

RICHLAND COUNTY

ADMINISTRATION AND FINANCE

COMMITTEE AGENDA



Tuesday, MARCH 22, 2022

6:00 PM

RICHLAND COUNTY COUNCIL 2021



Bill Malinowski
District 1
2018-2022



Derrek Pugh
District 2
2020-2024



Yvonne McBride
District 3
2020-2024



Paul Livingston
District 4
2018-2022



Allison Terracio
District 5
2018-2022



Joe Walker III
District 6
2018-2022



Gretchen Barron
District 7
2020-2024



Overture Walker
District 8
2020-2024



Jesica Mackey
District 9
2020-2024



Cheryl English
District 10
2020-2024



Chakisse Newton
District 11
2018-2022



Richland County Administration and Finance Committee

March 22, 2022 - 6:00 PM
 Council Chambers
 2020 Hampton Street, Columbia, SC 29201

The Honorable Bill Malinowski	The Honorable Yvonne McBride	The Honorable Paul Livingston	The Honorable Joe Walker	The Honorable Jessica Mackey
County Council District 1	County Council District 3	County Council District 4	County Council District 6	County Council District 9

1. **CALL TO ORDER** The Honorable Bill Malinowski
2. **APPROVAL OF MINUTES** The Honorable Bill Malinowski
 - a. February 22, 2022 [PAGES 6-10]
3. **APPROVAL OF AGENDA** The Honorable Bill Malinowski
4. **ITEMS FOR ACTION** The Honorable Bill Malinowski
 - a. Emergency Services – Emergency Management Division - Hazard Mitigation Plan Resolution [PAGES 11-14]
 - b. Emergency Services – Fire Division - Notification of Fire Intergovernmental Agreement Expiration in 2023 [PAGES 15-35]
 - c. Administrator’s Office - Federal Certifying Officer and Environmental Officer [PAGES 36-47]
 - d. Administrator's Office - Pawmetto Lifeline Request [PAGES 48-51]
 - e. Richland County Utilities - "Willingness to Serve" Letter for Savannah Wood Amenity (Tax Map Serial # R21900-6-14) [PAGES 52-56]
 - f. Richland County Utilities - "Willingness to Serve" Letter for McCords Ferry Phases II and III [PAGES 57-60]

- g. Richland County Utilities - "Willingness to Serve" Letter for Laurinton Farms (Tax Map Serial # R24700-02-08) **[PAGES 61-65]**
- h. Richland County Utilities - "Willingness to Serve" Letter for Bunch Tract (Hunter's Branch) (Tax Map Serial # R21800-01-06) **[PAGES 66-70]**
- i. Richland County Utilities - "Willingness to Serve" Letter for Bunch Tract - Commercial (Tax Map Serial # R21800-01-06) **[PAGES 71-74]**
- j. Richland County Utilities - "Willingness to Serve" Letter for Alexander Point (Tax Map Serial # R21900-04-26) **[PAGES 75-78]**

5. ITEMS PENDING ANALYSIS: NO ACTION REQUIRED

The Honorable Bill Malinowski

- a. Request the Business License Ordinance be reviewed and changed to address items that are allowed by state law but are not being done by Richland County and resulting in large amounts of money not being collected. I will provide additional information to Assistant Administrator Jensen for review and handling prior to it getting to a committee [Malinowski, 07 December 2021, Regular Session]
- b. Evaluation of Offer: Tax Map Serial #R06400-01-01 & Tax Map Serial #R06500-01-01 **[PAGES 79-84]**

***Staff is compiling relevant information regarding the request to present to the Committee. Included for reference is the Council approved "Acquisition, Lease, and Disposal of County Real Property" policy.*

6. ADJOURN



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
Administration and Finance Committee
February 22, 2021
MINUTES
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COMMITTEE MEMBERS PRESENT: Bill Malinowski, Chair, Yvonne McBride, Paul Livingston, Joe Walker (via Zoom) and Jesica Mackey

OTHERS PRESENT: Overture Walker, Michelle Onley, Anette Kirylo, Leonardo Brown, Patrick Wright, Lori Thomas, John Thompson, Abhi Despande, Dale Welch, Nadia Rutherford, Randy Pruitt, Steven Gaither, Syndi Castelluccio, Kyle Holsclaw, Justin Landy, Geo Price, Zachary Cavanaugh, Bill Davis, Michael Maloney, David Bertolini, Stacey Hamm, Jennifer Wladischkin, Tamar Black, Aric Jensen, Dwight Hanna, Ashiya Myers, Michael Byrd, Jani Hussain and John Ansell

1. **CALL TO ORDER** – Chairman Bill Malinowski called the meeting to order at approximately 6:00PM.
2. **APPROVAL OF MINUTES**
 - a. **Regular Session: December 16, 2021** – Ms. Mackey moved, seconded by Ms. McBride, to approve the minute as distributed.

In Favor: Malinowski, McBride, Livingston, J. Walker and Mackey.

The vote in favor was unanimous.
3. **APPROVAL OF AGENDA** – Ms. McBride moved, seconded by Ms. Mackey, to approve the agenda as published.

In Favor: Malinowski, McBride, Livingston, J. Walker, and Mackey

The vote in favor was unanimous.
4. **ELECTION OF CHAIR** – Ms. Mackey moved, seconded by Ms. McBride, to nominate Mr. Malinowski for the position of Chair.

In Favor: Malinowski, McBride, Livingston, J. Walker, and Mackey

The vote in favor was unanimous.
5. **ITEMS FOR ACTION**
 - a. **Award Contract for Body Removal Services** – Mr. Brown noted this item is a request for proposal

Administration and Finance Committee
February 22, 2022

(RFP) that received three vendor bids. The highest ranked vendor was Premier Care Services. The Coroner's Office requests the committee to forward a recommendation to Council to award a contract to Premier Care Services for body removal services. He noted this service would require additional funding to the Coroner's budget in the next budget cycle.

