

**Special Called Meeting
December 20, 2016
Immediately following C(H**

Call to Order

- 1** The Honorable Torrey Rush

Approval of Minutes

- 2** Special Called: December 13, 2016 [PAGES 3-12]

Adoption of Agenda

- 3**

Second Reading

- 4** "An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; so as to restructure the departments of the County" [PAGES 13-61]

Report of the Development and Services Committee

- 5** Conservation Department: Intergovernmental Transfer of Funds for Owens Field Park Project [PAGES 62-67]

Report of Administration and Finance Committee

- 6 Hollywood Hills Sewer Project - Approval of Contractor [PAGES 68-73]

- 7 Approval of a Ground Lease and Agreement for Property in the Crane Creek Master Planning Area for the Development of Community Recreational Facilities in the Bookert Heights Neighborhood [PAGES 74-84]

Adjournment



Special Accommodations and Interpreter Services Citizens may be present during any of the County's meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.

RICHLAND COUNTY COUNCIL

SOUTH CAROLINA

SPECIAL CALLED MEETING

December 13, 2016
6:00 PM
County Council Chambers

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

CALL TO ORDER

Mr. Rush called the meeting to order at approximately 6:00 PM

INVOCATION

The Invocation was led by the Honorable Julie-Ann Dixon

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Julie-Ann Dixon

PRESENTATIONS

- a. **Carolina United: Essie Garner** – Ms. Garner gave a brief update regarding their program and thanked the County for its continued support of the flood victims.
- b. **Director's Customer Service Competition Recognition/Award Presentation**
– Mr. Rush presented Public Works with the Director's Customer Service award.

APPROVAL OF MINUTES

Regular Session: December 6, 2016 – Ms. Dixon moved, seconded by Mr. Malinowski, to approve the minutes as distributed.

Mr. Manning requested the Clerk's Office clarify the minutes as they relate to the action taken and his subsequent reconsideration request on the following item: "Notification of Appointment: Central Midlands Council of Governments (CMCOG) – 1". The Clerk's Office will ensure the minutes are clarified prior to posting the minutes online.

Mr. Pearce moved, seconded by Ms. Dixon, to approve the minutes as corrected. The vote in favor was unanimous.



Committee Members Present

Torrey Rush, Chair
Greg Pearce, Vice Chair
Joyce Dickerson
Julie-Ann Dixon
Norman Jackson
Damon Jeter
Paul Livingston
Bill Malinowski
Jim Manning
Dalhi Myers
Seth Rose

Others Present:

Gerald Seals
Kimberly Roberts
Daniel Driggers
Michelle Onley
Quinton Epps
Brandon Madden
Larry Smith
Brad Farrar
Ismail Ozbek
Beverly Harris
Rob Perry
Judy Carter
Bill Peters
Hayden Davis
Laura Renwick
Will Simon
Synithia Williams
Brittany Hoyle
Tamara Rodriguez
Pam Davis
Eva Prioleau
Jeff Ruble
Tracy Hegler

ADOPTION OF AGENDA

Mr. Livingston moved, seconded by Ms. Dixon, to add the presentation of a resolution recognizing Ms. Stephanie Johnson as the 2017 Horace Mann Award for Teaching Excellence to the agenda. The vote in favor was unanimous.

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

PRESENTATION OF RESOLUTION

Resolution recognizing Stephanie Johnson as the 2017 Horace Mann Award for Teaching Excellence – Mr. Livingston presented the resolution to Ms. Johnson recognizing her as the 2017 Horace Mann Award for Teaching Excellence.

REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION

Mr. Smith stated the following items were potential Executive Session Items:

- a. **Pending Litigation: Jones vs. Richland County**
- b. **Employee Grievances (2)**
- c. **Legal Advice: Land Development Code Enforcement**
- d. **Personnel Matter**

*Council went into Executive Session at approximately 6:20 p.m.
and came out at approximately 7:08 p.m.*

- a. **Pending Litigation: Jones vs. Richland County** – Mr. Pearce moved, seconded by Ms. Dickerson, to direct the Legal Department to take action as discussed in Executive Session. The vote in favor was unanimous.

CITIZENS' INPUT

(For Items on the Agenda Not Requiring a Public Hearing)

No one signed up to speak.

REPORT OF THE COUNTY ADMINISTRATOR

- a. **County Organization Design Structure: "An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; so as to restructure the departments of the County"** **[FIRST READING]** – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item.

Mr. Malinowski stated he will be voting against this item since he has not had time to thoroughly review the proposed ordinance.

Mr. Manning stated he feels the County Administrator should be able to line up County government the way he/she feels will best accomplish Council's directives.

The vote was in favor.

- b. Item #13: "An Ordinance Amending the Fiscal Year 2016-2017 Hospitality Tax Fund Annual Budget to appropriate \$1.00 of Hospitality Fund Balance to provide seed funding for commemorating Fort Jackson's 100th Birthday** – Mr. Seals stated he had amended the memo regarding this item.

REPORT OF THE CLERK OF COUNCIL

- a. Swearing-In Ceremony, January 10, 2017, 3:00 p.m., Council Chambers – Reception immediately following** – Ms. Onley reminded Council of the Swearing-In Ceremony on January 10th at 3:00 p.m. in Chambers.
- b. January Council/Committee Meetings, January 10, 2017; Special Called Council Meeting – 4:45 p.m.; Development and Services Committee – 5:00 p.m.; and Administration and Finance Committee – 6:0 p.m.** – Ms. Onley reminded Council of the upcoming January Council/Committee meetings.
- c. 2017 Annual Council Retreat, January 26 – 27, 2017, Charleston, SC** – Ms. Onley reminded Council of the upcoming Council Retreat being held on January 26 – 27, 2017 in Charleston, SC.

REPORT OF THE CHAIR

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

SECOND READING ITEMS

An Ordinance Amending the Richland County Code of Ordinances, Chapter 1, General Provisions; so as to add Section 1-16 related to payment of legal bills – Ms. Dixon moved, seconded by Mr. Malinowski, to approve this item.

FOR

Rose
Malinowski
Dixon
Jackson
Pearce
Rush
Livingston
Dickerson
Myers
Manning
Jeter

AGAINST

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The vote in favor was unanimous.

An Ordinance Amending the Fiscal Year 2016-2017 Hospitality Tax Fund Annual Budget to appropriate \$1.00 of Hospitality Fund Balance to provide seed funding for commemorating Fort Jackson's 100th Birthday – Ms. Dixon moved, seconded by Mr. Manning, to approve this item.

Ms. Dixon inquired how the citizens will be able to access the park since you need a sponsor to get on the Fort Jackson campus.

Mr. Seals stated the access will be granted similar to the way it is for the waterpark.

Mr. Mark Wells, President of Gateway to the Army Association, stated citizens will be able to go to the front gate and state they want to go to the waterpark or Centennial Park. There will be a brief background check run on the citizen each time they request admittance to the park. Once the citizen passes the background check, the citizen will be allowed access to the fort. Those with felony convictions will not be allowed on the fort's campus.

Ms. Dixon inquired about how the residents at Fort Jackson have responded to the proposed park.

Mr. Wells stated they have not addressed any residential groups regarding the proposed park.

Mr. Pearce inquired if the project had been approved by the government.

Mr. Wells stated it has not been officially approved.

Ms. Dickerson and Mr. Malinowski requested a copy of the budget for this project.

Mr. Pearce made a substitute motion, seconded by Mr. Jeter, to approve \$300,000 for this item.

Mr. Livingston requested a friendly amendment to fund the project at \$100,000 for three years, the funds are not to be released until a comprehensive budget is received and there is clear approval from the Army.

Mr. Pearce accepted the amendment to the substitute motion.

<u>FOR</u>	<u>AGAINST</u>
Rose	Malinowski
Dixon	Jackson
Pearce	Manning
Rush	
Livingston	
Dickerson	
Myers	
Jeter	

The vote was in favor.

REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE

Authorizing the provision of water and sewer infrastructure to the Pineview Industrial Park and the execution of certain agreements related thereto; authorizing an amendment to the master agreement governing the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County ("Park") to amend the internal distribution to Richland County for property located in the Pineview Industrial Park area of the park; and other related matters [FIRST READING] – Mr.

Livingston stated the committee recommended approval of this item. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES

- a. **Accommodations Tax – 3 – Three (3) Vacancies (One applicant must have a background in the Cultural Industry; other Two applicants must have a background in the Lodging Industry)** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- b. **Community Relations Council – Three (3) Vacancies (Applicants will have fundraising responsibilities)** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- c. **Hospitality Tax – Two (2) Vacancies (Applicants must be from Restaurant Industry)** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- d. **Internal Audit Committee – One (1) Vacancy (Applicant must be a CPA)** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- e. **Business Service Center Appeals Board – One (1) Vacancy (Applicants must be in Business Industry)** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- f. **Board of Assessment Appeals – One (1) Vacancy** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- g. **Planning Commission – One (1) Vacancy** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- h. **Central Midlands Council of Governments (CMCOG) – One (1) Vacancy** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- i. **Building Codes Board of Appeals – One (1) Vacancy (Applicant must be from Architecture Industry)** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.

- j. **Procurement Review Panel – Two (2) Vacancies – (One applicant must be from the public procurement arena and one applicant must be from the consumer industry)** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- k. **Employee Grievance Committee – One (1) Vacancy – (Applicant must be a Richland County employee)** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- l. **Transportation Penny Advisory Committee – Five (5) Vacancies** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.

II. NOTIFICATION OF APPOINTMENTS

- a. **Airport Commission – 1** – Mr. Malinowski stated the committee recommended appointing Mr. John D. Parrish. The vote in favor was unanimous.
- b. **Riverbanks Park Commission – 1** – Mr. Malinowski stated the committee recommended appointing Mr. Robert G. Davidson.

Mr. Manning stated that Mr. Davidson lives in the City of Columbia and Mr. Goodall lives in unincorporated Richland County.

<u>FOR</u>	<u>AGAINST</u>
Rose	Malinowski
Dixon	Jackson
Rush	Pearce
Livingston	Dickerson
Myers	
Manning	
Jeter	

The vote was in favor.

- c. **Business Service Center Appeals Board – Two (2) Vacancies (Applicants must be in Business Industry)** – Mr. Malinowski stated the committee recommended appointing Mr. A. Dowl Knight. The vote in favor was unanimous.

REPORT OF THE TRANSPORTATION AD HOC COMMITTEE

- a. **Shop Road Widening Project: OET Service Agreement** – Mr. Livingston stated the committee recommended approving the service agreement with Mead & Hunt, one of the five contracted on-call engineering teams, for \$1,697,021.07. In addition, to approve a contingency for \$141,398.50, this will bring the total to \$1,838,419.57.

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<u>FOR</u>	<u>AGAINST</u>
Rose	
Malinowski	
Dixon	
Jackson	
Pearce	
Rush	
Livingston	
Dickerson	
Myers	
Manning	
Jeter	

The vote in favor was unanimous.

- b. Blythewood Road Widening Project: Concept Report** – Mr. Livingston stated the committee recommended approval of Alternate A typical section.

<u>FOR</u>	<u>AGAINST</u>
Rose	
Malinowski	
Dixon	
Jackson	
Pearce	
Rush	
Livingston	
Dickerson	
Myers	
Manning	
Jeter	

The vote in favor was unanimous.

OTHER ITEMS

- Certifying a petition received by Richland County, South Carolina, pursuant to Section 4-9-30(5)(a) of the Code of Laws of South Carolina, 1976, as amended, and other matters relating thereto [Lake Dogwood]** – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item.

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FOR AGAINST

Rose
Malinowski
Dixon
Jackson
Pearce
Rush
Livingston
Dickerson
Myers
Manning
Jeter

The vote in favor was unanimous.

Palmetto Utilities – Amendment to 2006 Agreement – Mr. Livingston moved, seconded by Mr. Jeter, to approve the amendment to the 2006 agreement.

FOR AGAINST

Rose
Malinowski
Dixon
Jackson
Pearce
Rush
Livingston
Dickerson
Myers
Manning
Jeter

The vote in favor was unanimous.

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

**CITIZENS' INPUT
(Must Pertain to Items Not on the Agenda)**

No one signed up to speak.

POINT OF PERSONAL PRIVILEGE – Ms. Dixon, Mr. Jeter and Mr. Rush expressed their gratitude to staff and their colleagues upon their departure from County Council.

EXECUTIVE SESSION

*Council went into Executive Session at approximately 7:56 p.m.
and came out at approximately 9:14 p.m.*

- a. **Employee Grievances (2)** – Mr. Malinowski moved, seconded by Ms. Dixon, to uphold the Administrator’s recommendation. The vote in favor was unanimous.
- b. **Legal Advice: Land Development Code Enforcement** – Mr. Malinowski moved, seconded by Ms. Dixon, to direct staff to move forward as discussed in Executive Session. The vote in favor was unanimous.

MOTION PERIOD

- a. **A centralized court in Richland County was always a dream of Judge Walter Jones; therefore, after his death in 1999, the Central Court facility on Huger Street was renamed in his honor as the “Walter Jones, Sr. Central Court Facility.” Central Court has recently relocated from the Huger Street location to the Decker Center. I move that a part of the Decker Center and/or a court room in the facility be named in honor of the late Judge Walter Jones and the bronze bust commissioned by Richland County be placed at the facility [JACKSON]** – This item was referred to the Decker Center Ad Hoc Committee.

ADJOURNMENT

The meeting adjourned at approximately 9:16 PM.

Torrey Rush, Chair

Greg Pearce, Vice-Chair

Joyce Dickerson

Julie-Ann Dixon

Norman Jackson

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Damon Jeter

Paul Livingston

Bill Malinowski

Jim Manning

Dalhi Myers

Seth Rose

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council

Richland County Council Request of Action

Subject:

County Organization Design Structure: "An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; so as to restructure the departments of the County"

NOTE: As requested by Council, the language of the ordinance amendment will be updated by third reading to reflect a gender neutral tone. In light of the new Councilmembers, staff is setting up a series of additional workshops to apprise them of the proposed restructuring. The finalized date for this matter will be contingent upon these workshops with Council that will occur well before third reading of this ordinance amendment which is scheduled for February 7, 2016.

FIRST READING: December 13, 2016
SECOND READING: December 20, 2016 {Tentative}
THIRD READING: February 7, 2016 {Tentative}
PUBLIC HEARING: February 7, 2016

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; SO AS TO RESTRUCTURE THE DEPARTMENTS OF THE COUNTY.

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

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

DIVISION 1. GENERALLY.

Sec. 2-75. Department created.

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

DIVISION 2. COUNTY ADMINISTRATOR

Sec. 2-76. Position created; term.

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

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

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

Sec. 2-78. Chief administrative officer.

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

Sec. 2-79. Powers and duties.

The powers and duties of the county administrator shall be:

(1) To direct and supervise the administration of all county officials and departments for which the council is responsible, or may hereafter be responsible, including specifically the construction, maintenance and operation of all county roads, bridges, drainage, buildings and other public works, and the care and maintenance of all personal property owned by the county; the administration of personnel policies, purchase of all supplies and equipment, finance, accounting, budgeting, payroll, auditing and any other administrative responsibilities necessary for implementation of the council's policies;

(2) To appoint, and when in his discretion the welfare of the county requires it, suspend, discharge, transfer, remove or otherwise deal directly with all employees for whom council is responsible, excepting the county attorney, the internal auditor and the clerk of council, and any assistants thereto, who are appointed directly by the council or

who are employed in the offices of elected officials and officials appointed by an authority outside county government as those terms are used in South Carolina Code, 1976, section 4-9-30(7);

(3) To see that all ordinances, resolutions and orders of the council and all laws of the state which are subject to enforcement by him or by officers or department heads and subject, under this article, to his direction and supervision are faithfully executed;

(4) To prepare and submit the annual budget and capital program to the council and to execute the budget and capital program adopted by the council, approving all disbursements and expenditures as budgeted and/or authorized by the council;

(5) To confer with and advise all other elected or appointed officials of the county who are not under the immediate control of county council, but who receive financial support from the council, such as probate judges, magistrates, solicitor, sheriff, coroner, auditor, treasurer and the like;

(6) To examine regularly at periods fixed by the council the accounts, records and operations of county boards, commissions, departments, offices, and agencies which receive appropriations from the council; to make regular, monthly reports to the council on county fiscal and other affairs as are appropriate; to keep the council fully advised on the financial conditions and future needs of the county; and to make such recommendations on county affairs as he deems necessary;

(7) To submit to the council at the end of each fiscal year a complete report on the finances and administrative activities of the county for the preceding year; and

(8) To execute such other powers and duties as may be prescribed from time to time by the council.

Sec. 2-80. Relationships with county employees.

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

Sec. 2-81. Bond.

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

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

DIVISION 3. OFFICE OF THE COUNTY ADMINISTRATOR; STAFF ASSISTANT COUNTY ADMINISTRATOR

Sec. 2-88. Assistant County Administrator. Position created; selection; appointment.

