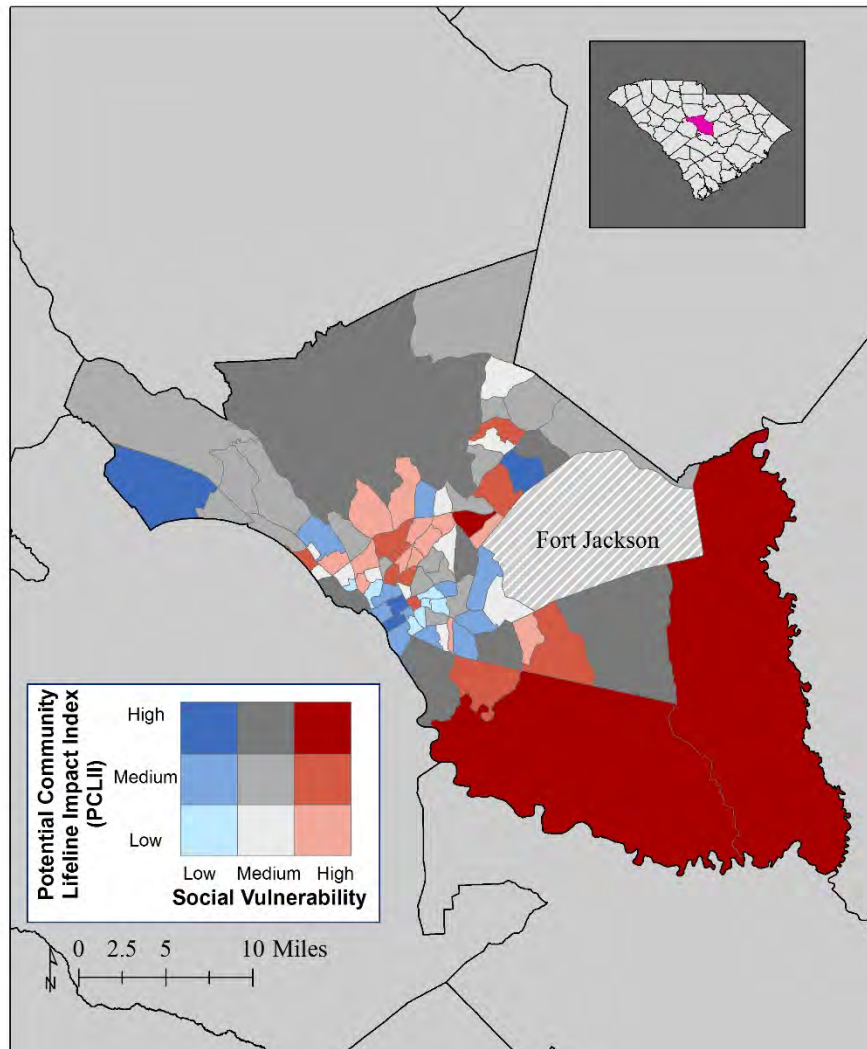


Figure 27 Relationship between Richland County Potential Community Lifeline Impact Index (RC-PCLII) and Social Vulnerability

Residential Recovery Impact and Unmet Needs Profiles

Immediately after a hazard event, the primary resources for the initial recovery of affected residents are FEMA’s Individual Assistance (IA) through the Individuals and Households Program (IHP), the National Flood Insurance (NFIP) program, low-interest loans from the Small Business Administration (SBA), and over the longer term, HUD CDBG-DR funding. Determining the success of federal and state recovery efforts and delineating the additional unmet individual homeowner mitigation needs is a crucial part of HUD CDBG-MIT analysis.

This section examines the federal and state resources (or recovery safety nets) available to affected residents in Richland County.²¹ A more detailed examination using census tract analyses appears at the end of this section, showing the relationship between the availability of the recovery and short-term mitigation resources and the residual unmet mitigation needs. The complex municipal boundary for the city of Columbia makes it difficult to

²¹ Emrich, C.T., E. Tate, S.E. Larson, and Y. Zhou, 2019. Measuring social equity in flood recovery funding, *Environmental Hazards*, online 10 Nov 2019, <https://doi.org/10.1080/17477891.2019.1675578>.



differentiate the city from the county jurisdictions using census tract or zip codes when creating a detailed overview of the unmet need profiles.

FEMA Individual Housing Assistance for Homeowners

Following the 2015 flood, only 24% of the applicants statewide received housing assistance to bring their home to a safe, sanitary, and secure condition. Within Richland County, the proportions were better with 31% of the applicants receiving housing assistance. The applicants were concentrated near Congaree River and one of its main tributaries, Gills Creek (Figure 28).²²

There are many reasons for denying claims (clerical errors, inconsistent information on owner's name and address, proof of occupancy, identity verification), but one significant reason is a claim may be denied based on the results from attributing damage to a specific event. In other words, FEMA damage inspectors may judge that a dwelling had a pre-existing deteriorated condition due to deferred maintenance or other pre-storm conditions and, therefore, did not sustain damage by the present flood or storm. The 2015 HUD State CDBG-DR Action Plan for Recovery suggests that such eligibility determinations and claim denials often disproportionately affect low to moderate income (LMI) households.²³

The success ratio in receiving FEMA IHP resources only tells part of the story of the mitigation and resilience needs assessment. Another consideration is the actual dollar amount of the resources relative to the damage assessment by FEMA. As shown below (Table 6) there is an estimated unmet financial need for immediate repairs per the IHP program based on the difference between the total verified losses and the approved IHP amounts.

As of November 2019, 4,990 Richland County homeowners received FEMA housing assistance for DR-4241 which totaled more than \$19.8 million (slightly less than \$4,000 per recipient) (Table 6).²⁴ For many homeowners the average amount of funding is insufficient to rehabilitate the home to the safe, sanitary, and secure condition let alone its pre-disaster condition. The funding generally excludes secondary impacts from the floodwaters such as mold that appears much later and for which homeowners incur additional mold remediation costs as well.

²²Differences in the figures between the reporting in approved HUD Disaster Recovery Plans for the 2015 floods and the numbers here are due to the lag in identifying and qualifying applicants for assistance.

²³South Carolina Disaster Recovery Office, Note 19.

²⁴ FEMA, 2019. Housing Assistance Data, Accessed 27 November 2019. <https://www.fema.gov/media-library/assets/documents/34758>. Data reflect counts as of 11/25/2019.

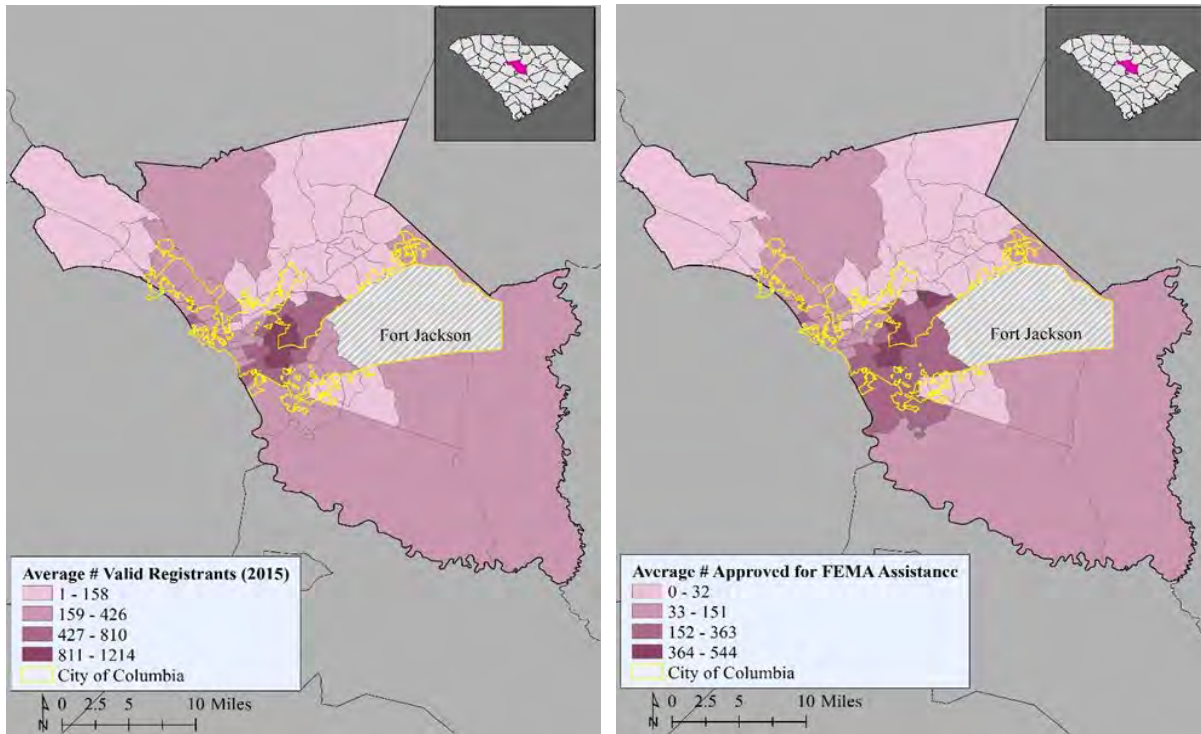


Figure 6 Number of Valid FEMA IA Registrants (by census tract, left) and Number of Approved Cases for FEMA Assistance, 2015 floods (DR-4241)

Table 3 FEMA Individuals and Households Program (IHP) Support for PDD-4241 for Richland County

Background Characteristics	Quantity or Value
Registrations (number)	16,090
Inspections (number of housing)	12,608
Approved for FEMA assistance (number)	4,990
Not approved for FEMA assistance (number)	11,100
Total damage (FEMA verified loss, \$)	\$25,317,516
Total approved IHP (\$)	\$19,845,511
Unmet FEMA need (\$)	\$5,472,005

Source: FEMA Housing Assistance Program, note 24.



National Flood Insurance Policy Coverage

Historically, Richland County has relatively little uptake of NFIP flood policies despite the flood-prone nature of its riverine environments. In Richland County, there are 87,978 owner-occupied housing units. There are roughly 5,696 homes located in the SFHA (A & AE flood zone), although not all of them are owner occupied. Less than half of these homes have NFIP policies and as of July 2019,²⁵ with an additional 107 structures located in the floodway. For the 2015 flood event, there were 447 claims (17% of the policies in force as of January 2016) that totaled nearly \$30.7 million in building and contents claims, or roughly \$68,648 per claim.

Table 4 Number of NFIP Policies in Force in Richland County and Incorporated Areas

Policy as of Date	Number
30 January 2016	2,594
30 September 2016	2,886
31 December 2016	2,796
30 September 2018	2,919
30 June 2019	2,799

Source: Cutter et al. 2018 (Note 16) and OpenFEMA (Note 25)

As can be seen from Figure 29, the majority of the NFIP claims were from the Arcadia Lakes-Forest Acres-Lake Katherine area along Gills Creek.

Special Hazards Flood Area (SFHA) Damage Assessment

Given the low penetration of NFIP policies in Richland County relative to the flood risk, it is no surprise that many homes outside the SFHA experienced significant damage due to the storm. In their CDBG-DR Action Plan, Richland County identified “...179 homes in the floodplain with substantial damage (greater than 50% damaged) totaling more than \$17 million” and an additional 425 homes with varying levels of damage totaling more than \$31.7 million.²⁶

²⁵ Data downloaded from OpenFEMA claims and policy data, published July 2019, Accessed 24 February 2020, <https://www.fema.gov/data-feeds>

²⁶ Richland County, Note 1, p. 9.



Small Business Administration (SBA) Loans

In Richland County, there were very few SBA loans (20 or less) for the 2015 floods with \$39.1 million in approved amounts. There were significantly fewer SBA loans (33) for 2015 floods. The majority of the loans were in the most damaged areas in zip codes 29205, 29206, and 29209. Table 8 shows a summary of SBA loans for Richland County.

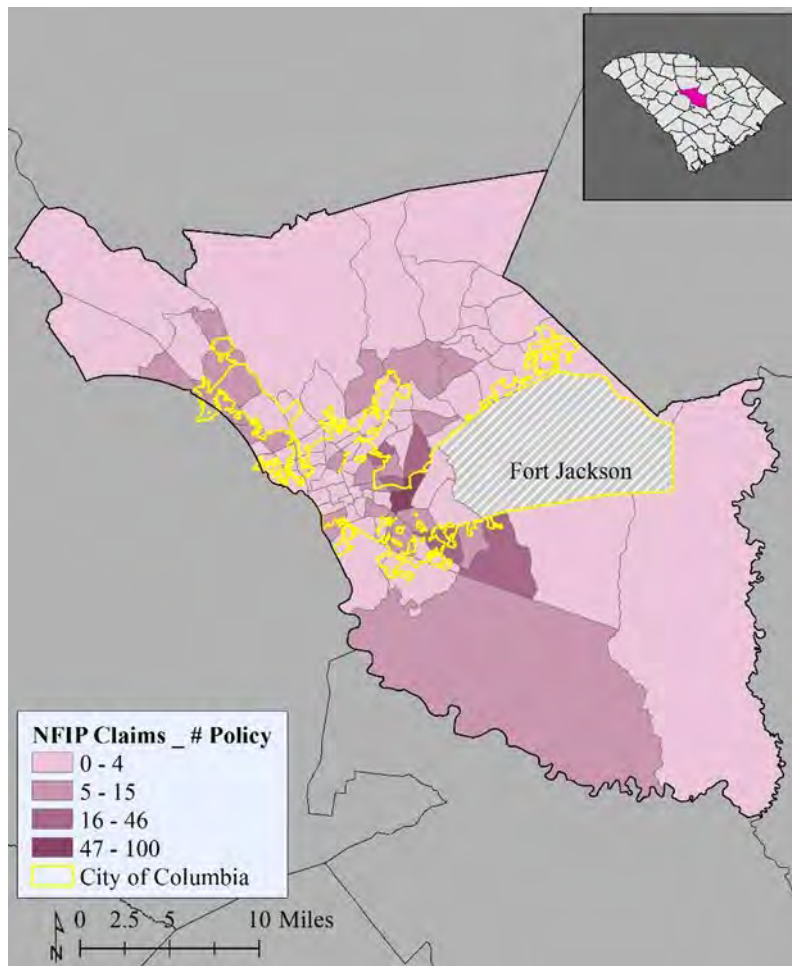


Figure 7 Distribution of NFIP Claims by Census Tract

Table 5 Summary of SBA Loans for Richland County

County	# SBA Home Loans DR-4241	SBA Verified Loss (\$)	SBA Approved Loan Amount (\$)	SBA Approved Amount Real Estate (\$)	SBA Approved Amount Content (\$)
Richland	33	\$84,482,499	\$46,398,300	\$37,252,100	\$9,077,300



HUD CDBG-DR Funding

Richland County’s CDBG-DR funding specifically targets four main areas—housing, public infrastructure, economic development, and recovery and resiliency planning. In the area of housing, the primary focus was single family housing rehabilitation (including mobile home replacements) and residential buyouts through matching funds for HMGP buyouts. For the county’s Single Family Homeowner Rehabilitation Program (SFHRP), 166 applicants received funding (42%), 23 applicants anticipate receiving funds upon re-allocation of existing funds (6%), 111 applicants are on the waitlist (28%), and 95 applicants were not covered by the program (24%) at the end of 2019 (Figure 30). The demand for housing rehabilitation and reconstruction remain high especially in Lower Richland with many households on the waitlist for assistance.

From the 166 that have received funding from the SFHRP, 30 are reconstruction projects (18%), 80 are rehabilitation (48%), and 56 are mobile home replacement (34%). Another element of Richland County’s CDBG-DR Action Plan was the provision of the 25% match for residential buyouts from state FEMA HMGP funding designated for the county. Approximately 56 properties were acquired through FEMA’s HMGP buyout program in the most flood-prone areas adjacent to Gills Creek, and in the Denny Terrace community along Crane Creek. These properties are highlighted by the red density dots (Figure 31) showing the concentrations of buyout properties.

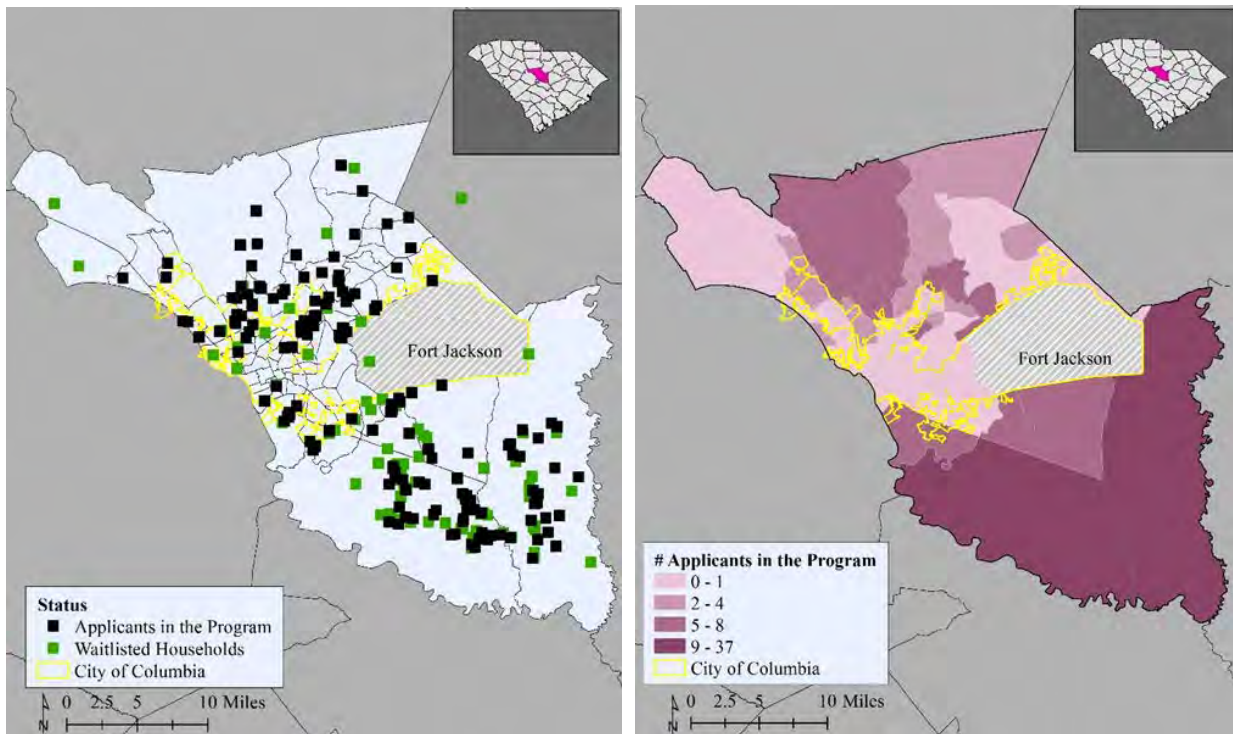


Figure 8 Distribution of SFHRP-Funded and Waitlisted Applicants (left) and the Location of Applicants by Census Tract (right)

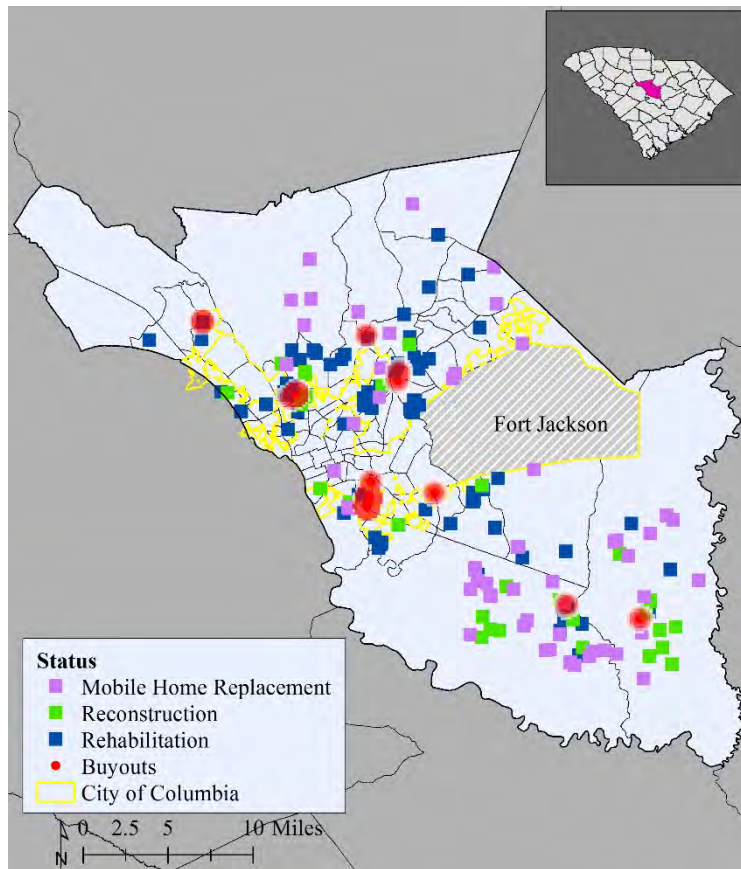


Figure 9 Type of Residential Housing Mitigation Support

The Unmet Household Mitigation Deficit

To determine the unmet household mitigation needs, all of the applicants to any of the federal or state recovery and mitigation programs (FEMA IHP, NFIP claims, SBA loans, and HUD CDBG-DR) were tallied for Richland County as well as the census tracts within the county to create a total mitigation safety net score (Table 9). To create the unmet mitigation needs the total number of mitigation safety applications was deducted from the total number of FEMA applicants for the 2015 flood and severe storm disaster declarations (DR-4241). The difference represents those with potential need based on their applications for assistance.

These results indicate that ineligible recipients saw the same impacts as those found eligible and will likely have a slower recovery because they likely experienced very similar impacts as those felt by FEMA- eligible individuals. For this reason, ineligible applicants must be considered in any overall housing unmet need calculation.”²⁷

²⁷ South Carolina Disaster Recovery Office, Note 19, page 51-52.



Table 6 Determination of Number of Unmet Mitigation Needs Properties

County	FEMA Total Registrants	# FEMA IHP Approvals	# NFIP Claims	Total # SBA Loans	# County Housing Properties	# HMGP Housing Buyouts	TOTAL (#) Mitigation	Mitigation Deficit (#)
Richland	16,091	4,990	447	33	166	56	5,689	10,402

Based on this analysis, roughly 35% of Richland County homeowners received financial assistance to help repair and/or mitigate future damage to their homes from federal, state, and county programs. This is significantly lower than the statewide average of 53% for both the 2015 floods and 2016 Hurricane Matthew.²⁸

Flooding and the Household Mitigation Deficit

Those census tracts with the largest household mitigation deficit appear in those inland riverine areas that had significant flood damage during the 2015 Floods (Figure 32 bottom). These include Gills Creek, Crane Creek, and Rawls Creek areas in addition to the low-lying areas in Lower Richland draining into the Congaree River in the Congaree National Park. Reducing the impact of flooding in the county through enhanced household flood mitigation is an important element in this plan, especially in those low-lying areas with repetitive flood losses.

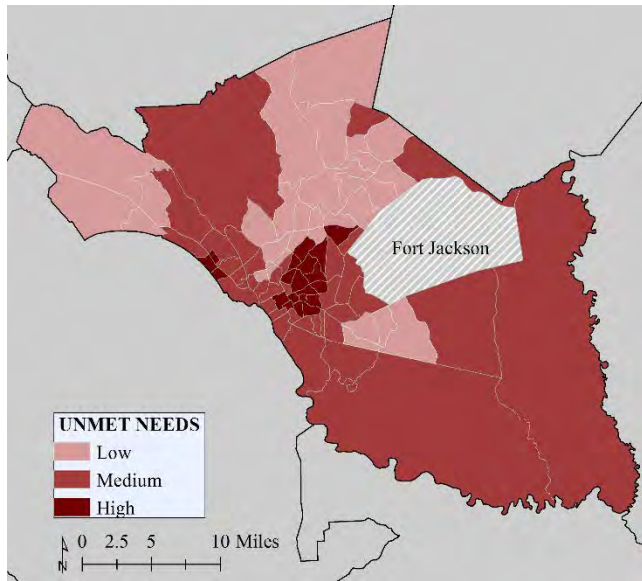
Part of the household mitigation deficit is clearly a result of ineligibility for some of the federal programs, especially FEMA’s IHP approvals. In other instances, homeowners did not have flood insurance (those living within the SFHA as well as those outside), so there was no safety net for recouping flood losses from the federal program. The county’s Single Family Homeowner Rehabilitation Program (SFHRP) has made progress in reducing the mitigation deficit despite its limited funding.

²⁸ Ibid.

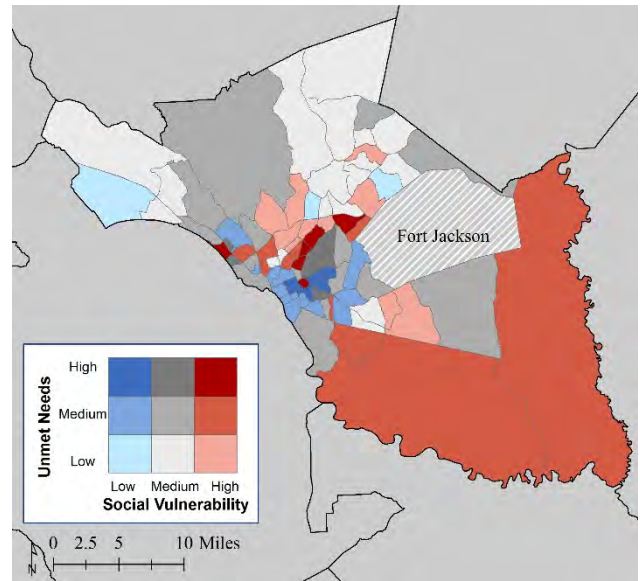


Household Mitigation Deficit

Unmet Needs (by census tracts)



SoVI® and Unmet Needs bivariate map



Unmet Needs and Flooding Risk bivariate map

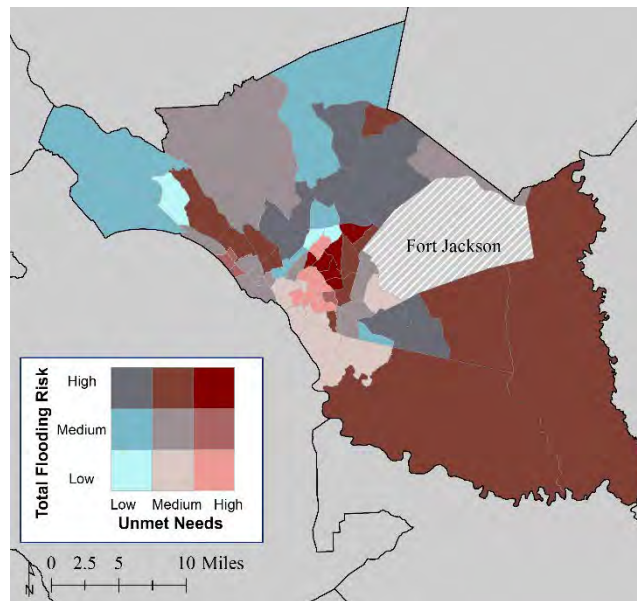


Figure 10 Unmet Household Recovery and Mitigation Needs (left) and its Relationship to Social Vulnerability (right). The bivariate map shows census tracts with high social vulnerability, but moderate (orange) to high (red) levels of a mitigation deficit. In contrast, areas with higher mitigation deficits but low social vulnerability are in dark blue. The relationship between the mitigation deficit and flooding is shown on the bottom panel, dark red showing both higher levels of flood risk and household mitigation deficits.



Mitigation Projects and Needs

Existing Mitigation Projects

Richland County received roughly \$19.7 million in FEMA Hazard Mitigation Grant Program (HMGP) funding for PDD-4241 (2015 severe storms and floods). The majority of the funds (Table 10) supported residential property acquisition and demolition (DEM). However, some of the funding in the other category (OTH) was for commercial property acquisition and demolition in the city of Columbia and elsewhere within Richland County, and for local flood reduction projects.

Table 7 Amount and Type of Hazard Mitigation Grant Projects Awarded (PDD-4241) to Richland County

Type Codes	Description	DR-4241	
		% of Projects	Grant Amount
SIP	5 Percent Initiative Projects	7.70%	\$113,881
OTH	Miscellaneous/Other	38.50%	\$3,514,795
LFR	Localized Flood Risk Reduction Projects	7.70%	\$585,000
PLN	Hazard Mitigation Planning	-	
GEN	Generators	-	
DEM	Property Acquisition and Structure Demolition	46.10%	\$15,501,010
Total		100.00%	\$19,714,686

Source: SC Emergency Management Division

The initial distribution of projects may not reflect what has occurred in the past three years because of negotiations between Richland County and/or the City of Columbia with property owners and some of the requirements and limitations of the HMGP program. However, as noted earlier in the document, Richland County has successfully purchased 56 properties using HMGP funding in addition to CDBG-DR resources. The majority of these residences were in the SFHA.

Mitigation Needs Assessment Summary

This assessment of mitigation needs for Richland County used an empirical geospatial approach to define the most vulnerable areas within the study area of interest in three broad areas—hazard risk (especially flooding), household mitigation deficits post initial recovery, and potential impacts on lifelines. Given the historic flood event of 2015 and more recent experiences with riverine and flash flooding, the significance of the flood hazard in the county is clear. Richland County ranks second in the state (behind Greenville County) in terms of flash flood risk potential exposure. It is for this reason that the CDBG-MIT plan focuses on flood hazards in our development of mitigation efforts to enhance the long-term resilience of our community that will enable a more sustainable and prosperous quality of life for the people who live and work in Richland County.

The overall hazards assessment for Richland County used data from the 2018 South Carolina Hazard Mitigation Plan Update as the foundation. Through a series of maps of individual hazards, a risk profile for Richland County



showed the relative level of hazardousness in the region. When compared to the social vulnerability of census tracts (using bi-variate mapping) the approach illustrates who is most affected by different hazards and where. The potential lifeline impacts based on the Potential Community Lifeline Impact Index (PCLII), showed an overall concentration of potential lifeline impacts in the less populated census tracts in Richland County. Additionally, the higher levels of potential lifeline impact appear in census tracts with higher levels of social vulnerability. Examination of the recovery profiles for households showed unmet household mitigation needs (or mitigation deficits) especially among the most socially vulnerable populations.

To highlight the significance of the present flood hazard in Richland County and to define unmet mitigation needs for households and community lifelines/infrastructure to reduce it, the local variability in current risk and flood exposure are presented in Figures 33-35. It should be noted that given the weather extremes associated with climate change, Richland County should anticipate an increased frequency of heavy precipitation, severe storms, and flooding events.²⁹

For this study region, many of the most socially vulnerable census tracts are adjacent to FEMA-designated 100-year and 500-year flood zones (Figure 33). There is a clear pattern of higher levels of social vulnerability near the flood-prone areas. Based on the inundation surfaces mapped by the US Geological Survey (USGS), additional flood-prone areas are in census tracts with medium levels of social vulnerability.

²⁹ U.S. Global Climate Research Program (USGCRP), 2018. Fourth National Climate Assessment, Chapter 19: Southeast. Accessed 25 February, 2020, <https://nca2018.globalchange.gov/chapter/19/>

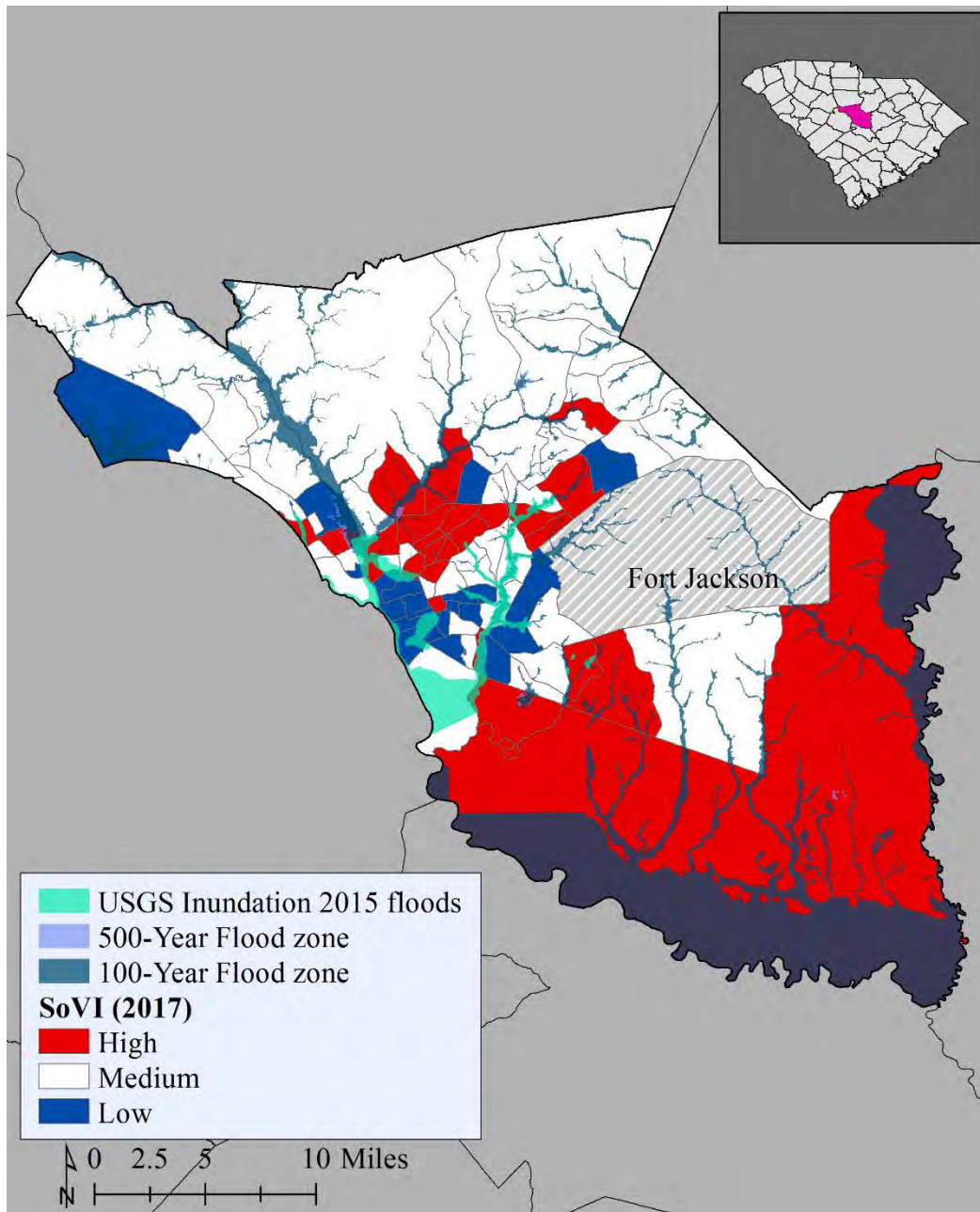


Figure 11 Flood Zones in Relation to Socially Vulnerable Populations

The generalized pattern for community lifelines shows a concentration (Figure 34) of greater potential impact in those areas of the county with significant flood-prone areas designated by the 100-year flood zones. Given that the designated SFHA covers 20% of Richland County's land area, this is not surprising. More importantly, it provides a rationale for enhanced mitigation to promote resilience, especially for the critical infrastructure that serves some of the most vulnerable populations.

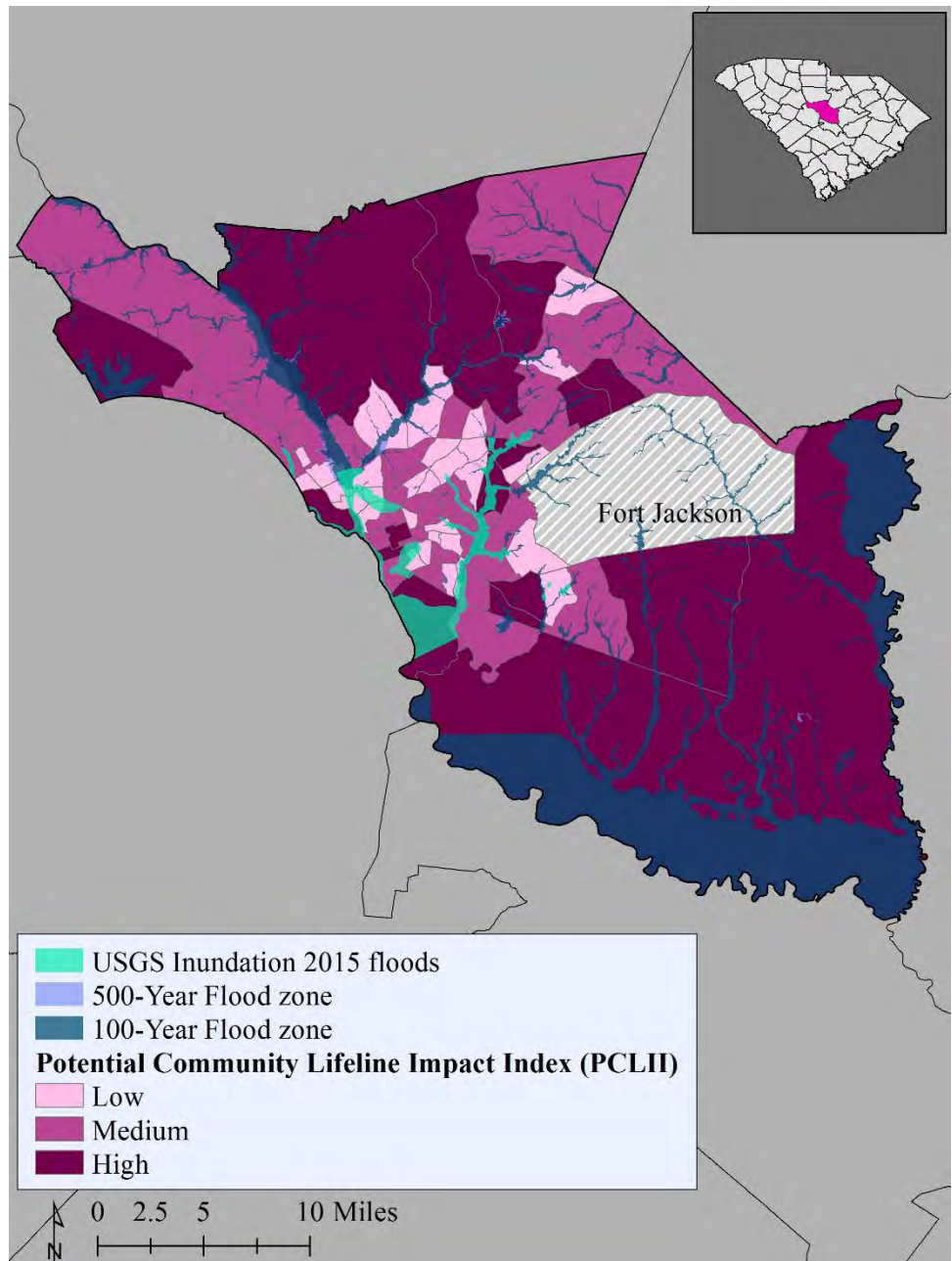


Figure 12 Flood Zones in Relation to Potential Community Lifeline Impacts

At the household level, medium to high deficits in mitigation needs persist throughout most of Richland County (Figure 35). For many households, they are still lacking resources for recovery as evidenced by the long waiting list for support for rehabilitation of their houses.

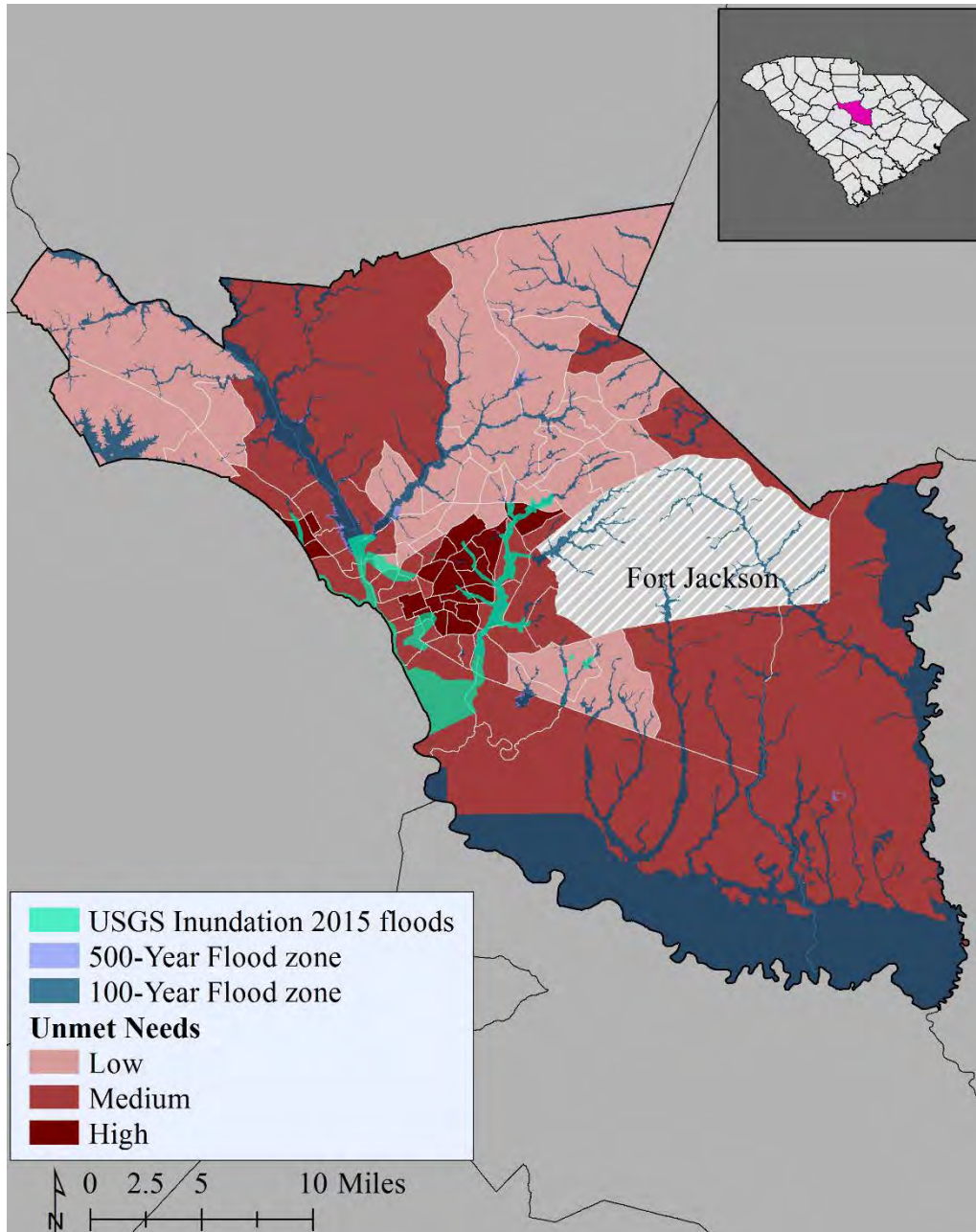


Figure 13 Homeowner Unmet Recovery and Mitigation Needs and Flood Zones

The comprehensive mitigation needs background and assessment provided here supports the core need for the HUD CDBG-MIT funding—to support the most vulnerable and most in need communities with additional mitigation resources for full recovery from the October 2015 floods. The sections that follow provide the actions necessary to mitigate against future impacts of flooding on households and the lifelines that support them.