Mr. Livingston moved, seconded by Ms. McBride, to forward to Council with a recommendation to award the contract to Premier Care Services for body removal services.

Mr. Malinowski inquired why we need to provide additional funding, when we do not know what the costs will be. He inquired about the cost for body removal, the number that have been removed this year, and the anticipated number for the remaining fiscal year.

Ms. Nadia Rutherford, Richland County Coroner, responded, when they dispatch body removal it is because an autopsy has to be performed or because someone has died outside of a healthcare facility. There have been approximately 200 removals since January 1, 2022.

Mr. Malinowski inquired how much they pay per removal.

Ms. Rutherford responded they currently pay approximately \$205 per removal.

Mr. Malinowski inquired if they have an opportunity to get any of the funding back or if there are stipulations as to when the County pays versus a private party or another agency.

Ms. Rutherford responded, at this time, there are no other options and they do not charge the citizens for body removal or transport. She noted they have changed their body removal services to a higher quality service that charges a lower rate.

Mr. Malinowski inquired if the removals are strictly for unincorporated Richland County.

Ms. Rutherford responded the service covers all of Richland County.

Mr. Malinowski inquired, if they picked-up a body at the request of another municipality, would that municipality reimburse the County.

Mr. Rutherford responded they do not receive any reimbursement.

Mr. Livingston stated the funding comes from the General Fund and all municipalities contribute to the General Fund.

In Favor: Malinowski, McBride, Livingston, J. Walker and Mackey.

The vote in favor was unanimous to forward a recommendation to Council to award the contract for body removal services to Premier Care Services.

- b. Community Planning & Development – Business Service Center - Business License Tax Rate Schedule Rebalance** – Mr. Brown stated counties, cities and town must rebalance their business license tax rates to ensure revenue neutrality during the 2022 business license cycle. In other words, achieving compliance with SC Act 176, so as to not create a revenue windfall during the 2022 business license year.

Mr. Zachary Cavanaugh, Director of Business Services, stated part of SC Act 176 was the placement

of each business type into the new State mandated rate classes. If the County did not rebalance their rate structure, we would lose a little over \$1M in business license revenue. The proposed rate structure is a true revenue neutrality, so we will not gain or lose revenue with the change.

Ms. McBride inquired if this change was discussed with the Chamber or if they looked at the overall impact of the change.

Mr. Cavanaugh responded they did not discuss this with the Chamber, but he has discussed it with numerous other licensing jurisdictions throughout the State and Richland County was still one of the cheapest business licenses that can be obtained in the State.

Mr. Livingston moved, seconded by Ms. Mackey, to forward to Council with a recommendation to approve the rebalanced Business License Tax schedule to prevent a loss in revenue from businesses being placed into their new rate classes mandated by SC Act 176.

In Favor: Malinowski, McBride, Livingston, J. Walker and Mackey.

The vote in favor was unanimous.

- c. **Operational Services - Approve Funding for the Modernization of (6) Elevators at 2020 & 2000 Hampton Street** – Mr. Brown stated the elevators were in the original building and have far exceeded their life expectancy of 25 years. He noted through Council’s action to allow the use of ARP funds to replace the HVAC system, we will be able to use capital funds to modernize the elevators at 2000 and 2002 Hampton Street.

Mr. Livingston inquired if the capital funds were already approved in the current budget.

Mr. Brown responded in the affirmative.

Mr. Malinowski noted, because of the age of the elevators, there potentially could be an increase in notices of violation from South Carolina Labor and Licensing. He inquired if we have received any violations.

Mr. David Bertolini, Facilities and Grounds General Manager, responded, 5 years ago, we went through the same situation with the elevators at the Judicial Center, and were sent cease and desist orders. We have not gotten to that point, but it was on the radar that the elevators needed to be modernized.

Mr. O. Walker inquired if there are any other County buildings that have elevator concerns.

Mr. Bertolini responded the next one we may have to address within the next 5 years would be the Sheriff’s Department.

Mr. Livingston moved, seconded by Ms. Mackey, to forward to Council with a recommendation to approve the use of Operational Services project bond funds to finance the modernization of (3) elevators at the Richland County Administration Building and (3) elevators at the Richland County Health Building.

In Favor: Malinowski, McBride, Livingston, J. Walker and Mackey.

The vote in favor was unanimous.

- d. **Operational Services - Approval to Award Contract for (2) Fire Station Roofs** – Mr. Brown stated the two (2) roofs are beyond repair and cost prohibitive. A request for solicitation was advertised to remove the existing roofing system and to install a new roofing system. Staff requests the award of the fire station roof repair project to Frizzel Construction Co.

Ms. Mackey inquired if all the fire stations were elevated and determined these are the two in greatest need or is there a priority list of others that need repairs.

Mr. Bertolini responded they started the process 5 years ago. This will be the 12th and 13th stations being re-roofed. There are 2 remaining stations.

Ms. McBride moved, seconded by Mr. Livingston, to forward to Council with a recommendation to award for the Request for Bid #RC-479-B-2022 – Fire Station Roof Repair Project to Frizzel Construction Co. Inc. dba of Summit BSR Roofing.

In Favor: Malinowski, McBride, Livingston, J. Walker and Mackey.

The vote in favor was unanimous

- e. **Utilities - Hopkins Utilities Office – Sewer Connection** – Mr. Brown noted the facilities team tried to help us a septic tank and drain field in 2017. The project was stopped after it was determined the ground is not suitable for the drain field septic system. At that time, a porta-John was placed at the facility. We now have the ability, and is staff's recommendation, that we connect to the sewer system.

Mr. Malinowski stated, for clarification, once Change Order #12 was approved, the company agreed to deduct the \$4,275 mobilization amount from the change order.

Mr. Bill Davis, Utilities Director, responded in the affirmative.

Ms. Livingston moved, seconded by Ms. McBride, to forward to Council with a recommendation to approve Change Order Proposal to Division 3 – TCO Construction to connect the existing Hopkins Utilities Office to the new Southeast Sewer System at 1629 Clarkson Road.