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

Sec. 2-89. Qualifications; compensation.

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

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

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

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

Sec. 2-100. Staff and personnel.

~~The assistant county administrators may, with the approval of the county administrator, employ such staff and assistants for positions approved through annual budgetary appropriations by county council, as are deemed necessary to the performance of the duties of the position. They shall be subject to the county personnel system and their compensation determined accordingly.~~

Sec. 2-91. Staff and assistants.

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

DIVISION 4. OFFICE OF THE COUNTY ADMINISTRATOR; OFFICES OFFICE OF STAFF AND HUMAN RESOURCES

Sec. 2-92. Departmental Offices.

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

(1) *Risk Management* - The office of risk management is hereby created and the position director of risk management, who shall be responsible to the county administrator to keeping Richland County employees safe at work and managing Richland County's risk and reducing losses.

(a) *Fleet Management* - The Risk Management office shall include the Fleet Management Program. The program shall work to manage Richland County's vehicle fleet.

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

(3) *Ombudsman* - The office of the ombudsman is hereby created and the position of ombudsman director, who shall be responsible to the county administrator to provide informal assistance to citizens and to assist citizens with county concerns and request for service.

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

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

DIVISION 5. COUNTY ATTORNEY OFFICE OF FINANCE AND BUDGET

Sec. 2-93. Office established.

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

Sec. 2-94. Eligibility.

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

Sec. 2-95. Duties and responsibilities.

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

requested for the purpose of advising them as to any matters that may properly come before them.

Sec. 2-96. Compensation.

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

Sec. 2-97. Annual appropriation.

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

Sec. 2-98. Assistants.

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

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

No officer, board, commission, committee, or agency in the county ~~receiving any county funds or~~ appointed in whole or in part by the council may employ an attorney other than the county attorney, or agree to pay for services out of public funds without first obtaining the county attorney's approval of the employment of such attorney. Provided that, in cases where the amount of outside legal fees to be paid exceeds twenty-five hundred dollars (\$2,500.00), the approval of the county council shall be obtained in addition to the approval of the county attorney.

Sec. 2-100. Settlement of claims.

The county attorney shall have the authority to settle and approve payment of disputed claims submitted to the county in an amount not to exceed fifteen hundred dollars (\$1500.00) and pay the same from the appropriate account.

The county attorney shall have the sole discretion to decide whether to file an appeal or to waive the filing of same in instances where the amount in controversy appears to be fewer than seventy-five hundred dollars (\$7,500.00).

Sec. 2-101. Bond.

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

DIVISION 6. ~~CLERK OF COUNCIL OFFICE OF OPERATIONAL SERVICES~~

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

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

Sec. 2-103. Responsibilities; duties.

The clerk of council shall:

(a) Record all proceedings of the council and supply copies of certified records as appropriate;

- (b) Distribute copies of the minutes of each meeting to council members prior to the next meeting;
- (c) Review reports and records for completeness and accuracy;
- (d) Prepare ordinances and resolutions for presentation to council and arrange for their publication as approved by council and as directed by the county attorney;
- (e) Attend regular meetings of the council and attend other meetings as requested;
- (f) Type reports and recommendations of all council committees or designee of the clerk;
- (g) Notify councilmen of all council meetings;
- (h) Maintain the council calendar;
- (i) Be custodian of the county seal, minute books and Code of Ordinances;
- (j) Maintain county files and any records which should be kept for quick accessibility;
- (k) Supervise a complete records management system for department;
- (l) Research materials and supply background information as required;
- (m) Take follow-up actions on the following matters (including initial follow-up and subsequent actions necessary to ensure carrying out of council actions):
 - (1) Easements;
 - (2) Contracts, leases and agreements;
 - (3) Bond issues;
 - (4) Damage claims which are submitted to county council for acceptance or rejection;
 - (5) Ordinances;
 - (6) Resolutions; and
 - (7) Appointments;
- (n) Prepare council agenda and advise news media of items to be considered; shall maintain a complete record of all matters pending council consideration;
- (o) Act for the county in attesting and certifying official documents;
- (p) Be responsible for the appointments book; insure appointments are made in timely fashion in accordance with established procedures;
- (q) Maintain a record of leases, contracts, agreements, rights-of-way, grants and bonds;
- (r) Insure that the overall objective of the council office is achieved in an efficient manner;
- (s) Prepare and monitor budget for operating expenses for the clerk of council office and the council services budget; and
- (t) File documents, as required, with the clerk of court.

Sec. 2-104. Compensation; employee status.

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

Sec. 2-105. Assistants.

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

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

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

DIVISION 1. ~~UTILITIES~~ ANIMAL ~~SERVICES CARE~~

Sec. 2-122. Creation; director.

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

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

The director of animal services shall possess education, training, and experience that are satisfactory to the county administrator.

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

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

Sec. 2-125. Departmental Divisions.

The animal services department shall include the following divisions:

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

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

- (a) Management of the mosquito control program, including abatement in accordance with the policies of the program.
- (b) Provide technical advice, education and assistance about vectors to the county's citizens.
- (c) Conduct vector-borne disease surveillance and response.

- (d) Enforce county ordinances related to vector control.
- (e) Commensal rat abatement in accordance with division policies.
- (g) Respond to inquiries, investigate complaints, conduct evaluations to help reduce or eliminate public hazards and nuisance conditions associated with vectors and disease transmission.
- (h) Other programs or functions assigned to the department by the county administrator or county council.

DIVISION 2. ~~PUBLIC WORKS~~ COMMUNITY PLANNING AND DEVELOPMENT

Sec 2-126. Creation; director.

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

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

The director of community planning and development shall possess education, training, and experience that are satisfactory to the county administrator.

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

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

Sec. 2-129. Departmental Divisions.

The community planning and development department shall include the following divisions:

- (1) Planning – The division of planning is hereby created and the position of planning manager, who shall be responsible to the community planning and development director to direct and coordinate the operations and activities of the division. The planning manager shall be a graduate of an accredited college or university, preferably with a degree in planning, engineering, architecture or related field; and shall have had at least five (5) years of responsible, practical experience in urban planning and/or in a municipal or county regulatory agency. The planning division shall undertake the permitting and enforcement provisions of the county’s zoning and land development regulations.

~~DIVISION 4. PLANNING AND DEVELOPMENT SERVICES~~

~~Sec. 2-216. Creation; director.~~

~~There is hereby created the Planning and Development Services Department, and the position of Planning Director, who shall be responsible to the county administrator to direct and coordinate the operations and activities of the department. The county administrator shall appoint the director and his/her term of office shall be at the pleasure of the county administrator.~~

~~Sec. 2-217. Qualifications of director; selection; compensation.~~

~~The Planning Director shall be a graduate of an accredited college or university, preferably with a~~

degree in planning, engineering, architecture or related field; and shall have had at least five (5) years of responsible, practical experience in urban planning and/or in a municipal or county regulatory agency. The director shall possess education, training and experience related to planning and/or code enforcement that is satisfactory to the county administrator.

Sec. 2-218. Responsibilities; powers; duties.

The Planning Director shall direct and supervise all functions of the department, including the permitting and enforcement provisions of the county's zoning and land development regulations. The director shall adhere to the county's comprehensive plan and shall work closely with the county officials responsible for planning and code enforcement activities. The director shall be responsible for establishing liaisons and/or working relationships with all private and public agencies engaged in economic and/or industrial development. The director shall recommend amendments to the comprehensive plan and to the county's zoning and land development regulations, and shall present such recommendations to the Planning Commission and/or County Council.

Sec. 2-219. Staff; personnel.

The staff and personnel assigned to the Planning Director shall be subject to the county personnel system and their compensation determined accordingly.

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

DIVISION 4A. BUILDING CODES AND INSPECTIONS

Sec. 2-222. Creation; director.

There is hereby created the Building Codes and Inspections Department, and the position of Building Codes and Inspections Director who shall be responsible to the county administrator to direct and coordinate the operations and activities of the department. The county administrator shall appoint the director and his/her term of office shall be at the pleasure of the county administrator.

Sec. 2-223. Qualifications of director; selection; compensation.

The Building Codes and Inspections Director shall be a graduate of an accredited college or university, preferably with a degree in engineering, architecture, construction or related field; and shall have had at least five (5) years of responsible, practical experience in construction, inspections, administration and/or in a municipal or county regulatory agency. The director shall possess education, training, and experience related to inspections and construction for commercial and residential property and/or code enforcement that is satisfactory to the county administrator. In addition, the director shall hold South Carolina registration as a Certified Building Official.

Sec. 2-224. Responsibilities; powers; duties.

The Building Codes and Inspections Director shall direct and supervise all functions of the department, including the permitting and enforcement provisions of the county's building code regulations. The director shall adhere to the county's adopted codes and ordinances and shall work closely with the county officials responsible for planning and code enforcement activities. The director shall be responsible for establishing liaisons and/or working

~~relationships with all private and public agencies engaged in economic and/or industrial development. The director shall recommend amendments to the building code regulations, and shall present such recommendations to the County Council.~~

~~Sec. 2-225. Staff; personnel.~~

~~The staff and personnel assigned to the Building Codes and Inspections Director shall be subject to the county personnel system and their compensation determined accordingly.~~

~~(3) Community Development – The division shall administer grants from the U.S. Department of Housing and Urban Development to improve low-income neighborhoods. The community development manager shall be responsible to the community planning and development director to direct and coordinate the operations of the division.~~

~~(4) Conservation – The division of conservation is hereby created, and the position of conservation manager, who shall be responsible to the community planning and development director to direct and coordinate the operations and activities of the division. The conservation manager shall be a graduate of an accredited college or university, with a master's degree in environmental or agricultural science or engineering, hydrology, water resources management or closely related field; and shall have had at least five (5) years of responsible, practical experience in the above fields. The conservation manager shall direct and supervise all functions of the division and implement the responsibilities of the Richland County Conservation District and Richland County Conservation Commission. The manager shall consult with and advise the community planning and development director regarding the conservation and protection of the county's natural, cultural and historical resources. The division shall also interact with federal and State agencies, other counties and municipalities, institutions of higher education, and not for profit conservation and environmental organizations to support the responsibilities of the division, District and Commission.~~

~~DIVISION 6A. CONSERVATION~~

~~Sec. 2-243. Creation; director.~~

~~There is hereby created the Conservation Department, and the position of Conservation Director, who shall be responsible to the county administrator to direct and coordinate the operations and activities of the department. The county administrator shall appoint the director and his/her term of office shall be at the pleasure of the county administrator.~~

~~Sec. 2-244. Qualifications of director; selection; compensation.~~

~~The Conservation Director shall be a graduate of an accredited college or university, with a master's degree in environmental or agricultural science or engineering, hydrology, water resources management or closely related field; and shall have had at least five (5) years of responsible, practical experience in the above fields. The director shall possess education, training and experience related to conservation and environmental issues that is satisfactory to the county administrator.~~

~~Sec. 2-245. Responsibilities; powers; duties.~~

~~The Conservation Department shall be responsible for working directly with the Richland Soil and Water Conservation District Commissioners and the Richland County Conservation Commissioners. The Conservation Director shall~~

~~direct and supervise all functions of the department and implement the responsibilities of the District and Commission. The director shall consult with and advise the county council and the county administrator regarding the conservation and protection of the county's natural, cultural and historical resources. The department shall establish working relationships with other county departments including, but not limited to, Administration, Public Works, and Planning and Development Services. The department shall also interact with federal and State agencies, other counties and municipalities, institutions of higher education, and not-for-profit conservation and environmental organizations to support the responsibilities of the department, District and Commission.~~

Sec 2-246. Staff; personnel.

~~The staff and personnel assigned to the Conservation Director shall be subject to the county personnel system and their compensation determined accordingly.~~

(a) Sustainability Program – The Conservation division shall include the Sustainability Program. The program shall work to ensure Richland County's operations and decision making reflect our commitment to environmental, social and economic sustainability and to provide innovative solutions to decrease energy demand through energy efficiency and conservation, create livable sustainable communities, and promote the green economy.

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

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

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

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

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

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

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

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

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

applicable county ordinances.

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

~~DIVISION 7A. BUSINESS SERVICE CENTER~~

~~Sec. 2-252. Creation; director.~~

~~There is hereby created the department of the Business Service Center and the position of director of the Business Service Center. The director shall be appointed by the county administrator and his/her term of office shall be at the pleasure of the county administrator.~~

~~Sec. 2-253. Qualifications of director.~~

~~The director of the Business Service Center shall be a person with education, training, skills, and/or experience that is satisfactory to the county administrator.~~

~~Sec. 2-254. Staff; personnel.~~

~~The director of the Business Service Center shall have such staff and assistants as are necessary to the operation of the department and the performance of his/her duties. They shall be subject to the county personnel system and their compensation determined accordingly.~~

~~Sec. 2-255. Responsibilities; powers; duties.~~

~~The director of the Business Service Center shall be responsible to the county administrator for the performance of the duties and responsibilities of the department, which shall be to:~~

~~(1) — Issue licenses and permits for businesses needing these licenses and permits by county ordinance to operate lawfully, including, but not limited to (unless otherwise preempted and/or prohibited by federal or state law):~~

~~a. Business licenses;~~

~~b. — Fireworks licenses, and/or~~

~~c. — Hazardous Materials permits.~~

~~(2) — Collect the payments, via the Internet and/or other convenient methods, for the aforementioned licenses and permits in subsection (1) above, as well as for other business fees and taxes (not otherwise preempted and/or prohibited by federal or state law), including, but not limited to:~~

~~a. — Hospitality Taxes;~~

~~b. — Sewer Fees;~~

~~c. — Sewer Tap Fees;~~

~~d. — Water Fees;~~

~~e. — Landfill Fees, and/or~~

~~f. — Solid Waste Fees.~~

~~(3) — Make business forms and information available in many diverse and convenient ways to assist businesses operate as required by applicable county ordinances.~~

~~(4) — Inspect and audit businesses for compliance with applicable county ordinances regarding these licenses, permits, fees, and taxes.~~

~~(5) — Serve as a liaison to the business community on behalf of Richland County on issues~~

~~relating to issuances and collections of the Business Service Center.~~

~~(6) — Serve as the single point of contact for businesses required to comply with applicable county ordinances.~~

~~(7) — Serve as the catalyst for integrating Business Service Center services with other county departments, State agencies, and other groups or organizations.~~

~~Sec. 2-256. Bond required.~~

~~The director of the Business Service Center — and every employee therein — shall give to the county a surety bond in an appropriate amount for the faithful performance of his/her duties as such officers; such bond shall be filed in the office of the clerk of court.~~

~~(6) Assessor – The tax assessor division, and the position of tax assessor, who shall be responsible to the community planning and development director to direct and coordinate the operations and activities of the division.~~ The tax assessor shall be a person with education, training, skills, and/or experience that is satisfactory to the county administrator. The powers, duties, and responsibilities of the tax assessor shall be those set forth by state law.

~~DIVISION 3A. TAX ASSESSOR~~

~~Sec. 2-212. Creation; tax assessor.~~

~~There is hereby created the Tax Assessor Department, and the position of Tax Assessor, who shall be responsible to the county administrator to direct and coordinate the operations and activities of the department. The county administrator shall appoint the director and his/her term of office shall be at the pleasure of the county administrator.~~

~~Sec. 2-213. Qualifications of tax assessor; selection; compensation.~~

~~The Tax Assessor shall be a person with education, training, skills, and/or experience that is satisfactory to the county administrator.~~

~~Sec. 2-214. Responsibilities; powers; duties.~~

~~The powers, duties, and responsibilities of the Tax Assessor shall be those set forth by state law.~~

~~Sec. 2-215. Staff; personnel.~~

~~The staff and personnel assigned to the Tax Assessor shall be subject to the county personnel system and their compensation determined accordingly.~~

~~(7) Register of Deeds – The register of deeds division is hereby created, pursuant to state law, along with the position of register of deeds, such office to be located in the county courthouse at the discretion of the clerk of court. The register of deeds shall give to the county a surety bond in the value of twenty-five thousand dollars (\$25,000.00) for the faithful performance of his duties, such bond to be lodged in the office of the state treasurer. The register shall be responsible and under the direct supervision of the community planning and development manager, for the performance of the duties of this office which include, but are not limited to:~~

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

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

conveyed;

- (c) Maintaining books for recording business establishments, corporate charters, U.S. military and naval forces discharges;
- (d) Maintaining a notary public register;
- (e) Maintaining an index of cross-index books for all instruments of record logged in the office;
- (f) Collecting necessary fees for the recording of records as set by law;
- (g) Answering requests and giving assistance to those seeking information from the records of the office;
- (h) Preparing a division budget; and
- (i) Rebinding books and records.