SECTION 3. ACTION PLAN

Funding Priorities

Based on the findings of the mitigation needs assessment, Richland County will focus CDBG-MIT funding on reducing potential flood impacts in Medium and High Hazard Risk areas. This will be accomplished through flood-reduction infrastructure projects, housing rehabilitation, and buyouts. Richland County flood reduction efforts will only address riverine and surface flooding, not storm surge or sea-level rise issues.

Pre-award and Pre-agreement Cost Reimbursement

The County intends to seek reimbursement for the costs of eligible pre-award and pre-agreement activities. These tasks were conducted in anticipation of the award and in preparation for mitigation programs. These costs will be split appropriately between program administration costs, planning and activity delivery costs. Richland County will be seeking reimbursement for the following pre-award and pre-agreement activities:

- CDBG-MIT Action Plan Development: : \$8,488.00
- Mitigation Needs Assessment Development: \$14,890.00
- CDBG-MIT Action Plan Translation services: \$ 600.00
- Blue Ribbon Committee and Public Hearing Transcripts: \$481.00
- CDBG-MIT Administration: \$23,400.00

Method of Distribution

CDBG-MIT Program National Objectives

Richland County has designed this CDBG-MIT program in compliance with the national objectives and will ensure that assistance is prioritized toward the most disadvantaged populations. Richland County will spend a minimum of 50% of program funds on activities that benefit the Low-and-Moderate Income (LMI) population. LMI status is determined by evaluating income as a percentage of the Area Median Income (AMI) in the county in which the applicant lives.

As stewards of federal CDBG funds, Richland County complies with the Department of Housing and Urban Development's (HUD) mission to develop viable communities by the provision of decent housing, a suitable living environment and expanding economic opportunities, principally for LMI persons. To this end, all funded activities administered by Richland County will meet one of two named HUD national objectives:

- 1) Benefitting LMI persons;
- 2) Meeting Urgent Mitigation Needs

CDBG-MIT programs will begin after the executed grant agreement and be completed by June 2032.

All activities (except planning and program administration) funded through CDBG-MIT grant must meet the following definition of a mitigation activity: activities that increase resilience to disasters and reduce or eliminate



the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters.

CDBG-MIT Program Budget

The following is a table of budgeted activities:

Program	Allocation
Infrastructure	\$7,882,500
Housing	\$9,158,700
Planning	\$3,729,600
Program Administration	\$1,093,200
TOTAL	\$21,864,000

Leveraging of Funds

The County has identified and catalogued available sources of assistance for recovery and mitigation from recent disasters. The County will ensure that CDBG-MIT funds are only used to address funding needs not satisfied by other sources, some of which may be providing mitigation funding, including, but not limited to:

- FEMA Individual Assistance grants
- FEMA Mitigation Grant Program
- SBA Disaster Loans
- National Flood Insurance Program payments
- Private insurance
- Natural Resources Conservation Service Emergency Watershed programs
- Water Conservation District funds
- Drinking Water and Water Pollution Controls funds, and
- Private foundations

In accordance with the Robert T. Stafford Act, as amended, Richland County will implement policies and procedures to ensure no individual receives duplication of benefit for the same purpose and/or effect. Federal law prohibits any person, business concern, or other entity from receiving Federal funds for any part of such loss for which the person has received financial assistance under any other program, from private insurance, charitable assistance or any other source.

Infrastructure

Richland County, through its Department of Public Works (RCDPW) and Emergency Services Department (RCESD), will complete infrastructure projects aimed at improving resilience of public infrastructure, mitigating future flood damage, and reducing impacts of future storms on public safety and property damage.

Stormwater and Drainage Infrastructure Resilience Program

Program Description



The Stormwater and Drainage Infrastructure Resilience Program will be executed in two phases. Phase 1 is designed for projects that require engineering studies and design. The Richland County Department of Public Works (RCDPW) will solicit engineering services for projects in areas with known flooding concerns. Each project will be prioritized based on the methodology detailed in the “Project Prioritization” section. Phase 1 is anticipated to last until year five of the Mitigation Program. The Richland County Department of Public Works created a Steering Committee, which consists of representatives from the Engineering, Stormwater Management, and Roads & Drainage Management Divisions. The RCDPW Steering committee selected projects based on the rankings from the prioritization with additional consideration to ensure at least 50% of the funding is applied in low-to-moderate income areas.

For Phase 2, the Richland County Department of Public Works will solicit contractors to implement project recommendations in the studies completed in Phase 1. Phase two is anticipated to last until the end in year 12 of the Mitigation Program, or sooner if project construction is completed beforehand. Projects will be ranked using the same prioritization methodology as Phase 1.

The list of infrastructure projects includes projects ranked high by the PDT, will mitigate flooding or meet an urgent need to protect the safety and security of residents and transportation networks. More than half of the projects are located in or affect low-to-moderate income areas.

<u>Project Description</u>	<u>Design/Study cost</u>	<u>Construction cost</u>	<u>Total Project Amount</u>
Complete drainage studies and infrastructure improvements for multiple known drainage areas which currently experience localized flooding. The goal of the drainage studies is to identify ways to improve safety and security for residents in this area and protect county roads and other infrastructure.	\$300,000	\$1,150,000	\$1,450,000
A drainage study of and construction of infrastructure improvements in the Spears Creek Watershed, which is currently experiencing localized flooding, to increase flows in the watershed in order to protect the safety and security of residents in the area and protect transportation networks.	\$200,000	\$1,000,000	\$1,200,000
As the County inspects high risk infrastructure and updates the GIS maps immediate threats to public safety will be discovered. The goal is to quickly respond with drainage studies, design, and construction to upgrade the drainage network. Severe hazardous conditions will be replaced immediately.	\$2,200,000	\$2,200,000	\$4,400,000
	\$2,700,000	\$4,350,000	\$7,050,000

Program Budget

The total program budget for this activity is **\$7,050,000.00**. This allocation may be increased or decreased with an amendment to the Action Plan and approval by the Richland County Council and HUD.



Connection to Mitigation, Lifelines, and Long-Term Resiliency

Richland County is responsible for maintaining nearly 20,000 stormwater infrastructure assets. Many of these assets are aging and nearing the end of their useful life. Some assets might fail earlier than anticipated, which leads to emergency repairs and safety hazards for the community. By focusing on infrastructure already deemed to have a high risk of failure, addressing these needs before they become a hazard will protect the public and mitigating future flooding. Infrastructure projects, which proactively address flood control and storm water drainage needs, preserve both the safety and security and transportation lifelines in Richland County.

Support for public infrastructure projects will save lives, reduce property damage from flooding, and ensure long term resiliency through the design and construction of projects in known flooding and high-risk areas. Projects that address immediate and future infrastructure needs support Richland County's long-term resiliency strategy to make sure the County's drainage network remains in an effective and safe working condition. An effective storm drainage system also protects the safety and security of Richland County residents by guarding transportation networks connected directly and indirectly to the County's drainage system, thus, enhancing the resiliency of safety and security and transportation lifelines.

CDBG Eligibility and National Objective

Assistance for public facilities and improvements is an eligible activity under the CDBG Program as described in 24 CFR 570.201 (c). All activities funded through this program will meet the National Objectives requirement under the authorizing statute of the CDBG Program. Activities under this program are anticipated to primarily meet either the LMI Area Benefit or the Mitigation Urgent Need objective. The specific national objective to be fulfilled through this program will be project-specific. As stormwater and drainage infrastructure typically have area-wide benefits, the beneficiaries from each individual project will determine the national objective. In many cases, populations to be served by necessary stormwater and drainage infrastructure improvements will meet the LMI criteria and will thus address that objective. In other cases, however, damage to public stormwater and drainage infrastructure causing the loss or decreased performance of critical and necessary services to local homes and businesses has created an urgent need.

Geographic Area

This program will support public stormwater and drainage infrastructure located within Richland County, outside the boundaries of the City of Columbia.

Procurement

The Richland County Department of Public Works will follow all federal, state, and local procurement laws to hire experienced engineering firms and contractors to complete the work associated with each project.

Cost Verification

The Richland County Department of Public Works will utilize licensed engineers to verify costs and determine cost reasonableness on a project-by-project basis, ensuring that construction costs are reasonable and consistent with market costs at the time and place of construction.

Operating and Maintenance Plans

The Richland County Department of Public Works is the responsible entity for long-term maintenance of any infrastructure project funded under this program. The Stormwater Management Division will be responsible for



long-term inspections. The Roads & Drainage Management Division will conduct maintenance needs identified during an inspection.

Project Selection and Prioritization

Projects with known flooding problems, high-risk infrastructure and/or benefit to low-to-moderate income areas will be selected for this project. Selected projects will be prioritized using the Richland County Department of Public Works' Project Database Tool (PDT). The PDT is used to prioritize and rank Capital Improvement Projects and was developed as part of Richland County's 25-Year Roadmap and Stormwater Management Plan. The PDT ranks projects based on six criteria:

- Stormwater Drainage
- Floodplain Management
- Water Quality Improvement
- Fiscal Responsibility
- Customer Service
- Workforce

Criteria that have a greater impact on the mission of the Richland County Department of Public Works to improve and maintain the County's infrastructure and water resources, such as flood plain management and stormwater drainage improvement, have higher weights. The increased emphases in these two areas means projects that meet an urgent need rank higher than projects that do not. Thus, further meeting the Richland County Department of Public Work's goals to protect the safety and security of residents, manage high-risk infrastructure, and mitigate the effects of future flooding.

Each criteria has three metrics from which to select: 0, 2, 6, or 10, with 0 being no benefit and 10 showing substantial benefits. Each potential project is assigned a score for each criterion and then the criterion score is multiplied by the weighting factor. The sum of these calculations is the project evaluation score. More details on each criteria is outlined below.

Improves Stormwater Drainage (Weight 60)

The three stormwater drainage metrics considered in the project evaluation process include: Size of Area Improved, Part of a Larger Plan, and Public Safety. A score is assigned as follows:

- Does not provide any stormwater drainage improvements = 0
- Is located in a localized area, is not part of a larger plan, and provides minimal public safety improvement (i.e., not located near a roadway, building, or public access area) = 2
- Is located in a watershed/council district area, is part of a larger plan for stormwater improvements, and provides public safety improvement = 6
- Benefits the entire county; is part of a larger plan for stormwater improvements; and provides increased public safety to a large number of citizens, multiple structures, or community-wide improvement = 10

Improves Floodplain Management (Weight 40)

The three floodplain management metrics considered in the project evaluation process include: Size of Area Improved, Management Program, and Public Safety. A score is assigned as follows:



- Does not provide any floodplain management improvements = 0
- Provides a direct improvement to a floodplain in a neighborhood and/or reduces stream flooding for a distinct number of developed parcels = 2
- Provides a direct improvement to a watershed or equivalent area, increases points to the CRS program, reduces structural damage, and/or reduces stream flooding for a longer reach of stream network = 6
- Provides a direct improvement to a floodplain, to a watershed, or equivalent area; reduces structural damage and provides additional cost savings on community flood insurance premiums; and/or provides watershed/countywide floodplain improvements = 10

Improves Water Quality (Weight 40)

The three water quality metrics considered in the project evaluation process include: Watershed Area Improved, Part of a Larger Plan, and Public Safety. A score is assigned as follows:

- Does not provide any water quality improvements = 0
- Provides only localized improvement, is not part of a larger plan, or improves only a single point or limited nonpoint source of pollution = 2
- Provides watershed/council district scale improvements, is part of a larger plan, or improves or removes multiple point sources/watershed nonpoint sources = 6
- Improves an entire impaired stream segment, is part of a larger plan, and addresses a total maximum daily load (TMDL) = 10

Improves Fiscal Responsibility (Weight 30)

The three fiscal responsibility metrics considered in the project evaluation process include: Promotes Efficiency, Leverages Additional Funding, and Return on Investment (ROI). For this criterion, a score of 0 does not apply because all projects provide some level of fiscal responsibility. A score is assigned as follows:

- Does not provide a level of improvement on annual O&M costs; provides limited cost sharing opportunities; and is an investment with a greater than a 10-year ROI = 2
- Provides a program-level/watershed-scale level of improvement on annual O&M costs, can qualify for grant equivalent loan term(s) funding, or is an investment with a greater than a 5-year ROI = 6
- Provides a Countywide scale level of improvement on annual O&M costs, can qualify/leverage additional funding sources equal to or greater than County investment, or is an investment with less than a 5-year ROI = 10

Improves Customer Service (Weight 50)

The three customer service metrics considered in the project evaluation process include: Improves Responsiveness, Improves Communication, and Provides Education. For this criterion, a score of 0 does not apply because all projects provide some level of customer service. A score is assigned as follows:

- Does not contribute toward improving expected response times, does not contribute to improving communication, or does not provide educational opportunities = 2
- Helps meet expected level of service (LOS) of meeting/reducing maintenance requests, expands communication opportunities to a small group, and provides education activities to a defined group = 6
- Helps exceed expected LOS of meeting/reducing maintenance requests, expands communication opportunities to the entire county, and provide education activities to the entire county = 10



Improves Workforce (Weight 20)

The three workforce metrics considered in the project evaluation process include: Basic Training for Job, Education/Enhances Staff Skills, and Succession Planning. For this criterion, a score of 0 does not apply because all projects provide some level of workforce responsibility. A score is assigned as follows:

- Does not provide basic skills training, provides staff education/enhancement, or promotes succession planning = 2
- Provides a limited set of training skills or specialty skills/knowledge areas, provides education/enhances opportunities to staff (<2 per year), or dedicates limited quarterly progression opportunities to staff = 6
- Provides a greater set training skills or specialty skills/knowledge areas or provides cross-training opportunities, provides education/enhances opportunities to staff (>2 per year), or dedicates multiple hours of quarterly progression opportunities to staff = 10

Low-to-Moderate Income (LMI) % Served

After all projects were rated in the PDT, they were cross-referenced with the County's mapped low-to-moderate income census blocks. The Department of Public Works considered projects with the highest ranked score that were also located in a LMI area.

Grant Size Limits:

No grant limit is placed on this program. No project or projects will exceed the total budget of this program.

Responsible Entity:

Richland County Community Planning and Development Department is the administrator of a CDBG-MIT Program funded by HUD under Public Law 115-123. Richland County Department of Public Works is the agency responsible for administration of mitigation funds allocated to public stormwater and drainage infrastructure activities.

Water Supply Infrastructure Resilience Program

Program Description

The Richland County Emergency Services Department (RCESD), through the Water Supply Infrastructure Resilience Program, will implement a viable mitigation project to improve water supply sources for fire suppression in rural, low- and moderate-income areas of unincorporated Richland County, by building a resilient water supply system to replace failed natural water infrastructure in the Lower Richland community.

RCESD will use CDBG-MIT funds to build a resilient fire suppression water supply system to up to six (6) strategically located water re-supply points. Each water supply source will have high capacity pumps, an independent power generation system, and storage tank to supply a continuous pressured source of water for fire suppression needs.

Program Budget

The total program budget for this activity is **\$832,500.00**. This allocation may be increased or decreased with an amendment to the Action Plan and approval by the Richland County Council and HUD.

Connection to Mitigation, Lifelines, and Long-Term Resiliency



The provision of disaster-resistant and reliable sources of water supply for firefighting activities is one of Richland County's strategies to create long-term resiliency. Strategically located deep well water sources funded through the CBDG-MIT program will be designed to help minimize the negative impacts of future storm and flood events on firefighting services in our rural areas. By addressing the unmet need of resilient and reliable fire firefighting water sources, Richland County will improve the long-term safety and stability of its community and enhance the resiliency of safety and security lifelines. In addition, these sources of water supply will assist the Richland County and our residents in our continuing efforts to improve and enhance our Insurance Services Office (ISO) Public Protection Classification (PPC).

Support for public infrastructure water supply projects will address immediate needs and support Richland County's long-term resiliency strategy by helping to ensure provision of necessary services to residents and businesses. The importance of these services for the health and stability of Richland County is paramount. Fully functioning and protected public infrastructure for water supply before, during, and after a flood improves safety, mobility, and quality of life for residents and businesses, and promotes long-term health of the County.

CDBG Eligibility and National Objective

Assistance for public facilities and improvements is an eligible activity under the CDBG Program as described in 24 CFR 570.201 (c). All activities funded through this program will meet the National Objectives requirement under the authorizing statute of the CDBG Program. Activities under this program are anticipated to primarily meet either the LMI Area Benefit or the Mitigation Urgent Need objective. The specific national objective to be fulfilled through this program will be project-specific. As water supply infrastructure typically has area-wide benefits, the beneficiaries from each individual project will determine the national objective. In many cases, populations to be served by necessary water supply infrastructure improvements will meet the LMI criteria and will thus address that objective. In other cases, however, damage to public stormwater and drainage infrastructure causing the loss or decreased performance of critical and necessary services to local homes and businesses has created an urgent need.

Geographic Area

This program will support public water supply infrastructure located within Richland County, outside the boundaries of the City of Columbia, in the area of Lower Richland.

Eligibility Requirements and Threshold Factors:

All activities funded through this program must meet certain eligibility standards to qualify for assistance. The following threshold requirements must be met for a project to be eligible for assistance:

- Project must be located in Richland County.
- Project must clearly demonstrate a connection to mitigation, lifelines, and long-term resiliency.
- Project must be CDBG eligible.
- Project must meet the national objectives identified above.
- Project must have an identified need that has not been met through FEMA, SBA, insurance, or other funding sources.

Procurement

The Richland County Emergency Services Department will follow all federal, state, and local procurement laws to complete the work associated with each project.



Cost Verification

The Richland County Emergency Services Department will utilize established local procurement procedures established by Richland County to verify costs and determine cost reasonableness on a site-by-site basis, ensuring that construction costs are reasonable and consistent with market costs at the time and place of construction.

Operating and Maintenance Plans

The Richland County Emergency Services Department is the responsible entity for continuing and long-term operating and maintenance, if applicable, of any water supply infrastructure project funded under this program.

Grant Size Limits:

No grant limit is placed on this program. No project or projects will exceed the total budget of this program.

Responsible Entity:

Richland County Community Planning and Development Department is the administrator of a CDBG-MIT Program funded by HUD under Public Law 115-123 Richland County Emergency Services Department is the agency responsible for administration of mitigation funds allocated to public water supply infrastructure activities.

Housing

The focus of Richland County's CDBG-MIT Mitigation Programs is to reduce future impacts caused by climate-sensitive hazards related to flooding and severe storms, enhance the long-term resilience of community lifelines, and address the unmet household mitigation needs among the most socially vulnerable populations. As described in Section 2, only about 35% of Richland County homeowners have received financial assistance to help repair and/or mitigate future damage to their homes from federal, state, and county programs. Thus, the overall unmet housing mitigation deficit in Richland County remains at 65%. To address this unmet housing mitigation deficit, assistance will be provided through two housing programs including housing rehabilitation and voluntary property buyout.

Richland County has established two objectives for the Single Family Housing Rehabilitation Program. The first objective is to provide resilient housing in the Richland County MID or HUD MID areas through use of mitigation measures, including, but not limited to, elevation, dry flood proofing, and disaster-, flood- and mold-resistant construction materials designed to mitigate against the impact of future disasters. The second objective is to prioritize the housing needs of low-and-moderate income households.

Single Family Housing Rehabilitation Program

Program Description

The Single Family Housing Rehabilitation Program (SFHRP) will provide resilient housing to help mitigate future damage to their homes from flooding and severe storms. This program will focus on rehabilitation or reconstruction of single family housing units in the Richland County MID or SC MID areas using construction methods that incorporate principles of sustainability, including water and energy efficiency, resilience, and mitigation against the impact of future disasters. This program may also include replacing an existing substandard manufactured housing unit (MHU) with a new or standard MHU. In some cases, rehabilitation of a unit may require reconstruction of the unit due to the extent of damage, cost reasonableness or safety issues.



Reconstruction will occur on the same lot in substantially the same footprint and manner. The number of units on the lot of a re-built unit may not increase and the total square footage of the original, principal residence structure to be reconstructed may not be substantially exceeded; however, the number of rooms in a unit may be increased or decreased. Rehabilitation may be offered to applicants based on the extent of damage to the home. Replacement of MHUs will be limited to situations where local zoning/building permits or federal requirements such as environmental regulations will allow replacement of the original, storm-damaged home. Understanding that it may be necessary for applicants to remove themselves and their belongings from their homes during the period of repair, rehabilitation or reconstruction, Richland County Community Planning and Development will consider relocation assistance on a case-by-case basis.

This program does not pay for like for like replacement. The program will offer standard, basic amenities to make a home decent, safe and sanitary and all improvements will be assessed for compliance with HUD Section 8 Existing Housing Quality Standards, and local building codes. Luxury items, including but not limited to, granite (or other high-end) countertops, high-end appliances, stone flooring, garage door openers, security systems, swimming pools, fences, and television satellite dishes are not eligible under this program.

Where replacement of a MHU or stick built home is indicated, a standard floor plan option will be offered. If a replacement home is provided, the original MHU or stick built home must be demolished and removed from the site prior to the replacement of that structure.

Additional improvement parameters include:

- Lead-based paint mitigation or stabilization, as needed.
- Mold remediation, as needed.
- Accessibility features for documented special needs.
- Standard appliances limited to refrigerator, stove/oven, but will only be considered when repair would not be cost effective.
- Ventilation and energy efficiency items such as ceiling fans, window screens, and screen doors may be replaced if damage is reasonably attributable to storm damage.
- Elevation above the base flood elevation level where the rehabilitation will constitute a substantial improvement in a Special Flood Hazard Area (SFHA).
- All electrical components must be inspected including service, meter, wiring, and fixtures even if no electrical work is being specified. Unsafe components must be replaced. All exposed wiring, switches, and light bulbs in living areas must be encased.
- All homes must be equipped with a smoke detector and carbon monoxide detector, if necessary, installed in conformity with code requirements.
- Rehabilitated homes inhabited by special needs or elderly (age 62 or older) persons must be analyzed as to the special physical needs of such persons. Improvements such as widened doorways, ramps, level entry and doorways, and grab bars in bath areas may be installed, if appropriate and if the homeowner agrees to the improvements. Hearing and sight impaired adaptations should also be considered. All special needs requirements must be documented prior to approval.
- Applicants whose MHU may be replaced can request to place the new MHU on another property they currently own, which is located in Richland County outside of the City of Columbia, if the other property meets all zoning requirements for a MHU and is also not located in a FEMA SFHA. This request must be approved by the County.

Program Budget



The total program budget is **\$6,158,700.00**. This allocation may be increased or decreased based on the demand for the program with amendment to the Action Plan and approval by the Richland County Council and HUD.

Connection to Mitigation, Lifelines, and Long-Term Resiliency

The provision of safe, disaster-resistant housing is one of Richland County's strategies to create long-term resiliency. Home repairs and improvements funded through this program will be designed to help minimize the impacts of future storm and flood events. By addressing the unmet housing mitigation deficit and encouraging high-quality, disaster-resistant construction, Richland County will improve the long-term safety and stability of its community and enhance the resiliency of safety and security lifelines. In addition, making necessary repairs and stabilizing damaged neighborhoods will also create additional long-term resiliency benefits including retention of consumers for local businesses, preservation of the local tax base, and encouragement of new investment.

CDBG Eligibility and National Objective

Rehabilitation of residential structures is an eligible activity under the CDBG program as described in 24 CFR 570.202. All housing rehabilitation activities will meet the National Objectives requirement under the authorizing statute of the CDBG program, and are anticipated to primarily meet the LMI Direct Benefit, LMI Area Benefit, LMH (Housing) or the Mitigation Urgent Need objectives. The national objective to be fulfilled through this program will be specific to each home and based on verification of each applicant's household income.

Geographic Area

Damaged homes must be located in Richland County, excluding properties within the boundaries of the City of Columbia.

Eligibility Requirements and Threshold Factors

All applicants must meet certain eligibility standards to qualify for assistance. The following threshold requirements must be met for an applicant to be eligible for assistance. Eligibility does not assure assistance and it is expected that there will be more eligible applicants than can be served with available funds. Threshold requirements are those that upon their face will either allow an applicant to continue to move forward in the program or result in disqualification. All applicants must meet the following minimum requirements:

- The home must have been damaged by the storms and/or flooding of October 2015 and must have unrepaired damage as of the date of application. Applicants need not have registered for FEMA individual assistance to be eligible. For those who were registered, FEMA damage information may be used for informational purposes, but the damage verification process will constitute the official documentation of damage linking back to the October 2015 storm or flooding damage. If an applicant did not register, Richland County will verify by third party that the home was damaged using the same damage verification process. If there are no documents proving damage, Richland County will conduct on-site inspections to determine if the property was damaged by the storm.
- Damaged property must be located within Richland County (excluding City of Columbia).
- Applicant must provide proof that they resided in the structure at the time the disaster damage occurred and currently own the property.
- Damaged structure must be the applicant's principal place of residence.
- Applicant must be current on property taxes or current on an approved payment plan (including exemptions under current law).
- Applicant must be current on any child or spousal support obligation.



- Applicant must agree to occupy the home as his/her primary residence after project completion for a period of at least 5 years.
- For properties located in the SFHA, applicant must maintain insurance coverage (not less than contract amount), inclusive of casualty (hazard) and flood insurance.
- For properties located outside of the SFHA, applicant must maintain hazard insurance coverage not less than the contract amount.
- The housing assistance will be in the form of a five year zero-interest deferred forgivable loan. For each post-award year that the applicant remains in compliance with the terms of the program, one fifth (1/5) of the loan balance will be forgiven. If the applicant remains in compliance for the entire five year period, the entire balance will be forgiven and the applicant will owe nothing. If the applicant violates the terms of the loan, the un-forgiven balance of the loan will be owed back to the program.
- Eligible structures include single unit, single family stick-built dwelling units and mobile home units (MHU). Attached structures are eligible if they are under the common roof of the damaged single structure.
- Improvements must be physically attached to the house and be permanent. MHUs will only be eligible for replacement and will not be eligible for rehabilitation.
- Homes used for both residential and commercial purposes are eligible for the program; however, the portion of the home that is residential is the only portion that may be rehabilitated. The applicant must provide his/her most recent tax return to determine the percent of the property that is used for commercial purposes. Damages to the commercial portion of the home will not be repaired.
- Garages, sheds, and outbuildings not attached to the main dwelling unit are not eligible for repair.
- No condominiums, co-operatives, townhomes, or other housing units that share any common wall or area will be eligible.
- Recreational Vehicles and camper trailers used as a residence are not eligible. Houseboats used as a residence are not eligible.
- Vacation or second homes are not eligible.

Prioritization

Applicants applying for housing assistance will be processed according to priorities based on the criteria outlined below. Richland County has created a two-tiered priority system in which LMI applicants are prioritized over non-LMI applicants. The LMI qualified households will be funded at a minimum level of 50% of total available funds (excluding planning and administration funds). It is anticipated that all participants found eligible to receive funding through the program will be LMI eligible. Prioritization will be based on the order in which eligibility is confirmed, while funding remains available which is not anticipated to reduce the LMI participation.

Grant Size Limits

The following grant size limits are established for the SFHRP:

- Single family owner-occupied detached housing unit rehabilitation: Up to \$90,000. If there are accessibility and/or relocation needs for a home, Richland County will consider up to an additional \$10,000 for accessibility improvements and additional relocation assistance on a case-by- case basis
- Mobile housing unit replacement: Up to \$90,000 for single-wide replacement and \$120,000 for double-wide. If there are accessibility and/or relocation needs for a home, Richland County will consider up to an additional \$10,000 for accessibility improvements and additional relocation assistance on a case-by-case basis.
- Single family owner occupied detached housing unit reconstruction: Up to \$170,000 for demolition, site preparation, construction and all construction related costs. If there are accessibility and/or relocation needs



for a home, Richland County will consider up to an additional \$10,000 for accessibility improvements and additional relocation assistance on a case-by-case basis.

The County reserves the right to make exceptions to the grant size limits in cases involving health, safety and/or humanitarian issues. These will be addressed on a case-by-case basis by a Special Case Panel.

Responsible Entity

The Richland County Community Planning and Development (RCCPD) has direct oversight, through an Oversight Committee. Construction activities will be managed directly by the implementing contractor (IC). RCCPD is the administrator of a CDBG-MIT Program funded by HUD under Public Law 115-123. RCCPD is the agency responsible for administration of mitigation funds allocated to housing and infrastructure activities. RCCPD is administering these programs directly.

Construction Standards

Richland County will implement construction methods that emphasize quality, durability, energy efficiency, sustainability, and mold resistance. All new construction will be designed to incorporate principles of sustainability, including water and energy efficiency, resilience, and mitigation against the impact of future disasters.

All projects with construction components will meet all applicable local codes, rehabilitation standards, ordinances, and zoning ordinances at the time of project completion. International Residential Code (IRC) 2012 will be adhered to as required and where appropriate. All rehabilitation projects will comply with Housing Quality Standards (HQS) and all applicable local codes and ordinances. All CDBG-assisted housing must meet all applicable State and local housing quality standards and code requirements and if there are no such standards or code requirements, the housing must meet the housing quality standards in 24 CFR §982.401. All deficiencies identified in the final inspection must be corrected before final retainage is released.

All Applications will be required to meet Section 8 Housing Quality Standards detailed under local Construction Standards, as well as the Fair Housing Accessibility Standards and Section 504 of the Rehabilitation Act of 1973. Developments must also meet all local building codes or standards that may apply.

Necessary and Reasonable Costs

Part of the process in the duplication of benefits procedures includes verifying necessary and reasonable costs. This helps ensure that funds are efficiently and effectively utilized. The determination of necessary and reasonable costs will apply to any project or program receiving funding as well as administrative and planning funds. The County will utilize the cost principles described in 2 CFR Part 225 (OMB Circular A-87) to determine necessity and reasonableness. According to 2 CFR part 225, "A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made." Richland County will follow these principles and fund only project costs that are deemed necessary and reasonable.

Green Building

For all new construction, Richland County will require construction to meet one of the following industry recognized standards:

- ENERGY STAR (Certified Homes);



- Enterprise Green Communities;
- LEED;
- ICC-700 National Green Building Standard;
- EPA Indoor AirPlus (ENERGY STAR a prerequisite); or
- any other equivalent comprehensive green building program acceptable to HUD.

Richland County will monitor construction activities to ensure the safety of residents and the quality of homes assisted through the program.

Flood Insurance and Elevation

Richland County will follow HUD guidance to ensure all structures, defined at 44 CFR 59.1, designed principally for residential use and located in the 1 percent annual (or 100-year) floodplain that receive assistance for new construction, repair of substantial damage, or substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least two feet above the 1 percent annual floodplain elevation. Residential structures with no dwelling units and no residents below two feet above the 1 percent annual floodplain, must be elevated or flood-proofed, in accordance with FEMA flood-proofing standards at 44 CFR 60.3(c)(3)(ii) or successor standard, up to at least two feet above the 1 percent annual floodplain. Where necessary this will also include construction of adequate access to the unit. In locations where rehabilitation does not require raising the entire unit above flood stages, the County will ensure the use of construction techniques that protect or elevate critical systems to reduce the potential for flood damage. Critical systems to be elevated or protected will include HVAC, water heaters, and electrical systems (breaker box).

Property owners assisted through the mitigation program will be required to acquire and maintain flood insurance if their properties remain in a FEMA-designated Special Flood Hazard Area. This requirement is mandated to protect safety of residents and their property and the investment of federal dollars. The elevation height of a house can significantly reduce the cost of flood insurance. Richland County will implement procedures and mechanisms to ensure that assisted property owners comply with all flood insurance requirements, including the purchase and notification requirements described below, prior to providing assistance.

Richland County will ensure adherence to Section 582 regarding the responsibility to inform property owners receiving disaster assistance that triggers the flood insurance purchase requirement that they have a statutory responsibility to notify any transferee of the requirement to obtain and maintain flood insurance, and that the transferring owner may be liable if he or she fails to do so.

As a rule, Richland County will not aid with flood insurance costs. In cases of hardship, Richland County may provide limited, temporary assistance for the provision of flood insurance in order to properly secure the federal investment in the property.

Appeals

Richland County will institute both a complaint and an appeals process to address citizen concerns and applicant grievances. The purpose of these procedures is to set forth guidelines for processing appeals from the Community Planning and Development Department as to the resolution of grievances filed by participants in Richland County's single family housing rehabilitation program.

Homeowners who are dissatisfied with the quality of rehabilitation work may follow the appeals process outlined below. Any participant (i.e. property owner, occupant, or contractor) may appeal decisions made by the Community Planning and Development Department if he/she believes these decisions are egregious or impinge



on his/her rights. A written grievance must be submitted to the Community Planning and Development Director, 2020 Hampton Street, Columbia, South Carolina 29202.

The appeals process for property owners, occupants, or contractors is as follows:

1. Housing Rehabilitation Program Manager
2. Special Case Panel (SCP)
3. Oversight Committee
4. U.S. Department of Housing and Urban Development

Level 1: Housing Rehabilitation Program Manager

After receiving a formal complaint, every effort will be made to resolve disputes at the staff level. The Housing Rehabilitation Program Manager will review all concerns, suggestions, requests, and appeals and decide if the issue can be resolved without further scrutiny or if it should be escalated to the SCP. The Housing Rehabilitation Program Manager will provide a response within 10 business days of receipt of the complaint.

Level 2: Committee Special Case Panel

The SCP will receive and review all citizen concerns, suggestions, and requests forwarded by the Housing Rehabilitation Program Manager at its weekly meeting at the Richland County Administration Building. The SCP will attempt to resolve each citizen's issue and/or provide them with a decision response in a timely manner, usually within fifteen (15) business days, as expected by HUD, if feasible. The Housing Rehabilitation Program Manager or assignee will document each SCP meeting, decision and rationale in a Decision Memorandum and send it to the Community Planning and Development Director for his/her review and approval. Once the SCP decision has been approved, the Housing Rehabilitation Program Manager or assignee will communicate the decision in a response to each citizen, inform them of their right to appeal, and fully explain the appeal process. Citizens who receive an adverse decision from the SCP and still are unsatisfied with the result may appeal that decision to the Oversight Committee through submittal of a formal appeals form via email, postal delivery or hand delivery to:

Mail: Richland County Government Center
CDBG-MIT Office, 1st Floor
P.O. Box 192
2020 Hampton Street
Columbia, SC 29204.

Email: mitigation@richlandcountysc.gov

Hand Deliver: Housing Rehabilitation Program Manager

Level 3: Oversight Committee

The Oversight Committee will consist of an Assistant County Administrator (Chair), the Director of Community Planning and Development, and the RCESD Project Manager. The Oversight committee will meet internally and review and make a decision on behalf of the program. The Oversight Committee will provide a decision on the appeal within 15 business days of receipt of the appeal. Citizens who receive an adverse decision from the Oversight Committee and still are unsatisfied with the result may appeal that decision to HUD.

Level 4: HUD

Persons seeking to appeal a decision further will be provided with a local HUD contact.



Voluntary Buyout Program

Program Description

Richland County will conduct a voluntary buyout program as a means in acquiring contiguous parcels of land for uses compatible with open space, natural floodplain functions, wetlands management practices, or ecosystem restoration. The acquired property will be subject to a permanent covenant on its continued use to preserve the floodplain. The term “buyout” refers to the acquisition of properties with the intent to reduce risk from future flooding. Richland County will utilize pre-disaster fair market valuation (FMV) to determine property value, unless the property owner did not own the property prior to the disaster event. If property ownership changed after the disaster, Richland County will use the current FMV. Any CDBG–MIT funds in excess of the FMV are considered assistance to the seller, thus making the seller a beneficiary of CDBG–MIT assistance. If the seller receives assistance as part of the purchase price, this may have implications for duplication of benefits calculations or for demonstrating national objective criteria.

The County will solicit applications from residents located within an identified repetitive loss area. The application phase will be used to determine the willingness and capability to move forward with the buyout program. Richland County will identify the responsible entity that will take ownership of the parcels once the buyout activity is complete. Buyout applications will be screened with the focus being LMI population and quantifiable flood reduction. Richland County will have the final authority for the approval of applications for buyouts.

Program Budget

The total program budget is **\$3,000,000.00**. This allocation may be increased or decreased based on the demand for the program with amendment to the Action Plan and approval by the Richland County Council and HUD.

Connection to Mitigation, Lifelines, and Long-Term Resiliency

Proper land use management is essential to any long-term resiliency strategy. Through the identification and buyout of properties prone to severe storm and flood events, Richland County will establish a safer and more sustainable development pattern and help minimize the impacts of future storm and flood events. By addressing the mitigation deficit identified in the Mitigation Needs Assessment as properties damaged within the SFHA, this program protects those properties from future damage, creates opportunities for open space, and enhances the resiliency of safety and security lifelines. Open spaces adjacent to waterways have numerous benefits for long-term flood resilience, including flood storage, reduced stormwater runoff velocity, removal of pollutants, and protection of streambanks, among others.

CDBG Eligibility and National Objective

The buyout of real property is an eligible activity under the CDBG–MIT program as described in 24 CFR 570.201(a). All activities supported by this program will meet the National Objectives requirement under the authorizing statute of the CDBG program. Activities under the voluntary buyout program are anticipated to primarily meet either the LMI Area Benefit, LMI-Buyout, or Mitigation Urgent Need objectives. Properties to be acquired, demolished, cleared and maintained as open space for the beneficial use of persons in LMI qualified areas will be found eligible under the LMI Area Benefit criteria.

Geographic Area

Eligibility properties must be located in Richland County, excluding properties within the boundaries of the City of Columbia.



Eligibility Requirements and Threshold Factors

All applicants must meet certain eligibility standards to qualify for assistance. The following threshold requirements must be met for an applicant to be eligible for assistance:

- A property must be located within Richland County (excluding City of Columbia).
- Property must be located in the Special Flood Hazard Area or Floodway as identified on the Flood Insurance Rate Map (FIRM), or pre-firm, located in a repetitive loss area
- Applicant must provide proof that they resided and currently own the structure that will be mitigated.
- Structure must be the applicant's principal place of residence.
- Applicant must be current on property taxes or current on an approved payment plan (including exemptions under current law).
- Applicant must be current on any child or spousal support obligation.

Prioritization

Applicants applying for voluntary housing buyout assistance will be processed according to priorities based on the criteria outlined below. Richland County has created a two-tiered priority system in which LMI applicants are prioritized over non-LMI applicants. The LMI qualified households will be funded at a minimum level of 50% of total available funds (excluding planning and administration funds). Prioritization will be based on the order in which eligibility is confirmed, while funding remains available, which is not anticipated to reduce the LMI participation.

Grant Size Limits

No grant limit is placed on this program. No project or projects will exceed the total budget of this program.

Responsible Entity

Richland County Community Planning and Development Department is the administrator of a CDBG-MIT Program funded by HUD under Public Law 115-123. Richland County Emergency Services Department is the agency responsible for administration of mitigation funds allocated to housing buyout activities.

Basis for Calculating Awards

If eligible and awarded award calculations are based on the following factors:

- Pre-disaster housing unit value (unless property changed ownership after the disaster);
- Any applicable housing incentives;
- A review of funding from all sources to ensure no Duplication of Benefits (DOB); and DOB funds, if any, for use in the project.

Anti-displacement

Richland County plans to minimize displacement of persons and assist persons displaced as a result of implementing a project with CDBG-MIT funds. This is not intended to limit the ability of Richland County to conduct buyouts or acquisitions of residential property in a floodplain or Disaster Risk Reduction Area.

The County will ensure that the assistance and protections afforded to persons or entities under the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA), and Section 104(d) of the Housing and



Community Development Act of 1974 are available. The URA provides that a displaced person is eligible to receive a rental assistance payment that covers a period of 42 months. The County accepts the HUD waiver of the Section 104(d) requirements which assures uniform and equitable treatment by setting the URA and its implementing regulations as the sole standard for relocation assistance.

Richland County will ensure compliance with the URA.

Planning

Richland County will use planning funds for the development and amendment of the mitigation action plan and to develop a property acquisition and land management policy for acquisition of property impacted by flooding in lieu of construction of new infrastructure projects. The policy will include when and how to evaluate properties for potential acquisition for the safety and security of residents, determination of the benefit-to-cost ratio, and the procedures for property acquisition. The planning activity will not exceed fifteen percent of the total grant.

Program Administration

Richland County will use administration funds to support the administration of the programs, the implementation plan, and education and outreach efforts for the programs. The administration activity will not exceed five percent of the total grant.

Citizen Participation Plan

Richland County values citizen and stakeholder engagement. The County has developed a Citizen Participation Plan in compliance with § 24 CFR 91.115 and applicable HUD requirements to set forth the policies and procedures applicable to citizen participation. This plan is intended to maximize the opportunity for citizen involvement in the planning, development, and execution of the Richland County CDBG-MIT program.

In order to facilitate citizen involvement, Richland County has identified target actions to encourage participation and allow equal access to information about the program by all citizens. Richland County intends to focus outreach efforts to facilitate participation from individuals of low and moderate income, non-English speaking persons, and other disadvantaged populations. The County will publish its Action Plan in Spanish and Korean as well as English.

Richland County will consider any comments received in writing, via email, or expressed in-person at official public hearing events. Additionally, to permit public examination and public accountability, Richland County will make the above information available to citizens, public agencies, and other interested parties upon request.

Public Hearings

Richland County will hold two public hearings during Action Plan development, one prior to publication of the Action Plan and one after publication of the Action Plan, to collect input from citizens and other stakeholders. Notice of public hearings will be announced on the Richland County Mitigation website, in the local newspapers, and on social media. Public hearings will be held at a time and location convenient to potential and actual beneficiaries. Richland County will have the capability to take questions and comments in English, Spanish and Korean at each of the public hearings. Richland County will consider any comments or views of citizens received in writing or orally at the public hearing and the responses to those comments are in the Appendix.



*Due to COVID-19 Richland County had to cancel the April 10, 2020 Public Hearing and scheduled a virtual public hearing that took place on June 5, 2020. The public comment period was extended during this time from the original 45-days for an additional 34 days.

Public Hearings schedule is as follows:

Thursday March 12, 2020 @ 5:30 PM

Garners Ferry Adult Activity Center
8620 Garners Ferry Rd, Hopkins, SC 29061

Friday April 10, 2020 @ 5:30 PM *Cancelled due to COVID-19

Decker Center Community Room
1945 Decker Blvd, Columbia, SC 29206

Friday June 5, 2020 @ 5:30 PM

Virtual Zoom Meeting

Public Notice and Comment Period

Notice of public comment period will be provided by publication on the Richland County Mitigation website. Richland County will open the citizen comment period for the following timeframes:

- Comment period for the original Action Plan will take place for forty-five (45) days after the publication of the Action Plan to the Mitigation website. *Due to COVID-19 this was extended an additional thirty-four (34) days to June 5, 2020.
- Comment period for Substantial Amendments will take place for thirty (30) days after the publication of the Substantial Amendment to the Mitigation website.

Action Plan

The Action Plan defines how Richland County will effectively use all available funding to support a data driven mitigation effort based on the calculation of need across Richland County. The Action Plan describes the County's proposed allocation by activity and lays out program design for each area of assistance as well as performance and expenditure schedules. Before Richland County adopts the Mitigation Action Plan, the County will seek public input on program design issues including the amount of assistance Richland County expects to receive, the range of activities that may be undertaken, the estimated amount that will benefit persons of low-to-moderate income and plans to mitigate displacement.

A summary of all comments received will be included in the final Action Plan submitted to HUD for approval. The final Action Plan approved by HUD will be posted to the Mitigation website.

Amendments to the Action Plan

Richland County will engage citizens throughout the program lifecycle to maximize the opportunity for input on proposed program changes that result in a Substantial Amendment. Program changes result in a Substantial Amendment when there is:



- An addition or deletion of any allowable activity described in the approved application;
- The addition of a covered project;
- An allocation or re-allocation of more than \$5 million; or
- A change in planned beneficiaries.