In Favor: Malinowski, McBride, Livingston, J. Walker and Mackey.

The vote in favor was unanimous

- f. **Department of Public Works – Solid Waste & Recycling Division - Approval of Class 2 Solid Waste Disposal Contract Amendment** – Mr. Brown stated staff's recommendation is to approve the Contract Amendment with Waste Management of South Carolina for disposal of Class 2 solid waste.

Ms. McBride inquired as to what is classified as Class 2 solid waste.

Mr. John Ansell, Solid Waste & Recycling, responded it is construction and demolition debris.

Mr. Livingston moved, seconded by Ms. McBride, to forward to Council with a recommendation to approve the Contract Amendment between Waste Management of South Carolina and Richland County for disposal of Class 2 solid waste.

Mr. Malinowski noted, it appears, the contract has expired. He stated he was leaving it up to Legal to determine if additional language is needed to make the new contract current.

In Favor: Malinowski, McBride, Livingston, J. Walker and Mackey.

The vote in favor was unanimous.

6. **ITEMS PENDING ANALYSIS: NO ACTION REQUIRED**

- a. **Request the Business License Ordinance be reviewed and changed to address items that are allowed by state law but are not being done by Richland County and resulting in large amounts of money not being collected. I will provide additional information to Assistant Administrator Jensen for review and handling prior to it getting to a committee [MALINOWSKI - December 7, 2021]** – No action was taken.

7. **ADJOURNMENT** – Mr. Livingston moved, seconded by Ms. Mackey, to adjourn the meeting.

In Favor: Malinowski, McBride, Livingston, J. Walker and Mackey.

The vote in favor was unanimous.

The meeting adjourned at approximately 6:27PM.



Agenda Briefing

Prepared by:	Michael A. Byrd	Title:	Director
Department:	Emergency Services	Division:	Emergency Management
Date Prepared:	February 7, 2022	Meeting Date:	March 22, 2022
Legal Review	Patrick Wright via email	Date:	February 16, 2022
Budget Review	Abhijit Deshpande via email	Date:	February 17, 2022
Finance Review	Stacey Hamm via email	Date:	February 17, 2022
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCCEM	
Committee	Administration & Finance		
Subject:	Approval of Hazard Mitigation Plan		

RECOMMENDED/REQUESTED ACTION:

Staff recommends that Council adopt a resolution to approve the “All Natural Hazards Risk Assessment and Mitigation Plan” for Richland County and the Central Midlands Region of South Carolina.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

There is no cost to approve the plan; however, because the plan is required by the Federal Emergency Management Agency (FEMA) as a condition to receive hazard mitigation grants, failure to approve the plan may cost Richland County hazard mitigation funds.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

- 10/11/2021 Public Comment Period Started
- 11/01/2021 Public Comment Period Ended
- 11/15/2021 SCEMD Received Finalized Draft Plan From FEMA
- 12/07/2021 FEMA Approved HMP Effective Until 12/06/2026.
- 02/15/2021 Resolution Presented for Adoption (Must be adopted by December 2022)

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	Click or tap here to enter text.
Meeting	Click or tap here to enter text.
Date	Click or tap here to enter text.

STRATEGIC & GENERATIVE DISCUSSION:

Every five years, Richland County works with the four midlands counties and the Central Midlands Region of South Carolina to review, update, and approve a joint “All Natural Hazards Risk and Mitigation Plan” (Hazard Mitigation Plan). Each county must have a plan and update it every five years. Richland County must approve its plan by December, 2022. The updated plan can be accessed through the Central Midlands website.

It is important to have an up-to-date plan to address the threat natural hazards pose to people and property. Undertaking mitigation actions before a disaster reduces the potential for harm to our citizens and property, and potentially saves tax dollars. Our hazard mitigation plan is required by the Federal Emergency Management Agency (FEMA). Council is asked to accept and adopt the updated joint Central Midlands Plan (Plan) by approving the Resolution. By approving the Resolution and subsequently adopting the Central Midlands Plan, the County will be qualified to receive future Hazard Mitigation Funds, including, but not limited to, the Hazard Mitigation Grant Program (HMGP) funds. Not approving this Resolution will adversely impact current and future grants.

ADDITIONAL COMMENTS FOR CONSIDERATION:

Alternatives:

1. Accept and adopt the updated joint Central Midlands Plan (Plan) by approving the Resolution. By approving the Resolution and subsequently adopting the Central Midlands Plan, the County will be qualified to receive future Hazard Mitigation Funds, including, but not limited to, the Hazard Mitigation Grant Program (HMGP) funds. Not approving this Resolution would adversely impact the ability of the County to pursue this type of funding in the future.
2. Do not accept and adopt the updated joint Central Midlands Plan (Plan) by approving the Resolution. There are no apparent advantages to Council approving this alternative. However, some of the disadvantages of this alternative are as follows:
 - If we do not accept the Central Midlands plan, Richland County could make changes and re-submit the current plan to FEMA. This process will take at least another six months.
 - Creating a separate Richland County plan and submitting it to FEMA for approval will require extensive work and will take up to one year to complete.
 - Resubmitting the current plan to FEMA without providing updates will result in an out-of-date plan.
3. Not submitting a plan to FEMA will increase our vulnerability to natural disaster and make the County ineligible for Hazard Mitigation funds.