~~DIVISION 6. DETENTION, ELECTIONS, VOTER REGISTRATION, AND REGISTER OF MESNE CONVEYANCES~~

~~**Sec. 2-235. Creation; department directors; management of department.**~~

~~The office of register of mesne conveyances, and the department of elections, voter registration and the detention center are established as departments within the county government. (Ord. No. 1858-89, § III, 4-4-89; Ord. No. 101-96HR, § I, 12-10-96)~~

~~**Sec. 2-236. Directors; qualifications; selection; compensation.**~~

~~The office of the register of mesne conveyances, and the departments of elections, voter registration and the detention center shall be directed by individuals qualified by virtue of their education, training and experience. Compensation for the directors shall be in accordance with the county pay and classification plans as approved in the annual budget(s) by the county council. (Ord. No. 101-96HR, § I, 12-10-96)~~

~~**Sec. 2-237. State divisional heads; qualifications; selection; compensation.**~~

~~The “state units” including the division of social services and the division of health and environmental control shall be directed by individuals qualified, selected, and compensated by the appropriate agency of the state.~~

~~**Sec. 2-238. Departmental responsibilities; powers; duties.**~~

~~(a) *Detention center.* The detention center shall be directed by the director of the detention center who shall be appointed by the county administrator and directly responsible thereto. The director shall be responsible to:~~

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

~~(b) *Reserved.*~~

~~(c) *Elections.* The division of elections shall serve as the operational unit of the county election commission and shall be directed by a director of elections. The county election commission is appointed by the Governor of South Carolina, pursuant to South Carolina Code of Laws, 1976, as amended, section 7-13-70, and said commission shall be appoint the director of elections. Employees of this department shall work at the pleasure of the director of elections. The director and all other employees of this department shall have all rights of regular county employees, but shall not have grievance rights as set forth elsewhere in this Code, unless the director of elections chooses to place all department employees under the county grievance procedures. The department shall be responsible to:~~

~~(1) — Conduct all general and county special elections, municipal and primary elections and, if appropriate and convenient, the elections of schools, colleges, fraternal and other groups;~~

~~(2) — Maintain all voting equipment and facilities required for their proper storage and custody of such voting equipment; and~~

~~(3) — Operate an office to serve the general public and maintain the records, files and all other relevant information and/or data on all elections.~~

~~(d) *Voter registration.* The department of voter registration shall be the operational unit for the county board of voter registration, with each board member being responsible for administrative functions within the department. The board shall be appointed by the Governor of South Carolina, with advice and consent of the county senatorial delegation, and shall be directed by the chair of the board of voter registration, who is appointed by the Governor in the same manner as above. The department shall comply with the requirements of the South Carolina Code of Laws, 1976, as amended, sections 7-5-10 through 7-5-30, and all other relevant state laws. Such board members shall have all rights of regular county employees, but shall not have grievance rights as set forth elsewhere in this Code. The department shall be responsible to:~~

~~(1) — Provide for the proper registration of all persons qualified to vote;~~

~~(2) — Maintain all equipment, books and records necessary to effect such registration of voters in the county; and~~

~~(3) — Operate an office to serve the general public and maintain the records, files and all other relevant information and/or data on voter registration.~~

~~4) — Establish absentee and fail safe voting precincts.~~

~~Sec. 2-238.1. Register of mesne conveyances.~~

~~(a) *Office created, location.* There is hereby created the office of register of mesne conveyances pursuant to Act 453 of S.C. General Assembly 1973, such office to be located in the county courthouse with the clerk of court's office.~~

~~(b) *Department director.* A position of register, who shall serve as the departmental director, is hereby established.~~

~~(c) *Term of office.* The register shall be appointed by and serve at the pleasure of the county administrator.~~

~~(d) *Qualifications; county employee.* The register shall be a person with training and/or experience in responsible office work providing a familiarity with the laws and regulations pertaining to the management of records. The register shall be a member of the county employee classification system and enjoy all the privileges and rights of county employees, with compensation to be determined accordingly.~~

~~(e) *Responsibility and duties.* The register shall be responsible and under the direct supervision of the county administrator, for the performance of the duties of this office which include, but are not limited to:~~

- (1) — Directing the division of mesne conveyances and supervising its staff and activities;
 - (2) — Indexing and recording all deeds, conditions, restrictions, contracts, agreements, descriptions of real estate from the probate judge's office, cemetery plots, easements, leases, mortgages on chattel and real property, satisfactions, assignments, releases, modifications, mechanics' liens, state, federal and employment security commission tax liens, plats and financial statements under the Uniform Commercial Code; provided, however, that no deed shall be accepted for recordation unless it bears the tax map number of the property being conveyed;
 - (3) — Maintaining books for recording business establishments, corporate charters, U.S. military and naval forces discharges;
 - (4) — Maintaining a notary public register;
 - (5) — Maintaining an index of cross-index books for all instruments of record logged in the office;
 - (6) — Collecting necessary fees for the recording of records as set by law;
 - (7) — Answering requests and giving assistance to those seeking information from the records of the office;
 - (8) — Preparing a division budget; and
 - (9) — Rebinding books and records.
- (f) *Bond.* The register of mesne conveyances shall give to the county a surety bond in the value of twenty-five thousand dollars (\$25,000.00) for the faithful performance of his duties, such bond to be lodged in the office of the state treasurer.
- (g) *Deputy.* The register may recommend candidates for appointment as a deputy. Such appointment shall be made by the county administrator and shall be evidenced by a certificate thereof, signed by the administrator.
- (h) *Staff and assistants.* Upon recommendation of the register, the county administrator shall employ such staff and assistants as are necessary to the performance of the duties of that office. They shall be subject to the county classification system and their compensation determined accordingly. (i) *Officers to cooperate.* All officers of the county, whether elected or appointed, and their deputies and assistants, shall cooperate with and assist the register of mesne conveyances in the performance of the duties prescribed in this section.

DIVISION 3. ANIMAL CARE DETENTION CENTER

Sec 2-130. Creation; director.

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

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

and supplies needed to operate the detention center.

Sec. 2-131. Departmental Divisions.

The detention center department shall include the following divisions:

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

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

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

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

Sec. 2-238. Departmental responsibilities; powers; duties.

~~(a) Detention center. The detention center shall be directed by the director of the detention center who shall be appointed by the county administrator and directly responsible thereto. The director shall be responsible to:~~

~~(1) Operate and manage the county detention center, and any prison camps or other detention facilities that may be established;~~

~~(2) Provide for the proper care and custody of all prisoners assigned to county detention facilities;~~

~~(3) Be responsible for the effective and efficient operation of the detention center and any related buildings and grounds;~~

~~(4) Control all employees under his direction and be responsible for all equipment and supplies needed to operate the detention center.~~

~~(b) Reserved.~~

DIVISION 4. PLANNING AND DEVELOPMENT SERVICES ECONOMIC DEVELOPMENT OFFICE

Sec. 2-132. Creation; director.

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

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

The director of the economic development office shall possess education, training, and experience that are satisfactory to the county administrator.

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

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

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

DIVISION 5. PUBLIC SAFETY EMERGENCY SERVICES

Sec. 2-135. Creation; director.

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

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

The director of emergency services shall possess education, training, and experience that are satisfactory to the county administrator.

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

The director of the department of emergency services shall be the county fire marshal. The director of the department of emergency services shall enforce all provisions of this Code of Ordinances pertaining to the operation of emergency services within the county.

Sec. 2-229. Qualifications; selection; compensation.

~~(a) Qualifications, requirements, job descriptions and pay grades of the director of emergency services and each deputy director shall be determined by the county personnel department utilizing professional consultant services in accordance with existing personnel policies and ordinances.~~

~~(b) Each of the deputy directors shall be professionally qualified, preferably with a degree from a recognized college or university in a field related to the activities with which he/she is associated, and each with no less than five (5) years of responsible experience in the field of public safety. Deputy directors shall be appointed by and shall serve at the pleasure of the director of department of emergency services.~~

~~(c) The compensation paid to each deputy director shall be an amount recommended by the county administrator and approved by the county council in the county's annual operating budget(s).~~

Sec. 2-230. Staff; personnel.

~~The staff and assistants authorized by the county administrator for the director of the department of emergency services and each of the deputy directors shall be subject to the county personnel system, and their compensation shall be determined accordingly.~~

Sec. 2-138. Departmental Divisions.

The emergency services department shall include the following divisions:

- (1) *Emergency Medical Services* - The emergency medical services division shall be headed by the manager of emergency medical services and shall provide county-wide emergency

medical services designed to respond to medical emergencies and to provide initial medical response and/or treatment as a means of stabilizing accident and/or trauma victims for transportation to medical facilities for primary, secondary and/or tertiary care or treatment as may be required.

- (a) Fees for ambulance services to the general public within the boundaries of the county and outside of the boundaries of the county shall be determined from time to time by council.
- (b) Fees for ambulance services will be limited to the maximum allowed under the health care insurance plan for each county employee. These fee schedules are subject to amendment, repeal, or deletion by the county council from time to time.
- (c) The county council hereby grants permission for the operation of convalescent transport units within the county.

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

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

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

(2) ~~Fire, special responses and safety services~~ - The fire division shall be headed by the fire manager and shall be responsible for providing countywide fire, special responses and safety services. The duties of the manager of fire shall include, but not be limited to the following:

- (a) Coordination and supervision of the development and operation of a county fire service system in the unincorporated areas; to include coordination, supervision, and monitoring or any of the fire duties which may be contracted out to third parties pursuant to contract or intergovernmental agreements;
- (b) Coordination and supervision of the training of fire service personnel;
- (c) Development of a comprehensive record system and supervision of its maintenance;
- (d) The provision of assistance to the various units of the fire service in resolving technical problems;
- (e) Coordination of the management of all county fire service units;
- (f) Enforcement of the county fire prevention code;
- (g) Coordination of the emergency services department special response and rescue capabilities; ~~and~~

~~(h) — Serve as the county safety officer.~~

(3) *Emergency Preparedness agency*- The emergency preparedness division shall be headed by the emergency preparedness manager and shall be responsible for ensuring the complete and efficient utilization of all the county facilities to combat disaster from enemy attack, manmade or natural disaster. The emergency preparedness manager shall be responsible for directing the day-to-day operations of the office and coordinating the activities of county and city governments during a period of disaster. The manager shall be empowered and required to coordinate with and render assistance to county and city officials in the development of plans for the use of all facilities, equipment, manpower and other resources of the county and the municipalities existing within the county for the purpose of minimizing or preventing damage to persons or property in disaster situations. The manager shall further direct the efforts of the county emergency preparedness division in the implementation of the provisions of this subsection.

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

As used in this subsection:

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

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

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

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

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

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

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

- (a) The manager of the emergency preparedness division shall maintain liaison with the state and federal authorities, and the authorities of other nearby political subdivisions, so as to ensure the most effective operation of the emergency plan. The manager's duties shall include, but shall not be

limited to, the following:

1. Development and publication of emergency plans in conformity with state emergency plans for the immediate use of all of the facilities, equipment, manpower and other resources of the county for the purpose of minimizing or preventing damage to persons or property, and protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety, and welfare.
 2. Control and necessary recordkeeping for funds and property which may be made available from the federal, state, county and municipal governments.
 3. Submission of annual budget requirement to the state, federal and county governments.
 4. Signing such documents as are necessary in the administration of the county emergency preparedness program, to include project applications and billing for purchases under project applications.
 5. Coordination of the recruitment and training of the volunteer personnel and agencies to augment the personnel and facilities of the county emergency preparedness purposes.
 6. Through public information programs, education of the civil population as to the actions necessary and required for the protection of their persons and property in case of enemy attack or natural disaster.
 7. Conducting simulated disaster exercise and public practice alerts to ensure efficient operations of the emergency plans and to familiarize residents of the county and municipalities with civil defense regulations, procedures and operations.
 8. Coordination of the activity of all other public and private agencies engaged in any emergency preparedness programs.
 9. Negotiation with owners or persons in control of building or other property for the use of such buildings or property for civil defense purposes, and designating suitable buildings as public fallout shelters.
 10. Development of a community shelter plan which, will have as its ultimate goal an assigned fallout shelter space for every citizen of the county.
 11. Assumption of such authority and conducting such activity as may be necessary to promote and execute the emergency operations plan.
- (b) The chairman of the county council shall be responsible for meeting the problems and dangers to the county and its municipalities and their residents resulting from disasters of any origin and may issue proclamation and regulations concerning disaster relief and related matters which during an emergency situation shall have the full force and effect of law.
- (c) A copy of the county emergency plan shall be located at the following locations: County Administrator's office, Emergency Services Department, Richland County Sheriff's Department, City of Columbia, Columbia Fire Department, City of Forest Acres, City of Eastover, City of

Blythewood, Gadsden EMS/Fire Station, Hopkins EMS/Fire Station, Killian EMS/Fire Station, North Richland EMS/Fire Station, Ballentine EMS/Fire Station, Upper Richland EMS/Fire Station, Dentsville/Sandhill EMS/Fire Station, Lower Richland EMS/Fire Station, Richland School District One, Richland School District Two and Richland County Public Works.

- (d) In accordance with annex K of the emergency plan, emergency shelters may be opened during an emergency and may be housed at the following locations: Spring Valley High School, Dent Middle School, Bethel-Hanberry Middle School, St. Andrews Middle School, Keenan High School, C.A. Johnson High School, Hopkins Middle School, McCants Elementary School, Burnside School, W. G. Sanders Middle School, Alcorn Middle School, Gibbs Middle School, Lower Richland High School, A. C. Flora High School, Eau Claire High School, Caughman Road Elementary School, Dreher High School, and Webber School. The type and location of an emergency will determine which shelters will be opened. After shelters are opened, the public will be notified and given instructions through the Emergency Broadcast System.
- (e) Notwithstanding any other provision of the law, authority in an emergency in the county shall be determined by the current County Code of Ordinance, the County Emergency Plan and the Emergency Powers Act. (S.C. Code § 6 11 1410)
- (f) A state of disaster may be declared by the chairman of the county council with the knowledge of officials of the affected municipalities if he determines that a disaster has occurred, or that the thread thereof is imminent, and extraordinary emergency measures are deemed necessary to cope with the existing or anticipated situation. Once declared, that state of emergency shall continue until terminated by the chairman of county council. All proclamations of a disaster issued pursuant to this section shall indicate the nature of the disaster, the area or areas affected, the conditions which required the proclamation of the disaster, and the conditions under which it will be terminated. In addition to any other powers conferred by law, the county and municipal governments may, under the provisions of this subsection:
 - 1. Suspend existing laws and regulations prescribing the procedures for conduct of county or municipal business if strict compliance with the provisions of any statutes, order, rule or regulation would in any way prevent, hinder or delay necessary action in coping with the emergency.
 - 2. Utilize all available resources of county and municipal government as reasonably necessary to cope with a disaster emergency.
 - 3. Transfer the direction, personnel or functions of county and municipal departments and agencies or units thereof for purposes of facilitating or performing emergency services as necessary or desirable.
 - 4. Compel performance by government officials and employees of the duties and functions assigned in the county emergency plan.
 - 5. Contract, requisition and compensate for goods and services from private sources.
 - 6. Direct evacuations of all or part of the population from any stricken or threatened area within the county or

municipality if such action is deemed necessary for preservation of life or other disaster mitigation, response or recovery.

7. Prescribe routes, modes of transportation and destinations in connection with evacuations.
 8. Control ingress and egress to and from a disaster area, the movement of persons within the area and the occupancy of premises therein.
 9. Suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives and combustibles.
 10. Make provisions for the availability and use of temporary housing.
 11. Suspend or limit nonemergency activities and prohibit public assemblies.
- (g) All employees of departments, commissions, boards, institutions and other agencies of the county and municipalities who are designated as civil emergency forces shall cooperate with the manager of emergency preparedness agency in the formulation of the county emergency plan shall comply with the requests of the manager of emergency preparedness agency when such requests are issued pursuant to the provisions of this subsection. County and city personnel shall include in such plans the restoration of governmental services and public utilities necessary for the health, safety and welfare of the general public.
- (h) All such civil emergency forces shall notify the deputy director of emergency preparedness agency of conditions in the county or municipalities resulting from enemy attack or natural disaster, and they shall inform the deputy director of emergency preparedness agency of any conditions threatening to reach the proportions of a natural disaster as defined herein.
- (i) County and municipal employees assigned to duty as part of the civil emergency forces pursuant to the provisions of this subsection shall retain all the rights, privileges and immunities of their employment and shall receive the compensation incident to that employment.
- (j) The manager of emergency preparedness agency may at any time make the appointment of volunteer citizens to augment personnel in the time of civil emergency. Such volunteer citizens may be enrolled as civil emergency volunteers in cooperation with the heads of the county or municipal department affected, and they shall be subject to the rules and regulations set forth by their department for such volunteers.
- k. The manager of emergency preparedness agency may appoint volunteer citizens or from the personnel of a civil emergency service for which the county or municipalities have no counterpart. He may also appoint volunteer citizens as public shelter managers, who, when directed by the deputy director of emergency preparedness agency, shall open public shelters and take charge of all stocks of food, water and other supplies and equipment stored in the shelter; admit the public according to the community shelter plan; and take whatever control measures are necessary for the protection and safety of the occupants.
- l. The emergency services department public information officer shall serve as public information officer for the emergency preparedness division.