Citizens will be provided with no less than thirty days to review and provide comment on proposed substantial changes. A summary of all comments received will be included in the final Substantial Amendment submitted to HUD for approval. Final Substantial Amendments approved by HUD will be posted to the RCFR website. For other non-substantial amendments, the County shall notify HUD, but public comment is not required.

Every amendment, substantial or not, shall be numbered sequentially and posted on the Mitigation website, not replacing, but in addition to all previous versions of the plan.

Performance Reporting

In accordance with HUD requirements, Richland County will submit a Quarterly Performance Report (QPR) through the HUD Disaster Recovery Grant Reporting (DRGR) system no later than thirty days following the end of each calendar quarter. No later than three days after submission to HUD, Richland County will post each QPR on the Mitigation website. Program QPRs will be posted on a quarterly basis until all funds have been expended and all expenditures have been reported.

Limited English Proficiency

Richland County is committed to providing all citizens with equal access to information about the recovery program, including persons with disabilities and limited English proficiency (LEP). The County follows HUD's regulation, 24 CFR Part 1, "Nondiscrimination in Federally Assisted Programs of the Department of Housing and Urban Development—Effectuation of Title VI of the Civil Rights Act of 1964," which requires all recipients of federal financial assistance from HUD to provide meaningful access to LEP persons. Persons who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English may be entitled to language assistance with respect to a service, benefit, or encounter. Where a significant number of non-English speaking residents can be reasonably expected to participate in public hearings or open comment periods, materials to be handed out will be translated into the appropriate language, citizen comments in a language other than English will be translated, and translators will be available.

Technical Assistance

Upon request, limited technical assistance will be provided by Richland county program staff. Requests should be made in a timely manner and within the time parameters of the appropriate program design. The County may contract with a Technical Assistance Provider(s) should enough demand for technical assistance warrant.

Citizen Complaint Procedures

All complaints received by the County, its CDBG-MIT Contractor(s), and/or other program sources, will be reviewed by the Richland County Community Planning and Development Department (RCCPD) for investigation as necessary. Richland County will ensure complaints are resolved, escalated to appropriate personnel if needed, and any necessary follow-up actions are completed. All complaints will be forwarded to HUD.



The aim of the County will be to always attempt to resolve complaints in a manner that is both sensitive to the complainant's concerns and that achieves a fair result.

The goal of the County and RCCPD is to provide an opportunity to resolve complaints in a timely manner, usually within 15 business days, as expected by HUD, if practicable, and to provide the right to participate in the process and appeal a decision when there is reason for an applicant to believe their application was not handled according to program policies. All applications, guidelines, and websites will include details on the right to file a complaint or appeal, and the process for filing a complaint or beginning an appeal.

During the program's operations, decisions will be made on housing program applications and/or projects to be completed. These decisions will be made based on applicable statutes, codes of federal regulation, State and local codes and ordinances, and program operational procedures, as each is interpreted by Richland County. During these activities, it is possible that citizens may decide they have a legitimate reason to appeal a decision. Applicants and/or beneficiaries can appeal program decisions related to one of the following activities:

1. A program eligibility determination
2. A program assistance award calculation

Citizens may file a written complaint or appeal through the Mitigation email at Mitigation@richlandcountysc.gov or submit by postal mail to the following address:

Mail: Richland County Government Center
CDBG-MIT Office, 1st Floor
P.O. Box 192
2020 Hampton Street
Columbia, SC 29204.

Hand Deliver: CDBG-MIT Program Specialist or Housing Rehabilitation Program Manager

Richland County will make every effort to provide a timely written response within 15 working days of the receipt of complaint, where practicable. If the complainant is not satisfied by the response, the complainant may file a written appeal by following the instructions issued in the letter of response. If at the conclusion of the appeals process the complainant has not been satisfied with the response, a formal complaint may then be addressed directly to the regional Department of Housing and Urban Development (HUD) at:

Department of Housing & Urban Development
1835 Assembly Street, 13th Floor, Columbia, SC 29201

Mitigation Pre-award Implementation Plan

Richland County Community Planning and Development Department is the administrator and fiscal agent for the CDBG-MIT grant. The Department has prior experience in managing HUD funds through the CDBG-DR allocations, which preceded the CDBG-MIT award.

Richland County has existing systems and procedures, as well as formally established monitoring strategies that meet or exceed regulatory requirements including those related to HUD program rules and regulations, civil rights, environmental, labor standards, fair housing, citizen participation and recordkeeping.



Richland County will manage grant funds responsibly, efficiently and transparently. The County has the financial management systems, policies, procedures and practices necessary to uphold fiscal responsibility as detailed in this Implementation Plan.

Financial Controls

Richland County certifies proficiency in financial management using established financial systems and internal controls. The sections below provide further description of existing risk management measures.

The Richland County Department of Finance has completed P.L. 115-123 Guide for Review of Financial Management, which answers specific questions about financial standards and which personnel or uses are responsible for each item. The County Department of Finance affirms that it has the requisite financial controls in place to account for the \$21,864,000 of CDBG-MIT funding in a manner that is consistent with all federal and local accounting requirements. The completed guide and accompanying procedures will be submitted to HUD in addition to the Action Plan and Implementation Plan.

As an entitlement community, Richland County receives an annual allocation under CDBG and CDBG-DR that require similar financial management processes, policies, and procedures to those required by the CDBG-MIT program. However, the County is aware that there are differences among these programs, and will make the necessary accommodations to comply with Public Law 115-123.

Richland County certifies that the Action Plan for CDBG-MIT is authorized under the State and local law (as applicable) and Richland County, and any entity or entries designated by Richland County, and any contractor, sub-recipient, or designated public agency carrying out an activity with CDBG-MIT funds, possesses the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations. Richland County certifies that activities to be undertaken with funds under CDBG-MIT are consistent with State and local policies. In receiving funding under the CDBG-MIT, Richland County recertifies that it (and any sub-recipient or administering entity) currently has or will develop and maintain the capacity to carry out proposed activity in a timely manner.

Single Audit

As a recipient of federal funds, Richland County is subject to the Single Audit Act of 1984, as amended in 1996. The Single Audit Act, which standardizes requirements for auditing federal programs, requires review of all federal programs by an independent Certified Public Accountant (CPA) for compliance with program requirements and proper expenditure of funds. All findings of the Single Audit are reported directly from the CPA to the County Administrator.

Richland County is in full compliance with Single Audit requirements. The County maintains reports and working papers for each annual report for a minimum of five years from the date of submission to the Federal Audit Clearinghouse. The County submitted its most recent Single Audit produced in response to the most recent audit conducted in accordance with 2 Code of Federal Regulations (CFR) part 200, subpart F, and its most recent financial statement prepared in accordance with 2 CFR 200.510. Neither the Single Audit nor financial statement indicate that Richland County has material weaknesses, significant deficiencies, or questioned costs.

The Government Finance Officers Association (GFOA) has awarded Richland County with the Certificate of Achievement for Excellence in Financial Reporting every year since July 1, 1982.



<http://www.richlandcountysc.gov/Government/Departments/Business-Operations/Finance/CAFR-Reports>

Financial Management Systems

Richland County has standards to ensure that accounting records contain the appropriate information on the CDBG-MIT grant award, authorizations, obligations, unobligated balances, assets, liabilities, expenditures, program income as defined by the Federal Register Notice, and interest. Specifically, the County has a centralized accounting system to support the grants management function. One Solution is managed and maintained by the Information Technology Department. Core users of the system include the Finance Department, Human Resources Department, and Procurement Office, although other departments also use the system. One Solution is an enterprise wide software application that is used for Budgeting, Purchasing and Disbursements, General Ledger accounting, Billing and Receivables, and Human Resources (HR)/Payroll. It is a web-based application that allows the purchasing and budgeting process to be distributed to department users and allows for greater management control of expenditures through real-time financial reporting and online approvals. Access levels are customized according to staff function and department.

The Department of Community Planning and Development will use HUD's Disaster Recovery Grant Reporting (DRGR) system to draw down funds and report program income. These systems, though used for reporting critical program metrics to HUD, will be used as grant management tools by the Department as well.

In addition to electronic systems, supporting original or source accounting documentation is maintained in accordance with the County's record-keeping policies. These policies comply with the record keeping requirements specified in the CDBG-MIT Federal Register.

Richland County understands that the DRGR systems is HUD's official system of record to submit the detailed Action Plan for project setup, draw down funds, report program income, and submit Quarterly Performance Reports (QPR). The official system of record for County financial records and reporting is One Solution. Richland County staff members will be responsible for all DRGR project setup and data entry. In accordance with Richland County's policies and procedures no advance payments will be made for CDBG-MIT funds. The DRGR records and the County financial records and other reporting data points will be reconciled by County Staff.

The Richland County Finance Department is responsible for maintaining the fiscal integrity of the County's financial records. To adhere to HUD's legal requirement as contained in 24 CFR Part 570 Subpart J, HUD funded records must be retained for five years after the completion of the program, in order to allow access for audit and public examination. This office reports results of the County's operations and changes in its financial position to various interested parties such as state and federal grantors, regulatory agencies and concerned taxpayers.

Accountability and financial transparency are not only required by the Federal Government, but is the highest form of standard the Richland County Administration Office exhibits in its financial management. As a leader in financial transparency, Richland County is posting unaudited Budget Reports, and Accounts Payable Check Register online with the Comprehensive Annual Financial Report (CAFR) and approved Budget.

The Richland County Finance Department prepares the CAFR in conformity with Generally Accepted Accounting Principles (GAAP) as applied to governmental units. This encompasses all Proprietary funds, governmental funds, and business-type activities.

Internal Controls



Richland County has existing policies and procedures for meeting internal control requirements including: segregation of duties, financial accountability, authorized signatures for payments, proper requests for payments, administrative cost approvals, property management, and audit requirements. The Richland County Finance Department has cash management procedures in place that minimize the elapsed time between receipt and disbursement of CDBG-MIT funds.

The organizational structure encompasses risk management measures that establish clear lines of authority and approval, segregation of duties, separation of key processes and authorization and secure access to financial resources.

In summary, all departments' internal controls are set up for responsible management of CDBG-MIT funds and support the prevention of fraud, waste and abuse to ensure:

- No person involved in the program decision-making obtains financial benefit.
- No single-point sign-off of significant transactions
- Separate recordkeeping for mitigation funds versus general accounting operations
- Reconciliation of accounts performed by employees not responsible for handling payroll preparation and issuance of paychecks
- Hiring procedures match required financial skill sets to position descriptions
- Policies and procedures are in place to maintain effective control and accountability for all cash, real and personal property and other assets
- Policies and procedures are in place for controlled access to assets and sensitive documents
- Reasonable measures are in place to safeguard protected personally identifiable information (PII)

Procurement

In addition to local and state law, procurement for CDBG-MIT programs is governed by federal regulations under 24 CFR Part 570, 24 CFR Part 85, and 2 CFR 200.318 – 200.326. The Richland County Code (RCC) is the local body of the law governing procurement activities. Please see <http://www.richlandonline.com/Government/Ordinances.aspx> for access to the RCC.

The Richland County Office of Procurement and Contracting is currently following the RCC and its own procurement standards where these standards are equally or more restrictive as the federal requirements. However, where the local procurement standards are less restrictive, the more stringent federal requirements will be followed for CDBG-MIT programs. The County is currently revising its Procedures Manual to reflect procurement standards that comply with the specifications detailed in 2 CFR 200.318 through 200.326 (subject to 2 CFR 200.110, as applicable), where the local requirement contains a lesser standard than the federal requirements. Necessary proposed revisions will ensure that Richland County has documented procurement procedures that conform to State and local laws, regulations, and guidance in 24 CFR 200.318-326, including provision for procurement of recovered materials.

For each acquisition of services or items that will be funded by CDBG-MIT funds, the County will adhere to the RCC, its Procurement and Contracting Procedures Manual, the Contracting Officer's Representative Operational Procedures, and all terms and conditions expressed in its contracting documents entitled General Conditions and Home Rehabilitations Terms and Conditions.



Per the Federal Register Notice, the County provides the following chart cross-referencing the RCC and Procurement and Contracting Procedures Manual to the statutory requirements in 2 CFR 200.318 – 200.326. Though the Procedures Manual identifies lines of responsibility, the listing below also provides this information. Richland County’s procurement practices meet the federal requirements in 2 CFR 200.318 – 200.36 ensuring fair and open competition.

2 CFR Statutory Citation	Statutory Requirements	Richland County Office of Procurement & Contracting Procedures Manual	Richland County Responsible Department
2 CFR 200.318(a)	Documented procurement standards	RCC Chapter 2 Administration, Article III Administrative Offices and Officers, Division 9 Office of Procurement, Sections 2- 153-156 Sections 1-12 of Procedures Manual	Office of Procurement & Contracting
2 CFR 200.318(b)	Contractor oversight	RCC Chapter 2 Administration, Article X Purchasing, Division 5 Nondiscrimination in contract procedures; RCC Chapter 2 Administration, Article XI Inquiries and Investigations Contracting Officer’s Representative (COR) Operating Procedure, attached to Procedure Manual Home Rehabilitations Terms and Conditions “Contract Administration”	Office of Procurement & Contracting
2 CFR 200.318(c)	Conflict of interest provisions	RCC Chapter 2 Administration, Article IV Code of Ethics; RCC Chapter 2 Administration, Article X Purchasing, Section 2-592 Prohibited Contracts; RCC Chapter 2 Administration, Article X Purchasing, Division 3 Procedural Requirements, Section 2-620 Personal Interests Procedure Manual Section 7: Selection of Firms for Professional & Consulting Services Home Rehabilitations Terms and Conditions “Improper Influence”	Office of Procurement & Contracting
2 CFR 200.318(d)	Avoidance of unnecessary acquisition	RCC Chapter 2 Administration, Article X Purchasing, Division 3 Procedural Requirements, Section 2-619 Central supplies and Services	Office of Procurement & Contracting



2 CFR Statutory Citation	Statutory Requirements	Richland County Office of Procurement & Contracting Procedures Manual	Richland County Responsible Department
2 CFR 200.318(e)	Promotion of economy (intergovernmental agreements / inter-entirety agreements)	RCC Chapter 2 Administration, Article X Purchasing, Division 3 Procedural Requirements, Section 2-619 Central supplies and Services; Procedure Manual Section 8: Blanket Purchase Agreements; Section 9: Blanket Purchase Orders	Office of Procurement & Contracting
2 CFR 200.318(f)	Excess and surplus property	RCC Chapter 2 Administration, Article III Administrative Offices and Officers, Division 9 Office of Procurement, Section 2-153 Creation of the office of procurement, generally; RCC Chapter 2 Administration, Article X Purchasing, Division 3 Procedural Requirements, Section 2-616 County Property.	Office of Procurement & Contracting
2 CFR 200.318(g)	Value engineering clauses	Procedure Manual Section 5: Other Types of Bids	Office of Procurement & Contracting
2 CFR 200.318(h)	Responsible Contractors	RCC Chapter 2 Administration, Article X Purchasing, Division 1 Generally, Section 2-590 Definitions Procedures Manual Section 4: Requests for Bids; Section 7: Selection of Firms for Professional & Consulting Services	Office of Procurement & Contracting
2 CFR 200.318(i)	History of Procurement	RCC Chapter 2 Administration, Article X Purchasing, Division 3 Procedural Requirements, Section 2-617 Purchasing Files	Office of Procurement & Contracting
2 CFR 200.318(j)	Use of Time and Material Contracts	Procedures Manual, Introduction and Background	Office of Procurement & Contracting



2 CFR Statutory Citation	Statutory Requirements	Richland County Office of Procurement & Contracting Procedures Manual	Richland County Responsible Department
2 CFR 200.318(k)	Settlement of contractual and administrative issues	<p>RCC Chapter 2 Administration, Article III Administrative Offices and Officers, Division 7 County Attorney, Section 2-143 Settlement of Claims; RCC Chapter 2 Administration, Article X Purchasing, Division 3 Procedural Requirements, Sections 2-621.1 Authority to resolve protested solicitations and awards, 621.2 Authority to Debar or suspend; 621.3 Authority to resolve contract and breach of contract controversies</p> <p>Procedures Manual Section 7: Selection of Firms for Professional & Consulting Services</p> <p>General Conditions #s 16, 25, 52, , 53, 58</p> <p>Home Rehabilitations Terms and Conditions “Default”, “Defective Work”, “Dispute Resolution”, “Governing Laws/Disputes”, “South Carolina Law Clause”, “Termination”</p>	Office of Procurement & Contracting
2 CFR 200.319	Competition	<p>RCC Chapter 2 Administration, Article X Purchasing, Division 2 Competitive Purchasing Policy, Section 2-598-614; Chapter 2, Article X, Division 3 Procedural Requirements, Procedures Manual Section 3: Advertisement</p>	Office of Procurement & Contracting
2 CFR 200.320	Types of Procurement	<p>RCC Chapter 2 Administration, Article X Purchasing, Division 2 Competitive Purchasing Policy, Section 2-598-614; Chapter 2, Article X, Division 3 Procedural Requirements</p> <p>Procedures Manual Section 2: Source selection; Section 4 Requests for Bids (RFP); Section 5 Other Types of Bids; Section 6 Request for Information & Competitive Proposals; Section 7: Selection of Firms for Professional & Consulting Services; Section 8 Blanket Purchase Agreements (BPA); Section 9 Blanket Purchase Orders; Section 10: Quotations; Section 11 Sole Source Procedures; Section 12 Emergency Purchasing</p>	Office of Procurement & Contracting
2 CFR 200.321	MBE/WBE, Surplus provisions	<p>RCC Chapter 2 Administration, Article X Purchasing, Division 6 Minority Procurement Requirements; RCC Chapter 2 Administration, Article X Purchasing, Division 7 Small Business Enterprise Procurement Requirements</p>	Office of Procurement & Contracting



2 CFR Statutory Citation	Statutory Requirements	Richland County Office of Procurement & Contracting Procedures Manual	Richland County Responsible Department
2 CFR 200.322	Procurement of recovered materials	To be addressed in Procedure Revision	Office of Procurement & Contracting
2 CFR 200.323	Contract cost and price	RCC Chapter 2 Administration, Article X Purchasing, Division 1 Generally, Section 2-593 Contract Authority; RCC Chapter 2 Administration, Article X Purchasing, Division 2 Competitive Purchasing Policy, Section 2-600 Procurement of professional services, Section 2-601 Competitive sealed proposals; 2-608 Invitation to Bid, 2-609 through 2-614 RCC Chapter 2 Administration Procedures Manual Section 10: Quotations Procedures Manual, Introduction and Background Home Rehabilitations Terms and Conditions "Covenants Against Contingent Fees", "Responsibility"	Office of Procurement & Contracting
2 CFR 200.324	Federal Pass through	Procedures Manual, Introduction and Background	Office of Procurement & Contracting
2 CFR 200.325	Bonding	RCC Chapter 2 Administration, Article X Purchasing, Division 4 Performance Bonds	Office of Procurement & Contracting
2 CFR 200.326	Federal contract provisions	Procedures Manual, Introduction and Background General Conditions #s 2, 4, 8, 21, 22, Home Rehabilitations Terms and Conditions "Acts, Laws, and Regulations", "Affirmative Action", "Anti-kickback Procedures", "Drug Free Workplace Act", "Environmental Hazards", "Equal Employment Opportunity"	Office of Procurement & Contracting

Duplication of Benefits

Federal law prohibits any person, business concern, or other entity receiving from federal funds for any part of such loss as to which he/she has already received financial assistance under any other program, private insurance, charitable assistance or any other source. Such duplicative funding is called Duplication of Benefit (DOB).



Pursuant to the Stafford Act, the County will follow policies and procedures to uphold safeguard against DOB within its program guidelines for each eligible activity. Understanding that prevention of DOB is especially critical in the context of housing programs, the County has established a framework for identifying potentially duplicative sources of funds and reducing documented duplications from potential awards prior to any award actually being made.

During the application period and eligibility determination, a case manager will document sources for funds received or approved from private insurance, SBA, FEMA, and / or volunteer organizations (including in-kind assistance) used for the same purpose that the CDBG-MIT award will be intended. Once sources have been identified and after determining an applicant's remaining unmet mitigation need, any sources of funds previously received for the same mitigation need will be deducted except where those funds were spent on activities allowable per Stafford Act and HUD guidance, sometimes known or referable to as Allowable Activities. Allowable Activities will not result in a reduction of the final award. Additionally, per the Federal Register Notice and longstanding HUD guidance, forced mortgage payoffs will not be considered duplicative, as those funds were never available to the applicant.

We understand that applicant benefits from FEMA, SBA, and insurance can be a moving target with additional funds received much later than initial payouts or due to appeals and litigation. Further, all funding sources may not be known at the time of the application. Therefore, Richland County will continuously monitor program applicants and perform its due diligence to verify benefits that may have been secured from FEMA, SBA, private insurers, charitable contributions, and any other available financial assistance after the date of the application.

Late or additional benefits from other sources can also result in a change to the outcome of the award amount which an applicant is ultimately eligible. Applicant awards may have to be adjusted as new sources are identified to prevent DOB and minimize recapture.

The County has already secured FEMA and SBA data that it will use as part of its DOB analysis and is working to put agreements in place to obtain updated data feeds.

As a part of the case management process, the County will require applicants to execute an Application for Assistance that will include an Income Certification, Insurance Certification and Release, Philanthropic Release of Information, and Subrogation Agreement, which will become part of each applicant's record. These documents will hold each applicant accountable for the accuracy of information provided and also give the County recourse if it is determined at a later time that applicants received other financial assistance not identified at the time of application.

If a duplication of benefit arises within the term of the applicant benefit delivery and compliance/monitoring period, Richland County will adhere to the guidelines set forth in OMB circular A-87 and the Stafford Act (Chapter 37 of Title 31) for recapture of funds. Beneficiaries of CDBG-MIT program funds will be informed of the fund recapture in an agreement executed with the County if it is determined that a DOB exists. RCCPD will bear responsibility for ensuring compliance with DOB regulatory requirements at the eligibility stage, and for monitoring latent additional funding sources.

Timely Expenditure

Timeliness of expenditures for the grant funds under the Public Law 115-123 is defined as 6 years from the time of HUD's execution of the grant agreement for the first 50% of funds and all funds expended within 12 years of the grant agreement. Within the 12-year grant timeline, there are also requirements for prompt payment as part



of the general financial management process. Richland County will reconcile these projects with actual transactions on a regular basis.

Richland County will track expenditure projections monthly over the life of the award utilizing the HUD-provided Projection of Expenditures and Outcome Templates, in conjunction with the Disaster Recovery Grant Reporting (DRGR) system. Richland County will submit a complete projection of expenditures within 120 days after then initial Action Plan has been submitted through the DRGR system. Revised projections will be sent to HUD when program changes impact projected outcomes, funding levels, and recovery timelines.

Richland County will review in-house expenditures and beneficiary expenditures to ensure that funds are spent on eligible costs in a timely manner. The County will also procure a firm to provide independent, external auditing services for the SFHRP. Project funds and schedules will be monitored by Richland County's Finance Department, and the Department of Community Planning and Development, and ultimately audited through the County's internal and external auditing functions.

Richland County will hold contractors accountable through the establishment of benchmarks and other critical milestones. Contractors will be required to provide detailed reports concerning expenditures of funds and project progress to the County upon its request. Frequency of reporting will be established on a per project basis given the potential varied nature of eligible activities that the County may choose. It is expected that the County will require contractors to provide monthly reports; however, due to the varying nature of each project, specific projects may be asked to provide those project updates more frequently.

With respect to timely expenditures, Richland County will track expenditure projections based on the date the HUD CDBG-MIT grant is signed, award dates for all sub-recipients of CDBG-MIT funds, payment request dates and amounts, and date funds are received from HUD. Other data elements will be added as necessary to provide information sufficient to monitor timeliness of recipient expenditures, time elapsed since last recipient draw, time elapsed since recipient grant award, percent of recipient grant drawn compared with progress on the funded project, as indicated by the recipient status reports, etc. Grants which appear to be lagging will be evaluated and, consistent with Richland County's CDBG-MIT Action Plan, either: a) provided technical assistance to remediate their slow progress state, b) terminated if the project appears to be stalled at startup and the Action Plan allows for re-award to other eligible recipients, or c) the project scope will be reduced and the recipient award reduced as necessary and recaptured funds re-obligated to other eligible projects and recipients. As with Richland County's existing CDBG and CDBG-MIT Program, the focus will be on identifying fast-moving projects and recipients that have already demonstrated competence in expeditiously moving projects forward, drawing funds and moving projects towards completion.

Consistent with Richland County's CDBG-MIT Action Plan, the goal will be to obligate funds that will be available for recipients (i.e., excluding funds set-aside for program administration) as soon as possible in order to maximize the amount of time new recipients have to implement projects and expend available funds. Recipients will be required, as they are for the CDBG Program to identify under-budget contracts, changes in beneficiary eligibility, project scope changes, etc. as soon as possible. This will allow Richland County to identify funds recipients are not expected to draw, permitting Richland County to identify recipients with on-track projects where recaptured funds can be redirected, and reduce funds awarded to non-performing recipients or recipients at risk of non-performing. Where necessary, Richland County will identify additional recipients and projects (per Richland County CDBG-MIT Action Plan) that have existing funded projects and require additional funding for new/expanded project activities, or that have projects that can move forward immediately.



Under the provisions of the CDBG-MIT grant, which does not warrant the use of program income in this activity.

Management of Funds

Richland County will ensure that the appropriate protocols are in place to manage the CDBG-MIT funds and to incorporate measures to prevent fraud, waste, and / or abuse of government funds.

Richland County understands its fiduciary duty to ensure proper disbursements of grant funds for eligible activities. Richland County will remain in compliance with applicable CDBG rules and regulations such as Office of Management and Budget Circulars A-87, A-133, 2 CFR 200.318 - 326 and 24 CFR Part 85 (Uniform Administrative Requirements) in the management of the CDBG-MIT funds. Richland County will institute measures to detect, investigate, and mitigate fraud, abuse, and mismanagement related to accounting, procurement, and accountability. The County will adhere to the conflict of interest provisions referenced at 24 CFR 570. While HUD will monitor the compliance of the County Departments of Community Planning and Development, Emergency Services, and Public Works, the County Department of Community Planning and Development will:

- Fund only expenditures that are eligible CDBG-MIT activities, address mitigation-related needs, and meet at least one of the national CDBG objectives.
- Document that all program activities meet a national objective, and are eligible activities.
- Document all program costs and maintain supporting documentation for all administration costs incurred and activities undertaken.
- Develop a monitoring policy that will outline the activities that will be monitored and the compliance parameters for each activity, including frequency of the monitoring activities. The County envisions that it will monitor project activities no less than quarterly to ensure compliance and timely expenditure of funds. We anticipate that monitoring activities will include project and applicant file review, as well as on-site visits to projects. The County will utilize resources including written monitoring and technical assistance guidelines, checklists, and policies and procedures that will be developed specifically for the CDBG-MIT program activities selected for implementation.
- Build monitoring and compliance requirements into all contracts executed with vendors, professional services, and construction contractors. Vendors will be required to submit project performance reports, financial status reports, and documented requests for reimbursement/invoicing for the duration of contract periods.
- Provide a quality assurance (QA) / quality control (QC) function for internal checks-and-balances, including random sample file audits as a self-check. This will include source documentation file audits conducted monthly by the CDBG-MIT Program Specialist, as a first-level internal check.
- Use the HUD-provided DRGR contracts management system and upload all quarterly performance reports (QPR) to that system. The County will develop QPRs that will be submitted to HUD no later than 30 days following the end of each quarter after grant award, and continuing until all funds have been expended and all expenditures have been reported. Each quarterly report will include information about the uses of funds during the applicable quarter including (but not limited to) the project name, activity, location, and national objective; funds budgeted obligated, drawn down, and expended; the funding source and total amount of any non-CDBG MIT funds to be expended on each activity; beginning and completion dates of activities; achieved performance outcomes; and the race and ethnic status of persons assisted under direct-benefit activities. The County will also post the submitted Quarterly reports to its official website.
- Develop and implement corrective actions if any weaknesses are identified during monitoring activities.



In addition, Richland County will hire an additional internal auditor which will report directly to the County Administrator. The CDBG-MIT Internal Auditor's ultimate responsibility will be to ensure compliance with CDBG-MIT rules and regulations as prescribed under Public Law 115-123, and prevent occurrences of fraud, waste, and abuse of these federal funds for all non-SFHRP funds. The CDBG-MIT Auditor will test for compliance with financial standards and procedures including procurement practices and cost reasonableness investigations for all operating costs and grant-funded activities. All program expenditures will be evaluated to ensure they are necessary and reasonable, allocable, and made in accordance with Generally Accepted Government Auditing Standards (GAGAS).

The CDBG-MIT Internal Auditor will:

- Establish an internal monitoring schedule each fiscal year, to ensure monitoring occurs as outlined within Richland County CDBG-MIT Monitoring Policies and Procedures;
- Ensure proper documentation and tracking of all monitoring;
- Identify all concerns, potential findings, and areas needing technical assistance; and
- Prepare monitoring reports including recommended corrective action(s).
- On-site monitoring visits will occur at the discretion of the CDBG-MIT Internal Auditor. The timing and frequency of monitoring visits during the term of the agreement will be based on the guidelines below.

The County will also procure a firm to provide independent, external auditing services for the SFHRP. The independent, external auditing services for the SFHRP to conduct assurance audits to evaluate the following items:

- Internal controls and compliance with legislation, regulations, standards, policies, processes, procedures, action plans, and contracts
- Achievement of program objectives
- Reliability and integrity of financial and operational information
- Effectiveness and efficiency of program operations
- Safeguarding of assets

Anti-Fraud, Waste, and Abuse

Richland County has developed an Anti-Fraud, Waste, and Abuse (AFWA) policy specifically for its CDBG-MIT program. Once this policy is approved, it will be posted to the Mitigation Website.

To assist with identifying suspected fraud, waste, or abuse, the County will set up links on its Mitigation website for anyone to report suspect actions. The link will be connected to an email address that will be monitored daily. In addition, a potential complainant will be able to call or submit a handwritten complaint by mail or deliver it in person. All details of these contact options will be published on the website and contained within the final version of the AFWA policy.

Any discovered, suspected, or reported fraud, waste, and abuse within the CDBG-MIT programs will be documented and reviewed. The disposition of the incident will be documented in a written decision. Any corrective or disciplinary actions will be carried out in accordance with Richland County law and County personnel rules. Suspected fraud that requires further investigation and proven fraud situations will be referred to the RCCPD Director, County Administrator, and HUD Office of the Inspector General (OIG).

Conflict of Interest

The County will adhere to the conflict of interest provisions reference at 24 CFR 570.611. Further, the County has



adopted a high standard within its Code of Conduct Provisions that is consistent with 24 CFR 570.611. These provisions can be found within Richland County Code, Chapter 2, and Article IV Code of Ethics.

Personally Identifiable Information

The Department of Community Planning and Development will follow existing practices to protect Personally Identifiable Information (PII) of program beneficiaries. All PII collected shall be conducted, to the extent applicable, in compliance with the Privacy Act (5 U.S.C. 552a) and all other federal, state, and local laws.

Comprehensive Mitigation Website

Richland County has established a website, <http://rcgov.us/mitigation>. In accordance with HUD requirements, Richland County will maintain a public-facing website with program information pertaining to applicants and stakeholders posted on an ongoing basis. Website information will be updated on an as needed basis, and at a minimum monthly. The public website serves as a central source for program information and transparency in the management of federal dollars. It is a powerful tool for public participation and engagement.

Richland County follows ADA-compliant standards for website accessibility and readability. Content and webpage layout is designed with best practices for adaptive aids use in mind. Richland County also supports accommodation for citizens with limited English proficiency and will publish program documents to the public website in languages other than English based on the need of non-English speaking communities.

The following program information that will reside on the website include but not limited to:

- Announcement of public hearing will be posted to the website as well as local newspapers.
- Action Plan for Mitigation will be posted to the Richland County website for no less than 45 calendar days to solicit public comment before being submitted to HUD. The final approved Action Plan will then be posted to a permanent section of the website for Action Plans and Amendments.
- The DRGR Action Plan will be posted to the program website.
- Substantial Action Plan Amendments will be posted on the Richland County website for no less than 30 calendar days to solicit public comment before being submitted to HUD. The final approved Action Plan will then be posted to a permanent section on the website designated for Action Plans and Amendments.
- Non-substantial Action Plan Amendments will not be posted for public comment. These Amendments will be posted to a permanent page designed for Action Plans and Amendments.
- Each Quarterly Progress Report (QPR) will be posted to the program website within 3 days of being submitted to HUD.
- The Citizen Participation Plan will reside permanently to the program website.
- An electronic portal for citizen complaints and concerns will be located on the program website.
- Program announcements will be posted on the program website on a rolling basis as approved by the Program Manager.
- Executed contracts.

Timely Information on Application Status

Richland County will procure and implement a centralized application management system with real-time access to application status. Applicants can obtain timely communication about their application status at any time



during operational hours by contacting the case manager via telephone, leaving an after-hours voicemail message to be returned the following business day, or by submitting an email inquiry.

The Case Manager will be available for face-to-face intake meetings as requested by the applicant. Accommodations can be made ahead of time for applicants with physical disabilities and/or a need for translation services.

Proactive communication from the program regarding application status will occur on a frequent basis during the initial intake. At which time, program staff will proactively contact applicants to request missing eligibility documentation and verify information entered on the application form. Once all documentation is received, verbal communication may subside until the applicant is contacted through an official letter with information regarding eligibility.

Richland County will also use CDBG-MIT Program Specialist through the Richland County Community Planning and Development Department (RCCPD) focused on resolving complaints in a timely manner, usually within fifteen (15) business day, as expected by HUD, if practicable. The CDBG-MIT Program Specialist protect the applicant's ability to participate in the process and appeal a decision when there is a reason for an applicant to believe their application was not handled according to the program policies. All applications, guidelines and websites will include details on the right to file a complaint or appeal, and the process for filing a complaint or beginning and appeal. As required, Richland County will forward all complaints received to HUD.

Capacity Assessment & Staffing

Since 2002, Richland County has received an average annual allocation of approximately \$1,000,000 in CDBG entitlement funds. The County typically uses its program dollars to support three broad program areas—Homeowner Assistance, Financial Empowerment, and Neighborhood Revitalization. Specific programs include homeownership assistance and rehabilitation, emergency home repair, neighborhood revitalization, public improvements, and stimulus projects.

Since 2015, Richland County has received \$30,770,000 in combined CDBG-DR funds. The County is using its program dollars to support its Single Family Housing Rehabilitation Program, HMGP Residential, Commercial and Infrastructure Buyout Match Programs, and Infrastructure Improvement Program.

Through delivery of these programs, County staff members have already delivered programs in compliance with many of the regulatory requirements mandated for CDBG-MIT funding because they overlay the CDBG Entitlement Program and, in many ways, mirror the CDBG-DR Program. However, there are some additional regulations and/or alternative requirements that the County will be required to implement as a part of the CDBG-MIT program. Although the County has the general programmatic and financial infrastructure in place, it will need additional support to efficiently manage the \$21.8 million allocation under the CDBG-MIT program.

The County understands that it will have to undertake program management responsibilities covering various activities in the areas of housing and infrastructure. While the County has key staff members with prior experience with CDBG Entitlement and CDBG-DR Programs, it does envision hiring and procuring the necessary staffing and expertise to augment the County's current staff. The County plans to acquire direct staff members and use supplemental staff through professional consultants to assist with carrying out activities under the grant. The consultants will provide technical assistance to County staff, assist with developing standard operating procedures and program policies and procedures, provide environmental review, estimate and inspect services, assist with general program management, and provide other resources as necessary to fulfill the County's obligations under



the grant. The priorities identified during the Action Planning process will assist in the County’s assessment of the resources that may be needed to support program management functions.

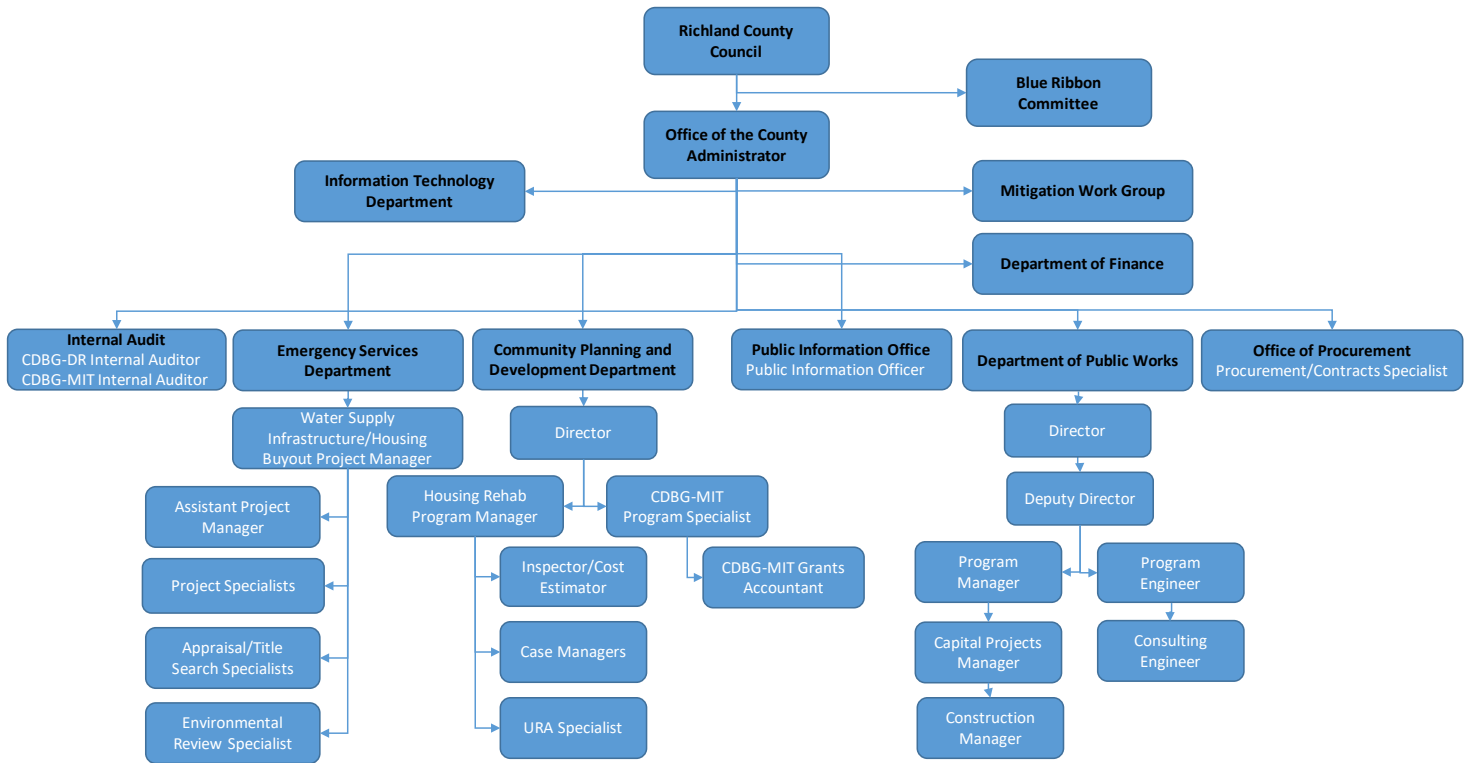
The County anticipates that the professional consultant will provide the following services:

- Environmental Review
- Inspection and Cost Estimating
- Title & Appraisal Services
- Uniform Relocation Act Assistance
- Supplemental Staffing
- Intake Application Review

The County has identified the departments and staff responsible for functions of the CDBG-MIT program:

County Department or Office	Responsibility
Office of the County Administrator	General oversight of CDBG-MIT program delivery. Coordination of all departments in the delivery of the CDBG-MIT programs. The Independent Internal and external auditors will report directly to the County Administrator.
Emergency Services Department	Manages program activities for Water Supply Infrastructure Resilience and Residential Buyout programs and incorporates appropriate resilience and sustainability measures to mitigate and prevent future flooding
Information Technology Department	Maintains financial system and supports technology needs of County departments.
Public Information Office	Maintains comprehensive communications strategy for program activities including the mitigation website http://rcgov.us/mitigation .
Department of Finance	Implements financial controls and sound financial management practices to ensure financial compliance and timely expenditure of funds.
Office of Procurement & Contracting	Manages contracts for professional services and construction to ensure compliance with procurement and contractual obligations.
Public Works Department	Manages program activities for Stormwater and Drainage Infrastructure Resiliency Program projects and incorporates appropriate resilience and sustainability measures to mitigate and prevent future flooding.
Department of Community Planning & Development	Responsible department for general oversight of CDBG-MIT program administration, such as federal system maintenance and reporting, development of action plans and substantial amendments, and advising departments on program design and quality control functions. Manages program activities for Single Family Housing Rehabilitation Program.

Based on the above Richland County has conducted a thorough capacity assessment and developed the current administrative structure (as shown below) for positions to support critical management, oversight, and implementation.



The County’s staffing model will be flexible to accommodate the needs associated with program activities. As the programs get underway, the County will make the appropriate adjustments to accommodate the work load. The organizational chart in this section shows the various functions that will be associated with program activities.

The County has existing staff members who will fulfill the roles of:

- Public Information Officer
- Procurement/Contracts Specialist

The County has existing staff members in RCESD who will fulfill the roles of:

- Water Supply Infrastructure/Housing Buyout Project Manager
- Assistant Project Manager
- Project Specialists

The County has existing staff members in RCDPW who will fulfill the roles of:

- RCDPW Director
- Deputy Director
- Program Manager
- Program Engineer
- Capital Projects Manager



The County has existing staff members in RCCPD who will fulfill the roles of:

- RCCPD Director
- CDBG-MIT Program Specialist

The County expects to direct hire the following positions:

- **CDBG-MIT Internal Auditor** – hired through the County and accountable to the County Administrator
- **CDBG-MIT Grants Accountant** – hired through the Community Planning and Development Department

The County expects to hire the following positions through a professional consultant/implementing contractor:

- **Housing Rehabilitation Program Manager**
- **Construction Manager**
- **Consulting Engineer**
- **Case Managers**
- **Appraisal and Title Search Specialists**
- **Uniform Relocation Act (URA) Specialist**
- **Inspectors/Cost Estimators**
- **Environmental Review Specialist**

Additional Capacity

Given the potential complex nature of some of the projects undertaken with CDBG-MIT funding, the state may procure technical expertise to fill any knowledge gaps identified during the execution of the CDBG-MIT program.

Internal and Interagency Coordination

Several departments within Richland County will share in the implementation responsibilities for the CDBG-MIT grant, as described above in the Capacity section. However, the County Administrator's Office will be ultimately responsible for ensuring internal and interagency coordination and communication among the various departments. Coordination has already begun as evidenced by the response phase. As the programs evolve, it may be necessary to expand the responsibilities under any given department.

As a part of this process, department leaders have been informed of the types of responsibilities they will be tasked with under the grant. To the greatest extent possible, the County will standardize its processes and program templates so that each department is well versed in the logistics associated with each program activity. The County will develop a simplified work-flow of activities based upon the setup of each program to be codified in the policies and procedures manuals for each program. Upon program startup, department managers will establish timelines and milestones that will be communicated to each department head.

In addition to the interdepartmental cooperation that has already resulted in deployment of resources to affected citizens, the County has established both the Richland County Mitigation Working Group (Working Group) and the Blue Ribbon Advisory Committee (Advisory Committee) to open communication channels and relationships that will promote implementation of mitigation activities. Both of these groups, more fully described below, will continue to provide critical services for and / or support the development and implementation of CDBG-MIT programs.