ATTACHMENTS:

1. Resolution
2. Copy of the Hazard Mitigation Plan is available by using the link below. The file is too large to attach.
<http://centralmidlands.org/all-documents.html#content>

Resolution # _____ Adopting the All Natural Hazards Risk Assessment and Mitigation Plan for the Central Midlands Region of South Carolina

Whereas, Richland County recognizes the threat that natural hazards pose to people and property; and

Whereas, undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save taxpayer dollars; and

Whereas, an adopted all hazards mitigation plan is required as a condition of future grant funding of mitigation projects; and

Whereas, Richland County participated jointly in the planning process with the other units of government in the Central Midlands region of South Carolina to prepare an all hazards mitigation plan;

Whereas, Richland County is aware that revision and updating of the plan is critical for active and effective hazard mitigation and that Richland County will monitor and record hazard related data and events that can be used to update the all-natural hazards mitigation plan;

Now, therefore, be it resolved, that the Richland County Council, hereby adopts the updated plan of the All Natural Hazards Risk Assessment and Mitigation Plan for the Central Midlands Region in its entirety as an official plan until December of 2026, and will undertake annual recording of hazard events, their impact duration and cost.

Be it further resolved, that the Central Midlands Council of Governments, accepting the All Natural Hazards Risk Assessment and Mitigation Plan from the Central Midlands Regional Risk Assessment and Hazard Mitigation Committee, will submit on behalf of the participating counties and municipalities the adopted All Natural Hazards Plan to the Federal Emergency Management Agency officials for final review and approval.

Overture Walker
Chair – Richland County Council



Agenda Briefing

Prepared by:	Michael A. Byrd	Title:	Director
Department:	Emergency Services	Division:	Fire
Date Prepared:	January 30, 2022	Meeting Date:	February 22, 2022
Legal Review	Patrick Wright via email	Date:	February 16, 2022
Budget Review	Abhijit Deshpande via email	Date:	February 17, 2022
Finance Review	Stacey Hamm via email	Date:	February 17, 2022
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCCEM	
Committee	Administration & Finance		
Subject:	Notification of Fire Intergovernmental Agreement Expiration in 2023		

RECOMMENDED/REQUESTED ACTION:

The purpose of this report is to inform Council the Intergovernmental Agreement (IGA) with the City of Columbia (City) for fire service expires in January, 2023.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

The County Fire Service is funded by the Fire Millage collected by Richland County. The money collected within the City of Columbia (City) is given directly to the City and is not used to fund any portion of the IGA. The majority of the County's fire budget supports the Fire IGA. The remaining portion funds the services provided by Richland County: fire marshals, code enforcement, emergency planning, cause & origin (arson), and other services provided to support the IGA such as communications and major equipment purchases. The current amount budgeted for the IGA in budget year 2021 – 2022 is \$21,762,269.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

Not applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	Click or tap here to enter text.
Meeting	Click or tap here to enter text.
Date	Click or tap here to enter text.

STRATEGIC & GENERATIVE DISCUSSION:

Background

As part of the services provided by the Emergency Services Department, Richland County and the City of Columbia have had an intergovernmental agreement (IGA) for fire suppression. The current IGA for fire service expires in January, 2023. This service supports Strategic Plan Goal 3 - Fiscal Responsibility (3.3); Goal 4 - Community Enhancement (4.2); Goal 7 - Operational Excellence (7.3, 7.7). Because of the improvements Richland County has made over the years to stations, equipment, and personnel, we currently have a Public Protection Classification (PPC) of two (2). This is an excellent rating for a rural fire service. The objective of the alternatives listed is to maintain or improve the current PPC of two (2).

The chronology/previous actions of the IGA:

1990	Richland County expanded the rural fire suppression service and partnered with Columbia. A separate fire district was created to fund fire service. The county buildout of stations is designed to “stand alone” if the County or Columbia decided to separate.
1995	Numerous extensions of the IGA began in 1995.
December 05, 2017	Current IGA created by the County Administrator and agreed to by Columbia.
March 05, 2018	IGA signed by County Administrator

Alternatives

1. Renew the existing IGA.
2. Draft a new IGA
3. Begin the process of implementing a separate County fire service.

ADDITIONAL COMMENTS FOR CONSIDERATION:

Click or tap here to enter text.

ATTACHMENTS:

1. Copy of current IGA

1. DEFINITIONS:

- a. "Automatic Aid" refers to the immediate dispatch of Richland County or Columbia fire suppression resources to areas outside of the Service Area and/or Columbia city limits for an emergency call or incident.
- b. "Automatic Vehicle Location System" or "AVL" refers to the system that is used by the 911 Call Center to track the location of emergency vehicles in real time.
- c. "Columbia-Richland Fire Department Oversight Committee" or "CRFDOC" refers to the committee jointly established by the City of Columbia and Richland County councils.
- d. "Computer Aided Dispatch" system or "CAD" refers to the system used by the 911 Call Center to process emergency calls, incident information, emergency vehicle identification, routing and other information used in the dispatching and tracking of calls and emergency vehicles to emergency scenes.
- e. "County" or "Richland County" shall refer to Richland County, Richland County Council, Richland County Administrator or his designee.
- f. "County Fire Service Area" or "Fire Service Area" or "FSA" refers to the area where fire suppression services are provided by the CRFD in the unincorporated areas of Richland County, the City of Forest Acres, the Town of Arcadia Lakes, the Town of Blythewood, and the Town of Eastover.
- g. "Columbia" shall refer to the City of Columbia, Columbia City Council, and Columbia City Manager or his designee.
- h. "Columbia Financial Responsibility" is defined as the responsibility of Columbia to spend funds provided by Richland County in the manner approved and budgeted and to collect water fees or other fees as agreed upon and as described in this Agreement, and to properly account for all personnel, operational funds, equipment and supplies.
- i. "Communications Center" refers to the Columbia-Richland Emergency Communications Center, which serves as the Public Safety Answering Point and dispatch center.
- j. "Contract Administrator" or "CA" refers to Richland County and the City of Columbia's authorized and assigned individuals to monitor for compliance of this Agreement through the Columbia-Richland Fire Department Oversight Committee.
- k. "County Fire District" refers to a duly adopted taxing district that includes all areas in Richland County. An ad valorem tax is collected to provide funding for Richland County services.
- l. "Equipment" refers to vehicles, small engine equipment, and all other small equipment, tools and electronics purchased with County funds, carried on County-owned vehicles, and/or located in County-owned stations or offices.
- m. "Fire Advisory Committee" or "FAC" refers to the committee which will provide advisory input into the operations of the fire suppression service outlined in this Agreement.
- n. "Fire Services" shall refer to fire suppression, rescue, hazardous materials response and control, and any other services approved and funded by Richland County.
- o. "ISO" is the Insurance Services Office. ISO evaluates and rates fire districts and departments.