- m. This subsection is an exercise by the county and city of their governmental authority for the protection of the public peace, health and safety; and county or municipal agents and representatives, or any individual, receiver firm, partnership, corporation, association, or trustee, or any of the agents thereof in good faith carrying out, complying with, or attempting to comply with any order, rule or regulation promulgated pursuant to the provisions of this subsection shall not be liable for any damage sustained by persons or property as a result of such activity.
- n. Any person owning or controlling real estate or other premises who voluntarily and without compensation grants the county the right to inspect, designate and use the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an authorized civil emergency practice exercise shall not be civilly liable for the death of or injury to any person on or about such real estate or premises under such license, privilege or other permission, or for loss of or damage to the property of such person.
- o. It shall be unlawful for any persons to violate any of the provisions of this subsection or the regulations issued pursuant to the authority contained herein or willfully to obstruct, hinder or delay any member of the civil emergency organization in the enforcement of the provisions of this subsection or any regulation issued thereunder. Any violation of this subsection shall be considered as a misdemeanor and shall be punished by a fine of not more than ~~one~~ five hundred dollars (\$~~100~~500.00) or confinement of not more than thirty (30) days.

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

(5) *Emergency 911 Communications Center –*

- (a) Funding for emergency 911 telephone system

It is the desire of Richland County Council to shorten the time and to simplify the methods required for a resident of Richland County to request and to receive emergency aid. It is the further intent of the County Council to provide funding by which to allow operation, maintenance and enhancements of E911 by levying a monthly charge of thirty eight (38) cents upon each local exchange access facility subscribed by telephone subscribers whose local exchange access lines are in the area served by or which would be served by the E911 service and/or system of Richland County, provided, however, that subscribers with multiple lines shall pay the subscriber rate up to a maximum of fifty (50) lines per account.

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

- (1) The E911 Service Fee shall include charges as may be required by the Service Suppliers and agreed upon by Richland County and such charges for support, planning, operation and current or future enhancements that are required by Richland County and outlined in South Carolina Code Sections 23-47-10 through 80.

- (2) A monthly charge shall be levied upon each local exchange access facility subscribed to by telephone subscribers whose local exchange access lines are in the area served by or which would be

served by the 911 service and/or system of the jurisdiction of the county as provided for in this section, in amounts permitted by the Office of Information Resources of the South Carolina Budget and Control Board, provided that the amount of such levy shall be set forth precisely in each annual, or supplemental budget ordinance as appropriate, together with a provision providing that such charges were tax enforceable under South Carolina Code 23-47-50(B). Said E911 Service Fee rate shall include funding for only such expenses and costs as are authorized under provisions of South Carolina Code Section 23-47-40(A)(B), and (D), as may be approved by the Richland County Council attendant to the normal adoption of the County's Ordinary and Capital Budgets. Said budget shall clearly delineate the estimated E911 Service Fee revenue and the associated expense, and sources of revenue and authorized expenses from sources other than the E911 Service Fee, by budget account and line item.

- (3) The E911 Service Fee shall be uniform and not vary according to the type of local Exchange access.
 - (4) Coin operated telephones are toll free 911 calls, but certain locations, such as detention centers or institutions may be denied access to 911 at the discretion of the emergency services director. Other coin operated telephones where it can be clearly justified as not being in the public interest to continue or have access to 911 may also be denied such access.
 - (5) The Service Supplier shall remit to Richland County E911 Service Fee Collections within 45 calendar days following the end of the month of collections of such funds and, upon receipt of a monthly bill from the Service Supplier, Richland County will remit payment.
 - (6) An audit and budget reconciliation shall be conducted annually. The audit shall comply with the requirements of the South Carolina Code Section 23-47-50(E).
- (c) Accounting and management.
- (1) As provided in South Carolina Code Section 23-47-50(C), Richland County is responsible for the collection of delinquent accounts having access to the E911 system. The emergency services director and finance director shall cause procedures to be established with the Service Supplier and shall forward such information to the appropriate authority for collection procedures.
 - (2) The emergency services director is responsible within Richland County for the administration of this section and South Carolina Code Sections 23-47-10 through 80.
- (d) Addressing and road name. All road naming activity shall be coordinated with the public works department, [the planning division of the Community Planning and Development Department](#) and the City of Columbia. Public safety is of the highest priority and road names contribute significantly to the efficiency of the emergency response system.
- (e) Penalties. Any person who shall violate any provision of this section, including the provisions of South Carolina Code Title 23, Chapter 47, shall be guilty of a misdemeanor and, upon conviction of such offense, shall be fined not more than ~~two~~ five hundred dollars (\$~~200~~500.00) or imprisoned for not more than thirty (30) days, and in addition, shall pay all costs and expenses involved in the case. Each and every day or portion

thereof during which any violation continues shall be considered a separate offense.

DIVISION 6. ~~DETENTION, ELECTIONS, VOTER REGISTRATION, AND REGISTER OF MESNE CONVEYANCES~~ FINANCE

Sec. 2-139. Creation; director.

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

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

The director of finance shall be a person with education, training and/or experience in finance and money management satisfactory to the county administrator. The county administrator shall recommend and the council shall provide in the annual budget the compensation of the director of finance.

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

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

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

provided that such procedures shall be approved by the county administrator.

~~DIVISION 5. OFFICE OF FINANCE AND BUDGET~~

~~Sec. 2-117. Office of finance and budget, generally.~~

~~The office of finance and budget is hereby created and shall be responsible for all facets of finance administration including budget preparation and budgetary control, accounting, financial reporting, and other related financial/fiscal activities. It shall be responsible also for insurance and such other responsibilities as may be assigned by the county administrator. This office shall be managed by the director of finance and budget and shall be responsible also for payroll and leave administration and, in cooperation with the office of staff and human resources, shall be responsible for development and implementation of a personnel data and information management system.~~

~~(Ord. No. 1908-89, § II, 9-5-89)~~

~~Sec. 2-118. Position of director--Created; selection; appointment.~~

~~There is hereby created the position of director of finance and budget. The director of finance and budget shall be selected and appointed by, and shall serve at the pleasure of the county administrator.~~

~~Sec. 2-119. Same--Qualifications; compensation.~~

~~The director of finance and budget shall be a person with education, training and/or experience in finance and money management satisfactory to the county administrator. The county administrator shall recommend and the council shall provide in the annual budget the compensation of the director of finance and budget.~~

~~Sec. 2-120. Same--Responsibilities, powers and duties.~~

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

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

Sec. 2-121. Staff and assistants.

~~The director of finance and budget shall have such staff and assistants as are necessary to the operation of the office and the performance of his duties. They shall be subject to the county personnel system and their compensation determined accordingly.~~

Sec. 2-122. Bond.

~~The director of finance and budget shall give to the county a surety bond in the value of thirty thousand dollars (\$30,000.00) for the faithful performance of his duties as such officer, such bond to be filed in the office of the clerk of court.~~

Sec. 2-142. Departmental Divisions.

The finance department shall include the following divisions:

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

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

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

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

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

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

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

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

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

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

(h) Acting as the procurement, purchasing and contracting agent for all

officers, offices and agencies of the county, subject to regulations promulgated by the council and approval authority of the director of finance;

(i) Establishing and maintaining a central purchasing warehousing and supply system for all county offices and agencies, providing for requisition of materials and supplies by county offices and agencies authorized by the council;

(j) Placing, with a newspaper to be determined pursuant to the requirements of Chapter 2, Article X, "Purchasing," of this Code, all requests for advertising by a county agency or department. Any agency or department requiring advertisement shall prepare the advertisement and present same to the division of procurement for the purposes of processing it for publication. The division of procurement shall have the responsibility of determining the most practical and least costly medium of advertising. In connection with this subsection, the office of procurement shall provide each county agency and department a schedule of processing time allowance so that the requesting agency or department will be assured of the actual date of publication of the advertisement. However, any advertising which is not paid for with county funds, or for which the county is reimbursed by a private individual or company, may be exempt from the provisions of this subsection;

(k) Other duties as directed by the director of finance or county administrator.

DIVISION 9. OFFICE OF PROCUREMENT

~~Sec. 2-153. Creation of the office of procurement; generally.~~

~~There is hereby created the office of procurement and the position, director of procurement. The office of procurement shall be responsible for the following:~~

~~(1) — Purchasing all supplies, materials, equipment, and contractual services required by county agencies and performing the purchasing-related functions required of the director of procurement herein;~~

~~(2) — Negotiating contracts for personal services and submitting them for approval and award as provided herein;~~

~~(3) — Using standard specifications wherever they are applicable to purchase orders and contracts and ensuring compliance with such specifications through adequate inspection of deliveries;~~

~~(4) — Transferring between agencies, supplies, materials and equipment which are no longer needed by a holding agency but which can be used by the receiving agency;~~

~~(5) — Exchanging, trading in or selling those supplies, materials and equipment which are surplus, obsolete or unused and which are found by the county administrator not to be required for public use;~~

~~(6) — Developing, with the approval of the county attorney as to legal sufficiency, standard forms and conditions for invitations to bid, requests for proposals, purchase orders, and contracts; developing and prescribing the use by agencies of other forms required in carrying out the provisions of this article; and amending or eliminating any such forms;~~

~~(7) — Upon request of the council, and subject to its approval of each transaction, performing all delegable functions in connection with acquisition and disposal of real property;~~

~~(8) — Acting as the procurement, purchasing and contracting agent for all officers, offices and agencies of the county, subject to regulations promulgated by the council and approval authority of the county administrator;~~

~~(9) — Establishing and maintaining a central purchasing warehousing and supply system for all county offices and agencies, providing for requisition of materials and supplies by county offices and agencies authorized by the council;~~

~~(10) — Placing, with a newspaper to be determined pursuant to the requirements of Chapter 2, Article X, “Purchasing,” of this Code, all requests for advertising by a county agency or department. Any agency or department requiring advertisement shall prepare the advertisement and present same to the office of procurement for the purposes of processing it for publication. The office of procurement shall have the responsibility of determining the most practical and least costly medium of advertising. In connection with this subsection, the office of procurement shall provide each county agency and department a schedule of processing time allowance so that the requesting agency or department will be assured of the actual date of publication of the advertisement. However, any advertising which is not paid for with county funds, or for which the county is reimbursed by a private individual or company, may be exempt from the provisions of this subsection;~~

~~(11) — Other duties as directed by the county administrator.~~

~~Sec. 2-153.5. Divisions.~~

~~The office of procurement shall include the office of small business opportunity division, which shall manage and administer the SLBE program (see Section 2-639 et seq.) and shall undertake other functions and duties as assigned by the director of the office of procurement, the county administrator or county council.~~

~~Sec. 2-154. Position of director--Created; appointment; responsibilities.~~

~~There is hereby created the position of director of the office of procurement also known as the director of procurement. The director shall serve at the pleasure of the county administrator. The director shall also fulfill the responsibilities formerly fulfilled by the purchasing agent.~~

~~Sec. 2-155. Same--Qualifications; compensation.~~

~~The director of the office of procurement shall be a person with education, training and/or experience in purchasing, contract administration, and inventory. The county administrator shall recommend and the council shall provide in the annual budget the compensation of the director of the office of procurement.~~

~~Sec. 2-156. Staff and assistants.~~

~~The director of the office of procurement shall have such staff and assistants as are necessary for the operation of the office and the performance of his duties. They shall be subject to the county personnel system and their compensation determined accordingly.~~

~~DIVISION 7. JUDICIAL SERVICES HUMAN RESOURCES~~

~~DIVISION 7. JUDICIAL SERVICES~~

~~Sec. 2-247. Created; magisterial court administrator; appointment; management of department.~~

~~There is hereby created a department of judicial services which shall operate under the direction of the magisterial court administrator.~~

~~Sec. 2-248. Qualifications of administrator; selection; compensation.~~

~~The magisterial court administrator shall serve as the chief administrative officer of the magisterial system of the county and as such shall serve such system mainly through the chief magistrate. The magisterial court administrator shall be selected and appointed by the county~~

~~administrator on the basis of his education, training and professional experience which shall be no less than five (5) years in a court-related activity. He shall be compensated as authorized by the county administrator and approved by the county council in the county's annual budget(s).~~

~~Sec. 2-249. Responsibilities of administrator; powers; duties.~~

~~The magisterial court administrator shall serve as the chief administrative officer and shall direct and manage the central fines processing office, and transact all administrative matters not handled directly by the chief magistrate and the other magistrates who constitute the magisterial system of the county.~~

~~Sec. 2-250. Staff; personnel.~~

~~The staff and assistants of the magisterial court administrator shall be subject to the county personnel system and their compensation determined accordingly.~~

~~Sec. 2-251. Home Detention Program.~~

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

~~(b) — Home Detention Program provided. Pursuant to S.C. Code 1976, § 24-13-1530, electronic and nonelectronic home detention programs may be used by the magistrates of Richland County as an alternative to incarceration for low risk, nonviolent adult and juvenile offenders, as selected by the court. Applications for home detention by persons who are awaiting trial or by offenders whose sentences do not place them in the custody of the Department of Corrections may hereafter be made to the magistrates of Richland County as an alternative to incarceration. The county's home detention program shall comply with all applicable state and local laws and regulations, including S.C. Code 1976, § 24-13-1510 et seq.~~

Sec. 2-143. Creation; director.

The department of human resources ~~office of staff and human resources~~ is hereby created and shall be responsible for the development and implementation of a modern personnel program employing whatever resources and assistance are needed from the ~~office of finance department and budget and the office of operational services~~. The human resources department shall be managed by the director of human resources who shall be responsible also for administrative and legislative research, economic and community development, public affairs, data information management, and such other responsibilities as may be assigned by the county administrator. The director of the human resources department shall be bonded to the county in an appropriate amount for the faithful performance of the duties as such officer.

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

The director of human resources shall be appointed solely on the basis of merit including administrative qualifications with special emphasis on education, training, experience and knowledge of the requirements of the office. The director shall be selected and appointed by the county administrator with no definite term of office assigned. Preference will be given to individuals with a graduate degree in the field(s) of public administration, business administration or some other related discipline. The director of the human resources department shall be paid an annual salary as recommended by the county administrator and approved by county council.

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

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

- (1) To serve as personnel director and, as such to plan, organize, direct and coordinate the personnel program of the county;

- (2) To formulate and recommend operating policies and procedures to the county administrator for the effective administration of the county's personnel program;
- (3) To direct and control the county's research resources and activities serving the administrative and legislative branches of the government;
- (4) To provide leadership and support in the areas of economic and community development and, in so doing, establish effective liaison and working relationships with all appropriate private and public enterprises as related to economic and industrial development, and with all appropriate civic groups/associations, as related to community development;
- (5) To administer a program of public affairs and, to that end, establish effective relationships with the media and the general public through the development of viable public information programs;
- (6) To organize, direct, and administer management information and word processing programs assigned to receive, store and provide organizational data and information on a timely and well-organized basis as a service to the entire organization; and
- (7) To perform such other related work as may be required and as assigned by the county administrator.

Sec. 2-146. Departmental Divisions.

The human resources department shall include the following divisions:

(1) *Compensation, Benefits, and Classification – This division shall manage the compensation, benefits and classification related services for the human resources department.*

(2) *Operations- This division shall manage the operations of the human resources department.*

DIVISION 4. OFFICE OF STAFF AND HUMAN RESOURCES

Sec. 2-107. Office of staff and human resources, generally.

~~The office of staff and human resources is hereby created and shall be responsible for the development and implementation of a modern personnel program employing whatever resources and assistance are needed from the office of finance and budget and the office of operational services. The office of staff and human resources shall be managed by the director of staff and human resources who shall be responsible also for administrative and legislative research, economic and community development, public affairs, data information management, and such other responsibilities as may be assigned by the county administrator.~~

Sec. 2-108. Position of director--Created; selection; appointment.

~~There is hereby created the position of director of staff and human resources. The director of staff and human resources shall be selected and appointed by the county administrator with no definite term of office assigned.~~

Sec. 2-109. Same--Qualifications; compensation.

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

Sec. 2-110. Same--Responsibilities; duties.

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

- (1) — To serve as personnel director and, as such to plan, organize, direct and coordinate the personnel program of the county;
- (2) — To formulate and recommend operating policies and procedures to the county administrator for the effective administration of the county's personnel program;
- (3) — To direct and control the county's research resources and activities serving the administrative and legislative branches of the government;
- (4) — To provide leadership and support in the areas of economic and community development and, in so doing, establish effective liaison and working relationships with all appropriate private and public enterprises as related to economic and industrial development, and with all appropriate civic groups/associations, as related to community development;
- (5) — To administer a program of public affairs and, to that end, establish effective relationships with the media and the general public through the development of viable public information programs;
- (6) — To organize, direct, and administer management information and word processing programs assigned to receive, store and provide organizational data and information on a timely and well-organized basis as a service to the entire organization; and (7) — To perform such other related work as may be required and as assigned by the county administrator.