Richland County Mitigation Working Group

The Working Group has provided oversight and strategic direction as we move through the Action Plan development process. The Working Group consists of representatives of the following local departments:

Departments	Offices (if applicable)
Community Planning & Development	Community Development Planning Zoning & Development Conservation
Procurement	
Executive	Administration Public Information
Public Safety	Emergency Services
Public Works	Engineering Storm water

The Working Group will participate in meetings on an as needed basis, and provide historical and local context to the mitigation activities. This includes provision of any related data and information relevant to individual members’ areas of responsibility. The Working Group offers guidance related to their fields of expertise, assistance with public outreach, and participation in the development of programs and projects funded through the CDBG-MIT program.

The Working Group also provides assistance to ensure that mitigation activities are feasible and consistent with other local and regional efforts. When establishing goals and identifying mitigation programs and projects, the Working Group verifies consistency with other planning and related departmental efforts.

Richland County Blue Ribbon Advisory Committee

The Advisory Committee consists of local stakeholders who form a diverse and knowledgeable representation of the County and various local communities. The Advisory Committee meets regularly and operates in an advisory capacity for the Working Group and County Council. The Advisory Committee includes representatives from stakeholder groups throughout the County, including:

Stakeholder Group	Sub-group (if applicable)
Richland County Government	Chair of Council Vice Chair of Council Assistant County Administrator RCESD Project Manager
Municipalities in County	Eastover Irmo Forest Acres Blythewood Arcadia Lakes
Gills Creek Watershed Association	



Sustainable Midlands	
Conservation Commission	
Volunteer Organizations Active in Disaster (VOAD)	United Way Lower Richland Ministerial Alliance
State Disaster Recovery Office	
Lower Richland County Representatives	
Underserved Populations Representatives	

The Advisory Committee was charged with viewing and providing input on the development of the Action Plan and ensuring that multiple stakeholder groups and interests are included in the planning process.

Technical Assistance

Richland County anticipates that the level of technical assistance will not be in high demand for this grant because the County will be administering the grant directly. However, we will coordinate with HUD to obtain contacts of technical assistance providers or engage a vendor, through formal procurement to hire a vendor with expertise required to provide technical assistance in a regulatory compliance, construction management, environmental procedures, etc.

Richland County’s staff will be provided with all training necessary to ensure that all activities funded under this Action Plan are correctly administered.

Accountability

The Director of Community Planning and Development will serve as the lead point of contact for HUD related to monitoring and compliance and issue resolution. The Housing Rehabilitation Program Manager will oversee daily operations of the program, including applicant intake and eligibility, construction and contract management, policies and procedures, public information, and reporting, to include management of CDBG-MIT system and timely expenditures.

Richland County will rely on the CDBG expertise of the team that is in place and that is currently monitoring the CDBG-DR grant. This expertise will be used to conduct Richland County’s monitoring plan and to train any additional hired Richland County personnel in CDBG regulations, policies and procedures.

Certification of Accuracy of Risk Analysis Documentation

Richland County hereby certifies that it currently has the capacity to carry out mitigation activities in a timely manner and that the County has reviewed the requirements of this notice and requirements of Pub. L. 115-123 applicable to funds allocated by FR-6109-N-02, and certifies to the accuracy of Risk Analysis Documentation submitted to demonstrate that it has in place proficient financial controls and procurement processes; that it has adequate procedures to prevent any duplication of benefits as defined by section 312 of the Stafford Act, to ensure timely expenditure of funds; that it has to maintain a comprehensive mitigation website to ensure timely communication of application status to applicants for assistance, and that its implementation plan accurately describes its current capacity and how it will address any capacity gaps.

Signature of Authorized Official

Date



Certifications

Richland County makes the following certifications with this action plan:

- a. Richland County certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the CDBG-MIT program.
- b. Richland County certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.
- c. Richland County certifies that the action plan for Mitigation is authorized under State and local law (as applicable) and that Richland County, and any entity or entities designated by Richland County, and any contractor, subrecipient, or designated public agency carrying out an activity with CDBG-MIT funds, possess (es) the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations and this notice. Richland County certifies that activities to be undertaken with funds under this notice are consistent with its action plan.
- d. Richland County certifies that it will comply with the acquisition and relocation requirements of the URA, as amended, and implementing regulations at 49 CFR part 24, except where waivers or alternative requirements are provided for in this notice.
- e. Richland County certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12U.S.C. 1701u), and implementing regulations at 24 CFR part 135.
- f. Richland County certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105 or 91.115, as applicable (except as provided for in notices providing waivers and alternative requirements for this grant). Also, each UGLG receiving assistance from a State grantee must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements for this grant).
- g. Each State receiving a direct award under this notice certifies that it has consulted with affected UGLGs in counties designated in covered major disaster declarations in the non-entitlement, entitlement, and tribal areas of the State in determining the uses of funds, including the method of distribution of funding, or activities carried out directly by the State.
- h. Richland County certifies that it is complying with each of the following criteria:
 1. Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas for which the President declared a major disaster in 2015 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 et seq.) related to the consequences of Hurricane Joaquin and adjacent storm systems, Hurricane Patricia, and other flood events.
 2. With respect to activities expected to be assisted with CDBG-MIT funds, the action plan has been developed so as to give the maximum feasible priority to activities that will benefit low and moderate income families.



3. The aggregate use of CDBG–MIT funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 70 percent (or another percentage permitted by HUD in a waiver published in an applicable Federal Register notice) of the grant amount is expended for activities that benefit such persons.
 4. Richland County will not attempt to recover any capital costs of public improvements assisted with CDBG–MIT grant funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless: (a) Disaster recovery grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or
 5. (b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, Richland County certifies to the Secretary that it lacks sufficient CDBG funds (in any form) to comply with the requirements of clause (a).
- i. Richland County certifies that the grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601–3619) and implementing regulations, and that it will affirmatively further fair housing.
 - j. Richland County certifies that it has adopted and is enforcing the following policies, and, in addition, States receiving a direct award must certify that they will require UGLGs that receive grant funds to certify that they have adopted and are enforcing:
 1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and
 2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.
 - k. Each State or UGLG receiving a direct award under this notice certifies that it (and any subrecipient or administering entity) currently has or will develop and maintain the capacity to carry out disaster recovery activities in a timely manner and that Richland County has reviewed the requirements of this notice and requirements of Public Law 114–113 applicable to funds allocated by this notice, and certifies to the accuracy of Risk Analysis Documentation submitted to demonstrate that it has in place proficient financial controls and procurement processes; that it has adequate procedures to prevent any duplication of benefits as defined by section 312 of the Stafford Act, to ensure timely expenditure of funds; that it has to maintain a comprehensive disaster recovery Web site to ensure timely communication of application status to applicants for disaster recovery assistance, and that its implementation plan accurately describes its current capacity and how it will address any capacity gaps.
 - l. Richland County certifies that it will not use CDBG–MIT funds for any activity in an area identified as flood prone for land use or hazard mitigation planning purposes by the State, local, or tribal government or delineated as a Special Flood Hazard Area in FEMA’s most current flood advisory maps, unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain, in accordance with Executive Order 11988 and 24 CFR part 55. The relevant data source for this provision is the State, local, and tribal government land use regulations and hazard mitigation plans and the latest- issued FEMA data or



guidance, which includes advisory data (such as Advisory Base Flood Elevations) or preliminary and final Flood Insurance Rate Maps.

- m. Richland County certifies that its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K, and R.
- n. Richland County certifies that it will comply with applicable laws.

Signature of Authorized Official

Date



SECTION 4. APPENDICES

Richland County published this Action Plan for a 79-day public comment period between March 18, 2020 and June 5, 2020. This CDBG-MIT action plan was available for public comment on the mitigation website (<http://www.richlandcountysc.gov/Mitigation>) and at the Richland County Community Planning and Development Office, 2020 Hampton Street Columbia SC, 29204. A summary of all comments received along with Richland County's responses are provided below.

Response to Public Comment



2020 Hampton Street • Room 3063A
Columbia, SC 29204
(803) 576-2083

April 23, 2020

Mr. Clayton Voignier, Director
Richland County Community Planning and Development Department
2020 Hampton Street
Columbia, SC 29204

Transmitted via email

Dear Clayton:

As Chair of the Richland County Conservation Commission (RCCC) and member of the Blue-Ribbon Committee (BRC), I am providing comments on behalf of the RCCC on the draft Richland County Community Development Block Grant Mitigation 2020 Action Plan (Plan). These comments were unanimously approved by the RCCC at our meeting on April 20, 2020.

Collaboration and Public Input

The RCCC is concerned over the lack of input in the development of the Plan from the BRC and other interested parties. The BRC was established by Richland County Council to serve as a stakeholder group to make recommendations to Council about flood recovery efforts and how best to use flood relief funds. Prior to the BRC meeting on February 20, 2020, the BRC had not met since June 5, 2018.¹ At the February 20 meeting, numerous BRC members expressed serious concerns over staffing shortages and the lack of information and collaboration in the development of the Plan. The April 2, 2020 meeting of the BRC was cancelled due to the COVID-19 virus and no further updates have been provided.

Further, on p. 100, the Plan states the internal Richland County **Mitigation Working Group** “has provided oversight and strategic direction” **regarding the Plan. The RCCC is staffed by the Conservation Division** within the Community Development and Planning Department. Contrary to the statement regarding internal coordination, the RCCC through the Conservation Division staff has had little if any participation and input in the development of the Plan.

Plan Purpose and SoVI Data Analysis

The purpose of this report and the mitigation plan concerns flooding and should not address an all hazards approach modeled after the SC Hazards Mitigation Plan of 2018. While it is appropriate to consider **Richland County’s rank within the referenced 2018 Plan (p. 7)**, the analysis and the final action plan should be flooding centric.

¹ <http://www.richlandcountysc.gov/Flood-Recovery/Blue-Ribbon-Committee>



Based on the above, much of Section 2 (Mitigation Needs Assessment) is unnecessary and should be excluded from the report. This includes a majority of the SoVI figures (pp. 17-38) with the exception of the SoVI figures for riverine and flash flood risks (pp. 13-16). Hazards such as tornados, wildfires and liquefaction, etc. are beyond the scope of the current allocation of CDBG-MIT funds (funds). For the purposes here, Figure 3 provides important guidance on the areas of the County to focus funds to address flood recovery and mitigation in LMI communities. While numerous pages are devoted to the SoVI analysis, the report contains limited narrative on how the analysis will be used to target funds either within this section or Section 3. The conclusion is left to the reader based on the common knowledge of Low to Moderate Income (LMI) community locations in Figure 3.

Another technical issue concerns the bi-variate analysis. Per the provided references, this approach has been widely used by the State of South Carolina and other state and federal entities to provide a broad analysis of the intersection of a given hazard risk and social vulnerability. As stated previously, Figure 3 provides important guidance on the areas of the County to focus funds; however, from our perspective, many more engineering and scientific variables should be considered to optimize the expenditure of funds. I will mention this later in my comments on Section 3 of the report.

- **If the numerous SoVI figures are included, each should be labeled with a “figure number”.** In addition, the SoVI figures **are mislabeled. Each is labeled with “average # of ...” which is incorrect. The labels should read “Standard deviation of ...per year” to be consist with the analysis.**

Assessment of Critical Community Lifelines

As with the SoVI analysis, the use of the potential community lifeline impact index (PCLII) provides little value to the report to target and optimize the expenditure of funds. As the report clearly states on p. 39,

“Given the Community Lifelines Implementation Toolkit is oriented towards response, not mitigation and enhancing long-term resilience, not all the sub-components were applicable and thus are not included in the PCLII.”

Since the use of PCLII is for response and not mitigation, this section (pp. 38-49) is inappropriate and should be excluded from the report.

The PCLII methodology was used by the State of South Carolina most recently in response to Hurricane Matthew (see footnote 19 on p. 40). However, in our technical opinion, the scoring procedure outlined on p. 38 is not robust and provides limited information on response or mitigation **concerning flooding**. Empirical data (actual data on miles of electric transmission, number of bridges, etc.) is gathered but then averaged which significantly reduces its usefulness. Further, no consideration of infrastructure interdependencies and the relative importance of each is included in the scoring analysis **to mitigate future flooding impacts**. For example, including the gross miles and location of electric transmission lines within a census tract is meaningless. Of importance is how these lines relate to bulk electric reliability and customer reliability statistics regulated by the SC Public Service Commission. Specific to the targeting and expenditure of CDBG-MIT funds to mitigate future flood impacts, which transmission lines are **vulnerable to flooding?**

Mitigation Projects and Needs

This section should be the real focus of this report and should address prior CDBG-DR implementation and expenditures as well as unmet needs. Little of the SoVI and Lifeline Impact Analysis data appear to

2



be used to target funds as referenced on pp. 58-62. This section needs to be improved and strengthened and include only limited SoVI riverine and flash-flooding analysis.

Budget and Funding Priorities

The Plan provides insufficient details on the methodology, analytic techniques, budget and project formulation, and a detailed listing of proposed projects and efforts to be funded using the approximate \$21.9 M in CDGB-MIT funds. We suggest the following be added to the Plan:

- a listing of all projects and components contained within the proposed budget (pp. 64 - 65) for each category (infrastructure, housing, planning and administration) be included in an appendix;
- a description of how the budgeted activities and amounts were selected and derived (p. 64)
- a description of the funds already spent from FEMA, CDBG, and the County on mitigation efforts and their relationship to the Plan

In particular, infrastructure and housing projects should be shown in rank order to include the “score” for each utilizing the Richland County Department of Public Works’ Project Database Tool (p. 67) or whatever methodology was used.

Infrastructure Projects

On p. 65, three different infrastructure “**project descriptions**” are listed in an unnumbered table. As mentioned above:

- A list of specific projects (by ranking, score and location) should be included for the first category totaling \$1.45M for completing drainage studies and infrastructure improvements;
- In the second category totaling \$1.2M, how and by what criteria was the Spears Creek watershed selected? **What does it mean to “increase flows in the watershed”?** Since significant damage was observed in the October 2015 flood within the Gills Creek watershed, explain why no projects within the Gills Creek watershed are included?
- **In the third category totaling \$4.4M, what are the criteria to be used to assess “high risk infrastructure” and is this category to be exclusive to “drainage”?**

On p. 66, under the header “**Connection to Mitigation, Lifelines, and Long-Term Resiliency**” the Plan states the County maintains nearly 20,000 stormwater assets. As commented previously, the Plan makes a weak connection between mitigation and lifelines and an inadequate linkage is made in this section. While constrained culvert capacity under roads (for example) often results in localized flooding, many stormwater assets such as detention basins provide limited flood benefits due the limited recurrence interval design of detention basins. The Plan needs to clarify and include in an appendix the broad categories and numbers of what comprises the 20,000 stormwater assets referenced.

On p. 66, the Plan states “**This program will support public stormwater and drainage infrastructure located within Richland County, outside the boundaries of the City of Columbia**”. Does this restriction also exclude other incorporated municipalities located within Richland County? A reference should be provided to any federal CDBG-MIT funding guidelines which constrain funding to unincorporated areas of Richland County. Certain watersheds located in the County, such as Gills Creek, cross multiple jurisdictional boundaries and has not been referenced in the Plan. We think the Plan should address how to provide a unified watershed approach (refer to p.67 and the Richland County Department of Public



Works' Project Database Tool) within Gills Creek or other watersheds located within multiple jurisdictions.

On p. 67, the **Richland County Department of Public Works' Project Database Tool and the Richland County Public Works Department's 25 Year Roadmap and Stormwater Management Plan** are referenced.

While the Project Database Tool may be useful to the Public Works Department in the development of capital improvement projects, we are concerned three aspects of the methodology are as a means to allocate CDBG-MIT funds. These are:

- First, the criteria including fiscal responsibility, customer service and workforce improvements are inappropriate criteria to determine the allocation of CDBG-MIT funds. It should be a given Richland County will act in a responsible manner to improve customer service and workforce. However, we think these criteria are not useful or appropriate to target CDBG-MIT funds. Use of these two criteria biases the actual project prioritization away from the **"actual" need for a project**. While consideration of O&M costs under fiscal responsibility is important, justification is needed **on how "leverages additional funding" is a consideration regarding CDBG-MIT fund** prioritization.
- Second, **we have concerns regarding the "goodness" of the scoring methodology**. The scoring metrics using values of 0, 2, 6 or 10 appear arbitrary and **"mask" the actual importance ranking** for a project. For each of the project types (stormwater drainage, floodplain management and water quality improvements) no methodology is provided on how a scoring metric value is selected. For example, under improves stormwater drainage; no documentation is provided on the units of measurement for **"size of area improved, part of a larger plan and public safety" and a resultant score of 2, 6 or 10?** For example, is actual watershed area measured and how is this translated into a score of 2, 6 or 10? What metric is used to measure public safety? For example, is vehicle count on a road with a deficient culvert used to measure public safety? These same **"units of measurement" questions** also apply to categories for floodplain management and water quality.
- Third, the weights applied to each of the categories also appears arbitrary. For example, **stormwater drainage has a weight of "60" while improves floodplain management and water quality improvements have weights of "40."** Please provide the rational used to determine that stormwater drainage is 50% more important than improving floodplain management or water quality. Further, **documentation or an explanation is needed to address "multi-objective benefits"** between stormwater drainage, floodplain management and water quality since all three categories could benefit from a single project **in any of the categories. Should "multi-objective benefits" receive priority and a greater weight (importance)?**

Water Supply Infrastructure Resilience Program

On p. 69, **the plan states "RCESD will use CDBG-MIT funds to build a resilient fire suppression water supply system"**. It is our understanding, prior recovery funds were not used for fire suppression. Please provide a more detailed description of the components and proposed locations of the water supply system and how these mitigate future impacts from flooding. Are these systems proposed to have raw water from existing or proposed ponds or creeks in Lower Richland? If so, please state how raw water sources will be protected under this Plan.



Summary

Thank you for the opportunity to comment on the Plan. In summary, collaboration among stakeholders in the development of the Plan has been very limited, should be improved going forward, and an updated timeline for BRC meetings or other collaborative efforts should be provided. We think the Plan needs to be more succinct by removing unnecessary SoVI and Lifeline analysis and figures. Select SoVI and Lifeline analysis should be more narrowly focused on flooding and how the funds will be used to further community resilience to flooding, as opposed to an all hazards approach, and incorporated into the Mitigation Project Needs and Assessment section. Additional detail is needed to justify the budget expenditures, including a ranked listing of the actual projects identified for funding, the scoring criteria used to rank projects, and an explanation as to how each project builds resilience for future flood events. Such information should be included as appendices in the Plan to memorialize the analysis and ultimate CDBG-MIT funding priorities. Lastly, more information should be included regarding fire suppression and how it mitigates future flooding impacts.

Yours truly,

A handwritten signature in cursive script that reads "Carol Kososki".

Carol Kososki, RCCC Chair

CC: Richland County Administrator Leonardo Brown
Mr. Charles Weber, District 1 RCCC Commissioner
Mr. Tim McSwain, District 2 RCCC Commissioner
Mr. Sam Holland, District 3 RCCC Commissioner
Dr. Buddy Atkins, District 5 RCCC Commissioner
Dr. John Grego, District 6 RCCC Commissioner
Mr. Robert Squirewell, District 7 RCCC Commissioner
Mr. Jim Thomas, District 9 RCCC Commissioner
Ms. Gail Rodriguez, District 11 RCCC Commissioner



GILLS CREEK WATERSHED ASSOCIATION

712 Main St., EWS 603 Columbia, SC 29208 • (803) 727-8326 • coordinator@gillscreekwatershed.org •
www.gillscreekwatershed.org

1 May 2020

Sent via email to: hunter.lauren@richlandcountysc.gov

Richland County Government
Community Planning & Development Division
Attention: Lauren Hunter
P.O. Box 192
2020 Hampton St.
Columbia, SC 29204

Re: Request for Public Comment on Richland County Proposed CDBG-MIT 2020 Action Plan

Dear Ms. Hunter:

Thank you for the opportunity to comment on the proposed Richland County Community Development Block Grant Mitigation 2020 Action Plan (Plan). Gills Creek Watershed Association (GCWA) is a local nonprofit, working to restore Gills Creek, educate the communities within its watershed, and advocate for the protection and preservation of the Creek's resources, beauty, and environmental sustainability. We have drawn upon our expertise in environmental sciences, ecology, and community planning for our review and are pleased to provide comments. As Coordinator of Gills Creek Watershed Association (GCWA), which is also a member organization of the Blue Ribbon Advisory Committee, I am providing comments on behalf of GCWA on the draft Richland County Community Development Block Grant Mitigation 2020 Action Plan (Plan).

GCWA greatly appreciates Richland County's time and effort in putting this Plan together, as well as its goals in making the County more resilient to extreme weather conditions. However, GCWA agrees on all points made by Richland County Conservation Commission (RCCC) in their public comments submitted via email on 23 April 2020. We would like to particularly emphasize deeply troubling omissions that undermine the future of the Gills Creek Watershed and Richland County as a whole.

Gills Creek Watershed is specifically mentioned as a high-risk area multiple times throughout the Plan and identified as a tract "with the highest total hazard score":

- p. 15: "The flash flood risk is greatest in the most urbanized areas of the county (including the cities of Columbia, Irmo, and Forest Acres) as well the urbanized Gills Creek Watershed."
- p. 38: "[...] those tracts with the highest total hazard score that include all of Lower Richland County and the Gills Creek Watershed to the west of Fort Jackson."
- p. 38: "Richland County was at the center of the federally declared disaster area (PDD 4241) and experienced significant freshwater riverine flooding throughout the county. The transportation system (roads and bridges), water supply, and community safety all were affected. Sixteen earthen dams breached or failed in the county, including five high-hazard dams in the Gills Creek watershed and one on Fort Jackson."



GILLS CREEK WATERSHED ASSOCIATION

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- p. 56: “Those census tracts with the largest household mitigation deficit appear in those inland riverine areas that had significant flood damage during the 2015 Floods (Figure 32 bottom). These include Gills Creek [...]”

However, despite these acknowledgements, specific projects within the Gills Creek Watershed are not mentioned or described in the Plan. The only reference to a specific project area is the Spears Creek Watershed (p. 65), which is not mentioned anywhere else in the Plan. The Plan states that the specific infrastructure projects identified were “ranked high by the PDT.” As RCCC also asked, what were the specific criteria used to determine each of these? GCWA would like to see a full list of the proposed projects to be funded, along with a breakdown of their rankings. Further, how was the budget for each specific infrastructure project determined (p. 65), and how was the overall CDBG-MIT Program Budget (p. 64) determined? With such a large amount of public money involved, how funding is allocated and how projects are ranked should be clearly explained in the Plan. Consequently, for enhanced public transparency, GCWA would like to reiterate both the comments and the suggested items that RCCC made under “Budget and Funding Priorities” in their public comment, specifically:

“The Plan provides insufficient details on the methodology, analytic techniques, budget and project formulation, and a detailed listing of proposed projects and efforts to be funded using the approximate \$21.9 M in CDGB-MIT funds. We suggest the following be added to the Plan:

- a listing of all projects and components contained within the proposed budget (pp. 64-65) for each category (infrastructure, housing, planning and administration) be included in an appendix;
- a description of how the budgeted activities and amounts were selected and derived (p. 64)
- a description of the funds already spent from FEMA, CDBG, and the County on mitigation efforts and their relationship to the Plan

In particular, infrastructure and housing projects should be shown in rank order to include the “score” for each utilizing the Richland County Department of Public Works’ Project Database Tool (p. 67) or whatever methodology was used.”

GCWA was pleased to see projects for acquiring floodplain property as a means of mitigating flood hazards in the Plan. However, GCWA is very concerned about the larger budget allocation for rebuilding houses on floodplain property than for buyouts. While initially beneficial, rehabilitation/reconstruction does not address the underlying impact of continued building/rebuilding in floodplains, which means they will inevitably continue to create issues.

Floods inundate floodplains, a natural process. Properly functioning floodplains provide protection for the entire County by providing floodwater storage and safe passage, reducing flood velocities, and restricting erosion and sedimentation, which in turn helps to maintain water quality. Thus, when floodplains are kept in or restored to their natural state, they can actually reduce the number and severity of floods. This natural process is much more cost-effective than rebuilding or enhancing a structure.



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Therefore, moving homes out of floodplains through buyouts is the most cost-effective solution—reconstruction leaves the homes in flood-prone areas where they will likely be flooded again, particularly as we expect to see frequency and damage increase. This only leads to additional funds being spent in subsequent years on the same properties. The "Natural Hazard Mitigation Saves 2019 Report" by the National Institute of Building Sciences states that "Buyouts represent permanent flood mitigation." Richland County has already had success with buyouts, as the Plan states the County "has successfully purchased 56 properties." If a total rehabilitation program budget of \$6,158,000.00 is going to be spent, that money should be spent on permanent flood mitigation (buyouts), not rebuilding in an area that will inevitably flood again and require millions of dollars of additional funding down the line.

GCWA also echoes the comments of RCCC concerning the Blue Ribbon Advisory Committee. There was limited collaboration among stakeholders in the development of this Plan. The Blue Ribbon Advisory Committee should have a larger role in developing this Plan and associated budget, prioritizing projects, and in seeing the Plan through.

GCWA would like to work more closely with the County and other involved entities on preventative measures related to flooding. This is an ideal time to work together since there is currently a bill (S 0259/H 3083) which creates the "South Carolina Resilience Revolving Fund" to provide low interest loans to perform flooded-home buyouts and floodplain restoration. The bill has passed the Senate and is currently before the House Ways and Means Committee.

Gills Creek Watershed Association joins RCCC in encouraging Richland County to improve collaboration among stakeholders and provide an updated timeline for Blue Ribbon Advisory Committee meetings. Additional Plan details are needed to justify project rankings and budget expenditures, and should be included as appendices to the Plan for enhanced public transparency. GCWA encourages the County to direct CDBG-MIT funds to buyout floodplain properties as an immediate and effective means of mitigating demonstrated flood hazards rather than merely rebuilding in harm's way. In this spirit of encouragement and increased transparency, we will look for appropriate provisions to be added to the Plan and for a more active Blue Ribbon Advisory Committee.

GCWA appreciates the opportunity to comment on this Plan and looks forward to joining with Richland County as we continue to respond to threats posed by flooding.

Sincerely,

A handwritten signature in black ink, appearing to read "Carmony Adler".

Carmony Adler
Coordinator



Responses to Public Comments received from Gills Creek Watershed Association (GWCA) and Richland County Conservation Commission (RCCC)

The Gills Creek Watershed Association provided public comments to the CDBG-MIT Action Plan related to collaboration and public input, specific projects within the Gills Creek Watershed not mentioned or described, specific criteria used to determine and rank infrastructure projects, determination of the CDBG-MIT Program Budget, and spending of additional funds on permanent flood mitigation through buyouts.

The Richland County Conservation Commission also provided public comments to the CDBG-MIT Action Plan related to collaboration and public input, the Mitigation Needs Assessment, and budget and funding priorities. County staff have provided responses below that address the comments.

Collaboration and Public Input

Shortly after the Federal Register Notice for CDBG-MIT funds was released on August 30, 2019, representatives from the Working Group met initially on October 7, 2019 with several subsequent follow-up meetings and calls with individual members from the Working Group through the end of October 2019 to discuss the funding allocation and development of the action plan. During this time, the Conservation Division Manager was consulted concerning possible infrastructure projects related to Gills Creek. In early November 2019, staff began consulting with Administration and the Chair and Vice-Chair of County Council about the format and membership of the Blue Ribbon Committee (BRC) given that significant time had elapsed since the last meeting of the BRC. A considerable amount of time was devoted to re-establishing the membership of the BRC and confirming availability of Councilmembers to convene the BRC. The BRC meeting was held on February 20, 2020, at which time staff presented information for input from the BRC on the overview and purpose of CDBG-MIT funds and the timeline for and progress on development of the action plan. As stated in the action plan, the BRC is charged with viewing and providing input on the development of the action plan as an advisory committee.

Mitigation Needs Assessment

RCCC expressed several concerns regarding the Mitigation Needs Assessment primarily focused on 1) the Mitigation Needs Assessment should be flooding centric and should not address all hazards, 2) the limited narrative on how the assessment is used to target funds, 3) the bi-variate analysis approach used, 4) the labeling of SoVI figures, 5) the PCLII methodology used, and 6) other sources of mitigation funds and their relationship to the plan. Per the Federal Register Notice vol. 84, no. 169, the guidance from HUD expressly requires the needs assessment to include other risks beyond the qualifying one, in this case flooding:

Each grantee must assess the characteristics and impacts of current and future hazards identified through its recovery from the qualified disaster and any other Presidentially-declared disaster. Mitigation solutions designed to be resilient only for threats and hazards related to a prior disaster can leave a community vulnerable to negative effects from future extreme events related to other threats or hazards. When risks are identified among other vulnerabilities during the framing and design of mitigation projects, implementation of those projects can enhance protection and save lives, maximize the utility of scarce resources, and benefit the community long after the projects are complete. Accordingly, each grantee receiving a CDBG-MIT allocation must conduct a risk-based assessment to inform the use of CDBG-MIT funds to meet its mitigation needs, considering identified current and future hazards.

In addition, the purpose of the Mitigation Needs Assessment and the bi-variate analysis is to highlight risks and vulnerabilities that will provide the evidentiary basis for informed decisions on the selection of mitigation actions



and expenditures made by County staff, not make the decision for County staff. The underlying data are as stated in the SoVI figures. The classification or binning of the “average # of ...” for the choropleth mapping is indeed done by standard deviation. According to cartographic practices, the figure labels represent the phenomena being mapped not how they were classified into map categories for which there are many different ways, which is addressed in footnote 13. As with the Mitigation Needs Assessment, HUD’s guidance also specifically requires a quantitative assessment of lifeline impacts, but does not provide any specific method or approach for doing so:

The Mitigation Needs Assessment must quantitatively assess the significant potential impacts and risks of hazards affecting the following seven critical service areas, or community lifelines:

- Safety and Security
- Communications
- Food, Water, Sheltering
- Transportation
- Health and Medical
- Hazardous Material (Management)
- Energy (Power & Fuel)

The County followed the State of South Carolina’s lead in this regard providing a generalized picture of critical service and infrastructure impacts. While it is suggested that the PCLII is not robust and overly generalized, it does adhere to HUD guidance. Further, it provides an evidence-based comparison of where critical infrastructure and services co-locate with socially-vulnerable populations and hazards. Finally, CDBG-MIT funding has different requirements than other mitigation funds (e.g. FEMA HMP, or FEMA PDM), with an explicit statutory focus on “benefitting vulnerable lower-income people and communities and targeting the most impacted and distressed areas.” The place-based analysis expanded beyond the flood hazards in keeping with the longer term goal of the HUD CDBG-MIT program to reducing disaster risk and enhancing community resilience especially benefitting the most impacted and distressed areas.

Infrastructure

The infrastructure projects for the Stormwater and Drainage Infrastructure Resilience Program were selected based on the Mitigation Needs Assessment, the goals of the CDBG-MIT, and the framework for ranking projects outlined in the 25-Year Stormwater Strategic Plan. The 25-Year Stormwater Strategic Plan provides a guideline to proactively address flood control, water quality and drainage infrastructure needs in Richland County. The plan was developed with the help of an internal, multi-department Steering Committee responsible for plan implementation and a Watershed Advisory Committee made up of community members who provided input on various citizen needs and concerns. The plan created a better understanding of the existing state of the County’s drainage network and established a justifiable decision making process for the prioritization and implementation of projects based on critical assets. Using an already established framework to identify and rank infrastructure projects allowed the County to select CDBG-MIT infrastructure projects efficiently and without bias.

The 25-Year Stormwater Strategic Plan is a 300-page document, therefore key items from the plan were paraphrased in the CDBG-MIT Action Plan. A copy of the full 25 Year Stormwater Strategic Plan can be made available to the GCWA for further details about the criticality analysis, project ranking database tool, and creation of project scoring and weighting.

The 20,000 stormwater assets referred to in the plan include storm drainage infrastructure such as pipes, catch basins, culverts, etc. Many of these assets are older and reaching the end of their useful life. As part of the 25-



year Strategic Plan, a criticality analysis was completed to identify the most critical assets. This allows the selection of projects in areas that are the most critical to protect the life and safety of the residents of Richland County. Criticality is based on the likelihood of failure (material, age, and condition) and consequences of failure (proximity to certain buildings and road types). Each linear asset (pipes and culverts) was given a score. Assets with a higher risk were given priority in the selection of projects. Failure of high risk assets will have a greater impact on the community.

As part of this project, high risk infrastructure identified in the criticality analysis will undergo visual inspection using CCTV to detect any immediate threats to public safety. \$4,400,000 in funding is allocated to quickly initiate drainage studies, project design, or project construction to upgrade or repair failing infrastructure.

The Spears Creek Watershed project description should read: *"A drainage study of the Spears Creek Watershed which is currently experiencing localized flooding and increased flows. The goal of the study is to protect the safety and security of residents in the area and protect transportation networks."* There are no previous watershed studies in the Spears Creek Watershed, whereas other watershed in the County, have had previous watershed studies. The Gills Creek Watershed has a watershed plan which is currently being updated.

Although significant damage occurred in the Gills Creek Watershed during the October 2015 flooding event, there were also numerous other locations damaged throughout Richland County. A holistic approach was taken to select infrastructure projects based on known flooding locations, high risk infrastructure and the goal of the CDBG-MIT program to protect the most vulnerable communities. In addition, the Blue Ribbon Committee was previously presented with information pertaining to responsibility for maintenance of the waterways and ditches in the state of South Carolina. According to the information presented, the owner of the property along the waterways and ditches owns the maintenance responsibility, which includes cleaning out trees, trash and debris, sediment removal, bank stabilization and realignment. It was determined at that time that a significant portion or supermajority of the property along Gills Creek is owned by the City of Columbia or residents of the City of Columbia, and thus, maintenance is the responsibility of those owners.

The October 2015 flooding event affected hundreds of residents and infrastructure throughout the County. During the incident, the County experienced severe storms and heavy rainfall, which resulted in failure of several privately owned dams. The Southeast quadrant of the County, which is a mostly rural, LMI area, was significantly impacted by the storm and subsequent damages.

Several of these dams support privately owned ponds. These ponds serve as a crucial water resupply source for rural fire suppression activities, as there are no pressurized water hydrant systems in the area. Three (3) of these natural water point sites (commonly referred to as Dry Hydrants) were decimated due to dam failure. The loss of these natural water points has negatively affected the fire department's ability to efficiently resupply their fire suppression water supply during emergency operations. The owners of the dams have been unable to repair the damage and restore the natural water supply for fire suppression needs.

Through the Water Supply Infrastructure Resilience Program, the County will use CDBG-MIT funds to build a resilient fire suppression water supply system to mitigate future impacts from flooding by replacing the three (3) decimated natural water points, and adding up to three (3) additional water resupply points in the area, with the focus on improving the Insurance Services Office (ISO) Public Protection Classification (PPC) for area residents.

The County will contract the installation of up to six (6) strategically located private wells on county owned properties, having high capacity pumps, an independent power generation system, and storage tank (as needed)



to supply a continuous pressured source of water for fire suppression needs. These water points will comply with DHEC Well Standards: 61-71, and DHEC 61-44 Well Permitting requisites.

Housing

As stated in the Mitigation Needs Assessment, Richland County successfully bought out 56 properties using HMGP funding in addition to CDBG-DR resources. The majority of these residences were in the Special Flood Hazard Area (SFHA), which are flood-prone areas aligned with the 100-year floodplain. Richland County recognizes that buyouts represent permanent flood mitigation. As such, to increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, Richland County will use a portion of the CDBG-MIT funds to acquire, demolish, and return to a naturalized state eleven (11) residential properties and three (3) non-residential properties through its Voluntary Buyout Program. These properties have been identified as being located in the SFHA and have a history of repetitive loss. The budget for the Voluntary Buyout Program used the pre-disaster appraisal price for each property with estimated average costs for closings, appraisal fees, demolitions, incentives, Uniform Relocation Assistance costs, and contingency costs.

The Mitigation Needs Assessment also identified many homes outside of, but in close proximity to, the SFHA that experienced significant damage due to the October 2015 flooding event. Thus, the unmet household mitigation deficit comprises homes near flood-prone areas and the 100-year floodplain where permanent flood mitigation may not be necessary as many of these homes do not have a history of repetitive loss. Since part of the household mitigation deficit is a result of ineligibility for other federal programs, the County's Single Family Homeowner Rehabilitation Program (SFHRP) made progress in reducing the mitigation deficit despite limited funding as it relates to these types of homes. As such, the Single Family Housing Rehabilitation Program under CDBG-MIT will provide resilient housing primarily outside, but near to, the SFHA to help mitigate future damage to homes from flooding and severe storms. For any of these homes that qualify for the program, rehabilitation would include certain mitigation measures, such as dry flood-proofing, home hardening, and disaster-, flood- and mold-resistant construction. For any homes inside the SFHA that would qualify for this program, rehabilitation would include more intensive mitigation measures, primarily elevation above the base flood level.

The initial budget for the Single Family Housing Rehabilitation Program was based on the estimated average construction and relocation costs under the current SFHRP that would meet the portion of the household mitigation deficit identified through the applicant waitlist, which represents 111 homes. However, due to competing funding priorities identified by the infrastructure programs and the Voluntary Buyout Program, the budget was reduced to rehabilitate an estimated 80 homes.



Blue Ribbon Committee (May 28, 2020)

The Blue Ribbon Committee unanimously passed the Proposed Richland County CDBG-MIT action plan on May 28, 2020. A summary of all comments received along with Richland County's responses are provided below. Additionally, the meeting can be viewed in its entirety on the Richland County YouTube page (<https://www.youtube.com/watch?v=Piy729axZm8>), comments and responses are directly from the meeting transcript.

CHAIRMAN PAUL LIVINGSTON: Mr. Mike, can I ask you a quick question? ISO rating, if we did this?

MR. MICHAEL KING: That's our focus, you know, you can never absolutely say what ISO's going to define, but this is one of the many programs that we're doing with the fire services to improve on our ISO rating right now.

CHAIRMAN LIVINGSTON: That'd be great. Okay, thank you

MS. DALHI MEYERS: So this is in harmony with what Mike just said and what you just asked coming out of the study that we commissioned, I guess now two and a half, maybe three years ago, for fire services in all of Richland County but focusing on the absence of it in some parts of Richland County where the ISO rating was as high as a 10 in some areas. This is a critical sort of need and I wanted to commend the Staff for aggressively looking at this. Thank you to Tetra-Tech in harmony with that, obviously the build out of, you know, the utilities which will also provide greater fire suppression, 116 new fire hydrants, connecting those things all together will indeed do exactly what you're asking, Mr. Livingston, and improve the ISO rating and improve obviously people's ability to get homeowners insurance at a cheaper rate. But more importantly, if something happens to their home it'll improve their ability to have a fire truck put out a fire, which might be, you know, for some people a higher priority than lower insurance. I mean, we all want to pay less for insurance but we certainly want the comfort that if something catastrophic happens our whole house won't burn down while somebody's trying to find a pond to connect to. So I just want to commend the Staff for that and thank you.

MR. HUGELY: Thank you. I just wanted to thank Staff for the explanation just given. I had some concern about the fact that, first that the all hazard approach was used as part of the methodology from your presentation; I understand now that that was required by HUD so I appreciate that clarification. I also wanted to ask if there was, in the list of rivering hazard sites if those were prioritized, you went over a number of them. Are those in any sort of rank order?

CLAYTON VOIGNIER: No, sir. So what those entail is based on the maps where we did some binary mapping with social vulnerability and with the risk of flooding, those were the general high areas on a scale of low to, low to high. So those were the highest areas where we see the social vulnerability, the risk of social vulnerability as well as the flooding, the rivering flooding. So those are the general areas, it was done by census track. I don't have a one for one census track area in front of me but those were the general areas where – where both were the highest.

MR. HUGELY: Okay, so those were, of the ones that you named they were on the high end of the scale but not prioritized within that grouping of high vulnerability sites, am I understanding that correctly?

CLAYTON VOIGNIER: Yes, they weren't prioritized within, they were just recognized as the highest. They were, obviously the rest of the County was mapped from a low to medium level of risk, depending on those two factors.



MR. HUGELY: Okay, thank you. I just wanted to make one observation. I don't know precisely what the criteria are for the identification as vulnerable, it just occurs to me, and you listed a site that I'm about to name, but it occurs to me that the mere fact that a life was lost at the Decker Center area at Decker and O'Neil Court, ought to be a factor that's considered and that we maintain an awareness of. That's all, thank you.

CHAIRMAN LIVINGSTON: Thank you.

CLAYTON VOIGNIER: Yes, sir. Thank you.

MS. KOSOSKI: One of our problems when we were reviewing this plan was that there was not a comprehensive list of all the projects for this CDBG MIT funding source, the \$21.9 million dollars. While we still don't have all the project listed, the detailed projects listed at my location, we were very fortunate to receive yesterday afternoon a list of those projects for infrastructure that are being recommended. So my question is, about it is that I am not sure that we are following where most of the incidents of flooding have occurred in the 2015 flood. If you look at that map that we just discussed most of it is in the Gills Creek Watershed. Gills Creek Watershed is a long watershed and it includes seven Council Districts, Council Districts 3 and then Council Districts 5 through 10 are all in the Gills Creek Watershed. So my understanding at looking at the list of the seven projects which were identified is that I'm unaware of any of those that are centered on the Gills Creek Watershed. Is that a correct understanding, or in fact, I mean, are there projects here in these seven that I'm looking at that do pertain to the Gills Creek Watershed?

CHAIRMAN LIVINGSTON: I'm going to ask Staff to quickly respond to that as it relates to what we're on now also. But go ahead, Staff.

CLAYTON VOIGNIER: Okay, I'm sorry, I'll let Cynethia respond to that.

MS. WILLIAMS: Okay, I wasn't sure if y'all were hearing me, I'm having internet issues, I apologize for that. So we looked at where we have current – so with the Infrastructure Program we focused on the high risk infrastructure in the County and the projects where we're looking at the culvert crosses and the infrastructure that's undersized, and planning to do studies. Those were identified based off of a team of people in Public Works for known flooding problems and also areas that did flood during the 2015 Flood. There was a study that was done that looked at areas throughout the County where we had some overtopping and undersized culverts and so that's what we focused on with this. So I do understand the concern about Gills Creek but we tried to take a holistic approach. We looked at another watershed that does not currently have any type of a watershed plan or a study that was done on it to focus there because we've received a lot of citizen complaints and we know that there's a lot of localized flooding in that area as well; whereas, a lot of other watersheds within the County, they currently have plans, they've already kind of identified some of the issues there. And so that was the approach that we took, it wasn't to try to intentionally leave out or ignore Gills Creek, but to be able to use this opportunity to address infrastructure needs throughout the County. And so one of the things that the Department invested in a few years ago was doing a [1:08:14] analysis, it was a desktop analysis, it looked at the infrastructure throughout the County, and based on the age of the infrastructure, the material and the remaining useful life, we looked at the likelihood of failure of that infrastructure and also what would be the consequences of failure if that infrastructure were to fail, flood or something like that. And that ranked the pipes that County owns and maintains from high, medium and low risk, and so the map on the slide are all of the high, very high and medium risk infrastructure. And so yes, there is a lot of high risk infrastructure located within the Gills Creek watershed but we have high risk infrastructure all over Richland County. So one of the projects based off of that is to do a CCTV evaluation to go in and actually look at the high risk infrastructure to see what needs immediate addressing and



what can go on a long-term capital improvement, capital improvement plan. And as we identify things when we go out there to do the visual assessment, to verify this infrastructure really is high risk, is that if we see something that needs immediate needs we're also not calling out specific road names in the mitigation plan so that we have the opportunity to also address those with this funding. If we only list those six projects in the mitigation plan then we run the risk of having to possibly amend the plan or to come back to address immediate needs that we identify when we go out and look at this high risk infrastructure. And also to avoid bias the County and the Department invested in a project ranking data base for infrastructure projects. And so that's what we're using to rate and measure and weight out these projects so that we can ensure that we try to use funding in the most critical areas and not just based off of a random, you know, we looked at this pipe first and so we're going to just repair this pipe first kind of a situation. And so that helped us to kind of quickly and efficiently respond to [1:10:27] a list of projects for the mitigation portion of the action plan.