p. "Minimum Staffing" refers to the established minimum staffing levels for fire shifts throughout the County Service Area and the City of Columbia limits as defined by NFPA 1710 and other needs as determined by the City of Columbia.

q. "Mutual Aid" refers to the dispatch of Richland County or Columbia fire suppression resources to areas outside of the Service Area and/or Columbia city limits after another jurisdiction requests direct assistance.

r. "National Fire Protection Association" or "NFPA" refers to the association which sets codes and consensus standards for the fire service.

s. "Occupational Safety and Health Administration" or "OSHA" refers to the organization which regulates all worker safety.

t. "Operational and/or Administrative Authority" is defined as the authority contractually delegated to Columbia by Richland County under this Agreement. Agreement, to be used in the provision of approved services, as outlined and funded by Richland County.

u. "Operational Oversight" is defined as Richland County's authority to approve and monitor all services funded by this Agreement.

v. "Overtime" or "OT" refers to the time a worker who is funded through this Agreement and has worked over the time threshold as defined by the Fair Labor Standards Act for the employee's position.

w. "Public Protection Classification" or "PPC" refers to the ISO classification used to provide a quantitative value of a fire department's fire suppression capability.

x. "Richland County Financial Responsibility" is defined as the responsibility of Richland County to budget, collect taxes, collect fees and other sources of revenue, to monitor Columbia's spending of budgeted funds, to monitor equipment and supplies purchased under this Agreement, to distribute funds required to administer this Agreement.

y. "Service Area" is defined as all areas of Richland County except those areas that are included in the incorporated limits of Columbia and the Town of Irmo.

z. "Support Personnel" refers to the employees and costs associated with staff that are necessary to carry out the management and administrative functions of this Agreement.

2. ORGANIZATION:

a. A Fire Advisory Committee (FAC) shall be established consisting of the following members: Richland County Council will elect one Richland County Council Member, who represents primarily unincorporated areas of Richland County; Columbia will select one Columbia City Council Member; County Administrator or a representative; City Manager or a representative; Richland County Emergency Services Director; Columbia Assistant City Manager; and the Columbia Fire Chief. Both parties can appoint one additional member each.

b. The purpose of the FAC is to provide advisory recommendations into the department's policies, procedures, budget requests, and planning as it relates to providing fire service in the Richland County Service Area and in Columbia. The FAC should meet no less than quarterly.

c. Fire Chief. If applicable, during the term of this Agreement, the Fire Chief shall be selected by the Columbia City Manager as set forth in City Code and State law. The City Manager will provide

information on any applicants being considered to the County Administrator and receive in writing input for consideration on the selection of the Fire Chief. The FAC and the County Administrator will provide input into the Fire Chief's annual performance review submitted in writing to the City Manager.

d. A Columbia-Richland Fire Department Oversight Committee will be jointly established by the City and Columbia and the Richland County councils to ensure that the interests of city and County residents are considered, related to the planning and provision of fire suppression services within both jurisdictions. The City Manager and the County Administrator will present their respective councils the proposed CRFDOC's charge and membership for approval within 90 days of the execution of this Agreement.

3. OPERATIONAL IMPLEMENTATION:

a. All incident operational responsibilities outlined under this Agreement will be conducted using current National Incident Management System guidelines and the Incident Command System.

b. It is agreed that all Richland County fire assets authorized by this Agreement, and assigned to Richland County stations, are available for automatic aid response in Columbia and may be dispatched and used on emergency calls within Columbia. It is agreed that all Columbia fire assets assigned to Columbia stations are available for automatic aid response in Richland County and may be dispatched to calls in the County Fire Service Area.

c. Richland County further delegates to the Fire Chief to assign, limit or restrict the use, for safety reasons, of any and all fire vehicles purchased with Richland County funds and used in the administration of this Agreement. Richland County shall provide to the Fire Chief all applicable policies related to the operations of Richland County owned vehicles to ensure the vehicles are operated consistent with Richland County policies regarding the use of County vehicles.

d. All Richland County fire resources shall be available for automatic and mutual aid response to any surrounding jurisdictions provided it does not create a shortage of fire suppression capabilities in the Fire Service Area and the automatic aid Agreements have been approved by Richland County.

e. Any and all Agreements for automatic aid or mutual aid entered into by Richland County with any other agency or governmental entity will be activated with the Fire Chief and by incorporating them into the emergency response protocols for fire suppression response, and in Communications Center resources such as AVL and CAD, and in all practical applications.

4. CITY OF COLUMBIA:

a. Tactical operations will be administered using Standard Operating Procedures, Standard operating Guidelines, policies and procedures as approved by the Fire Chief.

b. A training and deployment plan for the water shuttle operations program will be maintained and exercised bi-monthly to improve training and implementation of the water shuttle system.

c. The Columbia Fire Chief will prepare a fire services Agreement report to be presented to Richland County. A reporting system will be agreed upon during the first 90 days of this Agreement that will include the electronic inventory reporting and staffing software interfaces. All additional data requests shall be routed through the County Administrator's Office to the City Manager's Office.

d. All front line fire response vehicles will utilize the AVL and dispatch CAD system to determine closest appropriate response unit. This information will also be used to determine the correct number of units needed to respond to emergency calls as identified by the type of call.

e. The City, at its own expense and outside of the funds budgeted and allocated herein shall maintain its own vehicles, apparatus, and fire trucks through the City's normal fleet services program.

e. The City of Columbia will conduct an audit of this Agreement every two years. A copy of the results shall be provided to Richland County and the CRFDOC. The audit will be performed by a third party.