Sec. 2-111. Staff and personnel.

The director of staff and human resources shall have such staff and assistants as are deemed necessary to the performance of his duties and operation of the office and approved by the county administrator. They shall be subject to the county personnel system and their compensation determined accordingly.

Sec. 2-112. Bond.

The director of staff and human resources shall be bonded to the county in an appropriate amount for the faithful performance of the duties as such officer.

DIVISION 8. INFORMATION TECHNOLOGY

Sec. 2-147. Creation; director.

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

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

The director of information technology shall be appointed solely on the basis of merit including administrative qualifications with special emphasis on education, training, experience and knowledge of the requirements of the office. Preference will be given to individuals with a graduate degree in the field(s) of information technology, public administration, business administration or some other related discipline. The director of the human resources department

shall be paid an annual salary as recommended by the county administrator and approved by county council.

Sec. 2-149. Departmental Divisions.

The information technology department shall include the following divisions:

- (1) Network – This division shall manage the Richland County network infrastructure.
- (2) Production - This division shall support and manage the Richland County website and related applications.
- (3) PC/LAN Tech – This division shall provide organization wide technical support to Richland County departments.
- (4) *GIS* - The division of geographic information system (GIS), as well as the manager of GIS, is hereby established to furnish various county departments with tools to measure, model, and map data regarding geographically related phenomena. While data, in and of itself, cannot assist in making decisions or policy, the information created from such data is a valuable tool in executing county business. As a work product, the data will be used to produce thematic information that can be combined to assist county personnel in the decision-making process.

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

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

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

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

Data. Recorded quantitative and qualitative observational measurements and facts.

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

Geographic Information System (GIS) is an organized collection of computer hardware, software, geographic data, and personnel designed to efficiently capture, store, update, use, analyze, and display all forms of geographically referenced material.

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

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

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

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

(b) Data and information distribution.

1. Information derived from the county GIS and presented in a geographic context may be made available to the public via the Internet. Furthermore, standard system products will be made available on digital media or, if requested, in hard copy pursuant to S.C. Code 1976, § 30-4-30, as amended.
2. All GIS-related data requests must be approved by both the data steward of the department in possession of such data and the GIS division of the information technology department. Once approved, the GIS division is responsible for filling the request. All GIS data customers must enter into a non-transferable data license agreement with the county. Each license agreement shall identify limitations in the use of county GIS data and shall indemnify and hold harmless Richland County, its elected officials, officers, agents, and employees from loss, damage, or other liability arising from the use of the data.
3. A fee shall be collected from customers for copies of GIS data. An initial fee schedule of individual data elements will be reviewed by county council. The fee schedule will include a description of each thematic data element to be sold, distribution format, file format, and unit pricing information. The county administrator, as necessary, may update the fee schedule. Regardless of changes in data product fees, a county GIS data fee schedule will be submitted annually to the county council as an informational update. For good cause, the county administrator may waive or reduce fees for GIS data when such actions result in serving the best interest of the county.
4. Customers requesting data on a regular basis may request to receive data at a subscription rate, but must enter into a non-transferable data license agreement with the county.
5. All GIS-related information constituting a public record, as defined by S.C. Code 1976, § 30-4-20, as amended, may be provided at no charge via Internet access or at a minimal charge if such information is in digital or hard copy format. The minimal fees for digital or hard copy public record information shall be included in the approved fee schedule.

~~DIVISION 2A. SPECIAL SERVICES~~

~~Sec. 2-200. Creation; director.~~

~~There is hereby created the department of special services and the position of director of special services. The director shall be appointed by the county administrator and his/her term of office shall be at the pleasure of the county administrator.~~

~~(Ord. No. 058-05HR, § III, 9-6-05)~~

Sec. 2-201. Qualifications of director; selection; compensation.

~~The director of special services shall possess education, training and experience that are satisfactory to the county administrator.~~

Sec. 2-202. Responsibilities; powers; duties.

~~The special services department shall be responsible for:~~

~~(1) Effectively managing a labor pool of community service and inmate labor personnel in support of county operations, such as picking up trash along the road right of ways and beautifying the community through a clean sweep program; and~~

~~(2) Helping communities become self sufficient through sponsoring community cleanups; and~~

~~(3) Holding community forums to address participants' questions about the clean sweep program and neighborhood cleanups.~~

DIVISION 9. OPERATIONAL SERVICES

Sec. 2-150. Creation; director.

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

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

The director of support services shall be appointed solely on the basis of merit including technical and administrative qualifications with special emphasis on education, training, experience and knowledge of the requirements of the office. The director of support services shall be selected and appointed by the county administrator with no definite term of office assigned. Preference will be given to individuals with a degree in engineering, public administration, business administration, or some other related discipline. The director of support services shall be paid an annual salary as recommended by the county administrator and approved by county council.

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

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

- (1) To develop and implement a comprehensive program of maintenance, custody and security for the county's physical plant, including all buildings and facilities owned and operated by the county government;
- (2) To formulate and submit to the county administrator recommendations for continued improvement and effective utilization of the county's physical plant;
- (3) To establish a working relationship and liaison with all department and agency heads relative to their specific operational and/or space office requirements and

needs;

- (4) To develop through the same working relationship with all department and agency heads an understanding of the communication requirements and needs, and the development of a communication system(s) to meet those requirements and needs;
- (5) To provide assistance for all county departments and agencies to obtain auxiliary and/or housekeeping support and services;
- (6) To coordinate through the county archivist, a program of records management designed to serve all county departments and agencies; and
- (7) To perform such other related work as may be required and so assigned by the county administrator.

Sec. 2-153. Departmental Divisions.

The support services department shall include the following divisions:

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

DIVISION 10. PUBLIC WORKS

Sec. 2-154. Creation; director.

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

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

The director of public works shall be a graduate of an accredited college or university with a major in civil engineering. The director shall possess a certified license as a professional civil engineer and shall have had at least five (5) years of previous experience as a public works director/engineer including supervisory, administrative and engineering experience. Such director shall possess training and/or experience in both public works and engineering which is satisfactory to the county administrator.

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

The director of public works shall be responsible for the custody, security and maintenance of public works and physical properties of the county and shall be responsible to and under the supervision of the county administrator in the performance of his/her duties.

Sec. 2-157. Departmental Divisions.

The public works department shall include the following divisions:

- (1) *Administration* – This division shall coordinate all department-level administrative support, including personnel management, safety, training, standardization, finance, budget, payroll, material management, procurement, and geographic information services (GIS).
- (2) *Engineering* – This division, which shall be managed by a registered professional engineer, shall provide engineering services in support of county operations and infrastructure development, including the management and coordination of capital

improvement projects.

- (3) *Stormwater management*— This division shall provide stormwater management services in support of positive public drainage and “receiving water” quality.
- (4) *Roads and Drainage maintenance*— This division shall maintain and improve the county road maintenance network and drainage infrastructure.
- (5) *Airport* – This division shall manage the Jim Hamilton Owens Airport operations.
- (6) *Solid Waste and recycling*— This division shall provide residential collection of municipal solid waste (MSW) and recyclable materials within the unincorporated county, provide limited construction & demolition (C&D) landfill services, manage the Solid Waste stream within the county, and promote cost-effective recycling.

(a) Special Services Program - The special services program within the solid waste division shall be responsible for:

1. Effectively managing a labor pool of community service and inmate labor personnel in support of county operations, such as picking up trash along the road right of ways and beautifying the community through a clean sweep program; and
2. Helping communities become self-sufficient through sponsoring community cleanups; and
3. Holding community forums to address participants’ questions about the clean sweep program and neighborhood cleanups.

~~DIVISION 6. OFFICE OF OPERATIONAL SERVICES~~

~~Sec. 2-125. Office of operational services.~~

~~The office of operational services is hereby created and shall be responsible to administer the internal or housekeeping needs of the county government. It shall be responsible for the maintenance, custody and security of the entire physical plant and all of the support services required to keep the plant and all equipment at an acceptable level of operation and usability. The office shall be managed by the director of operational services and shall be responsible also for the communication system(s) serving the entire organization, for coordinating a program of records management through the county archivist, and for such other responsibilities as may be assigned by the county administrator.~~

~~Sec. 2-126. Position of director--Created; selection; appointment.~~

~~There is hereby created the position of director of operational services. The director of operational services shall be selected and appointed by the county administrator with no definite term of office assigned.~~

~~Sec. 2-127. Same--Qualifications; compensation.~~

~~The director of operational services shall be appointed solely on the basis of merit including technical and administrative qualifications with special emphasis on education, training, experience and knowledge of the requirements of the office. Preference will be given to individuals with a degree in engineering, public administration, business administration, or some other related discipline. The director of operational services shall be paid an annual salary as recommended by the county administrator and approved by county council.~~

~~Sec. 2-128. Same--Responsibilities; duties.~~

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

- (1) ~~—To develop and implement a comprehensive program of maintenance, custody and~~

~~security for the county's physical plant, including all buildings and facilities owned and operated by the county government;~~

~~(2) — To formulate and submit to the county administrator recommendations for continued improvement and effective utilization of the county's physical plant;~~

~~(3) — To establish a working relationship and liaison with all department and agency heads relative to their specific operational and/or space office requirements and needs;~~

~~(4) — To develop through the same working relationship with all department and agency heads an understanding of the communication requirements and needs, and the development of a communication system(s) to meet those requirements and needs;~~

~~(5) — To provide assistance for all county departments and agencies to obtain auxiliary and/or housekeeping support and services;~~

~~(6) — To coordinate through the county archivist, a program of records management designed to serve all county departments and agencies; and~~

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

~~Sec. 2-129. Staff; personnel.~~

~~The director of operational services shall have such staff and assistants as are deemed necessary to the performance of his duties and operation of the office and approved by the county administrator. They shall be subject to the county personnel system and their compensation determined accordingly.~~

~~Sec. 2-130. Bond.~~

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

DIVISION 11. TRANSPORTATION PENNY

Sec. 2-158. Creation; director.

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

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

The director of the transportation penny department shall be appointed solely on the basis of merit including technical and administrative qualifications with special emphasis on education, training, experience and knowledge of the requirements of the office. Preference will be given to individuals with a degree in engineering, public administration, business administration, or some other related discipline. The director shall be paid an annual salary as recommended by the county administrator and approved by county council.

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

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

(1) To develop and implement the Richland County Transportation Program

(2) Serve as the liaison with the South Carolina Department of Transportation on all joint

transportation projects

(3) Coordinates all transportation projects with the Central Midlands Council of Governments

(4) Oversees design and construction of all transportation projects

(5) Coordinate and manage the distribution of transportation program information to the Transportation Advisory Committee

(6) Study and pursue outside funding sources for the Richland County Transportation Program

DIVISION 12. UTILITIES

Sec. 2-161. Creation; director.

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

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

The director of utilities shall possess education, training and experience that are satisfactory to the county administrator.

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

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

Sec. 2-164. Departmental Divisions.

The utilities department shall include the following divisions:

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

DIVISION 1. UTILITIES

Sec. 2-185. Creation; director.

~~There is hereby created the department of utilities and the position of director of utilities. The director shall be appointed by the county administrator and his/her term of office shall be at the pleasure of the county administrator.~~

~~**Sec. 2-186. Qualifications of director; selection; compensation.**~~

~~The director of utilities shall possess education, training and experience that are satisfactory to the county administrator.~~

~~**Sec. 2-187. Responsibilities; powers; duties.**~~

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

~~**Sec. 2-188. Departmental divisions.**~~

~~The department of utilities shall be divided into the following functional divisions:~~

~~(1) — *Administration division.* This division shall coordinate all department-level administrative support, including personnel management, standardization, finance, budget, payroll, material management and procurement.~~

~~(2) — *Engineering division.* This division shall provide engineering services in support of county utility operations and infrastructure development, including the management and coordination of capital improvement projects funded by both public and private sources. Also develops and maintains the department mapping and geographic information system.~~

~~(3) — *Maintenance division.* This division shall manage, maintain, and improve all county utility systems, including facilities, grounds, water and sewer lines and associated apparatus.~~

~~(4) — *Operations division.* This division shall provide professional operation of county water and wastewater treatment facilities, laboratory facilities and shall administer provisions of the county's pre-treatment program.~~

~~(5) — *Special project division.* This division shall provide administrative functions relating to the design and construction of utility system improvements in various communities as determined by County Council. This division administers the safety and training programs for the department.~~

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

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

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

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

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

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

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

21-26. Burial of paupers and cremains.

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

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

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

Sec. 1-17. Home Detention Program. *(just moved from another area of the code)*

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

(b) *Home Detention Program provided.* Pursuant to S.C. Code 1976, § 24-13-1530, electronic and nonelectronic home detention programs may be used by the magistrates of Richland County as an alternative to incarceration for low risk, nonviolent adult and juvenile offenders, as selected by the court. Applications for home detention by persons who are awaiting trial or by offenders whose sentences do not place them in the custody of the Department of Corrections may hereafter be made to the magistrates of Richland County as an alternative to incarceration. The county's home detention program shall comply with all applicable state and local laws and regulations, including S.C. Code 1976, § 24-13-1510 et seq.

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

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

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

RICHLAND COUNTY COUNCIL

BY: _____
Torrey Rush, Chair

Attest this _____ day of

_____, 2017.

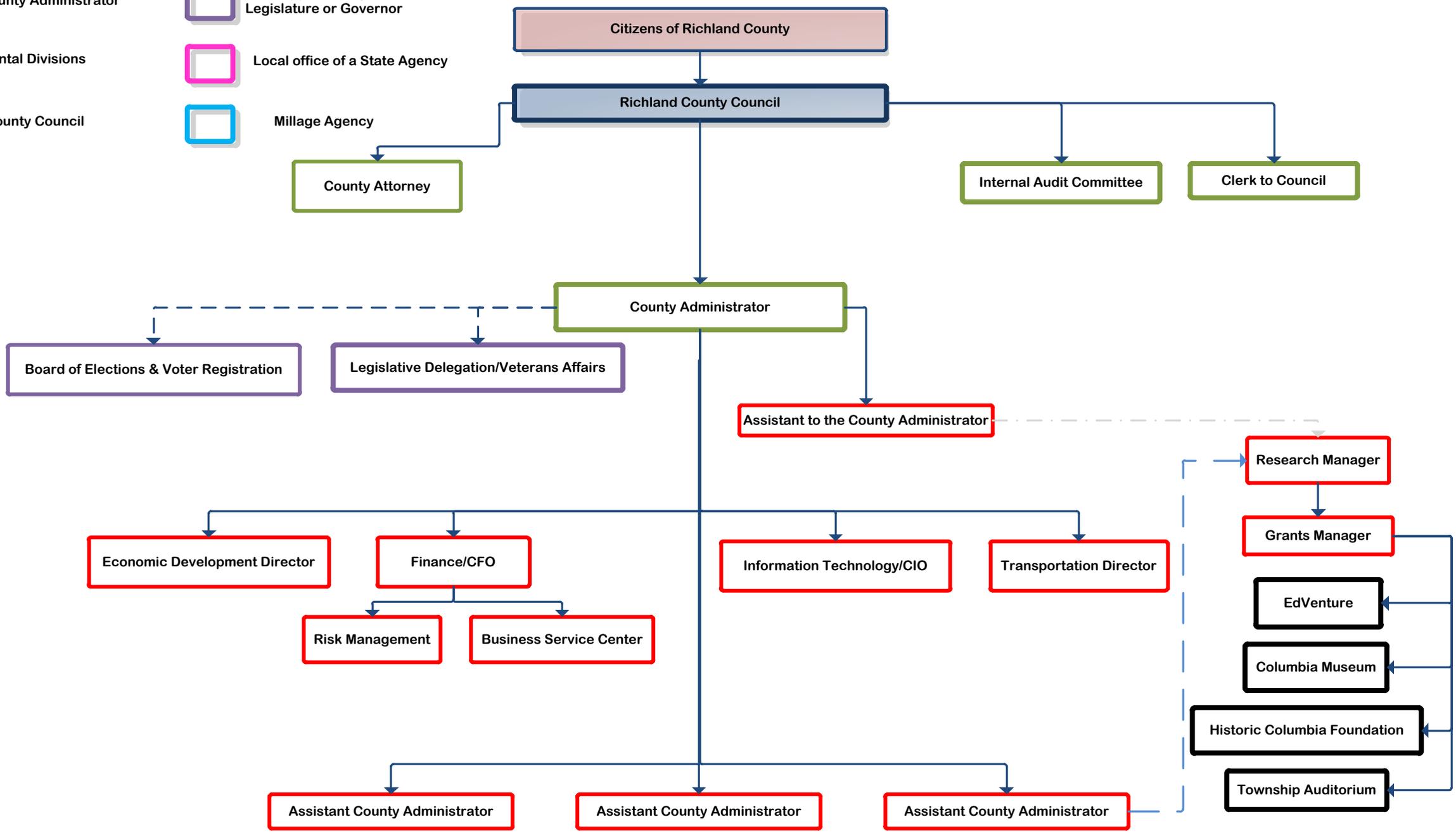
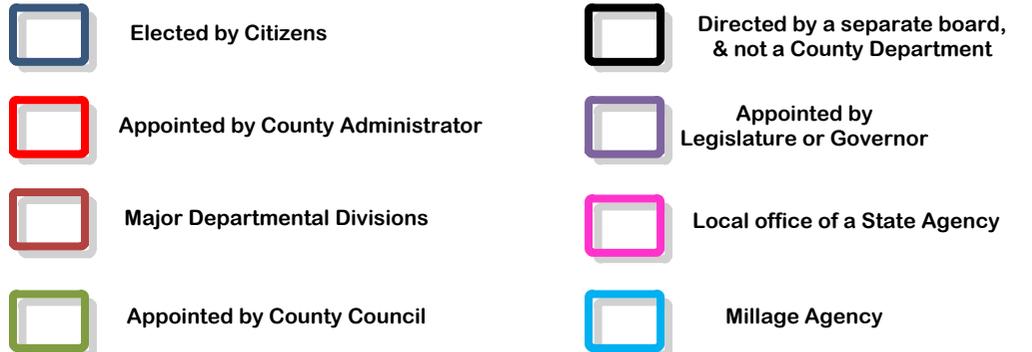
Michelle Onley
Deputy Clerk of Council