MS. KOSOSKI: May I respond to that, please?

MS. WILLIAMS: Yes.

CHAIRMAN LIVINGSTON: Yes, and let me remind you that we're actually, you know, we're running against time here so let's try not to go beyond what we have to, but Carol you're recognized.

MS. KOSOSKI: Right. Well, this comes to what the total budget is and I do not disagree with Cynethia. I think unfortunately \$4 million dollars for those overall projects for the whole County is appropriate, I'm certainly in agreement. However, when you look at the map you have here for the high risk infrastructure and all, and with the extent of the damage of the epicenter of Gills Creek in 2015, I think it's important to have a project which, in fact, centers on Gills Creek. And so that's why I don't think there are any of the seven that are listed, project 2, 3, 4, 5, 6, 7, 8 and 9, none of those deal with Gills Creek watershed. I think that it would be wise to identify such a project; there had been such a project proposed in 2018, Mr. Livingston as you'll recall when this Committee reviewed it, it was a project directly on Gills Creek at the corner of Forest Acres and City of Columbia and Unincorporated Richland County. It's an area which floods, it was a high risk flooding area, it's in a terrible flood area right now. I do not see that project on this list and I'm wondering why it is not included.

CHAIRMAN LIVINGSTON: Thank you.

MS. WILLIAMS: So I'm not aware what specific project you're mentioning so we may need to talk offline on that one, and I also, to just go back to the other reason why we cannot name specific road names in the current action plan is that as we go out and evaluate the high risk infrastructure we can hopefully continue to add other projects if funding allows. Again, one other opportunity that this serves is that by using these mitigation funds to address some of these critical infrastructure needs that we are aware of, then that hopefully can help us focus the actual storm water budget and the [1:12:50] budget on other infrastructure projects as well. I'm also aware that, you know – [interruption]

CHAIRMAN LIVINGSTON: I'm sorry, go ahead.

MS. WILLIAMS: I'm sorry, what? I'm sorry. Yes, so it's not, again all I can say is that we're trying to take a holistic approach, we're not trying to intentionally leave out the Gills Creek watershed or a project within the Gills Creek watershed, but we are trying to address other places as well that we do know have flooding problems and utilize this funding in areas where we can quickly get out and try to improve our infrastructure. That the County has the responsibility of, not saying that the project you're talking to, again, I would need to talk to you more about that.

MS. KOSOSKI: It's the [1:13:51] Project and it was developed in 2018, just for your information.

CHAIRMAN LIVINGSTON: We'll follow up on that, but we need to move on.



MS. KOSOSKI: That's fine, that's fine, thank you.

MS. FLETCHER: Yes, I'm with you now. Yeah, I want to talk, just touch on for a second the aspect of public comment and getting the public engaged and giving them an opportunity. And I know it's really hard with the current situation to do that, but I think that, for example, the fact that you, that only two organizations come in to the Gills Creek Watershed and the Conservation Commission on the last go round is a symptom perhaps that we need to do more to hear from the people for two main reasons; I think that, well probably more than two, but what I heard today raised in my mind some things I hadn't really thought about before and was glad to hear of the [1:20:08]. One of them was the point being made that the prioritization was based on a number of factors, but one of the things that was important was not to show bias or not to have bias. And you heard the question from, you know, why are there not any Gills Creek sites that are included here. That question about [1:20:32] is important because there's already a constituency of folks that are really interested and focused on the Gills Creek, but that's important because they have had experiences, [1:20:42] on the Gills Creek, so let's not forget that. And I appreciate also that the street names weren't included for touching on that need as well to not limit the possibilities when things are actually implemented. The other thing is the emphasis on making sure that people that are disadvantaged are helped, and I think that is a point that needs to be communicated more. There are some aspects of this program which are real and need to be implemented, but they will be more successfully implemented if the public is really brought in in a way that they understand what this is about and that they express their support before it is launched. I know that's hard but I think it's important.

CHAIRMAN LIVINGSTON: Thank you. Ms. Meyers?

MS. MEYERS: Thank you, sir. Just two questions to the Staff. What did you all say was the date by which you needed to submit this to HUD?

CLAYTON VOIGNIER: The date, or the deadline is August 31st, so the timeline ensures that we have time to go, to basically complete the public comment period and move this plan for County Council to approve as well prior to submitting to HUD, with the thought being that typically I don't believe there is a meeting of Council in August.

MS. MEYERS: So you're targeting this for which Council meeting for approval, sir?

CLAYTON VOIGNIER: July 21st.

MS. MEYERS: And between now and July 21st, do we have a Blue Ribbon Committee meeting scheduled?

CLAYTON VOIGNIER: No, we do not.

MS. MEYERS: Okay. I know that you're wanting the Blue Ribbon Committee to approve it, but I hear and certainly appreciate some of the comments being made by my colleagues. I was idyllic when I heard you all – well, read and heard you emphasize that part of what you're looking at, using the USC team is, you know, removing bias from this process, and actually getting resilience built into areas of Richland County that in some cases have just long been ignored and that now have bigger problems because of that lack of infrastructure and focus. So I'm excessively pleased with that. I am concerned, however, that the timing of this but I agree that there does need to be much more public input, at least in my opinion, before this Body moves this forward to Council with its blessing, but others may disagree. I might suggest that we try to get more public input, stressing the importance



of this plan for the long term of Richland's long-term health and resilience of Richland County, that we might try to get more public input prior to, you know, moving it forward to Council. But there is also an analysis that says this Body could move it forward with the caveat that there be public input brought to there, but that means you'd have to come back in the same way. So it seems to me that this needs to be publicly vetted prior to us blessing it, but I obviously will yield to the will of the Chair and my colleagues on the Commission.

CHAIRMAN LIVINGSTON: Let me just quickly say I don't know the importance of time here but the motion does include the fact that the public input, the public comment period is going to end, well it's going to be 30 days to June 5th, so [1:24:41] time for more public comments.

MS. MEYERS: But Mr. Chair, wouldn't that mean that we would approve it without those comments?

CLAYTON VOIGNIER: Mr. Chair, if I could just address Ms. Meyers' question. No, you wouldn't be approving it without those public comments. We specifically extended the public comment period. We are only required to do 45 days per HUD and currently because of Covid-19 HUD is actually reducing the requirements related to public comment period and we extended ours by over 30 days actually. And so we still have another public hearing to hold and we are happy to incorporate any ideas that this Body may have to, you know, publicize this document. But the public comment, the results of those public comments will be coming to Council for review as well. That would be incorporated in the action plan.

MS. MEYERS: Thank you, sir.

MR. GREENWOOD: Yes, Sean Greenwood, if I could?

CHAIRMAN LIVINGSTON: Yes, go ahead.

MR. GREENWOOD: I was holding this for the discussion. I want to revisit Ms. Kososki's comment, and I understand that the Staff's justification of the methodology but I think in the interest of being non-biased and all those kinds of things, we should still tackle easy projects. If they're easy and they're very possible I think, you know, there should be some effort made to try to get easy projects done that, you know, impact the floodway and flood zones directly. And I would just like to make sure that, you know, if there is I guess flexibility in the plan moving forward that, you know, those kinds of things are considered also, and not just a purely rigid, by the numbers, you know, we can prove this is non-biased because of this. But I mean, if there's easy to do projects and they make an impact I think we've gotta consider those as well.

CHAIRMAN LIVINGSTON: Thank you. Any other comments?

MS. KOSOSKI: Yes, I have one comment, Mr. Livingston, a final comment.

CHAIRMAN LIVINGSTON: Go ahead.

MS. KOSOSKI: This is Carol Kososki, and as you know the Conservation Commission submitted written comments, as well as the Gills Creek Watershed Association. And my question is, are there any changes that have been made to this plan or are expected to be made as a result of public comments received? In other words I understand that we had some problems in some of our meetings. Did anyone come to the March 12th meeting? My understanding was that no one did come and that we have another June 5th meeting coming up. I think there's a great need for public input but I'm wondering if any of the comments given will in fact be incorporated in the plan submitted to HUD? Because of the short timeframe and because of our circumstances.

CLAYTON VOIGNIER: Mr. Chair, if I could respond.



CHAIRMAN LIVINGSTON: Yes, go ahead, please.

CLAYTON VOIGNIER: The comments provided will be incorporated into the plan as well as Staff's responses to that. And so that's going to be submitted to HUD along with the plan.

MS. KOSOSKI: Thank you.

Public Hearing (June 5, 2020)

The second Public Hearing was a virtual Zoom meeting on June 5, 2020. A summary of all comments received along with Richland County's responses are provided below. Additionally, the meeting can be viewed in its entirety on the Richland County YouTube page (<https://www.youtube.com/watch?v=XfRVkx0czag>), comments and responses are directly from the meeting transcript.

MS. KOSOSKI: Okay, let me start once again. I'm Carol Kososki, I chair the Richland County Conservation Commission. I am also a founding member of the Blue Ribbon Committee on flood recovery and I am a long-term taxpayer and member and I live right here at 5335 Lakeshore Drive, right here in Richland County. I chair the Richland County Conservation Commission and I have a couple of comments to make on behalf of the Conservation Commission. One comment and one question. The comment I have to make is that we have submitted in writing to you some additional comments on this plan for the record and we would ask for your consideration in responding to that, that written document. This document was submitted to this morning by email, was voted on and was unanimously approved with one abstention by the Richland County Conservation Commission and so I wanted to be sure that that document got into the Record. Now as far as the question, I have one overarching question and that concerns the budget. We have requested some information on the budget. In particular how were the categories derived and the amounts determined? For example, when you look at the budget there's about \$7 million on storm water drainage and infrastructure, \$6.1 million on the single-family housing, about \$3 million on voluntary buyouts, \$3.7 on CDBG-MIT planning and about \$1 million under program administration coming to the \$21.8 million dollars. How are those categories determined? How was it determined how much money went into each one of those categories? So why is that important? Well, without such information the Richland County Conservation Commission and the Blue Ribbon Committee on flood recovery and the public are unable to determine the appropriateness or the benefit of the proposed budget. This is an overarching issue and so I would ask the designers of this grant application to please explain the issue of the overall budget and how the dollar amounts were assigned by category. Thank you.

CLAYTON VOIGNIER: Thank you for that question. As it relates to different programs I'm going to ask some of our presenters maybe to respond to that, but – and I'll talk generally. I believe the budget for the, the housing programs, the voluntary budget, the voluntary buyout program, the budget for that, they used the pre-disaster appraisal price for each property that was identified with an estimated cost for closings, appraisal fees, demolitions, incentives, uniform relocation assistance costs and contingency costs. As for the single-family housing program, the initial budget was based on the estimated average construction and relocation costs under the, under a program currently operating under the Disaster Recovery Program that would meet the portion of the household mitigation deficit identified in the mitigation needs assessment. And that was represented by 111 homes. But due to competing funding priorities identified by the infrastructure programs, the, and the voluntary buyout program, the budget was reduced to rehabilitate an estimated 80 homes. And I would ask our other presenters maybe to talk about the infrastructure projects and how those budgets were arrived at.



MS. WILLIAMS: This is Synithia Williams, I wasn't sure if Mike was going to speak up on his first, but with the infrastructure projects that we were looking at we, based off the estimate, based off other capital projects for engineering and also construction to implement the projects. So after the projects were ranked and narrowed down we had a very, originally a very long list, I mean, we could've spent the \$21 million dollars just on the County's infrastructure but once we narrowed it down based off of the high risk, the scoring in the project database and some of the other things such as the LMI areas and those kind of critical needs, the top projects that came out of that, this is what the average estimated cost for engineering and construction came out to be.

MR. KING: Thank you, Synithia. On our projects basically one of the things we were really very conscious on cost savings and that's why we're focusing on utilizing existing County-owned properties so there's not going to be an issue of having to purchase property to put our wells on there. And we did a study with industry experts as far as the equipment, the cost, average cost of building wells, etc., and that's how we came up with our estimate. But you also see our estimate's somewhat flexible because if we can cut costs in every area that we can cut costs, we can actually add additional wells. We know we need at least three, but we would really hope to be able to add up to six with those funds.

CLAYTON VOIGNIER: Thank you, Mike. And as I mentioned earlier as well the, 20% of the grant is going to planning and administration per the cap as identified in the Federal Register so those numbers were derived directly from the grant amount.

MS. JERMAN: Okay, great. Thank you so much. My name is Trish Jerman, I live at 1513 Pinemont Drive in the City limits, although I am representing the Gills Creek Watershed Association tonight and the Gills Creek Watershed as you know extends from out beyond Sesqui down to Congaree River. Couple of things, I want to commend you for getting this out in Spanish and Korean as well, I can't imagine how difficult that must've been so kudos to whoever put that through the process. I want to emphasize how important we think public involvement is and we have a little bit of trouble getting notice in a timely manner about opportunities to participate and review, and I'm sure it's not a surprise to you guys that 5:30 on a Friday afternoon is maybe not the most popular time for a public hearing. But you know all that and we would just like to encourage you in the future to help us figure out how to get materials well in advance and find out about public hearings well in advance. But what I want to say on the positive side is I was really, really excited to hear a mention of the planning efforts to develop, if I understood it correctly, to develop policy on buyouts and land management. We have talked about that so much within the Gills Creek Watershed Association that it's very important to prevent problems before they happen. So many cities around the country, and I suppose counties around the country, have developed buyout policies moving back away from flood plains and I think it's really, really exciting that that's part of your plan and Gills Creek would like to be helpful in that regard if it's appropriate, cheer you on or give you advice or weigh in with criteria, that sort of thing. I think that's very important, and a little bit to echo Carol's question about how the amounts were determined, how you determine what weight to give to various categories. When I heard \$3 million for buyouts right now that sounds like a whole lot but it's not going to buy out a lot of properties and so if there are any opportunities to get additional funds we would encourage you to do that so that you could get more properties out of the way of flood waters. Thanks very much.

CLAYTON VOIGNIER: Thank you for those comments.



MS. YANCEY: Hi, thank you. And I want to tell you how much I appreciate everything you're doing, appreciate this opportunity. I live at 820 Cross Hill Road in the City of Columbia and I'm here with the Gills Creek Watershed Association to tag onto what Trish just said. I understand this looks like a whole lot of money until you start trying to divide it up and it goes pretty quickly. I wonder if you could speak a little bit about how you are prioritizing in the sense that if something is feasible and ready to go is that going to get a higher priority than something that maybe is not so much, or is there another way of determining?

CLAYTON VOIGNIER: Alright, thank you for the question. If I'm understanding you correctly are you asking about how we are prioritizing projects within the various programs or?

MS. JERMAN: Correct.

CLAYTON VOIGNIER: Okay. So I can speak for the housing program. The buyout programs were prioritized based, or the projects there were prioritized based on those homes that were inside the floodway, the special flood hazard area and they were also identified and prioritized based on the amount of repetitive loss that those properties have accumulated. And then for the Housing Rehabilitation Program, we are prioritizing applications based on low and moderate income individuals, so as those individuals apply they would have to be, you know, HUD standards in terms of low to moderate income individual that would qualify as well as, you know, disaster damaged homes that would qualify for mitigation funding, and to be inclusive of mitigation measures. So that's how we would prioritize within those programs. And Synithia and Mike, perhaps you can speak to the other, the infrastructure programs.

MR. KING: Again, our prioritization was fairly easy because we had our three key water points that we knew were decimated by this storm and we want to relocate the sustained and resilient water supply, the wells and the pumps, in those areas.

MS. WILLIAMS: Hi, this is Synithia here. One of the benefits with the infrastructure projects is that they're all our County infrastructure so it makes it, all of them are pretty good to go, we don't have to deal as much with, you know, trying to deal with, you know, private property owners, it's our pipes and so that makes them pretty much shovel ready. It's mostly just getting the studies done to figure out what type of upsize or what kind of change in material would be needed to make sure that pipes can handle the flows that are coming to them, so that benefits us. And then again with our project ranking database it also helps us look at which projects will have the biggest impact compared to other projects.

MS. JERMAN: Right. Okay, thank you.

MR. WEBER: Okay, I'm Charles Weber, I live at 133 Deer Track Drive and I'm also a Commissioner on the Richland County Conservation Commission. I think this question is for Synithia but I may in error. Of the \$7.1 million that's in that account, and if I understand what you just said is correct that these projects that are on this list and that the projects are basically shovel ready, it looks like to me that 2/3rds of that \$7 million is going to be used on study and design and only \$2.5 million is actually going to create a situation that we get an improvement. I certainly would like some additional explanation on that, please ma'am.

MS. WILLIAMS: No, it's design and construction. One of the reasons why in the actual plan, you know, we list the way we're going to rank projects but we already have specific road names, specific culvert crossings so it



is design and construction. And the benefit is that if, for a reason one of the projects comes in under budget we can go back to additional project lists and hopefully do some other projects. So no, it's not just for studies, it's not just for the design, we also want to do construction. One of the things is also to do the camera CTTB inspections of the high risk infrastructure; by doing that we know we will probably identify some immediate needs, fixes that need to happen right then, and so that way we can quickly respond to those with construction and upsizing of the pipes.

MS. HUNTER: Charles, is that all you have before I recognize anyone else?

MR. WEBER: I just, I, what I'm drawing your attention to, and I'm an engineer as well, you got 2/3rds of your total expenses is in design and only 1/3rd of that is materials to get it ready. That doesn't sound right to me in my experience. Thank you.

** After the public meeting the plan was reviewed for clarification and the budget outlines 4 million for construction and \$2 million for design.

MR. REESE: Yes, my name is Robert Reese as you just mentioned and I live at 204 Sonoma Drive. And I serve as the president of the Lower Richland branch of the NAACP, and I'm sorry if this was, if this was stated earlier, but this is for Synithia and for the projects that is dedicated or designated for the well development. Where can I get a list of those projects that are allocated and are they allocated by district so we'll know just which part of the counties are going to be the beneficiaries of these projects?

MR. KING: I can speak on that. As far as the fire suppression/well projects, those are all, the three are going to be all in the Lower Richland area. And then, and as we, if we have any funding remaining we will take other areas where we can improve the water supply, the fire suppression water supply. But all three of those projects will be in the Lower Richland area. The list of County properties we're looking at right now, we want to make sure we select the best property to do the well installation on, and then we'll be moving forward from that.

MR. REESE: Are you still – and I don't know if Synithia has, if she has a list of the projects that are broken down by district and if not I can, if there's a place where we can access those I'll gladly access those online. And even for the well projects that you just mentioned, I don't know if there's specific areas of the Lower Richland community but I would love to be able to make the community aware that these activities and these projects are slated for work in our community.

MS. WILLIAMS: Yes, there is a list of the specific culverts and the places where we're going to have some of the additional infrastructure projects and those can be sent to you.

MR. KING: And as far as the water projects, the actual specific sites have not been identified yet. Again, we're still in the evaluation process but all three of the replacement sites will be in the Lower Richland area and once we have those locations we'd be happy to provide those and with the accompanying district.

MR. REESE: Thank you.

MS. JERMAN: Thank you. I don't want to keep anybody else from speaking and I certainly don't want to stand between everybody and dinner, but with a different hat on than when I was speaking before, it occurred to me when you were talking about the housing rehabilitation, I wonder if you have explored any resources to



increase energy efficiency as you're rehabbing those houses? Cause it's a lovely opportunity to reduce long-term operation costs in those buildings and there might be some local resources that would, that could be brought to bear on that and I can get with you outside the confines of this if that would be helpful, if that's something that you're able to think about.

CLAYTON VOIGNIER: Yes, I appreciate that. That would be very helpful. You know, as part of our requirements through the Federal Register [1:06:48] construction standards including energy efficiency are part of the things we have to take into consideration. So I'd love to get with you offline and talk about those local resources.

MS. JERMAN: Okay. We'll do that.

CLAYTON VOIGNIER: And my information as well as Lauren's information is on the mitigation website if anyone wants to reach out to us, but I'll be glad to get your information and follow up with you directly.

MR. REESE: And one last question. Are you working collaboratively with the water extension projects the Utility Department has going, ongoing?

CLAYTONE VOIGNIER: If there's some sort of connection with the infrastructure programs I would have to defer to Synithia or Mike on that.

MS. WILLIAMS: This is Synithia. No, the Utilities Department, that's a separate department than the Department of Public Works. They deal with water and sewer and we're storm drainage and roads, so no those projects don't really interact.

MR. KING: One of the things we're going to do as the pressurized water system is expanded in our County, we're going to be working as part of our planning process with the Utilities Department to make sure that we maximize the location of our wells. That way we're making sure we provide the most efficient service.

MR. REESE: And listen, I apologize but since this is going to be the only time that the public has to ask these questions I've just got one more question, and this is, because I'm in the Lower Richland area and we've got these new fire hydrants and this new water project going on, and I just want to know if somebody can answer why is the fire suppression not connected? Why is fire suppression not connected?

MR. KING: Well, as the water system is expanded and hydrants are installed they will automatically, after they're certified, they will be connected and they will improve the water supply in that area. And again that's why it's important that we work with the Utilities Department to make sure when we install the wells – obviously, the water supply system is not going to be, pressurized water supply systems, not going to be available everywhere in Lower Richland at this time and that's why these other auxiliary water sources are so important to provide water for our firefighting efforts down there. And our whole intent is to improve water suppression or water supply for fire suppression through the pressurized system as it grows out, but also through these well systems which are a much more resilient and capable water supply than pumping out of a pond.

MR. REESE: So does that mean that the suppression will supplant other areas without hydrants, is that what you're saying?

MR. KING: That is, these areas where we're using the dry hydrants that I explained earlier, these are areas without pressurized water systems. That's why they're so important.



MR. REESE: Thank you very much, I certainly appreciate it. And you all forgive me for being so very specific about the areas out here, but we really want to make sure that this area is going to be at least beneficiary of some of these projects. Thank you.

MS. HUNTER: Absolutely Mr. Reese, thank you for your input, we appreciate you being here and having all of your comments to say so thank you for taking advantage of the public hearing, absolutely.



2020 Hampton Street • Room 3063A
Columbia, SC 29204
(803) 576-2083

June 4, 2020

Ms. Lauren Hunter
Community Planning and Development Department
2020 Hampton Street
Columbia, SC 29204

Sent via email to hunter.lauren@richlandcountysc.gov

Dear Ms. Hunter:

As Chair of the Richland County Conservation Commission (RCCC) and member of the Blue Ribbon Committee (BRC), I attended the May 28, 2020, BRC meeting regarding the Richland County Community Block Grant Mitigation 2020 Action Plan (Plan). RCCC submitted detailed comments on the draft Plan. The Community Planning and Development Department (CP&D) included a rebuttal response to our comments in their May 28 presentation. This letter provides our response.

Collaboration and Public Input

The staff response to RCCC comments is inaccurate and misleading concerning collaboration and public input. First, the record is clear that a period of more than a year and a half transpired between BRC meetings. During such time, CP&D did not communicate or meet with the BRC members. As a result, the BRC was not involved in Plan development which contrasts with previous CDBG-DR plans and project implementation where the BRC served as a key stakeholder in determining how projects were selected and the expenditure of funds for Richland County.

Second and contrary to CP&D's rebuttal response, RCCC and the Conservation Division staff were not involved in evaluating the Plan's all hazards approach, lifeline concerns, the selection of proposed projects, or the determination of the proposed funding categories in the Plan. During 2018, Conservation Division staff, at the direction of the RCCC, provided CP&D a list of proposed CDBG-MIT projects to a Public Works group. Subsequent to this submittal, RCCC and the Conservation Staff were not directly involved in development of the Plan.

Mitigation Needs Assessment and Project Selection

In our comments on the Plan, RCCC requested the proposed projects be included in an Appendix in the Plan. This request of a listing of the projects included the project ranking, type, location and funding amount. We also asked for an explanation of how the budget was developed – how the categories were derived and the amounts determined. Without such information, RCCC, the BRC, and the public are unable to determine the appropriateness and/or benefit of the proposed budget. CP&D chose not to provide this information in their rebuttal comments or any amended Plan.



At the 11th hour prior to the May 28 BRC meeting, CP&D provided a short categorical list of projects for \$7.1M which failed to meet our request for a full breakdown of all projects. We were surprised to discover a project in the Spears Creek watershed which was included in RCCC's suggested project list in 2018. RCCC and Conservation Division staff are the technical lead on the Spears Creek project having allocated \$40,000 for a feasibility study. Additionally, the Director of CP&D was aware of my concern about a Forest Acres project that had been approved for inclusion by the BRC in 2018 but did not make this Plan's list. These are three examples of the lack of collaboration and transparency we find disturbing.

RCCC also commented regarding our concerns over the appropriateness of using the Richland County Department of Public Works Project Database Tool to rank and select \$7.88M in CDBG-MIT infrastructure projects. CP&D did not provide any meaningful response to our concerns regarding methodology. Coupled with the failure to provide a project list, we remain concerned about the validity of the infrastructure project selection methodology. We again request a meaningful technical response and that those concerns be addressed in an amended Plan.

The RCCC commented on the disconnect between the numerous maps contained in the Plan for both an all hazards approach and the community lifeline concerns. The CP&D rebuttal response referenced the "Federal Register Notice vol. 84, no.169, the guidance from HUD expressly requires the needs assessment to include other risks beyond the qualifying one, in this case flooding." But for this reference, the CP&D has not adequately responded to our comments on how all hazards and community lifeline concerns were addressed in the Plan. As commented previously, the Plan does not explain how the selected budget addresses hazards other than flooding to include, tornados, hail and other such hazards. Further, the CP&D rebuttal does not provide any supporting information regarding which projects and how the associated budget improves resiliency and community lifeline concerns such as energy and communications infrastructure, health and medical, etc. We think the Plan fails to meet the Federal Register requirements referenced above.

Summary

We believe collaboration and public input efforts should and could be improved by including more meetings and additional information on how these projects promote long-term resilience. Project selection is very important and should be made more transparent to the affected communities and stakeholders. RCCC urges CP&D reconsider the Plan by addressing our stated concerns.

Yours truly,

A handwritten signature in blue ink that reads "Carol Kososki".

Carol Kososki, RCCC Chair

Cc: RCCC members
The Honorable Chip Jackson, RCCC Liaison to Council



Response to Additional Public Comments received from Richland County Conservation Commission on June 5, 2020

The Richland County Conservation Commission (RCCC) provided additional public comments in response to the County's comments regarding their initial public comments to the CDBG-MIT Action Plan. RCCC's additional public comments are related to collaboration and public input, the Mitigation Needs Assessment, and project selection. The RCCC requested a written response from County staff, which is provided below.

Collaboration and Public Input

From early November 2019 through February 2020, staff communicated with the Chair and Vice-Chair of County Council, who are Council representatives for and members of the Blue Ribbon Committee (BRC), about the format and membership of the BRC given that significant time had elapsed since the last meeting of the BRC. A considerable amount of time was devoted to re-establishing the membership of the BRC, confirming availability of Councilmembers to convene the BRC, and informing Councilmembers of the items planned for the agenda. Thus, while previous disaster recovery efforts did include more BRC and RCCC involvement, meetings with the RCCC were not conducted and meetings with the BRC were limited because less time was available for the development of the CDBG-MIT Action Plan as opposed to the CDBG-DR Action Plan, the membership of the BRC and the Working Group had changed significantly, and the Working Group intended to have a developed CDBG-MIT Action Plan to present to the BRC based on the Mitigation Needs Assessment, which was already under development in partnership with USC's Hazards and Vulnerability Research Institute. As such, the next BRC meeting was held on February 20, 2020, at which time staff presented information for input from the BRC on the overview and purpose of CDBG-MIT funds, the planned approach to the Mitigation Needs Assessment, and the timeline for and progress on development of the action plan. At that time, staff indicated that the selection of projects would be based on the results of the Mitigation Needs Assessment as required by the Federal Register Notice for CDBG-MIT funds, the staff areas of expertise, and a comprehensive assessment of the capacity of staff to complete the projects, also required by the Federal Register Notice.

In October 2019, the Director of Community Planning and Development (CP&D) verbally consulted with the Conservation Division Manager concerning stormwater infrastructure projects related to Gills Creek that were identified by Conservation Division staff through the previously established Working Group for CDBG-DR in 2018. CP&D staff determined at that time that the projects seemed to fit the general purpose of CDBG-MIT activities, and thus may be eligible for CDBG-MIT funding. However, the CP&D Department does not have the capacity to administer stormwater infrastructure projects and any infrastructure projects would have to be identified by departments with the requisite expertise, primarily the Department of Public Works, and would have to be based on the results of the Mitigation Needs Assessment. At their November 18, 2019 meeting, RCCC mentioned Forest Acres in relation to a Gills Creek project. At that meeting, the CP&D Director reiterated that the project appeared to be eligible, but that any infrastructure projects would have to be identified by departments with the requisite expertise, primarily the Department of Public Works, and would have to be based on the results of the Mitigation Needs Assessment.

At the BRC meeting on May 28, 2020, some BRC members mentioned the Forest Acres project, at which time they requested to meet with County staff to discuss the project. Staff members of the Working Group met with those BRC members, including the Town Administrator of Forest Acres and the Chair of the RCCC, on June 5, 2020, at which time the specific details of the project were provided to staff and a potential opportunity for collaboration on the project with the Town of Forest Acres and RCCC was identified whereby the Town may be an eligible sub-recipient for CDBG-MIT funding. On June 15, 2020, some staff members of the Working Group attended a meeting

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of the RCCC and provided the same information at that time. Staff will consult with HUD to determine the feasibility of a sub-recipient relationship with the City of Forest Acres and provide additional information and opportunities for discussion on the identified potential opportunities for collaboration with the City of Forest Acres and RCCC and County staff's response to public comments at future meetings of the RCCC and the BRC. Further, as inspection of high-risk infrastructure occur as part of the Stormwater and Drainage Infrastructure Resilience Program, the probability of discovering needed infrastructure repairs and maintenance within the Gills Creek Watershed is anticipated, and staff members from the Working Group will ensure that the RCCC and BRC are apprised of this work and the progress of work conducted by the other programs.

Mitigation Needs Assessment and Project Selection

RCCC expressed concerns that the CDBG-MIT Action Plan does not 1) adequately address all hazards and community lifeline concerns, 2) explain how the selected budget addresses hazards other than flooding to include, tornadoes, hail and other such hazards and 3) does not provide supporting information regarding which projects and how the associated budget improves resiliency and community lifeline concerns such as energy and communications infrastructure, health and medical, etc. While the Federal Register Notice indicates the grantee must include other risks beyond the qualifying one, in this case flooding, it does not specify that all hazards must be addressed through proposed programs or projects or that proposed programs or projects must address all lifelines. In addition, while the Federal Register Notice indicates that the Mitigation Needs Assessment must quantitatively assess the significant potential impacts and risks of hazards affecting the community lifelines, it does not require a quantitative approach for how proposed programs or projects mitigate those risks. Rather, the Federal Register Notice indicates that the grantee must make a connection related to how the proposed programs or projects mitigate specific current and future risks. At the May 28, 2020 meeting of the BRC and the June 5, 2020 Public Hearing, staff presented information from the Action Plan concluding that the Mitigation Needs Assessment revealed the significant current and future risk posed by flooding and that it is for this reason that the Action Plan focuses on flood hazards in identification of mitigation efforts. In addition, each proposed program in the Action Plan provides a narrative assessment of the program's connection to the community lifelines and long-term resiliency.

RCCC expressed concerns with the breakdown of programs and infrastructure projects provided and the inclusion of the Spears Creek Project, which was a project championed by the RCCC, and the exclusion of a project in the City of Forest Acres. The Department of Public Works (DPW) selected the current infrastructure projects for inclusion in the CDBG-MIT Action Plan based on the DPW's goal to continually inspect, maintain, and improve the County's drainage infrastructure. The DPW utilized the current in-house process for evaluating and recommending drainage projects. A copy of the 25 Year Stormwater Management Plan with more information about the Department of Public Works selection process was provided to RCCC for review. The DPW presented the plan to Richland County Council in 2015 and has since implemented portions of the plan. The Department of Public works will solicit comments from RCCC when the plan is updated in the future to incorporate comments or address concerns of the RCCC related to the 25 Year Stormwater Strategic Plan.

The summary breakdown of all programs will be provided in the Appendix of CDBG-MIT Action Plan as attached. The Working Group solicited infrastructure and housing programs and projects with budgets from departments that provided 1) a preliminary determination of possessing the requisite expertise and experience to implement such projects and 2) a connection related to how the proposed programs and projects mitigate specific current and future risks, specifically flooding, as identified in the Mitigation Needs Assessment. As such, and since the



budgets of those programs and projects fell within the County's total allocation for CDBG-MIT, individual programs were not ranked alongside each other.

Richland County recognizes the RCCC's desire to be an active and contributing partner in and offer their expertise on conservation projects within the County. The County is therefore committed to seeking future opportunities for engagement in and input on those projects and mitigation activities funded with CDBG-MIT funds.



Richland County Conservation Commission Meeting (June 15, 2020)

Below are the preliminary RCCC meeting minutes from June 15, 2020 these have not yet been approved by the RCCC. Only the notes regarding the CDBG-MIT Action plan have been included for reference.



Minutes June 15, 2020

Conservation Committee Report

CDBG-MIT Action Plan

A response to RCCC comments on the Action Plan for the CDBG-Mitigation funds was included in the Blue Ribbon Committee agenda packet on May 26. Carol requested a teleconference to discuss the response. Commissioners felt the response misrepresented the RCCC level of involvement and the participation of the Blue Ribbon Committee in developing the plan, no list of projects, and the lack of response to several questions. At the June 1 special called meeting, it was decided to send another response. Buddy developed a second set of comments which were approved by RCCC electronically on June 4 and sent to Lauren Hunter the following day. A list of stormwater infrastructure projects was provided before the public hearing on June 5. Carol attended the virtual public hearing and asked how the budget was developed and allocated among the categories. Assistant County Administrator Ashley Powell asked Synithia Williams, Stormwater Manager to meet with RCCC to resolve some of the questions.

Synithia provided the 25-year Roadmap (finalized in 2015) referenced in the plan and requested by RCCC. She addressed the infrastructure portion of the plan, explaining that Public Works developed a list of projects under the assumption other departments would propose their own projects. \$7 million was the amount estimated to fund the projects Public Works developed. Specific road names were not listed in the plan because staff wanted the flexibility to add more roads/projects if some projects came in under budget without having to amend the plan. Visual assessment of high-risk infrastructure was an important priority because the criticality analysis was only a desk-top analysis and staff needs to be able to investigate with cameras for precise determination of problems. Goals were to alleviate localized flooding, consider low-to-moderate income areas and high risks tied to transportation, and make more strategic decisions about maintaining drainage infrastructure. Synithia explained the confusion about the amount for design/planning vs. construction should have been alleviated in the final spreadsheet.

John asked about the non-specific projects listed in the 25-year plan. Synithia said many of those projects were on private property and with the Action Plan, the goal was to spend funds on county-owned infrastructure. New projects continue to be added to the 25-year plan, especially after the 2015 flood. The Spears Creek project came to Public Works through citizen complaints and not through RCCC. The Forest Acres project in Gills Creek was not something Synithia was aware of until the Blue Ribbon Committee meeting. Buddy encouraged a more cooperative arrangement between Stormwater and Conservation. Synithia stated her focus is on maintaining compliance with the county's NPDES permit and improving drainage infrastructure. Carol asked about the status of the Forest Acres project which Synithia said would not fall under the infrastructure category. Clayton said Pat Beekman with Tetra Tech is investigating whether Forest Acres can be a subrecipient of grant funds. The project sounds viable and Clayton was hopeful mitigation funds could be reallocated if other projects don't materialize.

Buddy asked how the evaluation weighting criteria was developed for the 25-year Roadmap. Synithia replied it was a combined recommendation from the internal steering committee and the consultants Brown and

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Caldwell. Buddy continues to be concerned about the weighting criteria and recommended revisiting the weights and adding a sensitivity analysis so as not to make some projects appear more important than they are. John suggested a working group session although Synithia reminded RCCC the 25-year strategic plan is a departmental document, however she will be glad to reach out to Conservation when they consider updates. Nancy asked for a status of the Land Development Manual and was told it had been sent to Woolpert, the consultants who are reformatting it and addressing some of the comments raised by stakeholders. The final document should be available soon.

John moved seconded by Buddy to extend the meeting by 15 minutes. Motion carried.

Charles said Richland County does not have a good track record in correctly estimating project costs (Penny Transportation) and is concerned about the lack of specific cost information for the projects in this plan. He also expressed concern about the camera infrastructure investigation because it creates cardinal knowledge about what problems exist. Synithia responded this is why development of an asset management plan is so important, allowing them to determine what needs to be addressed immediately, what can be scheduled for later. Buddy encouraged members to look at the project lists in the 25-year plan. Robert Squirewell asked if there is any overlap with the city of Columbia and was assured all of the projects are in the unincorporated areas.

DRAFT



Action Plan Program Breakdown

All CDBG-MIT Programs

Program/Project	Project Name	Comments/Notes	Total DPW Score	Priority High/Med/Low	LMI Area	High Risk Infrastructure	Flood Plain Area	Council District	Design/Study Cost	Construction Cost	Total Project Amount
Stormwater and Drainage Infrastructure Resilience Program	Investigate/upgrading data of High Risk County Infrastructure	In the 25 Year Stormwater Strategic Plan county drainage infrastructure was rated a low, medium and high risk based off the type of material, remaining useful life and consequences of failure. This project involves inspecting and updating GIS data of the infrastructure using a camera and note condition and any maintenance issues for future planning and design uplifts. Create a replacement planning model to get understanding of repair and replacement costs. Immediately repair any hazardous conditions. There is several storm drains on this road that carry water from the street to a drainage conveyance system. These storm drains needs to be evaluated for possible upsizing and mitigation. Project locations list 6 areas below: 1) Cunningham Road TMS#R07505-00-31 2) Deerpwood Street TMS#R13712-01-30 3) Oakley Drive TMS#R14207-07-60 4) Leon Drive TMS#R11911-04-11 5) Scott Road TMS#R32400-07-21 6) Berdemeer Drive TMS#R19215-01-17	960	M	Yes	Yes	N/A	All	\$2,200,000	\$2,200,000	\$4,400,000
	Richland County Infrastructure studies, upgrades, and mitigation for 6 problem areas		1360	H	Yes/No	Yes	No	2,3,5,7, 10,11	\$300,000	\$1,150,000	\$1,450,000
	Spears Creek Watershed Study	Develop and implement a strategy to reduce flooding impacts from a damaged dam and watershed development within the upper portions of the Spears Creek watershed.	1,120	M	Yes	Yes	Yes	9	\$200,000	\$1,000,000	\$1,200,000
Water Supply Infrastructure Resilience Program		The County will use CDBG-MIT funds to build a resilient fire suppression water supply system to mitigate future impacts from flooding by replacing the three (3) decommissioned natural water points, and adding up to three (3) additional water resupply points in the area, with the focus on improving the Insurance Services Office (ISO) Public Protection Classification (PPC) for area residents.	N/A	H	Yes	Yes	Yes	2,8,9, 10,11	N/A	N/A	\$832,500
Housing Buyout Program		Richland County recognizes that buyouts represent permanent flood mitigation. As such, to increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship. Richland County will use a portion of the CDBG-MIT funds to acquire, demolish, and return to a naturalized state eleven (11) residential properties and three (3) non-residential properties through its Voluntary Buyout Program. These properties have been identified as being located in the SFHA and have a history of repetitive loss. The budget for the Voluntary Buyout Program used the pre-disaster appraisal price for each property with estimated average costs for closings, appraisal fees, demolitions, incentives, Uniform Relocation Assistance costs, and contingency costs.	N/A	H	Yes	N/A	Yes	All	N/A	N/A	\$3,000,000
Single Family Housing Rehabilitation Program		The Single Family Housing Rehabilitation Program under CDBG-MIT will provide resilient housing primarily outside, but near to, the SFHA to help mitigate future damage to homes from flooding and severe storms. For any of these homes that qualify for the program, rehabilitation would include certain mitigation measures, such as dry flood-proofing, home hardening, and disaster-, flood- and mold-resistant construction. For any homes inside the SFHA that would qualify for this program, rehabilitation would include more intensive mitigation measures, primarily elevation above the base flood level. The initial budget for the Single Family Housing Rehabilitation Program was based on the estimated average construction and relocation costs under the current SFHRP that would meet the portion of the household mitigation deficit identified through the applicant waitlist, which represents 111 homes. However, due to competing funding priorities identified by the infrastructure programs and the Voluntary Buyout Program, the budget was reduced to rehabilitate an estimated 80 homes.	N/A	H	Yes	N/A	Yes/No	All	N/A	N/A	\$6,158,700
Planning	Property Acquisition and Land Management Policy	Create a policy for acquisition of property impacted by flooding in lieu of construction of flood control projects. Policy will include when and how to evaluate properties for potential acquisition, including determination of the benefit-to-cost ratio and the procedures for purchasing those properties. This project was originally identified as an infrastructure project in the Stormwater Strategic Plan, but the nature of the project more closely aligned with planning-related activities, so the project was moved to the Planning budget.	670	M	N/A	N/A	Yes	All	\$50,000	\$0	\$50,000
Administration		Funds will support development of and amendments to the action plan and other planning related activities to support implementation of the other programs. 15% of the total grant award is allocated to Planning per the Federal Register Notice. Funds will support administration of the other programs and the Implementation Plan. 5% of the total grant award is allocated to Planning per the Federal Register Notice.	N/A	H	N/A	N/A	N/A	All	N/A	N/A	\$3,679,600
			N/A	H	N/A	N/A	N/A	All	N/A	N/A	\$1,093,200
									\$2,700,000	\$4,350,000	\$1,864,000



Stormwater and Drainage Infrastructure Resilience Projects

Project Name	Comments/Notes	Total Score	Priority High/Med/Low	LMI Area	High Risk Infrastructure	Flood Plain Area	Council District	Administrative Cost	Design/Study Cost	Construction Cost	Total Project Amount
1 Investigate High Risk County Infrastructure	In the 25 Year Stormwater Strategic Plan county drainage infrastructure was rated a low, medium and high risk based off the type of material, remaining useful life and consequences of failure. This project involves inspecting the infrastructure using a camera and note condition and any maintenance issues. Create a replacement planning model to get understanding of repair and replacement costs. Immediately repair any hazardous conditions.	960	M	Yes	Yes	N/A	All	\$0	\$2,200,000	\$2,200,000	\$4,400,000
3 Conningham Road	The area drainage is old and doesn't handle the water during a normal rain event. The area crew spends a lot of time on this road making sure the drainage has no sediment so the system can work as well as it can, pipes needs to be evaluated for update.	950	H	Yes	Yes	No	2	\$0	\$50,000	\$200,000	\$250,000
4 Oakley Drive	This area has several drainage pipes that take the water off of the road and outfall into a major drainage ditch in the rear of this property. The pipes are kept clean by the area crew but still having issues with the road flooding during a normal rain event. Pipes needs to be evaluated for updating.	1360	H	No	Yes	No	3	\$0	\$50,000	\$200,000	\$250,000
5 Deerwood Street	There is several storm drains on this road that carry water from the street to a ditch in the rear of the properties. These storm drains needs to be evaluated for possible updating.	580	H	No	Yes	No	5	\$0	\$50,000	\$200,000	\$250,000
6 Aaron Drive	During a normal rain event the storm drains on this road don't seem to be sized to take the amount of water coming off of the road. Area crews work hard to keep the system cleaned. Pipes need to be evaluated for possible updating.	580	H	Yes	Yes	No	7	\$0	\$50,000	\$200,000	\$250,000
7 Spears Creek Recovery Project	Develop and implement a strategy to reduce flooding impacts from a damaged dam and watershed development within the upper portions of the Spears Creek watershed.	1170	M	Yes	Yes	Yes	9	\$0	\$700,000	\$1,000,000	\$1,700,000
8 S. Scott Road	Road has several crossline pipes that seem to be undersized and needs to be evaluated to make sure they can effectively handle the amount of water that comes off of the road during a rain event.	1190	L	Yes	No	No	10	\$0	\$50,000	\$150,000	\$200,000
9 Bendemeer Drive	This area tends to flood a lot during a normal rain event. The area crew keeps the the system clean. The pipes needs to be evaluated for possible updating.	1240	H	No	Yes	No	11	\$0	\$50,000	\$200,000	\$250,000
								\$0	\$2,700,000	\$4,350,000	\$7,050,000



Public Hearing Advertisements

Due to COVID-19 Richland County had to cancel the April 10, 2020 Public Hearing and scheduled a virtual public hearing that took place on June 5, 2020. The public comment period was extended during this time from the original 45-days for an additional 34 days.