f. The City of Columbia will inspect the rural water supply infrastructure on a regular basis and provide a report to the County and the CRFDOC, which will include recommendations for maintenance and/or improvements.

g. Upon execution of this Agreement and within the first 90 days, the Columbia Fire Chief, along with staff from the County's Emergency Service Department, shall evaluate the format and the information that will be included in a monthly report that will be presented to Richland County and the CRFDOC.

h. The City of Columbia, at its own expense and outside of the funds budgeted and allocated herein will be responsible for routine maintenance of stations and equipment owned by the City.

i. The City of Columbia will require fire hydrants along new water system lines at distances outlined by the International Building Code and the Insurance Services Office (ISO).

j. All hydrants located in the Service Area owned by Columbia shall be inspected yearly, repaired, maintained, tested and marked per ISO and other applicable standards. The City of Columbia will endeavor to repair hydrants within thirty (30) days' notice of receiving information a hydrant is inoperable and/or establish a contingency plan for alternative water supply coverage when deemed necessary.

5. RICHLAND COUNTY:

a. Richland County retains the right to monitor this Agreement and report findings to the CRFDOC. The CRFDOC and Richland County shall have access to any records pertaining to the administration of this Agreement and all data collected by Columbia in its implementation of this Agreement.

b. Richland County maintains the right to conduct at its sole cost and expense an audit of any and all parts of this Agreement to ensure compliance, however, a draft copy of the results shall be provided to both the County and the City.

c. All Richland County buildings, vehicles and large pieces of equipment will be insured by Richland County, with limits of liability as established by South Carolina law for governmental entities, at the County's sole cost and expense.

d. Richland County will determine where new or relocated stations will be constructed in the Service Area with the approval of the Fire Chief. Richland County will design, fund and build expansion stations in accordance with Richland County's strategic and capital improvement plans. No construction technique, building material, site location, building design or any other dynamic will be implemented that may compromise the City's ability to maintain operational functionality, personnel safety and/or the department's ability to meet the requirements of this Agreement.

e. The County will maintain and/or improve the rural water supply infrastructure to include, but not be limited to the dry hydrant system according to the report referenced in Section 4.g of this Agreement.

f. Any pressurized water supply system will be reviewed by the Fire Chief prior to installation to ensure interoperability with existing systems and to maintain continuity with current operational methodology.

g. Richland County, at its own expense and outside of the funds budgeted and allocated herein will be responsible for routine maintenance of stations and rolling stock (i.e., apparatus, and vehicles) owned by Richland County. Fleet maintenance shall be accomplished through the County's normal fleet services program. The County, with the advice of the Fire Chief, shall establish a routine fleet maintenance schedule.

h. Effective January 1, 2018, the County, at its own expense and outside of the funds budgeted and allocated herein, shall maintain its own vehicles, apparatus, and fire trucks through the County's normal fleet services program. The County will adjust the City's allocation under this Agreement accordingly. The City shall notify the County of any known issues with any County vehicles that require maintenance outside of the routine fleet maintenance schedule. The County shall effectuate repairs and maintenance in a timely manner.

6. PERSONNEL:

a. Only positions authorized and funded under this Agreement (see Appendices B.1 and B.2) and used in the manner approved by Richland County shall be paid from the adopted and approved Richland County fire suppression budget.

b. Columbia will maintain its software interface used to properly track and charge all personnel costs to the corresponding (City or County) budget.

c. Under the terms of this Agreement, the City has its employees assigned to the County Service Area, and its employees must receive the corresponding salary packages as approved by Columbia City Council for all firefighters. The County during the term of this Agreement shall provide equivalent personnel funds for those City employees assigned to the County through its budgeting process.

d. The City will submit, through the County's biennial budget process, the personnel and operating costs for the provision of fire services response in the County Fire Service Area.

e. Overhead personnel costs will be jointly funded by Richland County and the City of Columbia to support the operations of the Columbia-Richland Fire Department, which includes the Richland County Fire Service Area. The overhead funding to support such operations will be funded as outlined in Appendix A of this Agreement and is subject to approval by each party. The overhead personnel costs will be appropriately charged within the approved County and City budgets, with each party being charged its proportionate share of such personnel cost, including salaries plus benefits.

f. Fire-shift (24-hour) staffing personnel will be funded by Richland County and the City of Columbia based on minimum staffing levels as outlined in Appendices B.1 and B.2. The career fire shift staffing personnel cost will be appropriately charged to each station budget by general ledger code. The Fire Department will maintain a software interface with its current staffing software and the financial software used by the City to accurately track actual personnel cost to ensure all cost funded by Richland County and the City of Columbia are charged appropriately. This will ensure all personnel working on a City or County unit are charged to that unit and the minimum staffing levels are maintained as stated in Appendices B.1 and B.2.

g. The Fire Department will staff each career fire shift position based on ISO fire company distribution of on-duty personnel and best industry practices, which meet South Carolina-

Occupational Safety and Health Administration (SC-OSHA) regulations and the National Fire Protection (NFPA) Standard 1710, for fire suppression deployment operations for interior structural firefighting operations and rescue activities for initial arriving companies and initial full alarm assignment capabilities. The Fire Chief or his designee will endeavor to maintain the established minimum staffing levels for fire shifts on a daily basis. However, it is understood these minimum levels may be adjusted as necessary while accomplishing the overall mission of the department.

n. With the exception of volunteer firefighters, personnel authorized and funded by Richland County under this Agreement, shall be considered City of Columbia employees and subject to the personnel, health and safety policies of Columbia.

i. Personnel funded by Richland County will be stationed in the Service Area and personnel funded by Columbia will be stationed in areas inside of Columbia City limits.

j. Any temporary movement of County personnel used to fill shortages or vacancies at Columbia stations must be accounted for by location, with costs assigned to the appropriate budget (i.e., if County-funded personnel are moved to a City fire station for any shift, the City shall be required to pay all personnel costs/overhead for that employee for such shift). The City must keep a daily log of any such movement using the TeleStaff software or any other appropriate software, which shall be immediately available to the County's CA and/or the CRFD/OC upon request, and which shall also be included in the quarterly reports to the County. Subject to paragraph 4.i., the Fire Chief or his designee will have the authority to move and/or reassign or transfer personnel but must stay within the established Richland County fire budget.

k. The Fire Chief will establish a program for volunteer recruitment, retention, promotion, credentialing, and career development, which program will be managed by a staff officer, whose role will be to recruit and retain volunteer firefighters for staffing each volunteer fire station as defined for the Service Area as listed in Appendix B.1 (volunteer staffing by station).