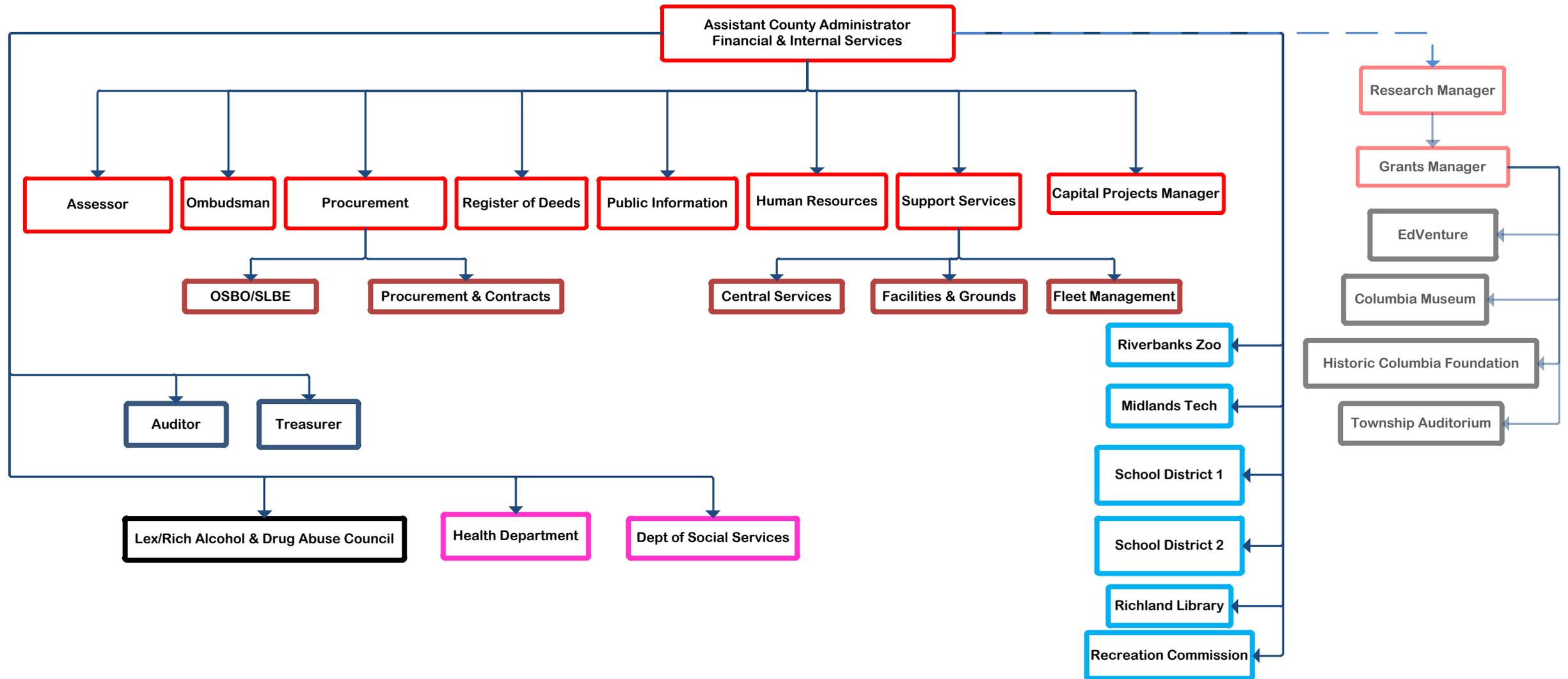
RICHLAND COUNTY ATTORNEY'S OFFICE

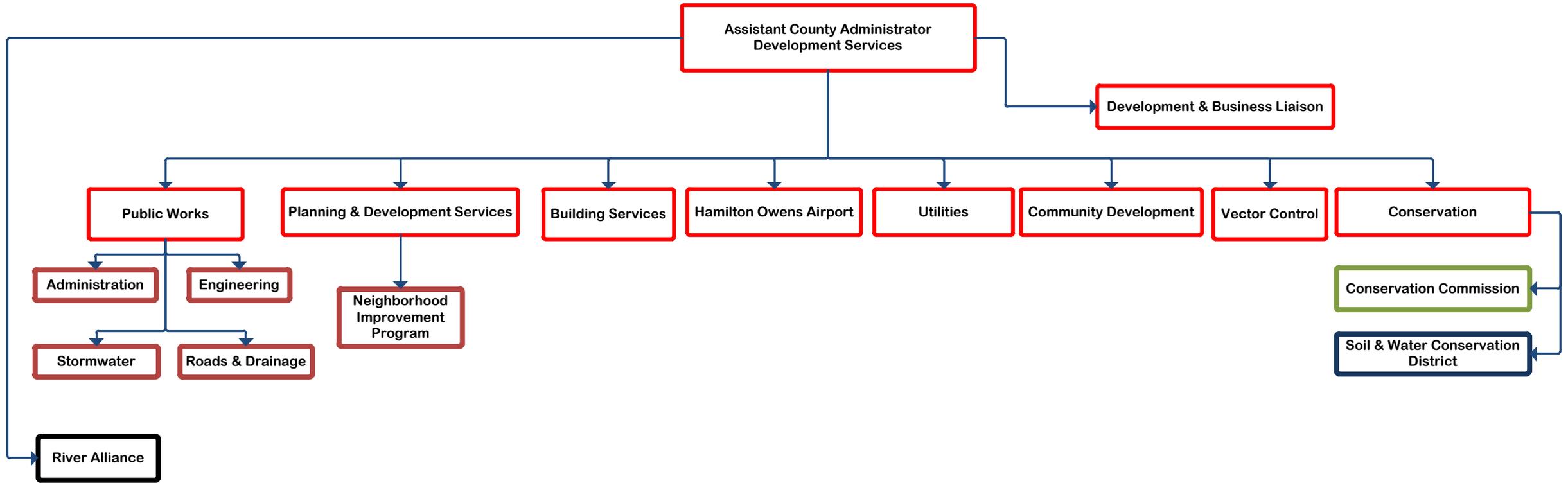
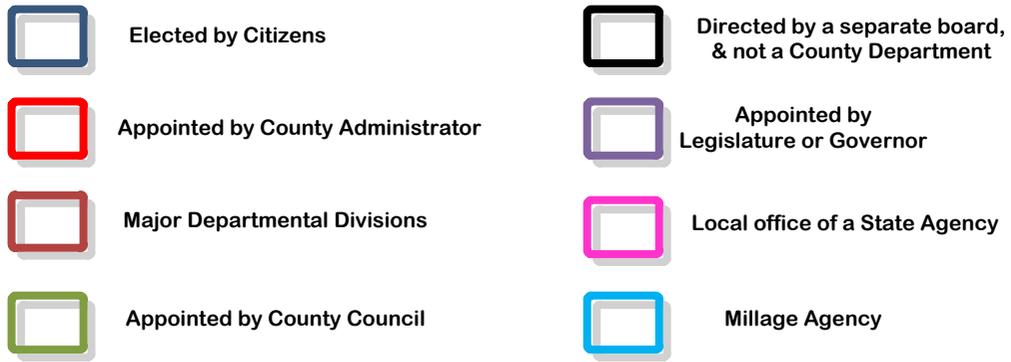
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No Opinion Rendered As To Content.

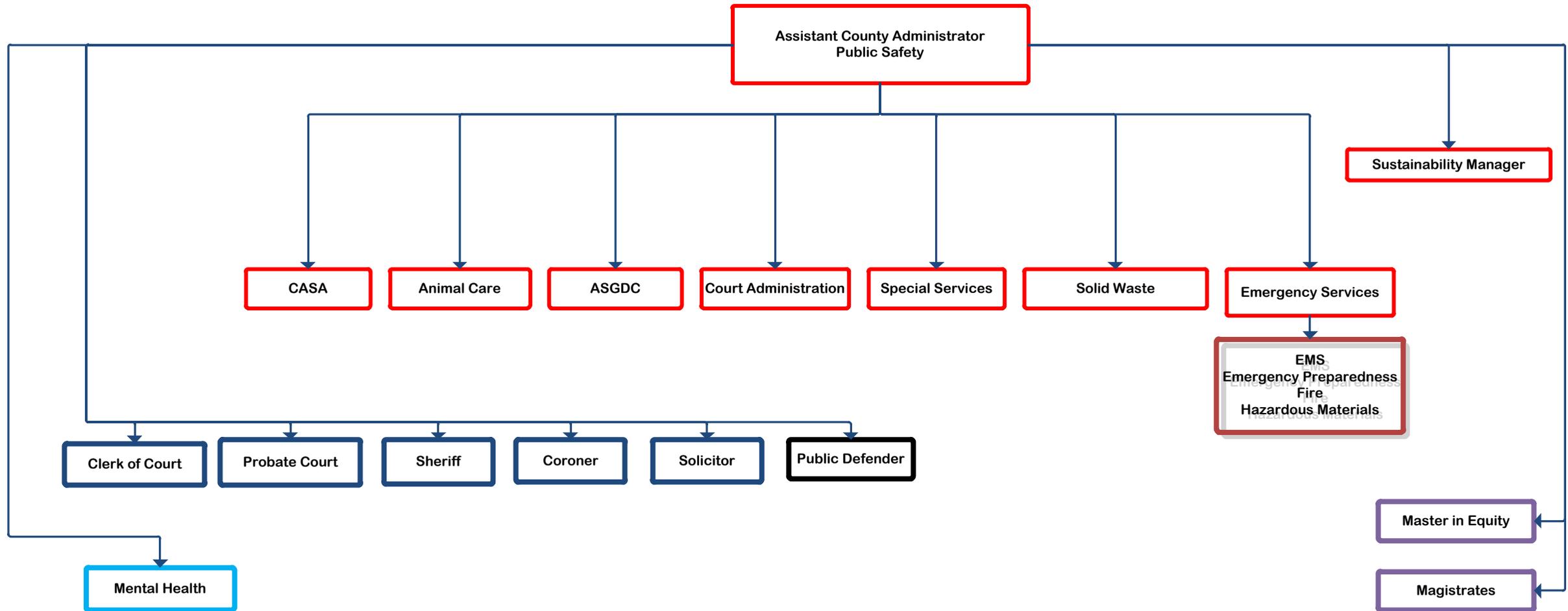
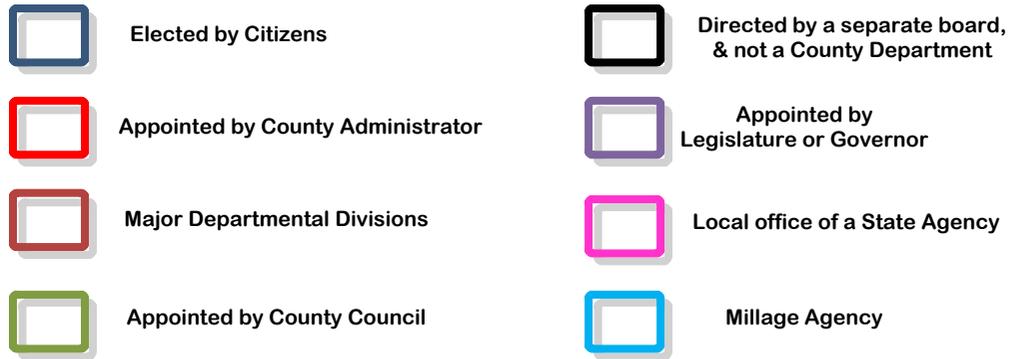
First Reading:
Second Reading:
Third Reading:
Public Hearing:

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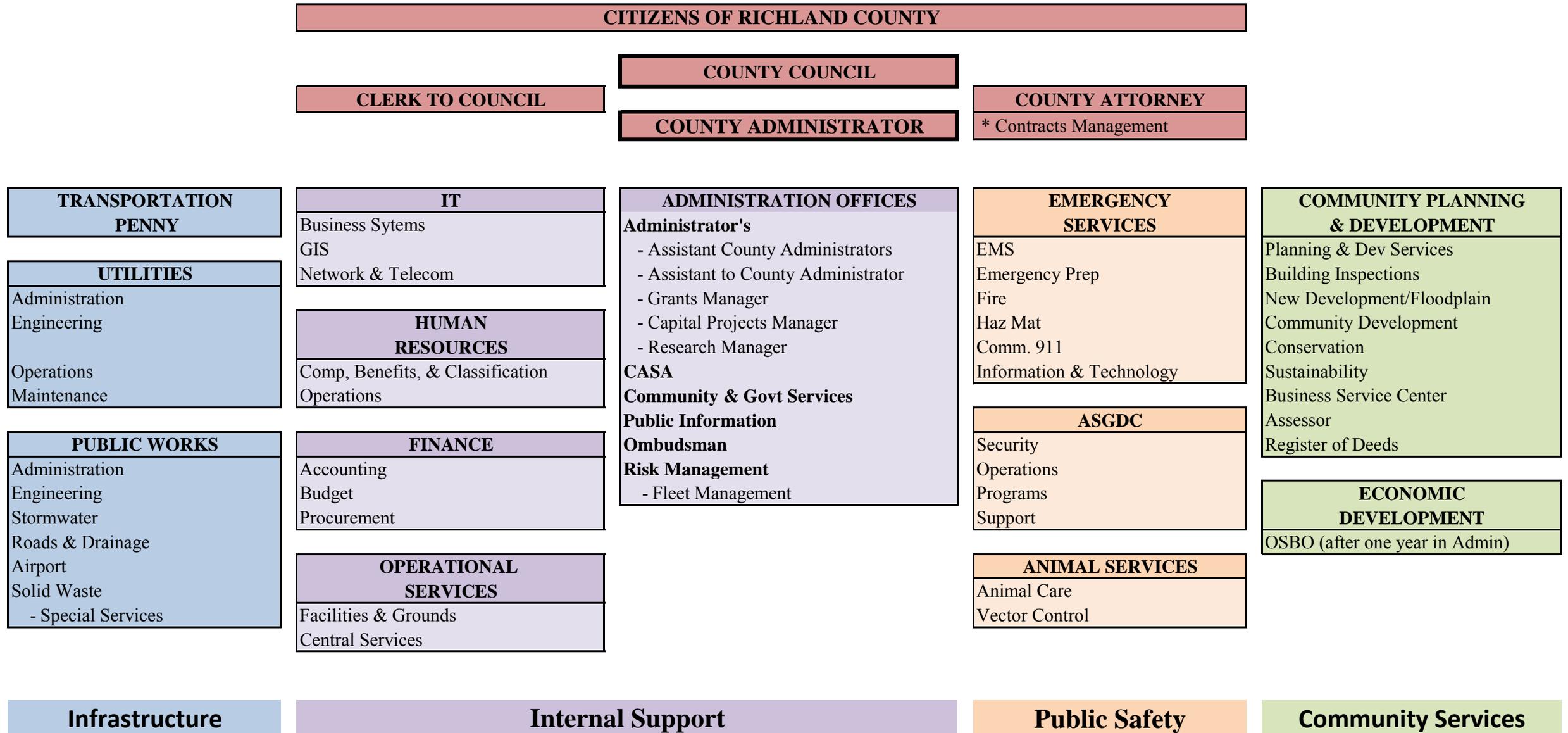






Richland County Organizational Structure (Proposed)

Note: Each box under Administration represents a Department (it is not a reporting organizational chart)



Richland County Council Request of Action

Subject:

Conservation Department: Intergovernmental Transfer of Funds for Owens Field Park Project

Richland County Council Request of Action

Conservation Department: Intergovernmental Transfer of Funds for Owens Field Park Project

A. Purpose

County Council is requested to approve a transfer of \$49,000 funds from Richland School District One to the County which will then be transferred to the City of Columbia for improvements at Owens Field Park, contingent upon a signed intergovernmental agreement between the District and the County.