Richland County Public Information office sent the notice to all media contacts, posted on social media and was available on the County's home page under "News" and on the Flood Recovery Page under "News and Public Outreach." The June 5 meeting was featured in the Richland County weekly newsletter from May 15, 2020 to June 5, 2020.



PUBLIC HEARING NOTICE

RICHLAND COUNTY WANTS YOUR INPUT

CDBG-MIT Funds **Richland County Community Planning & Development**

Richland County will receive \$21,864,000.00 in Community Development Block Grant-Mitigation (CDBG-MIT) funding from the U.S Department of Housing and Urban Development (HUD) to mitigate disaster risks and reduce future losses.

Your input can help determine how this mitigation funding will be used.

Comments will be accepted from Thursday, March 12 through Friday, May 1.

All comments will be submitted to HUD. CDBG-MIT funds primarily benefit residents in low- to moderate-income areas.

Please join us at an upcoming public community meeting to provide your comments:

5:30 p.m. Thursday, March 12

Garners Ferry Adult Activity Center
8620 Garners Ferry Road, Hopkins

5:30 p.m. Friday, April 10

Decker Center Community Room
1945 Decker Blvd., Columbia

You can also provide input by emailing hunter.lauren@richlandcountysc.gov or calling 803-576-1335.

In addition, you can mail comments to:

Richland County Government
Community Planning & Development Division
Attention: Lauren Hunter
2020 Hampton St.
P.O. Box 192
Columbia, SC 29204

For more information on mitigation funds, visit
<http://www.richlandcountysc.gov/mitigation>



DEATHS

trusted with the arrangements. Condolences may be sent by visiting www.dunbarfuneralhome.com.

Leslye Flaniken Newton
MOUNT PLEASANT - Leslye Flaniken Newton, 66, of Mount Pleasant, South Carolina, passed away at home on Saturday, February 29, 2020 after a battle with pancreatic cancer. A native of Lake City, South Carolina, she is preceded in death by her parents, Lewis Randall and Leslye Lightsey Flaniken. Arrangements by J. Henry Stubb, Inc., Mount Pleasant Chapel.

A memorial message may be sent to the family by visiting our website: www.jhenrystubb.com.

C. Gerald Smoak



COLUMBIA - Jerry Smoak, 73, fell asleep on February 29, 2020, born in Spartanburg, SC, he was the son of the late Chrystalle and Calvin Smoak. He attended Greenville High School, Clemson University, and graduated from East Tennessee State University. He also served proudly in the US Army, he retired as an Inspector from DHEC.

Jerry loved hunting and was co-owner of Red Cedar Valley and Twin Lakes Hunt Clubs. He was a volunteer Wildlife Officer in Fairfield County.

He also was an avid reader, studied WWII history, and was the owner of Germania Books. He enjoyed traveling and did not with his wife, Carol Pittman, for many years, especially to Costa Rica.

He was a member of Holy Trinity Greek Orthodox Cathedral, the Columbia Museum, Columbia Zoo, and 701 Whiskey Art Center.

Survivors include his beloved wife, Carol Pittman; nephews, Charles Pittman III of Lake Worth, FL, Scott Pittman (Boj), of Baltimore, MD, and Ekwam Pittman (Heather), of Princeton, NJ. Four precious grandchildren, Charles Pittman IV, of Orlando, FL, Isabelle Pittman of Baltimore, MD, and Samuel and Will Pittman, of Princeton, NJ, and many cousins.

Funeral services will be held at 3:00 p.m., Wednesday, March 4, 2020 at Holy Trinity Greek Orthodox Cathedral, with burial in Elmwood Cemetery.

In lieu of flowers, memorials may be made to Holy Trinity Greek Orthodox Cathedral.

Dunbar Funeral Home, Owens Street Chapel is assisting the family. Memorials may be shared at www.dunbarfunerals.com.

SINCE 1884
DUNBAR FUNERAL HOME
OBITUARY INFORMATION
Deadline for text and photos: Monday-Sunday 2 p.m.
Email: stateobits@thestate.com
Call: (803) 771-8452

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Contact the obituary department at The State for more information.
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stateobits@thestate.com

LEGAL ADVERTISEMENTS

PUBLIC NOTICE
The City of Richmond, Virginia, is hereby giving notice that it is soliciting proposals for the construction of the Richmond Water Treatment Plant. The project is located at the intersection of the James River and the James River Parkway. The project is estimated to cost \$100 million. The deadline for proposals is 10:00 a.m. on March 10, 2020. For more information, please contact the City of Richmond, Department of Public Works, at (804) 646-1000.

PUBLIC NOTICE
The State of Virginia is hereby giving notice that it is soliciting proposals for the construction of the Virginia State Capitol. The project is located at the intersection of the State Capitol and the State Capitol Parkway. The project is estimated to cost \$50 million. The deadline for proposals is 10:00 a.m. on March 10, 2020. For more information, please contact the State of Virginia, Department of General Services, at (804) 781-1000.

LEGAL NOTICE
The City of Richmond, Virginia, is hereby giving notice that it is soliciting proposals for the construction of the Richmond Water Treatment Plant. The project is located at the intersection of the James River and the James River Parkway. The project is estimated to cost \$100 million. The deadline for proposals is 10:00 a.m. on March 10, 2020. For more information, please contact the City of Richmond, Department of Public Works, at (804) 646-1000.

Agenda
1. Call to order
2. Declaration of a Quorum
3. Approval of Minutes
4. New Business
5. Old Business
6. Adjournment

PUBLIC HEARING REQUEST OPPORTUNITY
The City of Richmond, Virginia, is hereby giving notice that it is soliciting proposals for the construction of the Richmond Water Treatment Plant. The project is located at the intersection of the James River and the James River Parkway. The project is estimated to cost \$100 million. The deadline for proposals is 10:00 a.m. on March 10, 2020. For more information, please contact the City of Richmond, Department of Public Works, at (804) 646-1000.

Table with 4 columns: Project/Category, Total Amount, Minimum Level of Effort, and Status. Rows include various categories like Administration, Information Systems, and Public Works.

PUBLIC HEARING NOTICE
RICHLAND COUNTY WANTS YOUR INPUT
Richland County Community Planning & Development
Richland County will hold a public hearing on the proposed Comprehensive Zoning Ordinance (CZO) on March 10, 2020. The hearing will be held at the Richland County Courthouse, 100 North Main Street, Columbia, SC. The hearing will start at 6:00 p.m. and will last until 8:00 p.m. For more information, please contact the Richland County Community Planning & Development Department at (803) 781-1000.

NOTICE OF APPLICATION
The City of Richmond, Virginia, is hereby giving notice that it is soliciting proposals for the construction of the Richmond Water Treatment Plant. The project is located at the intersection of the James River and the James River Parkway. The project is estimated to cost \$100 million. The deadline for proposals is 10:00 a.m. on March 10, 2020. For more information, please contact the City of Richmond, Department of Public Works, at (804) 646-1000.

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PUBLIC HEARING NOTICE
RICHLAND COUNTY WANTS YOUR INPUT

CDBG-MIT Funds

Richland County Community Planning & Development

Richland County will receive \$21,864,000.00 in Community Development Block Grant-Mitigation (CDBG-MIT) funding from the U.S Department of Housing and Urban Development (HUD) to mitigate disaster risks and reduce future losses.

Richland County is seeking public input about the utilization of these mitigation funds.

Public Comments will be accepted through Friday June 5, 2020. All comments will be submitted after to HUD. CDBG-MIT funds primarily benefit low-to moderate-income areas.

Your virtual meeting opportunity to provide public comment on the use of CDBG-MIT funding:

Friday June 5, 2020 @ 5:30 PM

Please send your name and email address to Mitigation@richlandcountysc.gov to receive a virtual meeting invitation.

Comments may also be mailed or emailed to:

Richland County Government
Community Planning & Development Division, 2020 Hampton Street
PO Box 192, Columbia, SC 29204
Attention: Lauren Hunter
Mitigation@richlandcountysc.gov

For more information on Mitigation please visit
<http://www.richlandcountysc.gov/mitigation>



THE COLUMBIA STAR

COLUMBIA, SOUTH CAROLINA

State of South Carolina
County of Richland

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

PUBLIC HEARING NOTICE

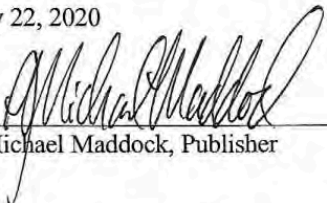
CDBG-MIT FUNDS

Richland County Community Planning & Development

A virtual meeting is at 5:30pm Friday, June 5.

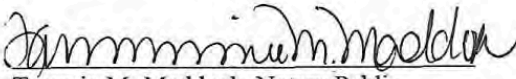
a clipping of which is attached hereto, was printed in
THE COLUMBIA STAR, a weekly newspaper of
general circulation published in the City of Columbia,
State and County aforesaid, in the issues of

May 22, 2020



J. Michael Maddock, Publisher

Sworn to before me on this
22 day of May, 2020



Tammie M. Maddock, Notary Public
My commission expires June 27, 2026



PUBLIC HEARING NOTICE

RICHLAND COUNTY WANTS YOUR INPUT

CDBG-MIT Funds

Richland County Community Planning & Development

Richland County will receive \$21,864,000 in Community Development Block Grant-Mitigation (CDBG-MIT) funding from the U.S. Department of Housing and Urban Development (HUD) to mitigate disaster risks and reduce future losses following the October 2015 flood.

Your feedback can help determine how this funding will be used.
Public comments will be accepted through Friday, June 5.

All comments will be submitted to HUD. CDBG-MIT funds primarily benefit residents in low- to moderate-income areas.

You can provide input by sending your name and email address to Mitigation@richland-countysc.gov to receive an invitation to a virtual meeting on the use of CDBG-MIT funding.

The virtual meeting is at 5:30 p.m. Friday, June 5.

You may also mail input to:

Richland County Government
Community Planning & Development Division
Attention: Lauren Hunter
P.O. Box 192
2020 Hampton St.
Columbia, SC 29204

(5-22-20)



Richland County Mitigation

The October 2015 flood resulted in extensive damage to residential and business property, as well as infrastructure, throughout Richland County. Richland County will receive an Community Development Block Grant-Mitigation (CDBG-MIT) funding from the U.S Department of Housing and Urban Development (HUD) to mitigate disaster risks and reduce future losses.

Please visit this page to stay informed on mitigation information and news.

Review the Richland County Proposed CDBG-MIT 2020 Action Plan. Public Comments will be accepted Thursday, March 12 through Friday, June 5.

[Richland County Proposed CDBG-MIT 2020 Action Plan - Spanish](#)
[Richland County Proposed CDBG-MIT 2020 Action Plan - Korean](#)

March 12, 2020 Presentation:

- English
- Spanish
- Korean



Richland County will receive \$21,864,000 in Community Development Block Grant-Mitigation (CDBG-MIT) funding from the U.S. Department of Housing and Urban Development (HUD) to mitigate disaster risks and reduce future losses following the October 2015 flood.

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You may also mail input to:

Richland County Government
Community Planning & Development Division
Attention: Lauren Hunter
P.O. Box 192
2020 Hampton St.
Columbia, SC 29204

Blue Ribbon Committee

The Blue Ribbon Committee, established by County Council to serve as a stakeholder group representing the community, makes recommendations to Council about flood recovery/mitigation efforts and how best to use flood recovery relief/mitigation funds. [Click here for more information.](#)

Have a question or concern?

Contact the Ombudsman
One-Call Response Center

- Call: (803) 929-6000
- Email: ombudsman

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[Voter Registration & Elections](#)



Curbside Collection of Bulk Items to Resume

Residents again can schedule curbside pickup of old furniture, appliances and other large objects as Richland County resumes collection of bulk items Wednesday, June 3.

Bulk item pickup is by appointment only. Call the Solid Waste & Recycling Division at 803-576-2440. Residents should avoid putting items on the curbside before making an appointment.

Accepted items include:

- White goods (e.g., refrigerators, freezers, stoves, washers, dryers, dishwashers, water heaters)
- Brown goods (e.g., chairs, sofas, tables, mattresses, box springs)
- Metal grills (no gas or propane tanks)
- Push lawn mowers (gas and oil removed)
- Bicycles
- Patio furniture and plastic pools

For items not listed, call Solid Waste & Recycling at 803-576-2440.

- Like us on Facebook
- Follow us on Twitter
- Visit our website
- Follow us on Instagram
- Watch us on YouTube

Tune in to RCTV1
Spectrum Ch. 1302 or
AT&T U-Verse Ch. 99

Have a question or concern?

Contact the Richland County Ombudsman for help. Call 803-929-6000 or [send an email](#).

Get Prepared as Hurricane Season Begins

With Hurricane Preparedness Week imminent (May 31-June 5), County residents and businesses are urged to take precautions ahead of the 2020 Atlantic hurricane season, which begins Monday, June 1. Advance preparation and planning safeguards lives, protects property and lessens the devastating effects of tropical storms and hurricanes. Learn the steps to [get prepared](#).



Hurricane season officially begins Monday, June 1, and forecasters expect an above-average season. Richland County residents know hurricanes can affect our area, so it's important to be prepared. For more on what we can expect this season, here's County Chief Meteorologist Ken Aucoin.

County Sends Out Second Helping of Seeds

The Richland Soil and Water Conservation District has mailed a second shipment of seeds through its new [Soon Sanctuary program](#). To date, the RSWCD has packed and shipped more than



Richland County Council Meeting

Richland County Council typically meets the first and third Tuesday of the month.

6 p.m.
Tuesday, June 2
Check the [County's Facebook page](#) for access info. [More information](#)



Virtual Public Hearing: Richland County Mitigation

The County will receive federal Community Development Block Grant-Mitigation funding to alleviate disaster risks and reduce future losses following the October 2015 flood. Give your feedback to help determine how this funding will be used.

5:30 p.m.
Friday, June 5
[More information](#)



Financial Projections

Month	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J
County Fiscal Year	2020-2021			2021-2022											
QPR QTR	Qtr 2			Qtr 3			Qtr 4			Qtr 1			Qtr 2		
Administration															
Projected	\$24,293			\$24,293			\$24,293			\$24,293			\$24,293		
Actual															
Planning															
Projected	\$168,571			\$168,571			\$168,571			\$168,571			\$168,571		
Actual															
Infrastructure															
Projected	\$60,000			\$162,400			\$154,500			\$154,500			\$146,700		
Actual															
Housing															
Projected	\$0			\$135,000			\$1,236,000			\$1,236,000			\$1,236,000		
Actual															
Quarterly Total															
Projected	\$252,864			\$490,264			\$1,583,364			\$1,583,364			\$1,575,564		
Actual	\$0			\$0			\$0			\$0			\$0		



Month	J	A	S	O	N	D	J	F	M	A	M	J
County Fiscal Year	2022-2023											
QPR QTR	Qtr 3			Qtr 4			Qtr 1			Qtr 2		
Administration												
Projected	\$24,293			\$24,293			\$24,293			\$24,293		
Actual												
Planning												
Projected	\$168,571			\$168,571			\$168,571			\$168,571		
Actual												
Infrastructure												
Projected	\$154,500			\$139,000			\$139,000			\$139,000		
Actual												
Housing												
Projected	\$1,372,122			\$1,372,122			\$1,372,122			\$1,100,000		
Actual												
Quarterly Total												
Projected	\$1,719,486			\$1,703,986			\$1,703,986			\$1,431,864		
Actual	\$0			\$0			\$0			\$0		



Month	J	A	S	O	N	D	J	F	M	A	M	J
County Fiscal Year	2023-2024											
QPR QTR	Qtr 3			Qtr 4			Qtr 1			Qtr 2		
Administration												
Projected	\$24,293			\$24,293			\$24,293			\$24,293		
Actual												
Planning												
Projected	\$168,571			\$168,571			\$168,571			\$168,571		
Actual												
Infrastructure												
Projected	\$178,500			\$178,500			\$178,500			\$335,800		
Actual												
Housing												
Projected	\$549,334											
Actual												
Quarterly Total												
Projected	\$920,698			\$371,364			\$371,364			\$528,664		
Actual	\$0			\$0			\$0			\$0		



Month	J	A	S	O	N	D	J	F	M	A	M	J
County Fiscal Year	2024-2025											
QPR QTR	Qtr 3			Qtr 4			Qtr 1			Qtr 2		
Administration												
Projected	\$24,293			\$24,293			\$24,293			\$24,293		
Actual												
Planning												
Projected	\$168,571			\$168,571			\$168,571			\$168,571		
Actual												
Infrastructure												
Projected	\$335,800			\$335,800			\$335,800			\$335,800		
Actual												
Housing												
Projected												
Actual												
Quarterly Total												
Projected	\$528,664			\$528,664			\$528,664			\$528,664		
Actual	\$0			\$0			\$0			\$0		



Month	J	A	S	O	N	D	J	F	M	A	M	J
County Fiscal Year	2025-2026											
QPR QTR	Qtr 3			Qtr 4			Qtr 1			Qtr 2		
Administration												
Projected	\$24,293			\$24,293			\$24,293			\$24,293		
Actual												
Planning												
Projected	\$168,571			\$168,571			\$76,742					
Actual												
Infrastructure												
Projected	\$335,800			\$335,800			\$359,000			\$375,250		
Actual												
Housing												
Projected												
Actual												
Quarterly Total												
Projected	\$528,664			\$528,664			\$460,035			\$399,543		
Actual	\$0			\$0			\$0			\$0		



Month	J	A	S	O	N	D	J	F	M		A	M	J
County Fiscal Year	2026-2027												
QPR QTR	Qtr 3			Qtr 4			Qtr 1			Year 6 >50% Expended Requirement	Qtr 2		
Administration													
Projected	\$24,293			\$24,293			\$24,293				\$24,293		
Actual													
Planning										Required Amount			
Projected										\$10,932,000			
Actual										Projected Amount			
Infrastructure										\$19,467,023			
Projected	\$375,250			\$375,250			\$375,250				\$375,250		
Actual													
Housing										Actual Amount			
Projected										\$0			
Actual													
Quarterly Total													
Projected	\$399,543			\$399,543			\$399,543				\$399,543		
Actual	\$0			\$0			\$0				\$0		



Month	J	A	S	O	N	D	J	F	M	A	M	J
County Fiscal Year	2028-2029											
QPR QTR	Qtr 3			Qtr 4			Qtr 1			Qtr 2		
Administration												
Projected	\$24,293			\$24,293			\$24,293			\$24,293		
Actual												
Planning												
Projected												
Actual												
Infrastructure												
Projected	\$375,250			\$375,250			\$375,250			\$375,250		
Actual												
Housing												
Projected												
Actual												
Quarterly Total												
Projected	\$399,543			\$399,543			\$399,543			\$399,543		
Actual	\$0			\$0			\$0			\$0		



Month	J	A	S	O	N	D	J	F	M	A	M	J
County Fiscal Year	2029-2030											
QPR QTR	Qtr 3			Qtr 4			Qtr 1			Qtr 2		
Administration												
Projected	\$24,293			\$24,293			\$24,293			\$24,293		
Actual												
Planning												
Projected												
Actual												
Infrastructure												
Projected	\$10,550											
Actual												
Housing												
Projected												
Actual												
Quarterly Total												
Projected	\$34,843			\$24,293			\$24,293			\$24,293		
Actual	\$0			\$0			\$0			\$0		



Month	J	A	S	O	N	D	J	F	M	A	M	J
County Fiscal Year	2030-2031											
QPR QTR	Qtr 3			Qtr 4			Qtr 1			Qtr 2		
Administration												
Projected	\$24,293			\$24,293			\$24,293			\$24,293		
Actual												
Planning												
Projected												
Actual												
Infrastructure												
Projected												
Actual												
Housing												
Projected												
Actual												
Quarterly Total												
Projected	\$24,293			\$24,293			\$24,293			\$24,293		
Actual	\$0			\$0			\$0			\$0		



Month	J	A	S	O	N	D	J	F	M	A	M	J
County Fiscal Year	2031-2032											
QPR QTR	Qtr 3			Qtr 4			Qtr 1			Qtr 2		
Administration												
Projected	\$24,293			\$24,293			\$24,293			\$24,293		
Actual												
Planning												
Projected												
Actual												
Infrastructure												
Projected												
Actual												
Housing												
Projected												
Actual												
Quarterly Total												
Projected	\$24,293			\$24,293			\$24,293			\$24,293		
Actual	\$0			\$0			\$0			\$0		



Month	J	A	S	O	N	D	J	F	M	A	M	J	
County Fiscal Year	2032-2033												
QPR QTR	Qtr 3			Qtr 4			Qtr 1			Qtr 2			TOTAL
Administration													
Projected	\$24,293			\$24,293			\$24,293			\$24,293			\$1,093,200
Actual													\$0
Planning													
Projected													\$3,279,600
Actual													\$0
Infrastructure													
Projected													\$7,882,500
Actual													\$0
Housing													
Projected													\$9,608,700
Actual													\$0
Quarterly Total													
Projected	\$24,293			\$24,293			\$24,293			\$24,293			\$21,864,000
Actual	\$0			\$0			\$0			\$0			\$0



Agenda Briefing

Prepared by: Clayton Voignier, Director
Department: Community Planning and Development
Date Prepared: July 6, 2020 **Meeting Date:** July 21, 2020

Legal Review	Elizabeth McLean via email	Date:	July 15, 2020
Budget Review	James Hayes via email	Date:	July 15, 2020
Finance Review	Stacey Hamm via email	Date:	July 09, 2020
Approved for consideration:	Assistant County Administrator	Ashley M. Powell, Assoc. AIA, AICP	
Subject:	FY2020-2021 Annual Action Plan Budget for CDBG and HOME		

Recommended Action:

Staff recommends approval of the FY 20-21 Annual Action Plan budget and projects for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) federal funds.

Motion Requested:

Move to approve the FY 20-21 Annual Action Plan budget and projects for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) federal funds.

Request for Council Reconsideration: Yes

Fiscal Impact:

The County has provided the required match amount since the HOME program began in 2002. However, Council has not yet approved funds for grants starting in October 2020. Thus, Council would need to approve funds for the \$188,555 HOME Match in conjunction with approval of this item.

Motion of Origin:

The request did not originate from County Council motion.

Council Member	
Meeting	
Date	

Discussion:

The FY20-21 Annual Action Plan budgets and projects for CDBG and HOME will be the basis of the Annual Action Plan (AAP) that will be sent to the U.S. Department of Housing and Urban Development (HUD) for approval. The AAP is used to identify housing and development needs and to develop CDBG and HOME budgeting for the next annual period. The Richland County AAP will cover the fiscal period of October 1, 2020-September 30, 2021.

Please see below for FY 20-21 Proposed Budgets for CDBG and HOME:

FY 20-21 CDBG BUDGET		
<i>Program/Project</i>	<i>Amount</i>	<i>Comment</i>
Operation One Touch Minor Home Repair	\$225,000	
Public Service Projects (Zoom Grants)	\$244,275	
Program Administration Costs	\$325,700	Cannot exceed 20%
HOME Project Delivery Costs	\$120,000	
Sewer Pipe Installation in SE Transfer Area	\$700,000	Multi-Year Project
TOTAL BUDGET	\$1,614,975	
TOTAL ALLOCATION	\$1,628,500	
EXCESS	\$13,525	
FY20-21 HOME BUDGET		
<i>Program/Project</i>	<i>Amount</i>	<i>Comment</i>
RC Homeownership Assistance Program (RCHAP)	\$200,000	
Community Housing Development Organizations (CHDO)	\$250,000	Cannot fall below 15%
Richland Rebuilds	\$360,000	
Program Administration Costs	\$75,422	Cannot exceed 10%
TOTAL BUDGET	\$885,422	
TOTAL ALLOCATION	\$754,220	
HOME 25% Required Match	\$188,555	
HOME Program Income	\$25,000	
EXCESS	\$82,353	

The AAP implements the County’s 5 year Consolidated Plan, approved in July 2017, which enables the County to continue to receive federal housing and community development funds and must be submitted to HUD by August 15, 2020.

At the April 21, 2020 meeting of County Council, the Council approved the utilization of \$2.8 million of CDBG funding, inclusive of FY 2020-2021 and CDBG-CV funds, as allowed by the Federal government, to aid in the County’s response to COVID-19, and directed the County Administrator and his staff to draft

and/or amend the necessary Action Plans to detail the use of these funds for approval by Council and HUD.

Since Council approved the utilization of these funds for this purpose, HUD has not released the Federal Register Notice for the use of CDBG-CV funds. In addition, staff has not identified additional CDBG-eligible projects or programs beyond those currently in progress to prevent, prepare, and respond to COVID-19. Current COVID-19-related projects, programs, and expenditures already have identified funding sources for reimbursement through other CARES Act funding allocations, such as FEMA Public Assistance, CDBG-CV, and the state's Coronavirus Relief Fund (CRF). However, staff has identified other new and continuing CDBG-eligible program needs reflected in the FY2020-2021 proposed budgets for CDBG and HOME above.

A public hearing will be advertised and held on July 30, 2020 via Zoom conference. Please note this public hearing is not required to be a part of a Council meeting, but is still open to Council and the public to attend.



Agenda Briefing

Prepared by: Clayton Voignier, Director
Department: Community Planning and Development
Date Prepared: July 6, 2020 **Meeting Date:** July 21, 2020

Legal Review	Elizabeth Mclean via email	Date:	July 08, 2020
Budget Review	James Hayes via email	Date:	July 08, 2020
Finance Review	Stacey Hamm via email	Date:	July 08, 2020
Approved for consideration:	Assistant County Administrator	Ashley M. Powell, Assoc. AIA, AICP	
Subject:	Change Order for CDBG-DR Rehabilitation Project		

Recommended Action:

Staff recommends approval of awarding additional funds for Change Order #2 totaling \$11,079.86 for the completion of the rehabilitation project at 216 Raintree Drive.

Motion Requested:

I move to approve the award of additional funds for Change Order #2 totaling \$11,079.86 for the completion of the rehabilitation project at 216 Raintree Drive.

Request for Council Reconsideration: Yes

Fiscal Impact:

Funds are available in CDBG DR Housing Revitalization (526705).

Motion of Origin:

There is no motion of origin for this item.

Council Member	
Meeting	
Date	

Discussion:

All change orders **greater than 25% of the original contract amount** must be reviewed and approved by Council for CDBG-DR funds.

- Contractor: Prominent Homes
- Property Address: 216 Raintree Drive, Irmo, SC 29063
- Original Contract Amount Awarded: \$21,511.81
- Change Order #2 Amount Requested: \$ \$11,079.86
- Percent of Change Order #2 Amount Requested: 51%
- Change Order History: Change Order #1 for \$39,446.12 (183%) was approved by Council at its regular meeting on April 7, 2020. The change order was to replace wooden joints and seals under the house that are completely rotted out due to a leaking pipe in the wall, remodel the kitchen remodel to replace rot and water damage, and provide additional stabilization to existing floors in the kitchen.
- Purpose of Change Order #2: This change order addresses a structural issue that could not be identified until work started on the previous change order. Due to the structural nature of the work, failing to complete the work could result in a safety issue in the future causing the structure to fail with further damage to the property and possibly the homeowner. The crawl space between the den and the kitchen is separated by duct work, and the access to the crawl space is on the kitchen side of the house, not the den side of the house. Due to this separation, the crawl space under the den side of the house was not visible to the contractor until the floor joists were removed from the kitchen. Upon removing the floor joists in the kitchen, the sagging sister floor joists in the den were observed while looking under the wall that separates the den from the kitchen. This issue was not able to be pre-identified as part of Change Order #1. There will be no further joist issues on the home as the den and kitchen lie end-to-end on the home.

Picture 1: Shows the joist issues identified for Change Order #1.



Picture 2: Shows the maximum limit of advance due to the duct system.



Picture 3: Shows the contractor able to observe past the duct work into the den upon removal of the floor joists in the kitchen and identify the issue with the floor joists in the den.



Picture 4: Shows the sister joints causing the sagging in the home



Funding Source: CDBG DR Housing Revitalization

Attachments:

1. Change Order #1 and Supporting Documentation for 216 Raintree Dr.
2. Change Order #2 and Supporting Documentation for 216 Raintree Dr.

**RICHLAND COUNTY
ADMINISTRATION**

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



Agenda Briefing

Prepared by: Clayton Voignier, Director
Department: Community Planning and Development
Date Prepared: March 25, 2020 **Meeting Date:** April 07, 2020

Budget Review	James Hayes via email	Date:	April 03, 2020
Approved for Consideration:	Assistant County Administrator	Ashley M. Powell, Assoc. AIA, AICP	
Subject:	Change Orders for CDBG-DR Rehabilitation Projects		

Recommended Action:

Staff recommends approval of additional funds for change orders totaling \$48,137.74 for the completion of two (2) rehabilitation projects.

Motion Requested:

I move to approve the award of additional funds for change orders totaling \$48,137.74 for completion of two (2) rehabilitation projects.

Request for Council Reconsideration: Yes

Fiscal Impact:

Funds are available in CDBG DR Housing Revitalization (526705).

Motion of Origin:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

Discussion:

All change orders greater than 25% must be reviewed and approved by Council for CDBG-DR funds.

Change Order #1

- Contractor: SBP
- Property Address: 237 Chartwell Rd. Columbia, SC 29229
- Original Contract Amount Awarded: \$4,915.25
- Change Order Amount Requested: \$8,691.62
- Percent of Change Order Amount Requested: 177%
- Purpose of Change Order: Replace duct work due to water damage caused by water runoff from the back yard. Correction will require digging a trench in the crawl space, lifting the duct work off of the ground and adding brick work around vents.

Change Order #2

- Contractor: Prominent Homes
- Property Address: 216 Raintree Dr. Irmo, SC 29063
- Original Contract Amount Awarded: \$21,551.81
- Change Order Amount Requested: \$39,446.12
- Percent of Change Order Amount Requested: 183%
- Purpose of Change Order: Replace wooden joints and seals under the house that are rotted out due to a leaking pipe in the wall. Kitchen remodel is required to replace rot and water damage. Additional stabilization to existing floors is also required.

Attachments:

1. Change Order and Supporting Documentation for 237 Chartwell Rd.
2. Change Order and Supporting Documentation for 216 Raintree Dr.

REQUEST FOR CHANGE ORDER FORM - CHANGE ORDER # 01

Property # SFR0042 Property Owner Nicola Felder

Property Address 237 Chartwell Rd Columbia, SC 29229

GC SBP Inspector Charles Jordan

Date Initiated 01-16-2020 Current Project Completion Date ON HOLD

Initiator: GC Homeowner Inspector

Description of Change Order and Reason Why: _____ Original Cost of Project \$4,915.25

- *Replace duct work due to water damage. This duct work is not that old but the way the back yard is water runs into the crawspace through the vents and access.
- * Dig a trench in crawspace to get the duct work off the ground due to lack of space.
- * Add rows to the bricks work around the vents

Inspector/Cost Estimator's Evaluation _____ X Alvin Goodwin 1/23/2020
GC Sign Date

Meets HQS: Yes No _____ 01-22-2020
Inspector Sign Date

Homeowner(s) Consent to Change Order _____ X _____ 1-22-2020
Homeowner Sign Date

Scope of Work Attached Yes No

Cost of Change Order \$8,691.62 Additional Time for Change Order 10
Days

Special Case Panel's Decision
Approved Disapproved Date: 28 May 2020
Deather J. Brown

Notes: 17a2

Total Cost of Project \$13,606.87 New Project Completion Date 24 days total

Over 25% Yes Submit directly to Council for approval per BRC decision of 11/5/18
No SCP May Approve



Richland County Flood Recovery Office

Richland County Flood Recovery Office
2020 Hampton Street, Suite 1022, Columbia SC 29204

Insured: Nicola Felder
Property: 237 Chartwell Road
Columbia , SC 29229

Home: (803) 479-1962

Claim Rep.: Charles P Jordan III
Position: Program Inspector
Company: Tetra Tech | Complex World, Clear Solutions
Business: 2020 Hampton st suite 1022
columbia, SC

Business: (803) 576-2044
E-mail: charles.jordan@tetrattech.com

Estimator: Charles P Jordan III
Position: Program Inspector
Company: Tetra Tech | Complex World, Clear Solutions
Business: 2020 Hampton st suite 1022
columbia, SC

Business: (803) 576-2044
E-mail: charles.jordan@tetrattech.com

Claim Number: SFR0042 **Policy Number:** **Type of Loss:** Flood

Date Contacted: 3/15/2018 2:18 PM
Date of Loss: 10/1/2015 12:00 PM Date Received: 3/15/2018 2:18 PM
Date Inspected: 3/19/2018 12:00 PM Date Entered: 3/19/2018 2:13 PM

Price List: SCCO8X_OCT18
Restoration/Service/Remodel
Estimate: SFR0042_FELDER-1-1-1

***Where hazardous materials are present, abatement project design, removal, monitoring, clearance and disposal of asbestos, lead-based paints, and other hazardous materials need to follow State of South Carolina (SC DHEC) and U.S. Environmental Protection Agency (EPA) regulations and requirements. Please prepare bid accordingly. The contractor is responsible for pulling all proper permits and getting all inspections for work performed. This scope is an estimate of work to be performed. If there are any change orders based off items not seen or detected during the inspection or site walk those need to be submitted to Richland County CBDG-DR Program Manager for approval. Change orders for work not performed as well as added work must follow this process also. Richland County's change order process must be followed at all times. Prior to starting work the general contractor will be responsible for submitted a clear CL-100 letter. If determined the home has termites contractor must inform Richland County CBDG-DR Program Manager and request change order form before starting any work. The HUD Green Building Retrofit Checklist (GBR Checklist) is a Federal construction standard requiring that work performed when receiving Federal funds must meet certain energy efficiency and indoor air quality standards. The HUD Green Building Retrofit Checklist (GBR Checklist) must be followed in this program when performing work that meets this standard. The job site must be cleaned every day and all trash either hauled off or put in its proper place. Trash may not be left beside the road or in front yard or around house overnight. All hazards must be clearly marked with safety tape or cones. All OSHA safety regulation must be followed on the job site at all times. Per Richland County CBDG-DR office a lock box is required on all jobs to store the keys in. The combination must be turned over to Richland County CBDG-DR office / inspector. The house must be secured at the end of each day or when left with no workers on site. ***



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 2020 Hampton Street, Suite 1022, Columbia SC 29204

SFR0042_FELDER-1-1-1

Main Level

Main Level

DESCRIPTION	QTY	UNIT PRICE	TOTAL
1. MASONRY	1.00 EA @	325.00 =	325.00
Build up around the vents. There is 1 in particular on the side near the back corner that has no build-up around it at all and it is at ground level. The ones along the backside could use another layer or 2 of brick to beef them up a bit more.			

Crawlspace

Crawlspace1

Height: 3'

DESCRIPTION	QTY	UNIT PRICE	TOTAL
2. R&R Ductwork system - hot or cold air - 1600 to 2199 SF home	1.00 EA @	5,236.98 =	5,236.98
At the owner request SBP checked the duct work. The duct work is wet and will need to be replaced.			
3. LABOR ONLY	1.00 EA @	850.00 =	850.00
To dig out the main trunk line, raise it up with hangers.			

Grand Total Areas:

5,167.66 SF Walls	3,152.17 SF Ceiling	8,319.84 SF Walls and Ceiling
3,152.17 SF Floor	350.24 SY Flooring	747.83 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	774.00 LF Ceil. Perimeter
3,152.17 Floor Area	3,340.26 Total Area	5,167.66 Interior Wall Area
2,527.77 Exterior Wall Area	344.64 Exterior Perimeter of Walls	
2,413.55 Surface Area	24.14 Number of Squares	0.00 Total Perimeter Length
70.88 Total Ridge Length	0.00 Total Hip Length	



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2020 Hampton Street, Suite 1022, Columbia SC 29204

Summary for Dwelling

Line Item Total	6,411.98
Material Sales Tax	160.13
Subtotal	6,572.11
Overhead	985.82
Profit	1,133.69
Replacement Cost Value	\$8,691.62
Net Claim	\$8,691.62

Charles P Jordan III
Program Inspector



Richland County Flood Recovery Office

Richland County Flood Recovery Office
2020 Hampton Street, Suite 1022, Columbia SC 29204

Recap of Taxes, Overhead and Profit

	Overhead (15%)	Profit (15%)	Material Sales Tax (8%)	Laundry & D/C Tax (8%)	Manuf. Home Tax (2%)	Storage Rental Tax (8%)	Local Food Tax (2%)
Line Items	985.82	1,133.69	160.13	0.00	0.00	0.00	0.00
Total	985.82	1,133.69	160.13	0.00	0.00	0.00	0.00



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2020 Hampton Street, Suite 1022, Columbia SC 29204

Recap by Room

Estimate: SFR0042_FELDER-1-1-1

Area: Main Level	325.00	5.07%
<hr/>		
Area Subtotal: Main Level	325.00	5.07%
Area: Crawlspace		
Crawlspace1	6,086.98	94.93%
<hr/>		
Area Subtotal: Crawlspace	6,086.98	94.93%
<hr/>		
Subtotal of Areas	6,411.98	100.00%
<hr/>		
Total	6,411.98	100.00%



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2020 Hampton Street, Suite 1022, Columbia SC 29204

Recap by Category

O&P Items	Total	%
GENERAL DEMOLITION	351.40	4.04%
HEAT, VENT & AIR CONDITIONING	4,885.58	56.21%
LABOR ONLY	850.00	9.78%
MASONRY	325.00	3.74%
O&P Items Subtotal	6,411.98	73.77%
Material Sales Tax	160.13	1.84%
Overhead	985.82	11.34%
Profit	1,133.69	13.04%
Total	8,691.62	100.00%



Richland County Flood Recovery Office

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2020 Hampton Street, Suite 1022, Columbia SC 29204

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Richland County Flood Recovery Office

Richland County Flood Recovery Office
2020 Hampton Street, Suite 1022, Columbia SC 29204

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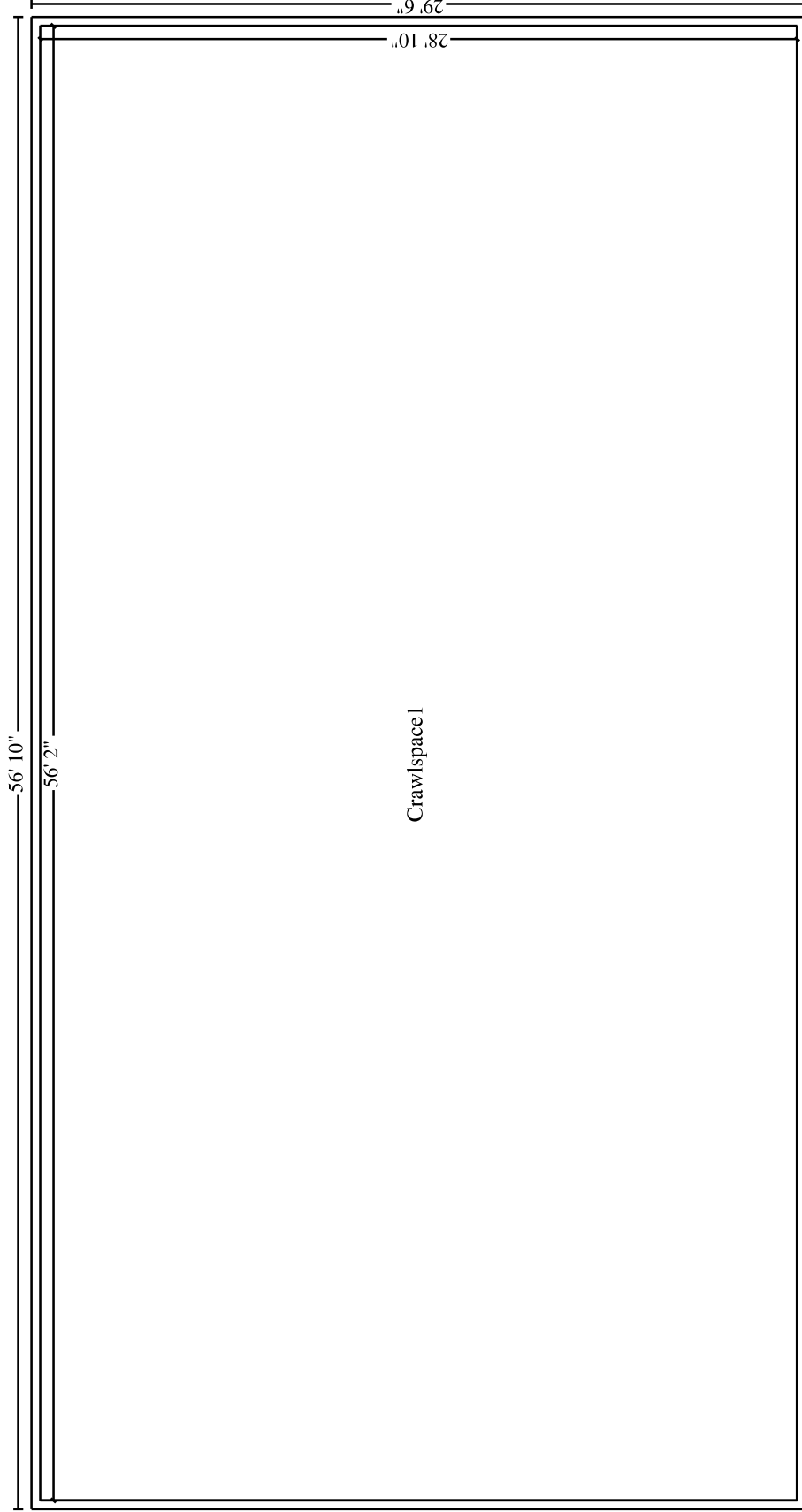