7. VOLUNTEER FIREFIGHTERS:

a. Under the terms of this Agreement all volunteer firefighting personnel will report through the chain of command to the Office of the Fire Chief and will perform their duties as defined and at the discretion of the Fire Chief. The Fire Chief will have the authority to appoint or remove any volunteer firefighter with input from the County's Emergency Services Department Director. As volunteer firefighters are not regularly paid City employees, volunteers will receive ONLY their routine fuel reimbursements, which shall come from the Richland County line item budgeted solely for this purpose. No other costs may be paid out of the fuel reimbursement line item. All volunteers will be subject to all departmental policies, rules and regulations as set forth by the Fire Chief.

b. Richland County shall provide Worker's Compensation Insurance for volunteers that will supplement the present statutory worker's compensation benefits for volunteer fire fighters. The County, at its discretion, may self-fund these benefits. No Worker's Compensation claims will be paid by the County for any City employee under this Agreement (see Sec. 7.a). The following requirements pertaining to worker's compensation shall apply to this Agreement:

i. The City, upon notice of an injury or claim by a volunteer, shall notify the County Risk Manager of such injury or claim within four (4) hours of such notice:

ii. The City, its employees, agents, or anyone under its control or supervision, shall NOT direct the care or treatment of any County claimant, nor may it attempt to direct or administer the claim in any way. The County's Risk Manager will provide Richland County's policies and protocols to the Fire Chief, who will make it part of the CRFD's Standard Operating Guidelines (SOG).

iii. Any City employee shall make all claims for injury of any kind to the City.

c. A volunteer's privately owned vehicle may be authorized by Richland County to use red emergency lights and siren when responding to an authorized emergency call. Volunteers and their vehicles must meet criteria and guidelines established by the Richland County Fire Marshal. Each vehicle approved by Richland County must display an "Authorized Emergency Vehicle" decal issued by Richland County. Volunteers will be issued an "Emergency Vehicle Authorization" identification card that must be carried while operating a designated privately emergency vehicle. Richland County will accept all liability resulting from damages incurred from emergency response with privately owned "Authorized Emergency Vehicles."

d. Volunteers designated by Richland County to operate a privately owned emergency vehicle using red lights and sirens, must be pre-approved by the Richland County Fire Marshal's office. Volunteers approved to operate a privately owned emergency vehicle must meet all requirements as established by the Richland County Fire Marshal.

e. All fire fighters authorized under this Agreement will receive the same level of training regardless of career or volunteer status and must maintain defined standards, including but not limited to professional proficiency, physical fitness and training hours, as set by the Fire Chief. All volunteer firefighters will be encouraged to participate in riding on all fire units, career and volunteer, in addition to the minimum staffing levels to ensure a seamless fire fighting force and to enhance training sessions and the cohesiveness of firefighting personnel on the fire ground during emergencies.

8. FIRE FIGHTER TRAINING

a. Training will be provided equally to career and volunteer fire fighters and shall be conducted on weekends, weekdays, and weeknights and at hours that accommodate career and volunteer firefighter work schedules.

b. A training schedule will be coordinated and published in May of each year outlining the classes being offered for the next twelve (12) months, starting in July of each year. All published classes will be conducted regardless of limited volunteer fire fighter attendance. Should classes targeted to the volunteer firefighters schedule not have sufficient applicants signed up to attend, the remaining slots will be filled with career personnel as to ensure the class is not cancelled due to lack of participation.

c. Volunteer training class locations will be rotated between County stations in the upper part of the County, lower part of the County and the northwest part of the County.

d. There shall be a combination of career and volunteer designated instructors for all fire fighters and will be coordinated through the Fire Department Training Bureau.

e. Richland County and the City of Columbia during the term of this Agreement agree to endeavor to provide through proposed budget process funding to train and provide, as staffing allows, one (1) on-duty Emergency Medical Technician (EMT) for each engine company with four (4) personnel assigned within the Columbia Fire Department and Richland County (Service Area) as funding permits.

9. PUBLIC PROTECTION CLASSIFICATION

a. The County and City portions of the fire suppression budget and all operational policies and procedures for fire suppression activities will support maintaining and improving the ISO PPC currently in place at the time of this Agreement.

b. Expenditure of County and City funds for training, equipment and supplies must be used to maintain or improve the ISO PPC for the respective service areas of the Columbia Fire Department and the Richland County (Service Area) and must be approved by the Fire Chief.

10. FIRE STATIONS:

a. The County will be responsible for all existing County-owned and operated fire stations and will conduct routine maintenance and capital improvements as required in order to meet applicable codes and regulations for workplace environments. Richland County shall procure and maintain at all times property insurance for all County-owned fire stations at its sole cost and expense.

b. The City will be responsible for all existing City-owned and operated fire stations and will conduct routine maintenance as required in order to meet occupational safety and health administration regulations for workplace environments. City of Columbia shall procure and maintain at all times property insurance for all City-owned fire stations at its sole cost and expense.

c. The County will participate in periodic service improvement meetings with the City as it pertains to improving the customer service provided for fire station maintenance.

d. Additional fire stations may be constructed during the term of this Agreement. The Fire Chief will submit new County fire station and capital improvement recommendations to Richland County for consideration. The Fire Chief may establish a committee to assist in developing those recommendations; provided, however, Richland County will have the final decision as to where new or relocated stations will be constructed in the Service Area. These recommendations will be in accordance with obtaining the best ISO PPC rating.

e. The City shall design, fund and build expansion stations in accordance with the City's strategic and capital improvement plans.

f. At the time of executing this Agreement Richland County shall provide to the City a capital improvement plan for fire station facilities maintenance, repairs, and renovations.