B. Background / Discussion

Richland County Conservation Commission (RCCC) and the City of Columbia are working on a joint project at Owens Field Park. The RCCC component involves trail improvements and best management stormwater practices. On May 3, 2016 Council approved a Request of Action for an intergovernmental agreement with the City to handle the administration of the project and for the County to transfer RCCC and Stormwater funds earmarked for Owens Field to the City. A contractor was hired and the groundbreaking ceremony was held on August 20 with Councilman Seth Rose in attendance.

This project involves a partnership with Gills Creek Watershed Association (GCWA) and Richland School District One (RSD1). The County has a Memorandum of Agreement (MOA) with RSD1 signed in 2014 that allows stormwater improvements to be made on the school district property. In April 2016 GCWA requested a \$49,000 contribution from the School Board which was approved. RSD1 has requested these funds be transferred to the County rather than to GCWA since they do not have an agreement with GCWA nor with the City. This request came after the transfer of County monies in June. (See attached letter from RSD1.)

The additional funds are particularly important due to increased expense from debris removal that was much more extensive than originally thought. These are the only funds the District has committed to the project. Since stormwater from the District property causes significant erosion and deterioration to the County property, it is appropriate they should contribute for the improvements.

After much deliberation among staff, it was decided an intergovernmental agreement between the County and the District was needed. Legal Department drafted the agreement (see attached) and it has been sent to the District for their approval. There is no fiscal impact since this is a pass-through of funds. The City of Columbia has sent written confirmation of their willingness to accept the funds.

C. Legislative / Chronological History

11/11/2014 - Administration approval of the MOA between the County and RSD1

5/3/2016 - Council approval of the agreement between the City and the County

6/28/2016 - Finance Dept. transfer of funds to the City

D. Alternatives

1. Approve a transfer of \$49,000 from RSD1 to the County which will then be transferred to the City of Columbia for ongoing work on the Owens Field Park project, contingent upon a signed intergovernmental agreement between the County and the District. This contribution of funds is much needed to complete the stormwater improvements on county-owned land.
2. Do not approve the pass-through funds from RSD1 to Richland County and then to the City of Columbia and lose \$49,000 for work at Owens Field Park. Funds will have to be found elsewhere for the unexpected increase for debris removal.

E. Final Recommendation

It is recommended that County Council approve a transfer of \$49,000 from Richland School District One to the County which will then be transferred to the City of Columbia for improvements at Owens Field Park. Approval is contingent upon the District and the County signing the intergovernmental agreement.

Council approval of this item will result in the following actions:

- County and District will sign the intergovernmental agreement.
- Richland School District One will send a check in the amount of \$49,000 to the County.
- The County will send a check in the amount of \$49,000 to the City of Columbia.



Facility Services

September 9, 2016

Ms. Nancy Stone-Collum, Conservation Coordinator
Richland County
2020 Hampton Street
Columbia, South Carolina 29201

RE: Gills Creek Watershed Project:

Dear Nancy,

As you are aware, Richland County School District One was requested to support the Gills Creek Watershed Project by contributing \$49,000. In April of this year, our Board approved this request.

While the Board believes this to be a very worthwhile project that needs to be fully supported by the district at the requested level of participation, we believe there must be some governing agreement for the exchange of these funds. The quickest way for us to manage this is for us to forward these funds to Richland County. Richland County can then forward to the City or the Gillcreek Watershed Association.

Should this plan be agreeable, please provide acknowledgement and Richland County School District One will forward the requested funds. If I can provide any additional information, please call me at 803 231-7057.

Sincerely,

Raymond A. Perkins, Jr.
Director, Facility Services

copy: Dr. Craig Witherspoon
Mr. Edward Carlon
Ms. Susan Williams
Mr. Quinton Epps
File

**INTERGOVERNMENTAL AGREEMENT
BETWEEN RICHLAND COUNTY SCHOOL DISTRICT ONE AND
RICHLAND COUNTY, SOUTH CAROLINA**

THIS AGREEMENT entered into this ____ day of December, 2016, is by and between Richland County, South Carolina (hereinafter "COUNTY") and Richland County School District One (hereinafter "DISTRICT").

RECITALS

WHEREAS, COUNTY has entered into an Agreement with the City of Columbia and the Gills Creek Watershed Association dated June 23, 2016 (the "Owens Field Agreement") for trail improvements and stormwater best management practices at Owens Field Park (the "Project"); and

WHEREAS, the DISTRICT would like to contribute \$49,000 towards the Project; and

WHEREAS, COUNTY and DISTRICT are bodies politic with all the rights and privileges of such, including the power to contract as necessary and the incidental power to carry out the functions under this Agreement; and

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. The DISTRICT shall pay to the COUNTY the sum of Forty-nine Thousand Dollars (\$49,000.00).
2. The COUNTY shall pay the aforementioned sum to the City of Columbia in conjunction with the Project and the Owens Field Agreement.
3. The parties understand that the funds provided by the DISTRICT are to be used only for work on the Project.
4. The DISTRICT will inform the City of Columbia that the DISTRICT is providing the funds for the sole purpose of work on the Project.
5. It shall be the DISTRICT's responsibility to see that the funds are used for an appropriate purpose; the COUNTY shall bear no responsibility for such.

IN WITNESS WHEREOF, WE THE UNDERSIGNED have signed and sealed on the date first above written.

RICHLAND COUNTY:

WITNESSES:

By: _____
Its: _____

RICHLAND COUNTY
SCHOOL DISTRICT ONE

WITNESSES:

By: _____
Its: _____

Richland County Council Request of Action

Subject:

Hollywood Hills Sewer Project - Approval of Contractor

Richland County Council Request of Action

Subject: Hollywood Hills Sewer Project - Approval of Contractor

A. Purpose

County Council is requested to approve award selection to C.R. Jackson, Inc. as the procured and approved contractor for the Hollywood Hills Sewer Project. The bid was selected and approved at the construction rate of \$891,889.75.

Construction costs will be paid with CDBG funds from Richland County Community Development.

B. Background / Discussion

Hollywood Hills is located in District 7, near the Crane Creek community off Fairfield Road and I-20 exchange. This public infrastructure project will provide the community with a needed upgraded sewer service. The new service will benefit up to 40 households. The construction, tap fee connections and other associated soft costs will be paid with federal (CDBG) funds. Necessary easements, permits, and other essential requirements have been secured by the project engineer. The advertisement for project bid was posted in SCBO and the County's Procurement Solicitation webpage. A total of 5 vendors completed submission by the advertised deadline. Sealed bids were submitted to the County's Procurement Department for receipt and date/time stamp no later than 2 pm on 12/6/16. A subsequent bid opening took place on the same date. The selected bid was the lowest, responsible and responsive bidder and the appropriate supporting documentation can be found in the County's Procurement Department.

If approved by County Council, there is no financial impact to County General funds. The project is 100% federally funded. Sufficient CDBG funding is available for this project.

C. Legislative / Chronological History

This is a multi-phased project. County Council approved sufficient CDBG funding on July 1, 2014; July 28, 2015; and July 13, 2016. In addition, Council approval of an IGA between the County and the City took place on April 19, 2016.

D. Alternatives

1. Approve the award selection to C.R. Jackson, Inc. as the procured and approved contractor for the Hollywood Hills Sewer Project. The bid was selected and approved at the construction rate of \$891,889.75.
2. Do not approve award selection to C.R. Jackson, Inc. as the procured and approved contractor for the Hollywood Hills Sewer Project.
3. Do not approve the award and do not continue with the project. However a significant amount of federal funds have already been committed and expended in soft cost.

E. Recommendation:

It is recommended that Council approve award selection to C.R. Jackson, Inc. as the procured and approved contractor for the Hollywood Hills Sewer Project. The bid was selected and approved at the construction rate of \$891,889.75. Project/construction funds will be provided by Community Development.

Hill Engineering, LLC

December 07, 2016

Richland County, Community Development Department
Attn: Valeria Jackson
2020 Hampton Street Suite 3063
Columbia, SC 29204

Re: Hollywood Hills Sewer

Dear Valeria:

Bids were received in 4th floor large conference room at 2:00 P.M. on December 6th, 2016. Bids were received from 5 contractors with the low bid being received from C. R. Jackson, Inc. in the amount of \$891,889.75.

We have checked and determined that C.R. Jackson is properly licensed to perform this work and recommend award to C.R. Jackson, Inc. in the amount of \$891,889.75.

Attached is the certified Bid Tabulation and the Bid Tabulation showing all the bid results.

Advise if you have questions or comments.

Sincerely,


Daniel B. Hill PE

**BID TABULATION FOR
 RICHLAND COUNTY, SOUTH CAROLINA
 HOLLYWOOD HILLS SANITARY SEWER SYSTEM IMPROVEMENTS
 PROJECT # RC-011-CN-2017**

PROJECT NO. 1028-001

December 6, 2016

ENGINEER: HILL ENGINEERING, LLC

CERTIFIED CORRECT BY: *Thomas J. Hines Jr*

NO.	GENERAL CONTRACTOR	AMOUNT	ORDER OF BID
1	C.R. Jackson, Inc.	\$891,889.75	1
2	McClam & Associates	\$1,424,038.60	4
3	LAD Corporation	NO BID	
4	Stutts & Williams, LLC	\$1,335,000.00	3
5	Shady Grove Construction, LLC	\$1,140,535.50	2
6	North American Pipeline Management, Inc.	\$1,760,898.40	5
7			
8			
9			
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11			
12			
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14			
15			
16			

Richland County

Hollywood Hills Sewer System Improvements

Hill Engineering Project # 1028-001

RC-011-CN-2017

Bid Tabulation

ITEM #	DESCRIPTION	UNIT	Qty	C.R. Jackson, Inc.		Shady Grove Construction, LLC		Stutts & Williams, LLC		McClam & Associates, Inc.		North American Pipeline Management, Inc.	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
SECTION A - SEWER SYSTEM (CDBG FUNDED)													
1	New 8" PVC Sewer 0-6' deep	LF	153	48.00	\$7,344.00	65.00	\$9,945.00	53.00	\$8,109.00	126.90	\$19,415.70	59.00	\$9,027.00
2	New 8" PVC Sewer 6'-8' deep	LF	1,710	52.50	\$89,775.00	70.00	\$119,700.00	58.00	\$99,180.00	138.40	\$236,664.00	61.00	\$104,310.00
3	New 8" PVC Sewer 8-10' deep	LF	200	59.50	\$11,900.00	99.70	\$19,940.00	70.00	\$14,000.00	149.90	\$29,980.00	75.00	\$15,000.00
4	New 8" DIP on Piers	LF	25	270.00	\$6,750.00	400.00	\$10,000.00	210.00	\$5,250.00	496.00	\$12,400.00	182.00	\$4,550.00
5	Install Pier	LS	2	1,900.00	\$3,800.00	5,000.00	\$10,000.00	5,174.00	\$10,348.00	12,965.00	\$25,930.00	4,246.00	\$8,492.00
6	New 8" DIP Sewer 0-6' deep	LF	284	81.00	\$23,004.00	95.00	\$26,980.00	81.00	\$23,004.00	159.10	\$45,184.40	96.00	\$27,264.00
7	New 8" DIP Sewer 6'-8' deep	LF	35	86.50	\$3,027.50	100.00	\$3,500.00	87.00	\$3,045.00	170.60	\$5,971.00	102.00	\$3,570.00
8	New 8" DIP Sewer 8-10' deep	LF	45	92.50	\$4,162.50	129.70	\$5,836.50	90.00	\$4,050.00	182.10	\$8,194.50	106.00	\$4,770.00
9	New 8" DIP Sewer 10'-12' deep	LF	106	104.00	\$11,024.00	145.00	\$15,370.00	95.00	\$10,070.00	199.30	\$21,125.80	110.00	\$11,660.00
10	New 8" DIP Sewer 12'-14' deep	LF	27	125.00	\$3,375.00	167.00	\$4,509.00	98.00	\$2,646.00	216.60	\$5,848.20	150.00	\$4,050.00
11	New MH 0-6' deep	EA	1	1,825.00	\$1,825.00	1,800.00	\$1,800.00	2,656.00	\$2,656.00	4,470.00	\$4,470.00	3,693.00	\$3,693.00
12	New MH 6'-8' deep	EA	14	2,100.00	\$29,400.00	2,500.00	\$35,000.00	3,052.00	\$42,728.00	5,045.00	\$70,630.00	4,025.00	\$56,350.00
13	New MH 8'-10' deep	EA	3	2,670.00	\$8,010.00	3,500.00	\$10,500.00	3,104.00	\$9,312.00	5,620.00	\$16,860.00	4,705.00	\$14,115.00
14	New MH 12'-14' deep	EA	1	3,165.00	\$3,165.00	5,600.00	\$5,600.00	5,600.00	\$5,600.00	7,345.00	\$7,345.00	5,953.00	\$5,953.00
15	Connect to Ex. Manhole (Core Hole)	LS	2	1,285.00	\$2,570.00	1,500.00	\$3,000.00	2,115.00	\$4,230.00	3,625.00	\$7,250.00	2,378.00	\$4,756.00
16	4" Cleanouts (private property)	EA	47	120.00	\$5,640.00	250.00	\$11,750.00	307.00	\$14,429.00	215.00	\$10,105.00	752.00	\$35,344.00
17	6" Cleanouts (in R/W)	EA	36	185.00	\$6,660.00	250.00	\$9,000.00	706.00	\$25,416.00	577.00	\$20,772.00	826.00	\$29,736.00
18	8 x 6 Wyes	EA	38	245.00	\$9,310.00	150.00	\$5,700.00	754.00	\$28,652.00	1,007.50	\$38,285.00	1,138.00	\$43,244.00
19	4-inch service pipe (private property)	LF	3,100	15.00	\$46,500.00	25.00	\$77,500.00	31.00	\$96,100.00	19.10	\$59,210.00	60.00	\$186,000.00
20	6-inch service pipe (R/W)	LF	955	40.00	\$38,200.00	50.00	\$47,750.00	34.00	\$32,470.00	71.50	\$68,282.50	62.00	\$59,210.00
21	Cut and Replace Asphalt Pavement (mains)	LF	2,215	31.50	\$69,772.50	48.00	\$106,320.00	86.00	\$190,490.00	46.90	\$103,883.50	118.00	\$261,370.00
22	Cut and Replace Asphalt Pavement (services)	LF	550	26.00	\$14,300.00	48.00	\$26,400.00	90.00	\$49,500.00	44.85	\$24,667.50	118.00	\$64,900.00
23	Resurface Asphalt Pavement	SY	7,250	9.00	\$65,250.00	19.00	\$137,750.00	15.00	\$108,750.00	10.90	\$79,025.00	18.00	\$130,500.00
24	Grassing	ACRE	1.60	1,665.00	\$2,664.00	12,000.00	\$19,200.00	810.00	\$1,296.00	2,875.00	\$4,600.00	32,944.00	\$52,710.40
25	Silt Fencing	LF	385	4.75	\$1,828.75	6.00	\$2,310.00	5.00	\$1,925.00	5.00	\$1,925.00	3.00	\$1,155.00
26	Remove Ex. Tree and Stump	LS	2	2,375.00	\$4,750.00	2,000.00	\$4,000.00	3,500.00	\$7,000.00	3,450.00	\$6,900.00	8,712.00	\$17,424.00
27	Remove and Replant Ex. Shrub	LS	1	2,100.00	\$2,100.00	10,000.00	\$10,000.00	37,490.00	\$37,490.00	575.00	\$575.00	13,860.00	\$13,860.00
28	Flowable Fill	CY	2,750	137.00	\$376,750.00	125.00	\$343,750.00	155.00	\$426,250.00	159.75	\$439,312.50	189.00	\$519,750.00
29	Televise Sewer Mains	LF	2,585	4.50	\$11,632.50	5.00	\$12,925.00	3.00	\$7,755.00	4.60	\$11,891.00	4.00	\$10,340.00
30	Fill Ex. Septic Tanks with Sand	LS	23	600.00	\$13,800.00	1,500.00	\$34,500.00	1,663.00	\$38,249.00	1,320.00	\$30,360.00	1,501.00	\$34,523.00
				SUBTOTAL		SUBTOTAL		SUBTOTAL		SUBTOTAL		SUBTOTAL	
				\$878,289.75		\$1,130,535.50		\$1,310,000.00		\$1,417,062.60		\$1,737,626.40	

ITEM #	DESCRIPTION	UNIT	Qty	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
SECTION B - SEWER SERVICE CONNECTIONS													
31	Connect to Ex. Service	EA	24	\$400	\$9,600.00	\$250	\$6,000.00	\$875	\$21,000.00	\$124	\$2,976.00	\$803	\$19,272.00
				SUBTOTAL		SUBTOTAL		SUBTOTAL		SUBTOTAL		SUBTOTAL	
				\$9,600.00		\$6,000.00		\$21,000.00		\$2,976.00		\$19,272.00	

ITEM #	DESCRIPTION	UNIT	Qty	Unit Price	Total								
SECTION C - ALLOWANCES													
32	As-built Verification	EA	1	\$4,000	\$4,000.00	\$4,000	\$4,000.00	\$4,000	\$4,000.00	\$4,000	\$4,000.00	\$4,000	\$4,000.00
				SUBTOTAL		SUBTOTAL		SUBTOTAL		SUBTOTAL		SUBTOTAL	
				\$4,000.00		\$4,000.00		\$4,000.00		\$4,000.00		\$4,000.00	

SECTION A - SEWER SYSTEM (CDBG FUNDED) SUBTOTAL =	\$878,289.75	\$1,130,535.50	\$1,310,000.00	\$1,417,062.60	\$1,737,626.40
SECTION B - SEWER SERVICE CONNECTIONS SUBTOTAL =	\$9,600.00	\$6,000.00	\$21,000.00	\$2,976.00	\$19,272.00
SECTION C - ALLOWANCES SUBTOTAL =	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
BASE BID TOTAL =	\$891,889.75	\$1,140,535.50	\$1,335,000.00	\$1,424,038.60	\$1,760,898.40

ENGINEER: HILL ENGINEERING, LLC
 CERTIFIED CORRECT BY: *Thomas J. Heins Jr*
 DATE: 12/7/2016

Richland County Council Request of Action

Subject:

Approval of a Ground Lease and Agreement for Property in the Crane Creek Master Planning Area for the Development of Community Recreational Facilities in the Bookert Heights Neighborhood

Richland County Council Request of Action

Subject: Approval of a Ground Lease and Agreement for Property in the Crane Creek Master Planning Area for the Development of Community Recreational Facilities in the Bookert Heights Neighborhood

A. Purpose

County Council is requested to approve a ground lease and agreement for property in the Crane Creek Master Planning area for the development of public recreational facilities on a parcel located at the intersection of Blue Ridge Terrace and Dakota Street, TMS#09504-04-07, for the citizens of Richland County and specifically the people of the Bookert Heights community. Development of the park is contingent upon receiving a Parks and Recreation Development Fund (PARF) grant, for which ownership of the property or site control via a lease is a requirement for application. The lease and agreement is crafted in a manner to allow termination, if the PARF grant is not awarded.