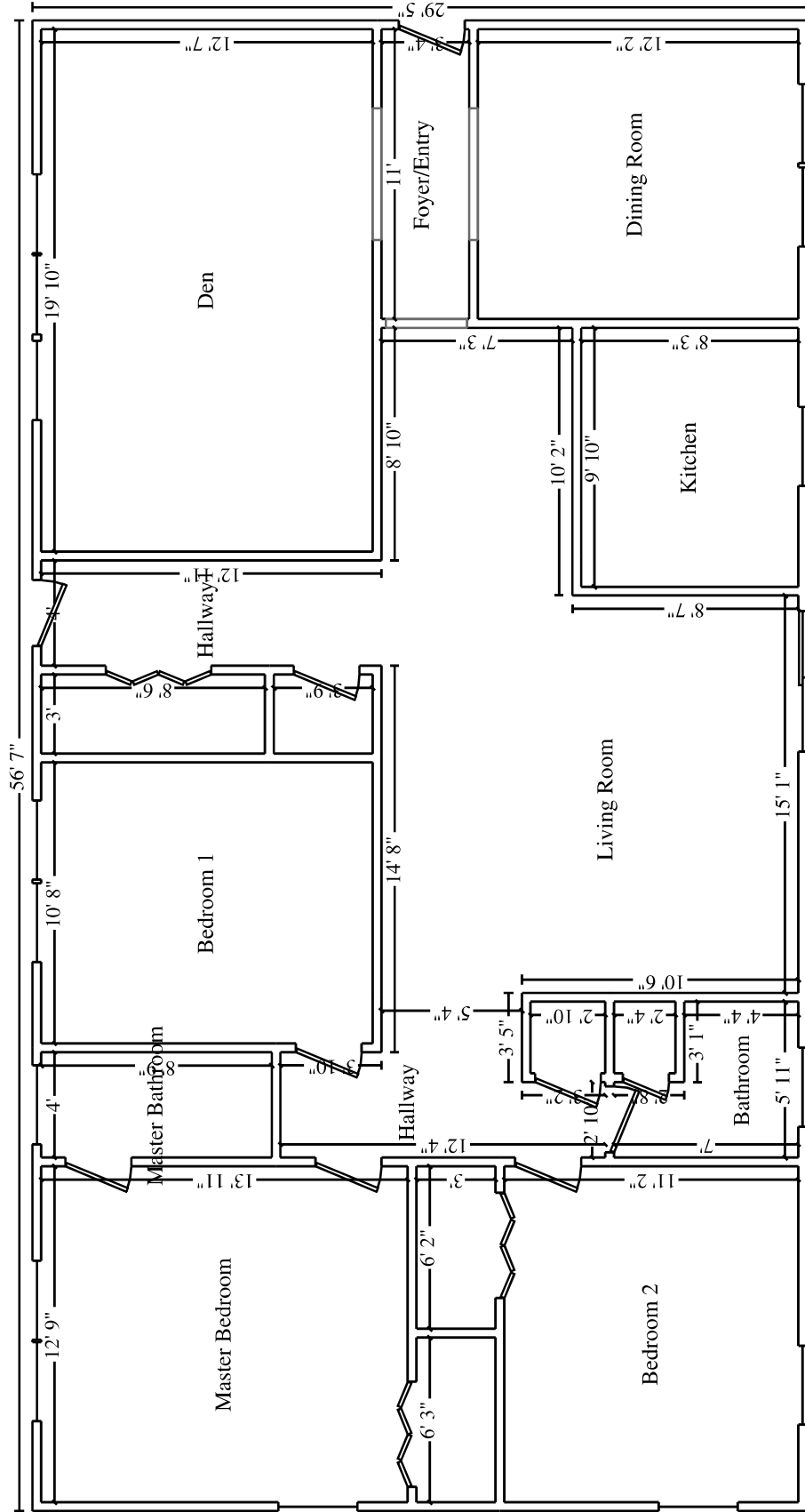


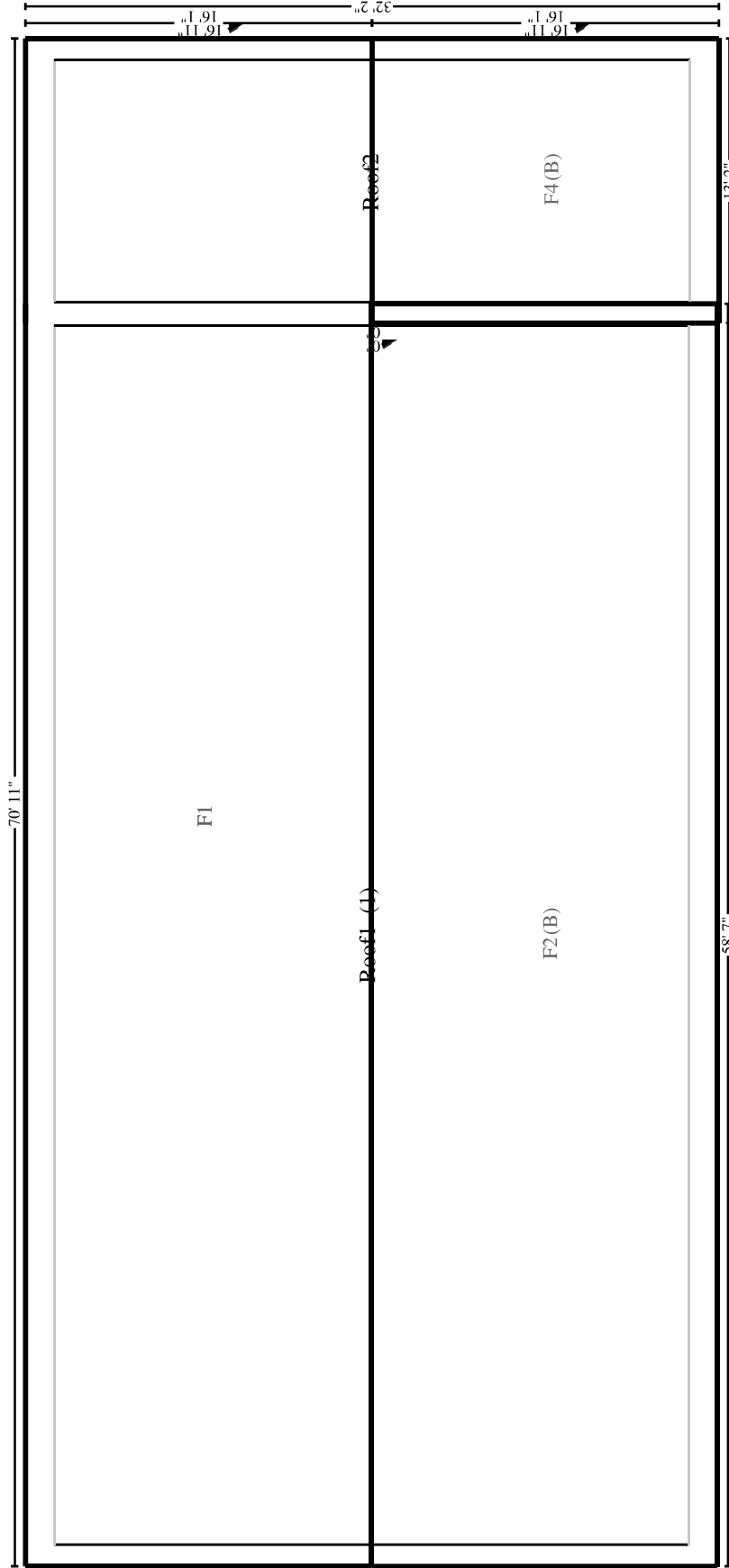
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Richland County Flood Recovery Office
2020 Hampton Street, Suite 1022, Columbia SC 29204

Image Detail			
Image No.	Type	Date Taken	Taken By
1	15-20180319_113655	3/19/2018	
2	3-20180319_113436	3/19/2018	
3	4-20180319_113458	3/19/2018	
4	5-20180319_113500	3/19/2018	
5	6-20180319_113523	3/19/2018	
6	7-20180319_113526	3/19/2018	
7	8-20180319_113534	3/19/2018	
8	9-20180319_113536	3/19/2018	
9	10-20180319_113548	3/19/2018	







Property # SFR0464 Property Owner Solomon, Sandra

Property Address 216 Raintree Dr, Irmo, SC 29063

GC Prominent Homes Inspector Lee Harley

Date Initiated 3-3-2020 Current Project Completion Date 3-31-2020

Initiator: GC Homeowner Inspector

Description of Change Order and Reason Why: _____ Original Cost of Project \$21551.81

Upon the contractor removing the original floor in the kitchen to replace it they discovered the wooden joist and seals under the house was completely rotted out due to a leaking pipe in the wall. This is going to require the joist and seals to be replaced and the kitchen to be gutted from where the rot has moved into the walls. The cabinets are pulling away from the walls due to where the floor and wall settled from the rot and water damage. This has also caused the upstairs bathroom to settle and the walls and floor to crack. The repairs include stabilization of the down stairs floors which will stabilize the upstairs bathroom floor.

Inspector/Cost Estimator's Evaluation

Meets HQS: Yes No _____
 Inspector Sign *[Signature]* Date 3/4/2020

Homeowner(s) Consent to Change Order

Scope of Work Attached Yes No

Cost of Change Order \$39,446.12 Additional Time for Change Order 60 days from approval
 Days

Special Case Panel's Decision

Approved Disapproved Date: _____

Notes:

Total Cost of Project \$60997.93 New Project Completion Date 60 days from approval

Over 25% Yes Submit directly to Council for approval per BRC decision of 11/5/18

No SCP May Approve 54% of Estimate



Richland County Flood Recovery Office

Richland County Flood Recovery Office
2020 Hampton Street, Suite 1022, Columbia SC 29204

Insured: Soloman, Sandra
Property: 216 Raintree Dr.
Irmo, SC 29063

Claim Rep.: Lee Harley
Position: Cost Estimator
Company: Tetra Tech
Business: 2020 Hampton Street, Suite 1022, Columbia SC
29204
Columbia, SC 29204

Business: (803) 722-3514
E-mail: lee.harley@tetrattech.com

Estimator: None

Claim Number: SFR0464-CO-01

Policy Number: SFR0464-CO-01

Type of Loss: Flood

Date Contacted: 3/3/2020

Date of Loss: 10/1/2015 12:00 AM

Date Inspected: 3/3/2020

Date Received: 3/3/2020

Date Entered: 3/3/2020

Price List: SCCO8X_MAR20
Restoration/Service/Remodel

Estimate: SFR0464-CO-01

Inspection Report 3-3-2020, Change order CO-01. Upon the contractor removing the original floor in the kitchen to replace it they discovered the wooden joist and seals under the house was completely rotted out due to a leaking pipe in the wall. This is going to require the joist and seals to be replaced and the kitchen to be gutted from where the rot has moved into the walls. The cabinets are pulling away from the walls due to where the floor and wall settled from the rot and water damage. This has also cause the upstairs bathroom to settle and the walls and floor to crack. The repairs include stabilization of the down stares floors which will stabilize the upstairs bathroom floor.



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 2020 Hampton Street, Suite 1022, Columbia SC 29204

SFR0464-CO-01
Main Level

Main Level

DESCRIPTION	QTY	UNIT PRICE	TOTAL
1. Floor stabilization and pier set. To stabilize the kitchen floor, laundry room floor and bathroom floor from under the house and set piers as needed to include the seals. Includes labor materiel.	1.00 EA @	6,500.00 =	6,500.00

Kitchen

Height: 8'

Missing Wall - Goes to Floor 4' X 6' 8" Opens into LIVING_ROOM
 Missing Wall - Goes to Floor 4' 4" X 6' 8" Opens into DEN

DESCRIPTION	QTY	UNIT PRICE	TOTAL
2. R&R Joist - floor or ceiling - 2x10 - w/blocking - 16" oc	166.75 SF @	7.60 =	1,267.30
3. Timber Framing - General Laborer - per hour	20.00 HR @	30.02 =	600.40
4. Underlayment - 1/2" BC plywood	166.75 SF @	1.77 =	295.15
5. R&R Sheathing - OSB - 5/8"	360.44 SF @	1.97 =	710.07
6. Underlayment - 1/4" 5 ply	166.75 SF @	1.92 =	320.16
7. R&R Batt insulation - 6" - R19 - paper / foil faced	166.75 SF @	1.09 =	181.76
8. R&R Baseboard - 3 1/4"	43.67 LF @	2.93 =	127.95
9. R&R Quarter round - 3/4"	43.67 LF @	1.48 =	64.63
10. Drywall Repair - Minimum Charge - Labor and Material	1.00 EA @	366.80 =	366.80
11. Seal/prime then paint the walls and ceiling twice (3 coats)	527.19 SF @	1.00 =	527.19
12. Mask and prep for paint - plastic, paper, tape (per LF)	43.67 LF @	1.08 =	47.16
13. Floor protection - heavy paper and tape	166.75 SF @	0.41 =	68.37
14. Cooktop - Detach & reset	1.00 EA @	109.00 =	109.00
15. Dishwasher - Detach	1.00 EA @	48.55 =	48.55
16. Refrigerator - Remove & reset	1.00 EA @	29.63 =	29.63
17. R&R Cabinetry - upper (wall) units - Standard grade	12.00 LF @	102.33 =	1,227.96
18. R&R Cabinetry - lower (base) units - Standard grade	12.00 LF @	129.85 =	1,558.20
19. R&R Sink - double - Standard grade	1.00 EA @	294.90 =	294.90
20. R&R P-trap assembly - ABS (plastic)	1.00 EA @	60.25 =	60.25
21. Plumbing - Labor Minimum	1.00 EA @	275.01 =	275.01
22. R&R Cabinet knob or pull - Standard grade	20.00 EA @	6.45 =	129.00
23. R&R Countertop - flat laid plastic laminate - Standard grade	16.00 LF @	31.15 =	498.40
24. R&R 4" backsplash for flat laid countertop	16.00 LF @	7.95 =	127.20
25. Electrical - Labor Minimum	1.00 EA @	187.78 =	187.78
26. Remove Vinyl floor covering (sheet goods) - Standard grade	166.75 SF @	0.66 =	110.06
27. Vinyl floor covering (sheet goods) - Standard grade	192.58 SF @	2.16 =	415.97
28. Seal & paint trim - two coats	0.12 LF @	1.07 =	0.13



Richland County Flood Recovery Office

Richland County Flood Recovery Office
 2020 Hampton Street, Suite 1022, Columbia SC 29204

CONTINUED - Kitchen

DESCRIPTION	QTY	UNIT PRICE	TOTAL
29. Paint baseboard - two coats	43.67 LF @	1.09 =	47.60

Bathroom

Height: 8'

DESCRIPTION	QTY	UNIT PRICE	TOTAL
30. R&R Joist - floor or ceiling - 2x10 - w/blocking - 16" oc	17.25 SF @	7.60 =	131.10
31. Timber Framing - General Laborer - per hour	20.00 HR @	30.02 =	600.40
32. Underlayment - 1/2" BC plywood	17.25 SF @	1.77 =	30.53
33. R&R Sheathing - OSB - 5/8"	140.00 SF @	1.97 =	275.80
34. Underlayment - 1/4" 5 ply	17.25 SF @	1.92 =	33.12
35. R&R Batt insulation - 6" - R19 - paper / foil faced	17.25 SF @	1.09 =	18.80
36. R&R Baseboard - 3 1/4"	17.50 LF @	2.93 =	51.28
37. R&R Quarter round - 3/4"	17.50 LF @	1.48 =	25.90
38. Drywall Repair - Minimum Charge - Labor and Material	1.00 EA @	366.80 =	366.80
39. Seal/prime then paint the walls and ceiling twice (3 coats)	157.25 SF @	1.00 =	157.25
40. Mask and prep for paint - plastic, paper, tape (per LF)	17.50 LF @	1.08 =	18.90
41. Floor protection - heavy paper and tape	17.25 SF @	0.41 =	7.07
42. Plumbing - Labor Minimum	1.00 EA @	275.01 =	275.01
43. Electrical - Labor Minimum	1.00 EA @	187.78 =	187.78
44. Remove Vinyl floor covering (sheet goods) - Standard grade	17.25 SF @	0.66 =	11.39
45. Vinyl floor covering (sheet goods) - Standard grade	48.08 SF @	2.16 =	103.85
46. Seal & paint trim - two coats	17.50 LF @	1.07 =	18.73
47. Paint baseboard - two coats	17.50 LF @	1.09 =	19.08
48. R&R Toilet - Standard grade	1.00 EA @	388.76 =	388.76
49. R&R Sink - single - Standard grade	1.00 EA @	186.12 =	186.12
50. R&R Sink faucet - Bathroom - Standard grade	1.00 EA @	170.17 =	170.17
51. R&R P-trap assembly - ABS (plastic)	1.00 EA @	60.25 =	60.25
52. R&R Vanity - Standard grade	2.00 LF @	125.69 =	251.38
Replace with like vanity.			
53. R&R 4" backsplash for flat laid countertop	2.00 LF @	7.95 =	15.90
54. R&R Countertop - flat laid plastic laminate - Standard grade	2.00 LF @	31.15 =	62.30
55. R&R Medicine cabinet - Standard grade	1.00 EA @	114.14 =	114.14



Richland County Flood Recovery Office

Richland County Flood Recovery Office
2020 Hampton Street, Suite 1022, Columbia SC 29204

Laundry Room

Height: 8'

DESCRIPTION	QTY	UNIT PRICE	TOTAL
56. R&R Joist - floor or ceiling - 2x10 - w/blocking - 16" oc	46.96 SF @	7.60 =	356.89
57. Timber Framing - General Laborer - per hour	20.00 HR @	30.02 =	600.40
58. Underlayment - 1/2" BC plywood	46.96 SF @	1.77 =	83.12
59. R&R Sheathing - OSB - 5/8"	222.67 SF @	1.97 =	438.66
60. Underlayment - 1/4" 5 ply	46.96 SF @	1.92 =	90.16
61. R&R Batt insulation - 6" - R19 - paper / foil faced	46.96 SF @	1.09 =	51.18
62. R&R Baseboard - 3 1/4"	27.83 LF @	2.93 =	81.54
63. R&R Quarter round - 3/4"	27.83 LF @	1.48 =	41.19
64. Drywall Repair - Minimum Charge - Labor and Material	1.00 EA @	366.80 =	366.80
65. Seal/prime then paint the walls and ceiling twice (3 coats)	269.63 SF @	1.00 =	269.63
66. Mask and prep for paint - plastic, paper, tape (per LF)	27.83 LF @	1.08 =	30.06
67. Floor protection - heavy paper and tape	46.96 SF @	0.41 =	19.25
68. Plumbing - Labor Minimum	1.00 EA @	275.01 =	275.01
69. Electrical - Labor Minimum	1.00 EA @	187.78 =	187.78
70. Remove Vinyl floor covering (sheet goods) - Standard grade	46.96 SF @	0.66 =	30.99
71. Vinyl floor covering (sheet goods) - Standard grade	65.92 SF @	2.16 =	142.39
72. Seal & paint trim - two coats	27.83 LF @	1.07 =	29.78
73. Paint baseboard - two coats	27.83 LF @	1.09 =	30.33
74. Dryer - Remove & reset	1.00 EA @	22.23 =	22.23
75. Washing machine - Remove & reset	1.00 EA @	24.68 =	24.68

Level 2

Bathroom

Height: 8'

DESCRIPTION	QTY	UNIT PRICE	TOTAL
76. R&R Joist - floor or ceiling - 2x10 - w/blocking - 16" oc	50.82 SF @	7.60 =	386.23
77. Timber Framing - General Laborer - per hour	20.00 HR @	30.02 =	600.40
78. Underlayment - 1/2" BC plywood	50.82 SF @	1.77 =	89.95
79. R&R Sheathing - OSB - 5/8"	242.61 SF @	1.97 =	477.94
80. Underlayment - 1/4" 5 ply	50.82 SF @	1.92 =	97.57
81. R&R Baseboard - 3 1/4"	30.33 LF @	2.93 =	88.87
82. R&R Quarter round - 3/4"	30.33 LF @	1.48 =	44.89
83. Drywall Repair - Minimum Charge - Labor and Material	1.00 EA @	366.80 =	366.80
84. Seal/prime then paint the walls and ceiling twice (3 coats)	293.43 SF @	1.00 =	293.43
85. Mask and prep for paint - plastic, paper, tape (per LF)	30.33 LF @	1.08 =	32.76
86. Floor protection - heavy paper and tape	50.82 SF @	0.41 =	20.84
87. Plumbing - Labor Minimum	1.00 EA @	275.01 =	275.01
88. Electrical - Labor Minimum	1.00 EA @	187.78 =	187.78
89. Seal & paint trim - two coats	30.33 LF @	1.07 =	32.45

SFR0464-CO-01

3/3/2020

Page: 4



Richland County Flood Recovery Office

Richland County Flood Recovery Office
 2020 Hampton Street, Suite 1022, Columbia SC 29204

CONTINUED - Bathroom

DESCRIPTION	QTY	UNIT PRICE	TOTAL
90. Paint baseboard - two coats	30.33 LF @	1.09 =	33.06
91. R&R Toilet - Standard grade	1.00 EA @	388.76 =	388.76
92. R&R Sink - single - Standard grade	1.00 EA @	186.12 =	186.12
93. R&R Sink faucet - Bathroom - Standard grade	1.00 EA @	170.17 =	170.17
94. R&R P-trap assembly - ABS (plastic)	1.00 EA @	60.25 =	60.25
95. R&R Vanity - Standard grade	3.00 LF @	125.69 =	377.07
Replace with like vanity.			
96. R&R 4" backsplash for flat laid countertop	3.00 LF @	7.95 =	23.85
97. R&R Countertop - flat laid plastic laminate - Standard grade	3.00 LF @	31.15 =	93.45
98. R&R Medicine cabinet - Standard grade	1.00 EA @	114.14 =	114.14
99. Remove Slate tile - Standard grade	101.63 SF @	1.27 =	129.07
Remove two layers of tile and concrete base.			
100. R&R Fiberglass tub & shower combination - Standard grade	1.00 EA @	977.15 =	977.15
101. R&R Tub/shower faucet - Standard grade	1.00 EA @	260.94 =	260.94
102. R&R Light fixture - Standard grade	2.00 EA @	49.33 =	98.66
103. R&R Switch	2.00 EA @	15.01 =	30.02
104. R&R 1/2" water rock - hung, taped, floated, ready for paint	242.61 SF @	2.40 =	582.26
105. R&R Ground fault interrupter (GFI) outlet	2.00 EA @	29.41 =	58.82
106. R&R Exhaust fan - Standard grade	1.00 EA @	130.96 =	130.96

Labor Minimums Applied

DESCRIPTION	QTY	UNIT PRICE	TOTAL
107. Insulation labor minimum	1.00 EA @	12.97 =	12.97
108. Water extract/remediation labor minimum	1.00 EA @	64.26 =	64.26
109. Tile / marble labor minimum	1.00 EA @	97.81 =	97.81



Richland County Flood Recovery Office

Richland County Flood Recovery Office
2020 Hampton Street, Suite 1022, Columbia SC 29204

Grand Total Areas:

4,023.84 SF Walls	1,485.54 SF Ceiling	5,509.38 SF Walls and Ceiling
1,485.54 SF Floor	165.06 SY Flooring	495.97 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	538.05 LF Ceil. Perimeter
1,485.54 Floor Area	1,614.87 Total Area	4,023.84 Interior Wall Area
2,234.99 Exterior Wall Area	230.57 Exterior Perimeter of Walls	
1,422.19 Surface Area	14.22 Number of Squares	0.00 Total Perimeter Length
29.18 Total Ridge Length	69.85 Total Hip Length	



Richland County Flood Recovery Office

Richland County Flood Recovery Office
2020 Hampton Street, Suite 1022, Columbia SC 29204

Summary for Dwelling

Line Item Total	29,835.17
Material Sales Tax	507.91
Subtotal	30,343.08
Overhead	4,551.52
Profit	4,551.52
Replacement Cost Value	\$39,446.12
Net Claim	\$39,446.12

None



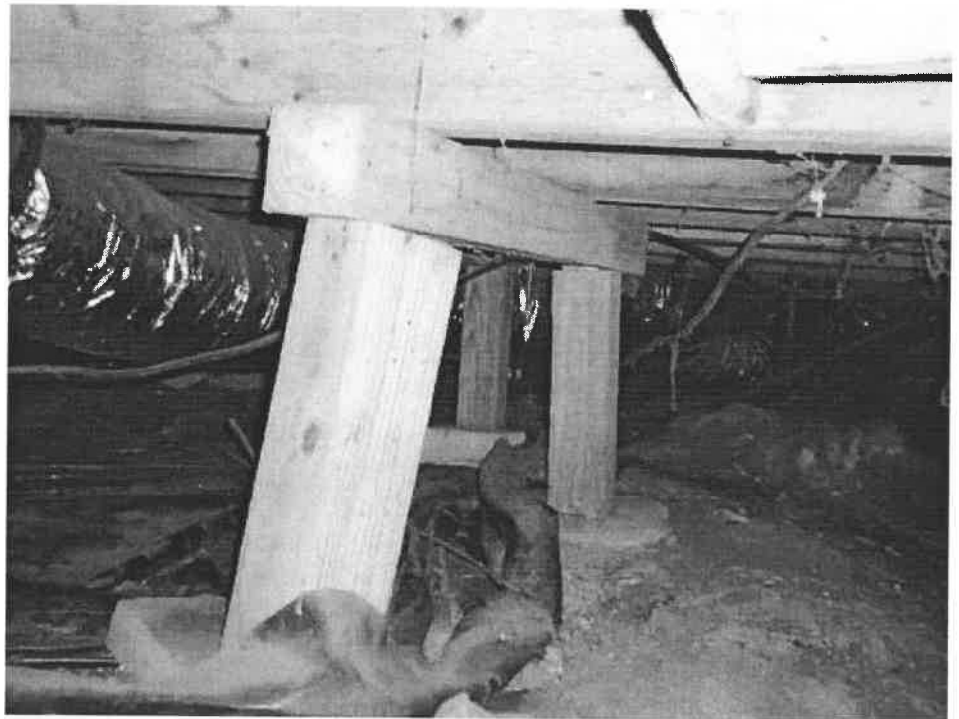
Richland County Flood Recovery Office

Richland County Flood Recovery Office
2020 Hampton Street, Suite 1022, Columbia SC 29204

- 1 1-DSC04716
Date Taken: 3/3/2020



- 2 2-DSC04717
Date Taken: 3/3/2020

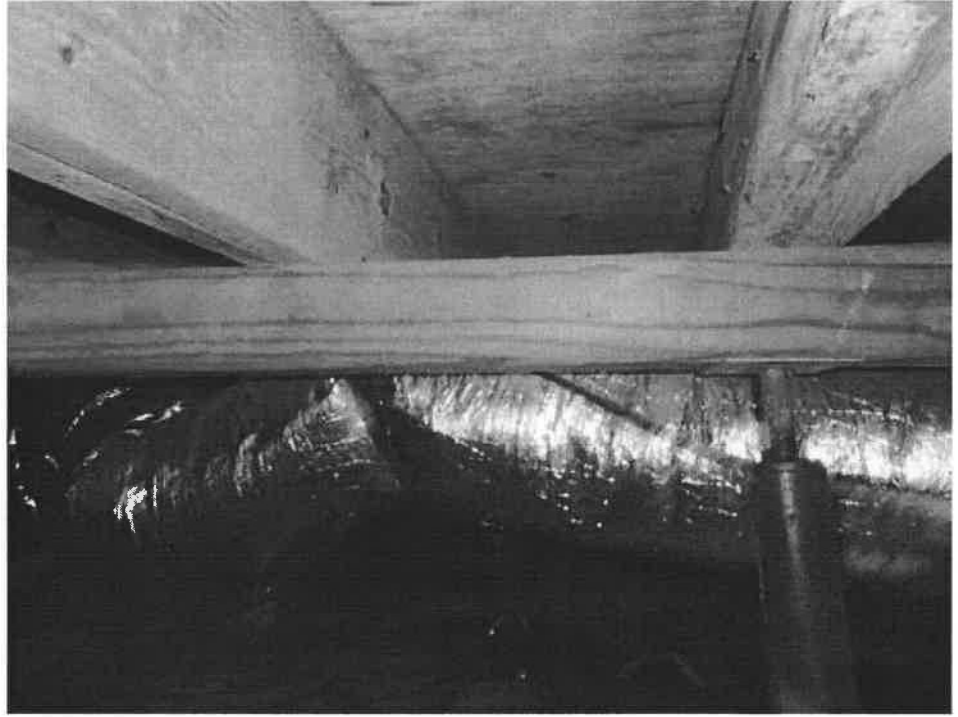




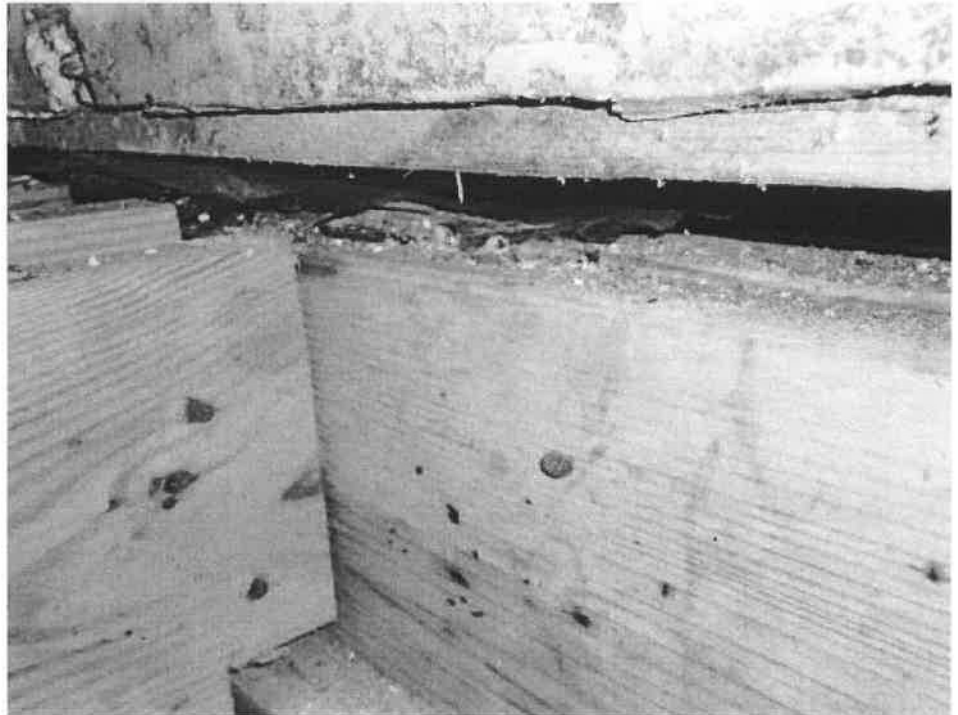
Richland County Flood Recovery Office

Richland County Flood Recovery Office
2020 Hampton Street, Suite 1022, Columbia SC 29204

- 3 3-DSC04718
Date Taken: 3/3/2020



- 4 4-DSC04719
Date Taken: 3/3/2020





Richland County Flood Recovery Office

Richland County Flood Recovery Office
2020 Hampton Street, Suite 1022, Columbia SC 29204

5 5-DSC04720

Date Taken: 3/3/2020



6 6-DSC04721

Date Taken: 3/3/2020





Richland County Flood Recovery Office

Richland County Flood Recovery Office
2020 Hampton Street, Suite 1022, Columbia SC 29204

7 7-DSC04722
Date Taken: 3/3/2020



8 8-DSC04723
Date Taken: 3/3/2020





Richland County Flood Recovery Office

Richland County Flood Recovery Office
2020 Hampton Street, Suite 1022, Columbia SC 29204

9 9-DSC04724
Date Taken: 3/3/2020



10 10-DSC04725
Date Taken: 3/3/2020





Richland County Flood Recovery Office

Richland County Flood Recovery Office
2020 Hampton Street, Suite 1022, Columbia SC 29204

11 11-DSC04726
Date Taken: 3/3/2020



12 12-DSC04727
Date Taken: 3/3/2020





Richland County Flood Recovery Office

Richland County Flood Recovery Office
2020 Hampton Street, Suite 1022, Columbia SC 29204

13 13-DSC04728
Date Taken: 3/3/2020



14 14-DSC04729
Date Taken: 3/3/2020





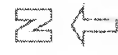
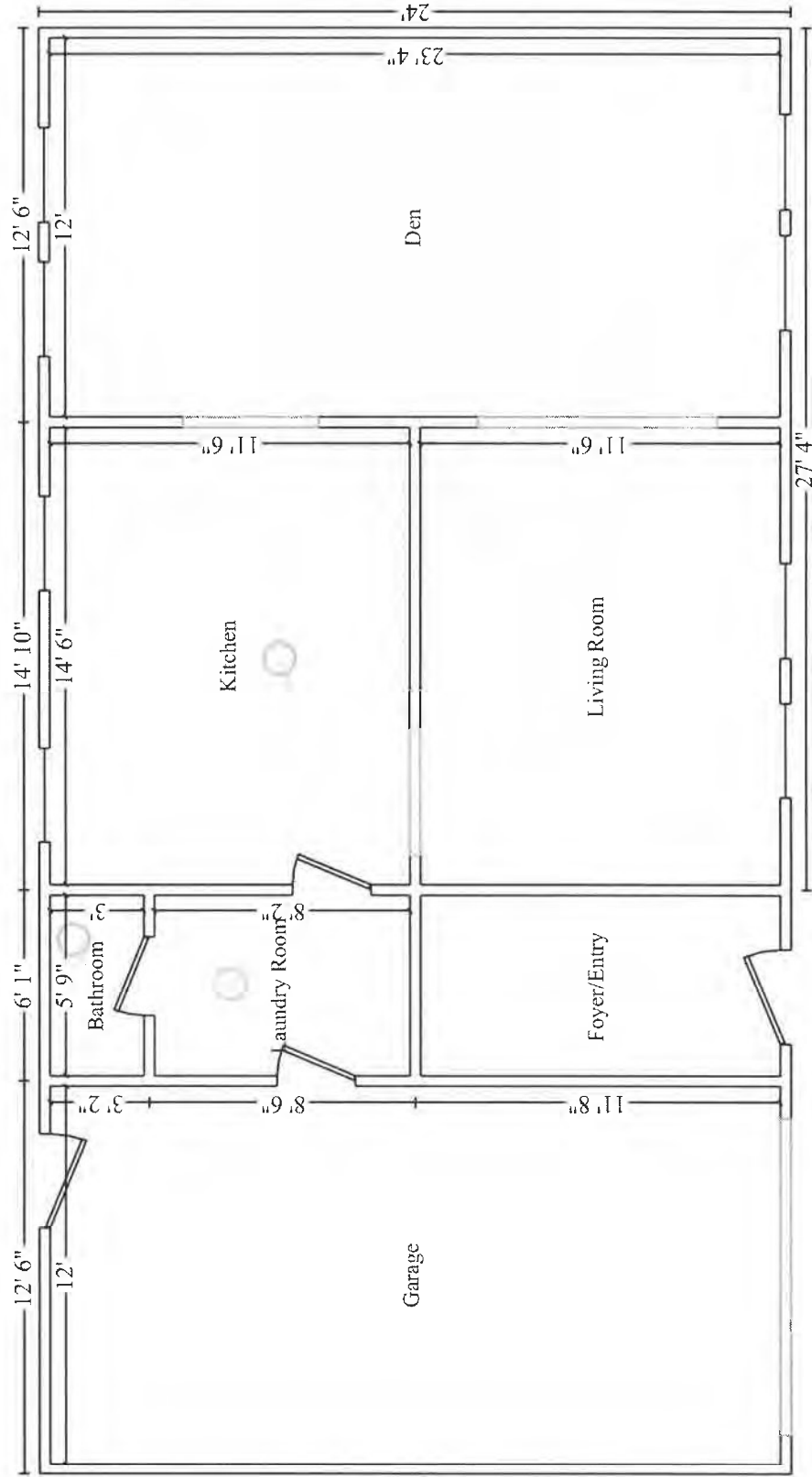
Richland County Flood Recovery Office

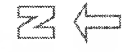
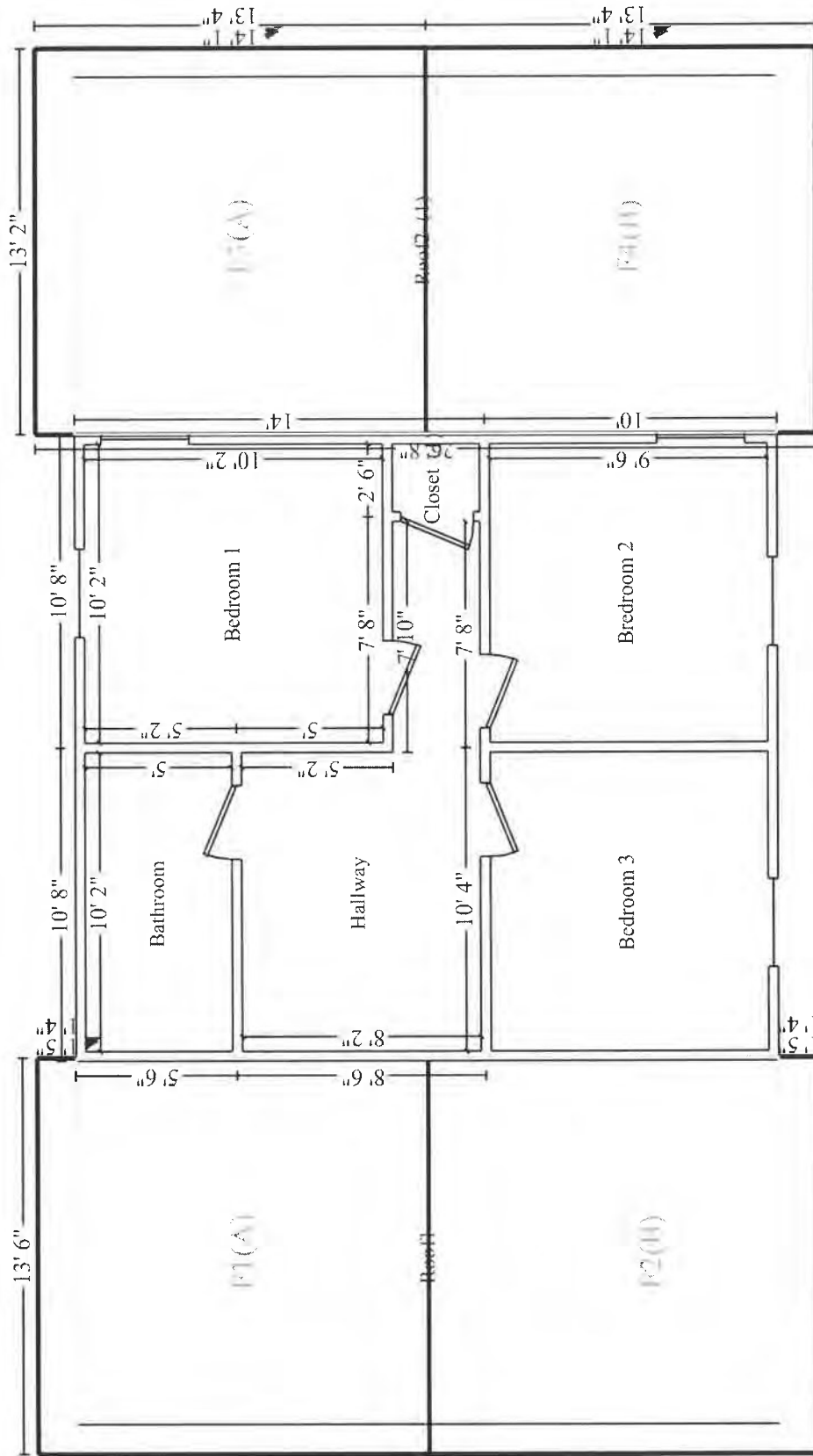
Richland County Flood Recovery Office
2020 Hampton Street, Suite 1022, Columbia SC 29204

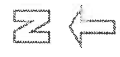
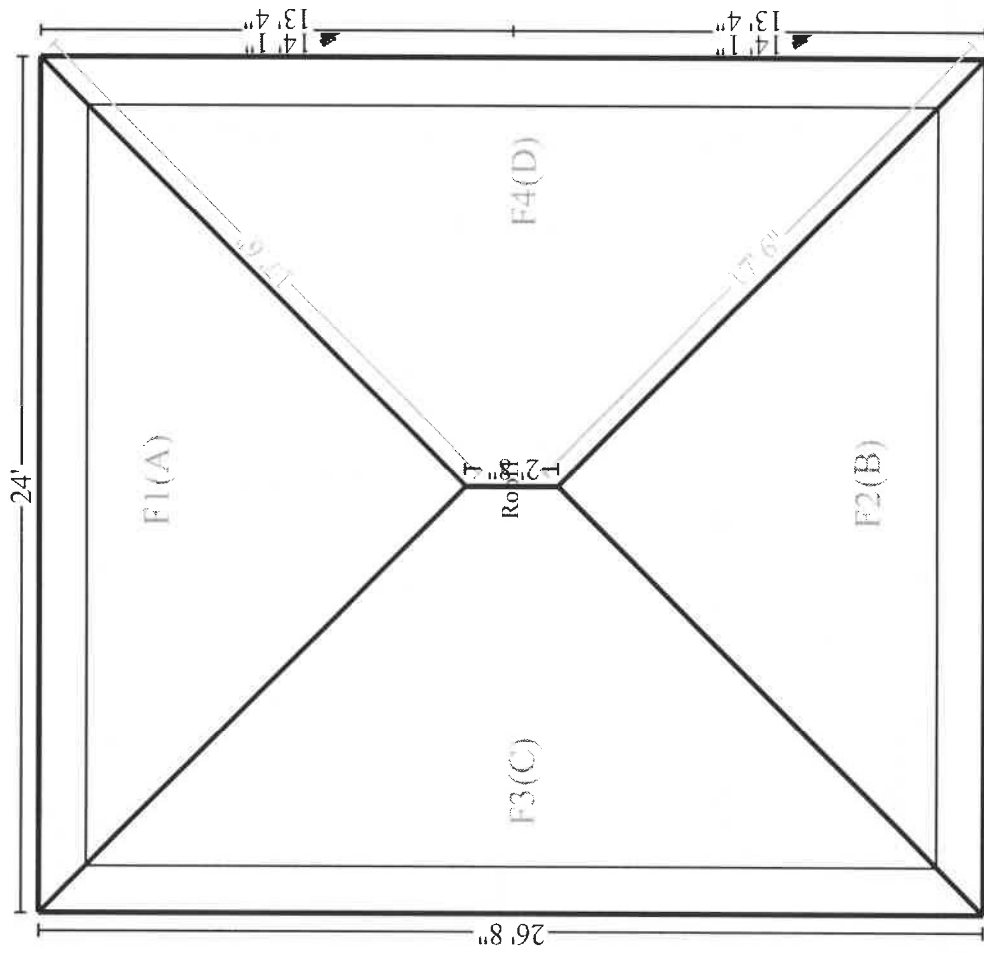
15 15-DSC04730

Date Taken: 3/3/2020









Roof

Property # SFR0464 Property Owner Sandra Soloman

Property Address 216 RAINTREE DR. IAMD, SC 29063

GC Prominent Homes Inspector Charles Jordan

Date Initiated 05-27-2020 Current Project Completion Date _____

Initiator: GC Homeowner Inspector

Description of Change Order and Reason Why: Original Cost of Project _____

- FLOOR JOIST ARE CUT BACK ABOUT THREE FEET. THE SEALS WERE REPLACED BUT WITH 2X8 INSTEAD OF 2X10. THEN ATTACHED WITH A CUT PIECE CAUSING THE SAG
- TO GET TO THE FLOORJOIST WE WILL NEED TO TEAROUT CARPET, PAD UNDERLAMENT (PARTIAL BOARD) & SUB FLOOR
- MOVE DUCT WORK OUT OFF THEWAY
- REPLACE JOIST IN THE DEN, REPLACE SEAL WITH CORRECT 2X10 SEAL.
- INSTALL NEW SUB FLOOR & UNDERLAMENT.
- INSTALL NEW TACK STRIPS
- INSTALL NEW PAD & CARPET.
- WILL OPEN UP LOWER PART OF WALL TO SECURE X TO SEAL, DRY WALL REPAIR + PAINT ROOM.