B. Background / Discussion

On March 1, 2005 Richland County Council (“Council”) approved the first 10 priority focal areas for Neighborhood Master Planning. A Neighborhood Master Plan is a detailed study of specific planning issues related to a residential neighborhood and its commercial component(s). Each Neighborhood Master Plan is unique, but many contain similar elements such as:

- Community assessments
 - Future land use for residential, commercial, open space and recreational uses
 - Capital improvements that will impact safety, housing, economic development, community access and public services
- Demographics and statistics
- Public meetings and workshops
- Assessments of challenges and needs
- Strategies to guide community improvements and growth
 - Priority of improvements
 - Cost estimates
 - Timelines for implementation and completion

On January 19, 2010, Richland County Council adopted the Crane Creek Master Plan (the “Plan”) as one of the 10 aforementioned focal areas for neighborhood planning. The plan contains a series of catalyst projects, which suggest areas that are ripe for redevelopment and infill and should thus be priority. The proposed site for the development of a public recreational facility coincides with Catalyst Project 4 from the Crane Creek Master Plan and therefore directly supports the intentions of the long range visions set forth in both the adopted neighborhood master plan and the Comprehensive Plan.

The PARF grant program is a non-competitive reimbursable grant program for eligible local government or special purposes district entities which provide recreational opportunities within each county. PARF which is administered by the South Carolina Department of Parks, Recreation & Tourism (SCPRT), is intended to assist with permanent improvements of park and recreation facilities which will be open to the general public.

The actual grant awards are made on a project by project basis. Eligible project cost will be reimbursed at a rate of 80%. The fund is to be used for permanent improvements to public park and recreation facilities. Each application must have the endorsement of its county legislative delegation members whose combined weight factor is more than 50%.

PARD funds are generated from bingo taxes collected from July 1 – June 30 of each new fiscal year. The PARD funds are allocated to each county beginning July 1 of each new fiscal year. Each county will receive at least Twenty thousand dollars (\$20,000.00). 75% of the remaining funds is distributed to the counties based on the county's percent of the State population as published in 'Current Population Reports' by the Bureau of the Census.

PARD requires a local, entity apply for this grant and for the project sponsor either own the site in fee simple title or have a lease/joint use agreement for a term commensurate with the duration of the agreement period indicating the sponsor has primary control and the purpose of the site is for public recreation.

The Neighborhood Improvement Program, working with the County's Grants Manager and Bookert Heights Community, will apply for this grant, with matching funds and reimbursable funds being provided by the Neighborhood Redevelopment fund, should this lease agreement be approved.

Note the lease and agreement can be terminated if the County is not awarded a PARD grant for construction of the Improvements.

Basic tenants of the lease and agreement, as prepared by the Legal Department and shown in Attachment "A", are as such:

- Term is twenty (20) years, which may be extended up to two (2) additional terms of ten (10) years each.
- The County will agree to a rent of \$1.00.
- The County is responsible for the construction of the park improvements
- The property shall be used and occupied at all times for public use.
- The County is responsible for maintenance and insurance coverage.
- Termination is allowed if the County finds something during its due diligence that is unsuitable, the County is not awarded a PARD grant for construction of improvements and for any reason with one (1) year notice.
- All improvements pass to the property owner (Lessor) upon termination.

Please note the Finance Department has reviewed this request and the concept, as presented herein, and recommend approval based on the \$1.00 rent. The Legal Department prepared the draft agreement and has no further comments that would impact proceeding with this agreement.

Risk Management also reviewed the agreement and request, as it relates to County liability. Ms. Hoyle felt the agreement was appropriate but did want to note, for informational purposes only, that should the County receive the PARD grant and construct/manage/maintain a park, the County would be taking on a liability it hasn't in the past.

C. Legislative / Chronological History

- County Council approved the first 10 priority focal areas for Neighborhood Master Planning on March 1, 2005.
- County Council adopted the Crane Creek Master Plan on January 19, 2010.
- County Council adopted the current Comprehensive Plan on March 17, 2015.
- The PARD grant is offered annually since 1987.

D. Alternatives

1. Approve the ground lease and agreement in the Crane Creek Master Planning area for the development of a public recreational facility on the parcel of property located at the intersection of Blue Ridge Terrace and Dakota Street (TMS#09504-04-07). Doing so would allow the County to apply for a PARD grant to provide recreational opportunities within the Crane Creek Master Planning area and supporting the implementation of a major catalyst project (Catalyst 4). Should the PARD grant not be secured, it is recommended the lease and agreement be terminated per the terms of the agreement.
2. Approve the ground lease and agreement in the Crane Creek Master Planning area for the development of a public recreational facility on the parcel of property located at the intersection of Blue Ridge Terrace and Dakota Street (TMS#09504-04-07). Doing so would allow the County to apply for a PARD grant to provide recreational opportunities within the Crane Creek Master Planning area and supporting the implementation of a major catalyst project (Catalyst 4). Should the PARD grant not be secured, maintain the lease agreement as is.
3. Do not approve the ground lease and agreement in the Crane Creek Master Planning area for the development of a public recreational facility on the parcel of property located at the intersection of Blue Ridge Terrace and Dakota Street (TMS#09504-04-07). Not executing this lease agreement would prevent the County from applying to a PARD grant, thus, making it more difficult and costly for the County to initiate projects in the Crane Creek Catalyst 4 area.

E. Recommendation

It is recommended that Council approve the ground lease and agreement in the Crane Creek Master Planning area for the development of a public recreational facility on the parcel of property located at the intersection of Blue Ridge Terrace and Dakota Street (TMS#09504-04-07). Council approval of this alternative will enable the County to pursue grant funding for the implementation of the Crane Creek Master Plan through execution of Catalyst projects as well as fulfill the vision of the newly adopted Comprehensive Plan by concentrating on priority investment areas that are consistent with the County's long-range goals for growth and development. Should the PARD grant not be secured to construct improvements on the site, it is recommended the lease and agreement be terminated per the terms of the agreement.

ARTICLE 3 – CONSTRUCTION, OCCUPANCY, USE AND OPERATIONS

3.1 Construction of Improvements. County shall construct or cause to be constructed on the Property new outdoor/indoor public recreation facilities, including such things as, but not limited to, playground equipment, trails, restrooms, community buildings, etc. (“Improvements”), subject to the provisions and requirements of this Lease and of all government agencies having jurisdiction thereover. The County may, from time to time, replace or construct new equipment or facilities. The construction and installation of the Improvements by County shall be completed in a good and workmanlike manner and promise of such has been an inducement for Lessor to enter this Lease. The cost of the Improvements and any fines imposed for failure of County to comply with applicable laws shall be borne solely by County. Until the Lease expires, including any extensions, or is otherwise terminated according to its terms, all Improvements, shall be titled in the name of the County. Upon expiration of the Lease, title to the Improvements shall pass to Lessor without payment of further consideration therefor.

3.2 Permitted Use. Except as otherwise permitted in this Lease, County warrants and represents to Lessor that the Property shall be used and occupied at all times during the Lease Term as a community recreational facility for public use.

3.3 Maintenance and Utilities. All costs for maintenance, repairs, and construction shall be borne solely by the County. Lessor shall not be required to make any improvements, replacements or repairs of any kind to the Property. Additionally, County shall contract for and pay all charges for sewage, water, gas, electricity and other public utilities used at the Property.

3.4 Signs. Subject to the Lessor’s approval, which may not be unreasonably withheld, conditioned or delayed, County may place suitable non-illuminated signs on the Property representing the Property as a public recreational facility; provided, however, that all such signage shall comply with all applicable governmental regulations. Additionally, County agrees to place signage on the Property advising visitors that use of the equipment/facilities is at their own risk and that children should be supervised at all time.

3.5 Theft, Burglary or Vandalism. County shall be responsible for losses to County's property or personal injury caused by criminal acts. County shall make any repairs or replacements caused by vandalism Improvements.

ARTICLE 4 – INSURANCE AND HAZARDOUS MATERIALS

4.1 Insurance Coverage. County shall maintain during the entire term of this Lease and during such other time as County occupies the Property or any part thereof, at County’s sole expense (a) a self-funded liability account in an amount sufficient to meet the requirements of the South Carolina Tort Claims Act; and (b) Tenant shall be solely responsible for any personal property or other property interest losses it may suffer at this location.

4.2 Hazardous Materials. Except for products reasonably necessary and customarily associated with the use of the Property, County shall not use, generate, manufacture, produce, store, release, discharge, dispose of, or transport to, on, in, or under any part of the Property any flammable explosives, radioactive materials, hazardous wastes, toxic substances or related materials, including without limitation any substances defined as or included in the definition of “hazardous substances”, “hazardous wastes”, “hazardous materials” or “toxic substances”, under any applicable federal or state laws or regulations (the “Hazardous Materials”). County shall comply with all local, state, or federal laws, ordinances, or regulations relating to hazardous materials on, in, under, or about the Property.

Lessor represents and warrants that it has not used, stored, generated or disposed of Hazardous Substances or Hazardous Materials in or on the Property, and that Lessor has no knowledge of the use, storage, generation of such substances or materials by any prior occupant of the Property. Further, Landlord represents and warrants that should it become aware, at any time, of the use, storage, generation of such substances or materials by any prior occupant of the Property, it will promptly notify County.

ARTICLE 5 - CONDEMNATION

Any compensation awarded for any condemnation or taking (or the proceeds of private sale in lieu thereof) of any part of the Property that materially affects County’s operations of a public recreational facility, shall be the equitably apportioned between Lessor and County, based on the value of the land and Improvements.

ARTICLE 6 - ASSIGNMENT, SUBLEASE AND CONVEYANCE

6.1 Assignment and Subletting. Neither this Lease, nor any interest herein, may be assigned or sublet by County.

6.2 Conveyance by Lessor. Lessor agrees that it may not convey title in and to the Property during the Lease Term without the prior written consent of County.

ARTICLE 7– DEFAULT; TERMINATION

7.1 Default by County. The following shall be deemed to be events of default by County under this Lease: (1) failure to operate the Property as recreational facilities for a period exceeding one hundred eighty (180) consecutive days, excepting periods of no operation arising from casualty, strike, labor troubles, or any similar cause whatsoever beyond County’s control; (2) failure to maintain the Improvements in good repair.

7.2 Default by Lessor. The following shall be deemed to be events of default by Lessor under this Lease: (1) sale or conveyance of the Property, or an attempt at such.

7.3 Remedies for County's Default. Prior to availing itself of any remedy under this section, Lessor shall engage in all good-faith efforts to resolve such alleged default. Thereafter, Lessor’s exclusive remedies are as follows:

(a) For County's failure to maintain the Improvements in good repair, Lessor may obtain affirmative injunctive relief from a court of competent jurisdiction requiring the improvements to be maintained in a good repair; and

(b) In the event that County ceases operation of the Property as recreational facilities failure to operate the Property as public recreational facilities for a period exceeding one hundred eighty (180) consecutive days, excepting periods of no operation arising from casualty, strike, labor troubles, or any similar cause whatsoever beyond County's control, this Lease shall be terminated effective immediately, and title to the Improvements will pass to Lessor without additional consideration therefor.

(c) Lessor may seek to enjoin the use of the Property for any use other than the public recreational facilities in any court of competent jurisdiction.

7.4 Remedies for Lessor's Default. Prior to availing itself of any remedy under this section, County shall engage in all good-faith efforts to resolve such alleged default. Thereafter, County may seek any available remedy at law or in equity for Lessor's breach.

7.5 Termination.

(a) Termination prior to construction of Improvements. County may terminate this Lease prior to construction of Improvements with thirty (30) days' written notice to Lessor for the following reasons; (1) if during the County's due diligence it finds that the Property is unsuitable for public recreational facilities for environmental or other reasons; or (2) the County is not awarded a PARD grant for construction of the Improvements.

(b) Termination after construction. After construction of the Improvements, the County may terminate with a one (1) year written notice to Lessor. In the event of termination by County, title to all Improvements reverts to Lessor.

ARTICLE 8 - MISCELLANEOUS

8.1 Waiver. Failure of Lessor to declare an event of default immediately upon its occurrence, or delay in taking any action in connection with an event of default, shall not constitute a waiver of the default, but Lessor shall have the right to declare the default at any time and take such action as is lawful or authorized under this Lease. Waiver by Lessor of any default by County hereunder shall in no event be deemed or construed to be a waiver of similar future defaults.

8.2 Force Majeure. Lessor shall not be required to perform any covenant or obligation in this Lease, or be liable in damages to County, so long as the performance or non-performance of the covenant or obligation is delayed, caused or prevented by an act of God, by force majeure or by County.

8.3 Successors. This Lease shall be binding upon and inure to the benefit of Lessor and County and their respective heirs, personal representatives, successors and assigns.

8.4 Interpretation. Words of any gender used in this Lease shall be held to include any other gender, and words in the singular number shall be held to include the plural when the sense requires. The paragraph headings as to the contents of particular paragraphs herein are inserted only for convenience and are in no way to be construed as part of such paragraph or as a limitation on the scope of the particular paragraph to which they refer.

8.5 Notices. All rent and other payments required to be made by County shall be payable to Lessor, at Lessor's address set forth herein. Any notice or document (other than rent) required or permitted to be delivered by the terms of this Lease shall be deemed to be delivered when deposited in the United States Mail, postage prepaid, certified mail, return receipt required, addressed to the parties at the respective addresses, or to such other addresses as the parties may have designated by written notice to each other. All notices shall be sent to Lessor and County at the following addresses:

If to Lessor:

If to County:

8.6 Severability. In the event that any term, covenant or provision of this Lease should become illegal, invalid or unenforceable, that term, covenant or provision shall be severed and removed herefrom and this Lease shall be construed as if such term, covenant or provision had never been contained herein.

8.7 Entire Agreement. This Lease constitutes the entire agreement of the parties with respect to development, construction and operation of the Facilities; there are, and were, no verbal representations, warranties, understandings, stipulations, agreement or promises pertaining to the subject matter of this lease or of any expressly mentioned extrinsic documents that are not incorporated in writing in this Lease. This Lease may not be altered, waived, amended or extended except by an instrument in writing signed by Lessor and County.

IN WITNESS WHEREOF, the parties hereto have executed this Lease on the date first above written.

WITNESSES

LESSOR

TED HART

WITNESSES

COUNTY

RICHLAND COUNTY, SOUTH CAROLINA

By: _____

Its: _____

EXHIBIT A
THE PROPERTY