Inspector/Cost Estimator's Evaluation GC Sign _____ Date _____

Meets HQS: Yes No Inspector Sign [Signature] Date 05-28-2020

Homeowner(s) Consent to Change Order Homeowner Sign [Signature] Date 5/28/2020

Scope of Work Attached Yes No

Cost of Change Order \$11,079.86 Additional Time for Change Order 14 Days

Special Case Panel's Decision Approved Disapproved Date: _____

Notes: _____

Total Cost of Project \$73,716.84 New Project Completion Date _____

Over 25% Yes Submit directly to Council for approval per BRC decision of 11/5/18
No SCP May Approve



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC

Insured: Soloman, Sandra
Property: 216 Rain tree dr
Columbia, SC

Claim Rep.: Charles P Jordan III
Position: COST ESTIMATOR/INSPECTOR
Company: Tetra Tech | Complex World, Clear Solutions
Business: 2020 Hampton st suite 1022
columbia, SC

Business: (803) 576-2044
E-mail: charles.jordan@tetrattech.com

Estimator: Charles P Jordan III
Position: COST ESTIMATOR/INSPECTOR
Company: Tetra Tech | Complex World, Clear Solutions
Business: 2020 Hampton st suite 1022
columbia, SC

Business: (803) 576-2044
E-mail: charles.jordan@tetrattech.com

Claim Number: SFR0464

Policy Number: SFR0464

Type of Loss: Flood

Date of Loss: 10/1/2015 12:00 PM
Date Inspected:

Date Received:
Date Entered: 5/27/2020 10:40 AM

Price List: TXHO8X_JAN19
Restoration/Service/Remodel
Estimate: SFR0464



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
 2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC

SFR0464 Main Level

Main Level

DESCRIPTION	QTY	UNIT PRICE	TOTAL
1. HEAT, VENT & AIR CONDITIONING detach and reset main trunk and flex lines as needed	1.00 EA @	1,000.00 =	1,000.00
2. Dumpster load - Approx. 20 yards, 4 tons of debris	1.00 EA @	539.76 =	539.76
3. Electrical - Labor Minimum several (live) wires were laying on the ground in crawlspace. will place them in boxes per code.	1.00 EA @	262.53 =	262.53
4. Plumbing - Labor Minimum disconnect a water filter system and repair the pipe that was damaged by improper connection of the system. Water line to refrigerator pinched off by pliers laying in the crawl space. It was leaking so will remove all together.	1.00 EA @	300.01 =	300.01

Den Height: 8'

Missing Wall - Goes to Floor 2' 9" X 6' 8" Opens into Exterior
 Missing Wall - Goes to Floor 5' X 6' 8" Opens into LIVING_ROOM

DESCRIPTION	QTY	UNIT PRICE	TOTAL
5. Remove Carpet	281.00 SF @	0.27 =	75.87
6. Remove Carpet pad	281.00 SF @	0.12 =	33.72
7. Remove Tackless strip - per LF	63.08 LF @	0.48 =	30.28
8. Remove Underlayment - 5/8" particle board	281.00 SF @	0.63 =	177.03
9. Remove Sheathing - plywood - 1/2" CDX	281.00 SF @	0.54 =	151.74
10. Electrical - Labor Minimum move wires as needed	1.00 EA @	262.53 =	262.53
11. R&R Joist - floor or ceiling - 2x8 - w/blocking - 16" oc	281.00 SF @	3.28 =	921.68
12. R&R 2" x 10" lumber - wood polymer (1.67 BF per LF) seal on the exterior wall to the back yard	24.00 LF @	11.79 =	282.96
13. Sheathing - plywood - 1/2" CDX sub floor	281.00 SF @	1.53 =	429.93
14. Underlayment - 5/8" particle board	281.00 SF @	1.45 =	407.45
15. Tackless strip - per LF	63.08 LF @	0.55 =	34.69
16. Carpet pad	281.00 SF @	0.58 =	162.98
17. R&R Carpet	288.00 SF @	3.48 =	1,002.24
18. Final cleaning - construction - Residential	281.00 SF @	0.23 =	64.63
19. Drywall - Labor Minimum	1.00 EA @	450.95 =	450.95
20. Seal/prime then paint the walls and ceiling twice (3 coats)	796.00 SF @	1.10 =	875.60



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
 2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC

Living Room

Height: 8'

Missing Wall - Goes to Floor

5' X 6' 8"

Opens into DEN

Missing Wall - Goes to Floor

2' 8" X 6' 8"

Opens into Exterior

DESCRIPTION	QTY	UNIT PRICE	TOTAL
21. R&R Carpet pad continuous from the other room with a large opening	169.05 SF @	0.70 =	118.34
22. R&R Carpet continuous from the other room with a large opening	180.00 SF @	3.48 =	626.40
23. R&R Carpet - metal transition strip	8.00 LF @	3.59 =	28.72
24. Final cleaning - construction - Residential	169.05 SF @	0.23 =	38.88

Grand Total Areas:

882.97 SF Walls	450.05 SF Ceiling	1,333.02 SF Walls and Ceiling
450.05 SF Floor	50.01 SY Flooring	107.80 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	123.22 LF Ceil. Perimeter
450.05 Floor Area	486.90 Total Area	882.97 Interior Wall Area
838.86 Exterior Wall Area	97.22 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC

Summary for Dwelling

Line Item Total	8,278.92
Material Sales Tax	235.56
Subtotal	8,514.48
Overhead	1,277.14
Profit	1,277.14
Cleaning Sales Tax	11.10
Replacement Cost Value	\$11,079.86
Net Claim	\$11,079.86

Charles P Jordan III
COST ESTIMATOR/INSPECTOR



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC



1 1-IMG_3306
front of the residence

Date Taken: 5/27/2020



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC



2 2-IMG_3307

Date Taken: 5/27/2020

kitchen area. where the main trunk is at that will need to be removed to repair the repair of the floor joist and seals.



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC



3 3-IMG_3308 Date Taken: 5/27/2020
old repair work were someone attempted to use floor jacks that just sunk into the ground.



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC



4 4-IMG_3309 Date Taken: 5/27/2020
one of the wires that were laying in the crawlspace . it did not even have wire nuts on it either.



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC



5 5-IMG_3310

Date Taken: 5/27/2020

this is where the water filter was jerry rigged into the waste line. it is leaking and causes a foul odor. disconnect and repair pipe ONLY.



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC



6

6-IMG_3311

Date Taken: 5/27/2020

water line to refrigerator that was laying in the crawl space. disconnect ONLY and remove old leaking line.



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC



7

7-IMG_3312

Date Taken: 5/27/2020

some of the repair work that was uncovered



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC



8

8-IMG_3313

Date Taken: 5/27/2020



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC



9

9-IMG_3314

Date Taken: 5/27/2020

filter system in a closet where the water heater is.



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC



10 10-IMG_3315
close up.

Date Taken: 5/27/2020



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC



11 11-IMG_3316

Date Taken: 5/27/2020

this is just to the other side of the main trunk. Top right of the picture is the old floor joist that was cut off and when who ever tried to fix the seal. they used a 2X8 instead of a 2X10. Then they sister a 4 foot joist to the exiting one. This is one of the reasons for the sagging floors.



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC



12 12-IMG_3317 Date Taken: 5/27/2020
you can see another one just past as well.



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC



13 14-IMG_3319

Date Taken: 5/27/2020



RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC



14 15-IMG_3320

Date Taken: 5/27/2020

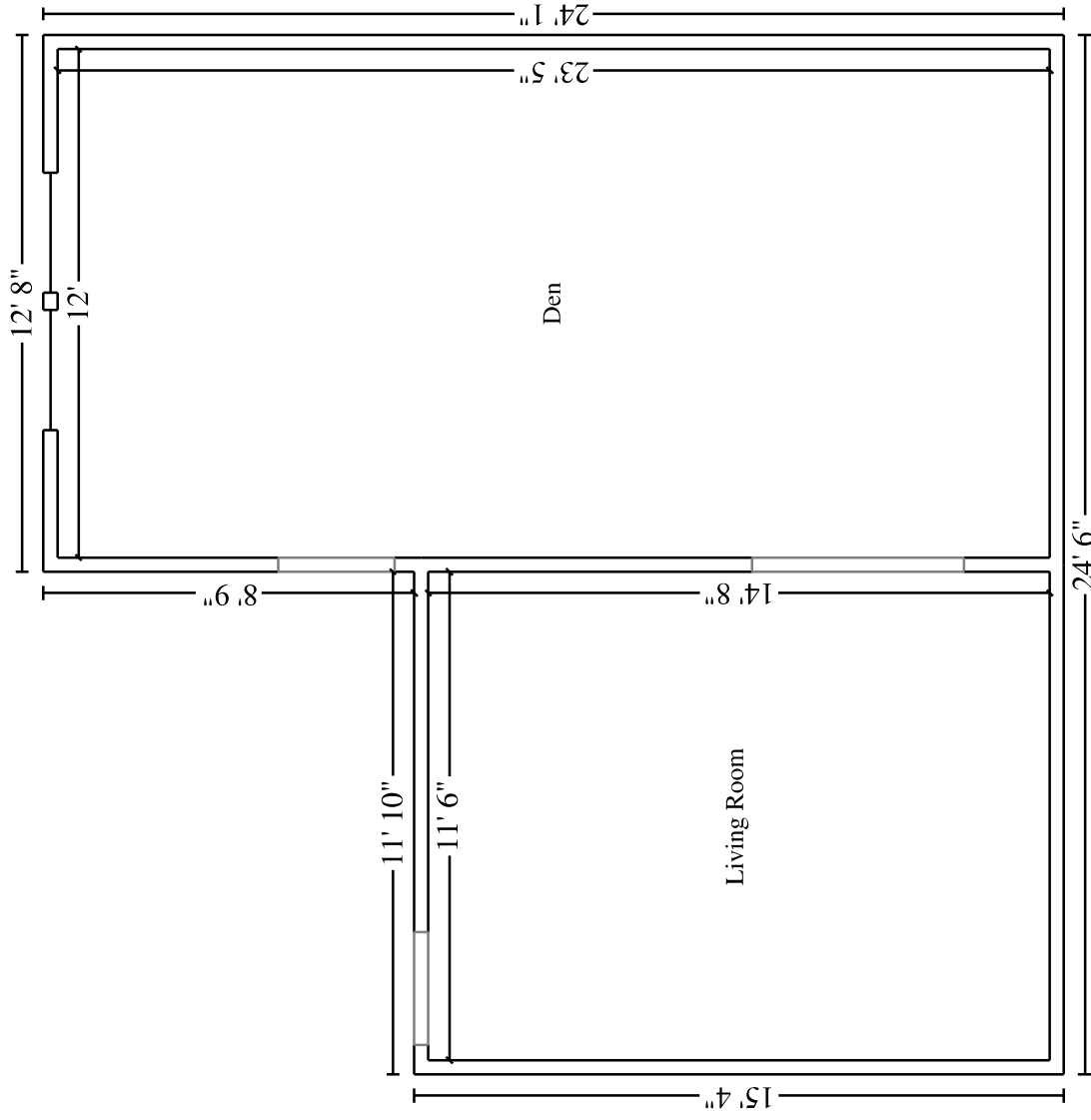


RICHLAND COUNTY CHANGE ORDER

SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
2020 HAMPTON ST, SUITE 1022, COLUMBIA, SC



15 16-IMG_3321 Date Taken: 5/27/2020
also they are NOT nailed into the seal.





Agenda Briefing

Prepared by: Clayton Voignier, Director
Department: Community Planning and Development
Date Prepared: July 9, 2020 **Meeting Date:** July 14, 2020

Legal Review	Brad Farrar via email	Date:	July 16, 2020
Budget Review	James Hayes via email	Date:	July 16, 2020
Finance Review	Stacey Hamm via email	Date:	July 16, 2020
Approved for consideration:	Assistant County Administrator	Ashley M. Powell, Assoc. AIA, AICP	
Subject:	Ole Towne Antique Mall – Proposed Improvements		

Recommended Action:

Staff recommends approval to make proposed improvements to the Ole Towne Antique Mall site using FY2019-2020 Community Development Block Grant (CDBG) funds and Neighborhood Redevelopment Special Revenue funds totaling \$150,000.

Motion Requested:

I move to approve staff’s recommendation to make proposed improvements to the Ole Towne Antique Mall site using FY2019-2020 Community Development Block Grant (CDBG) funds and Neighborhood Redevelopment Special Revenue funds totaling \$150,000.

Request for Council Reconsideration: X Yes

Fiscal Impact:

Funds are available in Construction (5322) for CDBG FY19 in the amount of \$60,000. This action will require a Budget Amendment to the Neighborhood Redevelopment Special Revenue Fund Budget for FY21 in order to use the remaining \$90,000 from Fund Balance.

Motion of Origin:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

Discussion:

The Ole Towne Antique Mall is a vacant, derelict building owned by Richland County located at 2956 Broad River Road. The parcel is about 2.45 acres, while the building is approximately 27,000 ft². The location started as an indoor antique mall in 1977, operating until it closed in late 2013. The County purchased the property in March of 2018.

The site itself is located adjacent to the St. Andrews Library, which underwent renovations in 2018 including meeting spaces, a community living room, public art installations, and communal garden beds for residents to enjoy. The site has served to become a community focal point since undergoing the renovations.

Neighborhood Improvement Program (NIP) staff have been undertaking the Commercial Façade Improvement Program along the Broad River Road Corridor (BRR) as part of the adopted Neighborhood Master Plan for that area. Under the program, staff have completed various exterior improvement upgrades to existing commercial businesses. These improvements have included exterior painting, lighting, security, parking lot repair, and signage, among other elements. These façade upgrades have provided a facelift for area businesses and serves to help revitalize the corridor. Staff is currently in Phase II of the BRRC façade program using allocated FY2019-2020 CDBG funds.

Based on the results of these two improvement initiatives, staff proposes to undertake a similar initiative at the Ole Towne Antique Mall site, combining work from the Commercial Façade Improvement Program and from the public art and use components completed at the St. Andrews Library. As such, staff propose to use a phased funding approach to make beautification, active use, and public art improvements to the site.

Phase I will include securing and weatherizing the building, removing brush and debris, prepping the exterior for and applying new paint, installing a public art mural of the Broad River Road Corridor thematic logo, adding new solar or low-cost lighting, and restriping parking spots as overflow parking usage. Total estimated costs for these proposed improvements amounts to \$60,000, and a breakdown is provided below:

Phase I [July-August 2020]	<i>Cost Estimate</i>	<i>Fund</i>
Landscaping	\$2,000	CDBG
Façade Prep	\$6,000	CDBG
Façade Painting	\$15,000	CDBG
Parking Restriping	\$2,000	CDBG
Securing/Weatherizing Structure	\$7,000	CDBG
Lighting	\$13,000	CDBG
BRRC Mural	\$15,000	CDBG
Total Phase	\$60,000	

Staff proposes to use remaining FY2019-2020 CDBG funds for Phase I. Certain restrictions on the use of CDBG funds in this manner would apply to the property pursuant to 24 CFR §570.505. Primarily, when using CDBG funds to improve real property, the grantee cannot change the use or planned use of a

property for five years after closeout of the grantee’s participation in the CDBG Entitlement Program unless the following criteria are met:

- Obtain input from affected citizens on the proposed change in use
- The new use meets a national objective as defined in 24 CFR §570.208, which includes benefit to low-and-moderate income individuals, removal of slum or blight, or addressing an urgent community development need
- Is not a building for the general conduct of government

If the County were to sell the property or change the use of the property and the change in use did not meet the above criteria, the County would be responsible for paying back the current fair market value of the property, less any portion of the value attributable to expenditures of non-CDBG funds for improvements to the property. However, the County could renovate or demolish the property if it were in relation to that continued use or meet those three criteria.

Simultaneous to efforts under Phase I, staff will be performing public outreach, in partnership with other area stakeholders, such as St. Andrews Library, RSD1, and surrounding neighborhood associations. Per CDC guidelines on social distancing, staff will use appropriate non-contact outreach methods to collect data on preferences and desires for active uses and public art.

Phase II will include installing activation interventions at the site, which will derive from community input obtained during Phase I. Initial concepts include foursquare, corn hole, hopscotch, or social game courts; larger than-life chess/checkerboard(s); ground/pathway murals; exterior façade murals; and interactive and sculpture art pieces and/or equipment. Total estimated costs for these proposed improvements amounts to \$90,000, and a breakdown is provided below:

Phase II [August-November 2020]	<i>Cost Estimate</i>	<i>Fund</i>
Activation Interventions (Based on public input)	\$40,000	NIP
Public Art & Murals	\$50,000	NIP
Total Phase	\$90,000	

The community outreach will determine the final design components. Staff will then develop a concept plan for the site using those elements. Ultimately, staff anticipates the site functioning as a community recreation center with greenspace-like functions and abilities for the site.

Overall, NIP has developed the proposal as a place-making, revitalization effort known as “pre-vitalization”. Pre-vitalization is the temporary or short-term re-activation of a previously inactive, underutilized parcel of land or building. The premise behind pre-vitalization centers upon creatively using a space to demonstrate possible outcomes. Most often, these types of projects occur to raise awareness about a site’s imaginable potential and build community buy-in for longer-term usage. Pre-vitalization serves to generate interest and build momentum.

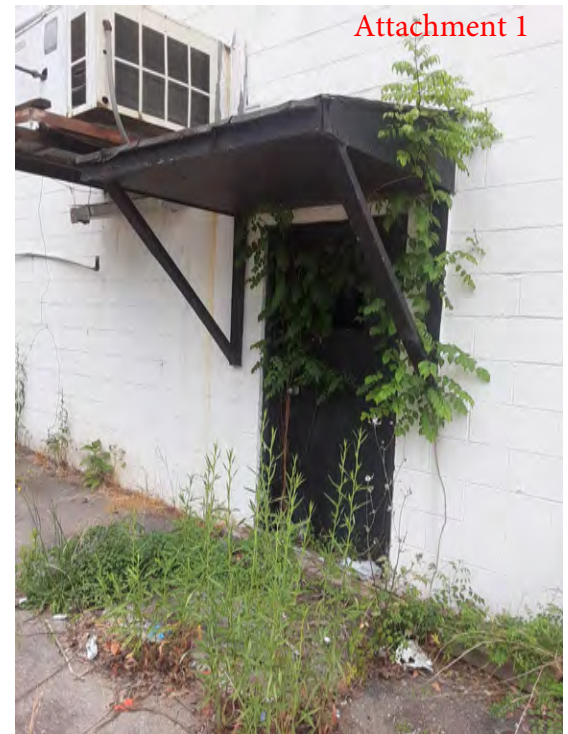
Staff intends for this effort to be the first in a series of pre-vitalization projects across the County. The pre-vitalization of the Ole Towne Antique Mall will serve as a catalyst effort for the relaunch and rebranding of Richland Renaissance in association with the Public Information Office, who will be working with NIP staff on developing the messaging for this effort.

Attachments:

1. Attachment A – Existing Site Photos
2. Attachment B – BRRC Mural, Active Use and Public Art Visuals
3. Attachment C – Pre-vitalization Concept Drawings
4. Attachment D – 24 CFR §570.505, Use Restrictions



Attachment A
33 of 39



Attachment 1

Existing Site Photos



Existing Site Photos



Existing Site Photos



Existing Site Photos



Existing Site Photos



Existing Site Photos

Attachment B







Location Mural



Abstract Mural





Historic Mural



Interactive Mural



Cultural Mural







Hopscotch





Chess or Checkers





Four Square







376 of 399

Musical Playground

Attachment C

Old Towne Antique Mall: Pre-vitalization









Attachment D

24 CFR § 570.505 - Use of real property.

CFR

§ 570.505 Use of real property.

The standards described in this section apply to real property within the recipient's control which was acquired or improved in whole or in part using CDBG funds in excess of \$25,000. These standards shall apply from the date CDBG funds are first spent for the property until five years after closeout of an entitlement recipient's participation in the entitlement CDBG program or, with respect to other recipients, until five years after the closeout of the grant from which the assistance to the property was provided.

(a) A recipient may not change the use or planned use of any such property (including the beneficiaries of such use) from that for which the acquisition or improvement was made unless the recipient provides affected citizens with reasonable notice of, and opportunity to comment on, any proposed change, and either:

(1) The new use of such property qualifies as meeting one of the national objectives in § 570.208 (formerly § 570.901) and is not a building for the general conduct of government; or

(2) The requirements in paragraph (b) of this section are met.

(b) If the recipient determines, after consultation with affected citizens, that it is appropriate to change the use of the property to a use which does not qualify under paragraph (a)(1) of this section, it may retain or dispose of the property for the changed use if the recipient's CDBG program is reimbursed in the amount of the current fair market value of the property, less any portion of the value attributable to expenditures of non-CDBG funds for acquisition of, and improvements to, the property.

(c) If the change of use occurs after closeout, the provisions governing income from the disposition of the real property in § 570.504(b)(4) or (5), as applicable, shall apply to the use of funds reimbursed.

(d) Following the reimbursement of the CDBG program in accordance with paragraph (b) of this section, the property no longer will be subject to any CDBG requirements.

[53 FR 8058, Mar. 11, 1988, as amended at 53 FR 41331, Oct. 21, 1988]

CFR Toolbox

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[Parallel Table of Authorities](#)

[How current is this?](#)

COVID 19 PANDEMIC RELIEF GRANT

Status Update





NON PROFIT GRANTS

ORGANIZATIONS AND CONTACT INFORMATION

Organization Name	Telephone	Org Website
Alston Wilkes Society	(803) 799-2490	www.alstonwilkessociety.org
Midlands Fatherhood Coalition	(803) 933-0052	www.midlandsfathers.com
Midlands Housing Alliance, Inc.	(803) 708-4861	www.transitions.org
Midtown Fellowship	(803) 851-4599	https://midtowndowntown.com/
Operation Veteran Support	(803) 467-2791	
Palmetto AIDS Life Support Services, Inc.	(803) 779-7257	www.palss.org
Palmetto Place Children & Youth Services	(803) 786-6819	www.palmettoplace.org
Sistercare, Inc.	(803) 926-0505	www.sistercare.org
St. Luke's Episcopal Church: Fresh Start Ministry	(803) 622-6509	https://episcopalchurch.org/parish/st-lukes-episcopal-church-columbia-sc
The Cooperative Ministry	(803) 799-3853	www.coopmin.org
The Meeting Place	(803) 419-8884	www.GoTMPC.org
The Salvation Army of the Midlands	(803) 765-0260	http://www.doingthemostgood.org
Central South Carolina Habitat for Humanity	(803) 252-3570	http://www.midlandshabitat.org
Epworth Children's Home	(803) 256-7394	www.epworthsc.org
Harvest Hope Food Bank	(803) 254-4432	www.harvesthope.org
Wiley Kennedy Foundation	(803) 691-8940	Wiley Kennedy Foundation.org
James R. Clark Memorial Sickle Cell Foundation	(803) 765-9916	www.jamesrclarksicklecell.org





RECOMMENDATIONS

COMMITTEE RECOMMENDATIONS: SMALL BUSINESS

- Expenses to be paid
 - Business Rent/Lease
 - Utilities
 - Working Capital
 - Payroll Costs
 - Insurance
 - Debt Service
 - Supplies
 - Accounts Payable
 - Enhanced Sanitation
 - Inventory Payments
 - Equipment
 - Other: Advertising/Marketing, Administrative Work; PPE, Training, Computer Support

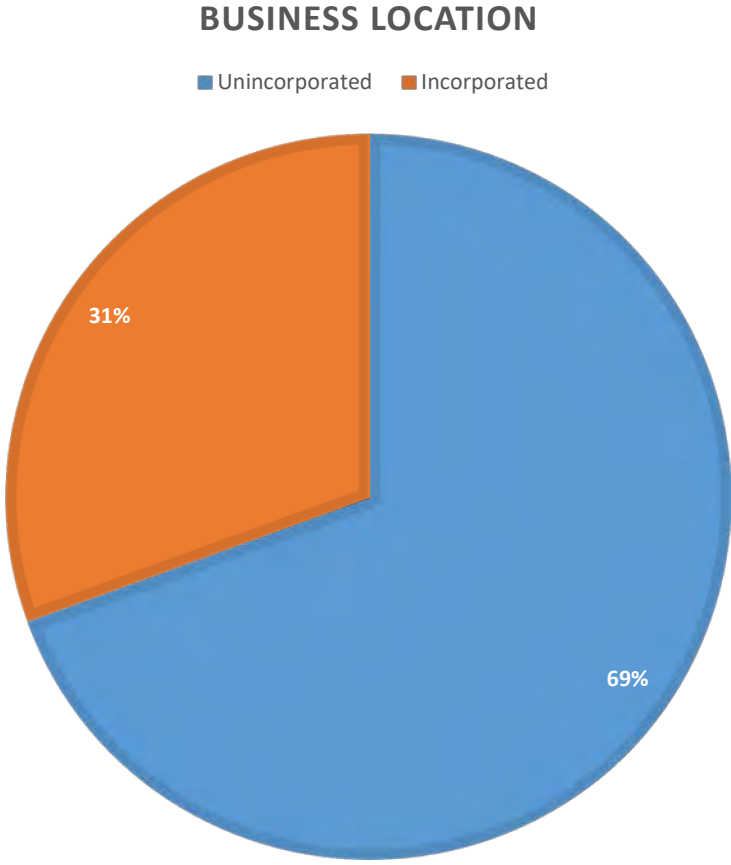


COUNTY FUND DISTRIBUTION

Potential Fund Distribution Based Upon Committee Recommendations

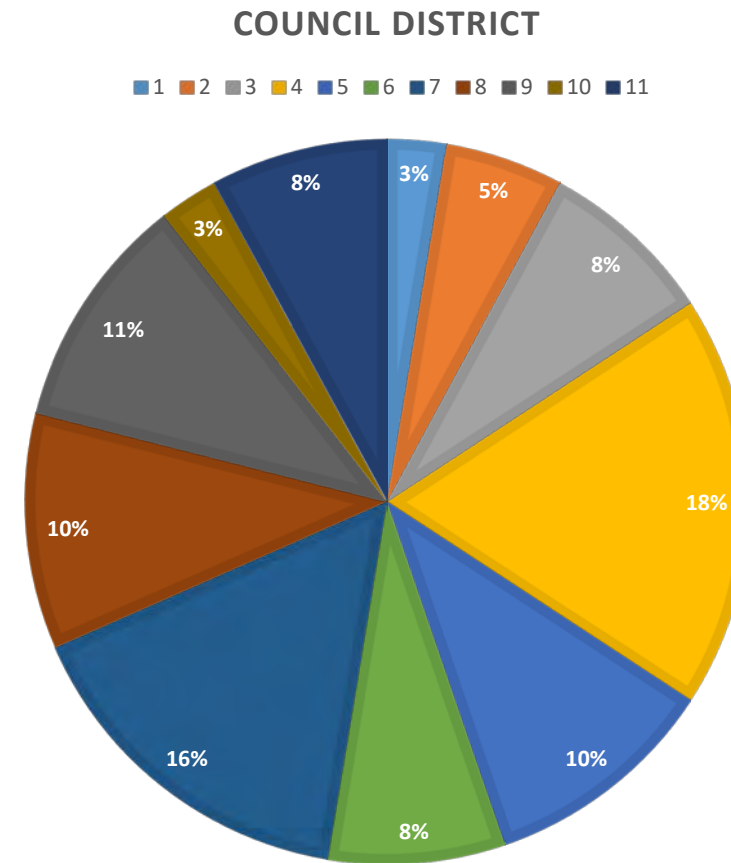
SMALL BUSINESS FUND DISTRIBUTION

Incorporation	Percentage
Unincorporated	69%
Incorporated	31%



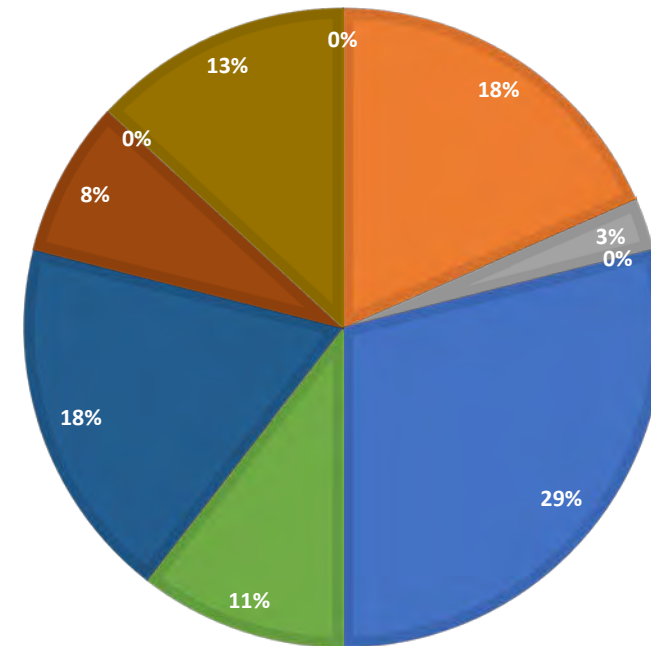
SMALL BUSINESS FUND DISTRIBUTION

Council District	Percentage
1	3%
2	5%
3	8%
4	18%
5	11%
6	8%
7	16%
8	11%
9	11%
10	3%
11	8%



SMALL BUSINESS FUND DISTRIBUTION

Business Type	Percentage
Bakery/Coffee Shop	0%
Catering/Restaurant	18%
Day Care/Adult Care	3%
Landscaping	0%
Other	29%
Photography	11%
Professional Services	18%
Retail/Service	8%
Sales	0%
Salon/Barber Shop	13%



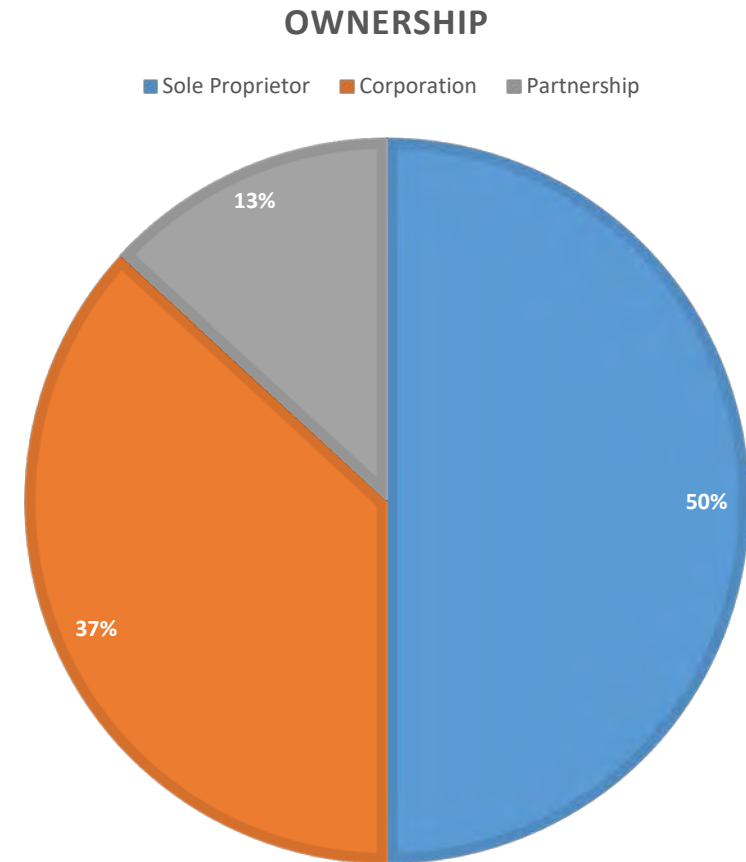
SMALL BUSINESS FUND DISTRIBUTION

Association	Percentage
Minority	36.8%
Minority / Non-Minority Woman	2.6%
Minority / Service Disabled Veteran	5.3%
Minority/ Veteran	2.6%
Minority/ Veteran/ Service Disabled Veteran	2.6%
None of the above	28.9%
Non-Minority Woman	18.4%
Non-Minority Woman / Veteran	0.0%
Service Disabled Veteran	0.0%
Veteran	2.6%
Veteran / Service Disabled Veteran	0.0%



SMALL BUSINESS FUND DISTRIBUTION

Type of Business	Percentage
Sole Proprietor	50%
Corporation	37%
Partnership	13%



Organization/Project	Small Business Round 5	Location	District
A & S Transportation LLC / A&S Transportation LLC	\$ 2,359.06	Unincorporated	11
Andrew's Jewelry Inc / Andrew's Jewelry	\$ 3,098.56	Unincorporated	9
Bela Family Dentistry of Sandhills / Bela Family Dentistry of Sandhills	\$ 2,778.18	Unincorporated	8
Brian Dressler Photography, Inc. / Small Business Grant, Richland County	\$ 2,581.13	Incorporated	5
Brown Investment & Development LLC / Covid 19 Grant	\$ 2,987.74	Unincorporated	11
CARBRA Construction and Design Inc / Richland County COVID-19 Pandemic Relief Grant	\$ 3,178.33	Incorporated	4
Clarrisa's Kitchen and Catering LLC / COVID-19 Reilief Help	\$ 2,704.02	Incorporated	4
Clean Right Southeast, LLC / Owner	\$ 2,488.42	Unincorporated	7
Corley Lawn & Construction, LLC / Small Business Covid -19	\$ 2,660.90	Unincorporated	7
Cowboy Brazilian Steakhouse / Relief Funds	\$ (4,382.96)	Unincorporated	4
DAD N ASSOCIATES LLC / DAD N ASSOCIATES LLC	\$ 3,196.87	Unincorporated	3
DBL RL LLC (dba Henrys NE) / HenrysNE	\$ 2,944.62	Unincorporated	9
DDI LLC / Richland Co COVID19 Relief Grant	\$ 3,209.37	Incorporated	4
Diversified Training Consultants / COVID19 Pandemic Relief	\$ 527.22	Unincorporated	1
DIVINE CHILD DEVELOPMENT CENTER / Divine Child Development Center	\$ 10,000.00	Unincorporated	7
Drake Imaging / Drake Imaging	\$ 500.02	Unincorporated	8
DreamCatcher Child Development,LLC / DreamCatcher Child Development,LLC	\$ 3,135.21	Unincorporated	8
Farmer Construction, LLC / Payroll	\$ 2,697.98	Incorporated	4
Forest Lake Travel, Inc. / Forest Lake Travel, Inc.	\$ 3,301.65	Incorporated	6
Forest Office Plaza, LLC / Forest Office Plaza, LLC	\$ 2,094.31	Unincorporated	9
George Fulton Photo Imagery, Inc. / George Fulton Photo Imagery, Inc.	\$ 2,697.98	Incorporated	5
Gibsons Barbershop / Gibson's Barbershop	\$ 2,525.50	Incorporated	5
Jessica Hunt Photography, LLC / Jessica Hunt Photography, LLC	\$ 3,147.71	Incorporated	4
Kiki's Chicken and Waffles LLC / Kiki's Chicken and Waffles	\$ (4,375.36)	Unincorporated	3
L A Prescelti dba Crepes et croissants / Crepes et croissants	\$ 2,704.02	Incorporated	4
Miller Family Dentistry / Richaland county zoom grants	\$ 3,061.48	Unincorporated	11
Parlour 818, Inc. / Parlour 818, Inc - Richland County COVID Relief Grant	\$ 3,277.07	Incorporated (6)	6
Providence Family Practice / Providence Family Practice	\$ 2,479.36	Unincorporated	7
R6 Enterprise LLC DBA Gold Den / R6 Enterprise LLC DBA Gold Den	\$ 75.00	Unincorporated	3
Renu Health, LLC / ReNu Health, LLC COVID Relief	\$ 2,420.72	Incorporated (6)	6
SC Uplift Community Outreach / SC Uplift Operational Request	\$ 1,581.19	Unincorporated	8
SLC Hauling and Trucking, Inc. / COVID-19 Pandemic Relief Grant	\$ 2,870.46	Unincorporated	2
So2 Spa Ltd. Co. / Studio O2	\$ 10,000.00	Incorporated	5
Sonny's Sportsplex LLC / COVID-19	\$ 2,987.74	Unincorporated	7
South Carolina Embroidery LLC / Covid-19 Relief	\$ 3,061.48	Unincorporated	10
Southeastern School of Ballet, LLC / Covid-19 Pandemic Relief Grant	\$ 3,184.80	Unincorporated	7
Steven Michaels Salon / Steven Michaels Salon	\$ 3,227.92	Unincorporated	9
The Law Office of Shannon K. Burnett, Inc. / Law Office of Shannon Burnett, Inc.	\$ 3,012.32	Unincorporated	2



Agenda Briefing

Prepared by: John M. Thompson, Ph.D., MBA, CPM, Assistant County Administrator
Department: Administration
Date Prepared: July 13, 2020 **Meeting Date:** July 21, 2020

Legal Review	<i>Pending further review by the County Attorney's Office</i>		
Budget Review	James Hayes via email	Date:	July 15, 2020
Finance Review	Stacey Hamm via email	Date:	July 13, 2020
Approved for Council consideration:	County Administrator	Leonardo Brown, MBA, CPM	
Committee	Sewer Ad Hoc Committee		
Subject:	Richland County's Fiber Broadband Partnership for Southeast Richland County		

Recommended Action:

Staff recommends the following two options below.

1. Approve TruVista as the provider that will build out the fiber broadband infrastructure in the southeastern portion of Richland County.
2. Reject TruVista as the provider that will build out the fiber broadband infrastructure in the southeastern portion of Richland County.

Motion Requested:

Richland County Council selects one of the two options above.

Request for Council Reconsideration: Yes

Fiscal Impact:

Richland County Council approved \$85,000 to install conduit for fiber broadband in the southeastern portion of Richland County. Should County Council select TruVista as the provider to complete the build out of the fiber broadband infrastructure in the southeastern portion of the County, TruVista agrees to reimburse the County its \$85,000 investment for design fees and the cost for conduit. Therefore, the fiscal impact to Richland County would be \$0 for the fiber broadband build out. However, there is a fiscal impact on deferring rent payments should Richland County Council approve for TruVista to occupy a Richland County facility to operate its payment center. Both the Finance and the Budget Departments are concerned about giving a for profit organization rent free space in a tax payer funded facility.

Motion of Origin:

There is no association Council motion of origin.

Council Member	
Meeting	
Date	

Discussion:

At Richland County Council's regular session meeting on May 5, 2020, staff presented a briefing document to the Council regarding the joint trenching of fiber during construction of the Southeast Sewer and Water Expansion Project. The financial risk to the County is \$85,000, which County Council approved, to initiate the installation of conduit for fiber broadband with the expectation that a broadband provider would build out the infrastructure in the southeastern portion of Richland County. The briefing document also mentions that, "based on a meeting with a broadband provider, it is interested in assuming this conduit installation project, but is unable to immediately begin mobilizing its assets."

The broadband provider is TruVista, which was founded in 1897 and is based in Chester, South Carolina. It is a leading provider of communications services to Chester, Fairfield, Kershaw, and parts of Richland Counties and portions of Georgia. The company provides voice, Internet, video television, security, long distance, and wireless services to residential and business customers.

On May 15, 2020, staff received a quote for joint trenching the fiber conduit from one of the construction company currently performing work on the Southeast Sewer and Water Expansion Project. The quote is based on a rate of \$12.61 per foot to install the conduit with material, which would yield approximately 6,226 linear feet of conduit installation. Staff shared the quote with TruVista, who posited that the cost was too high and that they would not absorb that cost on their project. Instead, they would use their contractor to install the conduit for a fraction of the cost. Currently, Richland County is awaiting the permit from the South Carolina Department of Transportation to begin the installation.

On June 18, 2020, Carla J. French, President/Chief Operating Officer of TruVista, e-mailed County Administrator Leonardo Brown to inform him that her company completed their, "internal approvals to move forward with providing fiber to the homes in the areas connected to the existing Richland County Sewer and Water Project". (See e-mail communication) As part of that e-mail communication, Ms. French outlines the following conditions.

1. Richland County will allow TruVista to bury TruVista provided conduit and fiber in the trenches utilized by the sewer and water project. TruVista will retain ownership of the infrastructure and will be responsible for the ongoing maintenance of the facilities. TruVista will move along with the contractors and coordinate their installations with them as they bury the pipes.
2. TruVista will have the exclusive access to these trenches whereby they will offer High Speed Internet, Video Services and Voice Services to the residential customers served by the deployment (which at a minimum will be approximately 1000 feet from the pipeline).
3. TruVista will reimburse Richland County for design services and conduit (if any dollars have been spent to this point) to be used for fiber in the initial phases of the project, based on earlier conversations and the budget that Richland County sets aside for these purposes.

On July 10, 2020, Administrator Leonardo Brown and Assistant County Administrator Dr. John Thompson had a teleconference with Carla French and her team at TruVista. Ms. French outlined the additional conditions below.

1. TruVista requests that any grant funds that Richland County secures for building out a fiber broadband infrastructure to be awarded to TruVista as a means to defray their cost for constructing the system.
2. TruVista requests that Richland County provides them with office space in the yet to be built Hopkins Community Center to house its payment center. They have also requested that Richland County defer rent payments.

Attachments:

1. TruVista's e-mail communication to Administrator Brown

From: [French, Carla](#)
To: [LEONARDO BROWN](#)
Cc: [Dalhi Myers \(dalhi31@gmail.com\)](#); [Dalhi Myers](#); [JOHN THOMPSON](#); [Young, Frank](#)
Subject: Broadband in Richland County
Date: Thursday, June 18, 2020 9:14:42 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Mr. Brown,

I hope this finds you well as we all continue to navigate through 2020 and these challenging times. As we continue to move forward I wanted to share some good news.

We have completed all of our internal approvals to move forward with providing Fiber to the Home in the areas connected to the existing Richland County Sewer and Water Project. We are very excited to proceed in providing services to these underserved neighborhoods.

Would like to confirm that we're still aligned on the components of the project:

1. Richland County will allow TruVista to bury TruVista provided conduit and fiber in the trenches utilized by the sewer and water project. TruVista will retain ownership of the infrastructure and will be responsible for the ongoing maintenance of the facilities. We will move along with the contractors and coordinate our installations with them as they bury the pipes.
2. TruVista will have the exclusive access to these trenches whereby we will offer High Speed Internet, Video Services and Voice Services to the residential customers served by the deployment (which at a minimum will be approximately 1000 feet from the pipeline).
3. TruVista will reimburse Richland County for design services and conduit (if any dollars have been spent to this point) to be used for Fiber in the initial phases of the project, based on our earlier conversations and the budget Richland County set aside for these purposes.

As we move forward we would like to ensure:

1. We work together to develop a plan for synching up on a regular basis. I would suggest, at least initially, monthly calls to allow us to keep Richland County updated on the activities including progress, challenges, etc.
2. Address any items Richland County considers currently outstanding.

Immediate next steps for TruVista would be to meet with contractor representatives to

coordinate our efforts going forward. If Richland County could organize introductions TruVista would be responsible moving forward to maintain communications and build relationships with said contractors.

Again, we are very excited to be working with Richland County in providing FTTH services for these neighborhoods. This project truly serves as a great example of Local Government and Technology Companies working together to improve access to underserved areas. Richland County's leadership and progressive efforts will make a significant difference in these neighborhoods. By providing best in class broadband services options open up to the community allowing improved learning/teaching options, potential telemedicine services and much more. TruVista is happy to be a part of this transformation with you.

All the Best,

Carla

 	<p>Carla J French President/COO</p> <p> carla@truvista.biz</p> <p> o: 803.581.9028 m: 803.379.8900</p> <p></p>
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