11. EQUIPMENT:

a. For the entire term of the Agreement, the Fire Department will continue to utilize the electronic inventory and asset accounting tracking system to maintain separate inventories based on County or City-owned assets.

b. A complete year-end inventory will be conducted each year of all apparatus, support vehicles and equipment. The Fire Chief will ensure all inventories are reconciled and maintained throughout the duration of this Agreement. The Fire Chief will send a copy of the year-end inventory to the County and the CRFDOC each year prior to July 1st. Upon notification to the Fire Chief, the County may conduct on-site inspections of any County building (fire station) at any time to reconcile the daily, monthly, quarterly, or year-end reports with the actual apparatus, support vehicles, assets and equipment at each station. Upon inspection, if the County determines that any report does not reconcile with actual observable conditions, the County will so notify the City and the City will provide a plan to rectify the condition(s) immediately.

c. The City shall maintain electronic records of equipment and supplies that are distributed, including information such as the location of the assigned equipment and the owner entity of such equipment. The list shall be available to the County immediately upon demand and shall automatically be provided to the County no less than monthly. All equipment and supplies shall be signed for, charged to the appropriate station account, and approved by the Logistics officer.

d. Upon executing this Agreement, the County shall provide written plans to the Fire Chief for a five (5)-year capital replacement plan for existing and new rolling stock for apparatus and equipment

e. Spare, surplus or deadline vehicles or equipment must be kept segregated as Richland County or City of Columbia property. All dead-lined or obsolete equipment or vehicles purchased with Richland County funds will be returned to Richland County for disposal.

f. All vehicles purchased with Richland County funds and used by the Columbia Fire Department in implementing this Agreement must have "Richland County" displayed on the vehicle. This may be illustrated as "Columbia - Richland."

g. Richland County will establish and fund interoperable voice and data communication resources for use in the Service Area for vehicles, fire fighters who are funded by Richland County, and for use in alerting of volunteer fire fighters assigned to Richland County stations.

h. The City of Columbia will establish and fund interoperable voice and data communication resources for use in the City for vehicles, fire fighters who are funded by the City, and for use in alerting of fire fighters assigned to City stations.

i. Richland County will fund and support in an equitable manner, a cloud-based, interactive dispatching application that is accessible by all fire fighters in the field.

j. The Fire Chief will maintain a research & development group charged with developing apparatus and equipment specifications meeting best industry practices for use within the City and County. The group will be comprised of members for the department both career and volunteer. Any apparatus and equipment purchased will be compatible with the City's equipment, operational methodology and meet or exceed the latest (NFPA) National Fire Protection Association standards, applicable (OSHA) Occupational Safety and Health Administration regulations, and any other applicable safety standards. The Fire Chief will provide to Richland County apparatus (fire truck) specifications that will be used for purchasing of apparatus in the County (Service Area) in order to maintain or improve the current operational functionality, safety and/or the ISO PPC rating.

k. The County will adequately fund and replace County apparatus, support vehicles and equipment as necessary in order to maintain a strong rolling stock, to include additional pumpers, rescues, ladders, tankers, brush trucks, and support vehicles to serve as reserve units when front line units are out-of-service for maintenance.

l. It will be at the discretion of the Fire Chief to assign, place or station any City or County equipment or apparatus to further enhance the overall operations as outlined in the Agreement. In exercising that discretion, as a general rule, the Fire Chief will place equipment funded by the City in City-owned stations and equipment funded by the County in County-owned stations; however, the Fire Chief may exercise his discretion when necessary to place any equipment or apparatus, regardless of ownership, at any station.

m. If either party (City or County) are required to place its reserve apparatus or vehicles in use as a primary apparatus or vehicle to supplement the other's fleet, a charge to the appropriate party's budget for all fuel costs and any actual time and cost for any repairs during the time of use will be made to the appropriate budget.

n. Richland County will share cost of and jointly fund all support vehicles and staff vehicles assigned to support personnel as approved by the Fire Chief. All capital replacement costs for replacing such vehicles will be requested through the annual budget process for those vehicles needing replacements as funded and listed in each budget.

12. FINANCIAL/ACCOUNTABILITY:

a. On a biennial basis, prior to December 15th of each even year, the City of Columbia, through the City Manager, shall present a budget request that reflects the actual cost to operate the County's portion of the fire service to the Richland County Administrator. The Fire Chief will participate, along with the Emergency Services Department Director, in the preparation of the budget request. Each budget request will be at the funding levels necessary for the collective operations of the Fire Service Area.

b. The budget requests will outline all expenses, assigning each expense to the appropriate general ledger account and station budget. All positions funded will be listed and include current salary information. All positions, equipment, and supply costs must be attributed to a specific station. Cost of living and merit increases will be included within each budget request as recommended by the City Manager. After reviewing the budget request, Columbia and Richland County Councils will determine for their respective organization the amount to be funded to support operations. Should funding levels need to be reduced, the Fire Chief will make recommendations to the City Manager and the County Administrator as to where services could be reduced in order to meet funding levels and they will have final approval for their respective areas. After the budget has been approved, the Fire Chief must remain within established funding levels during the entire biennium budget fiscal years.

c. All budgeted, routine supplies and equipment purchases made in accordance with this Agreement or identified in the biennial budget appropriations must be made pursuant to the City of Columbia or Richland County's procurement regulations and charged to the appropriate general ledger/object code for City or County. All such purchases for services and expenses will be detailed by line item indicating the purchase based on City or County-owned.

d. The City of Columbia shall collect a fee, in the amount required by City Code Sec. 23-146(g), on each City water customer account located in Richland County in the Service Area. These fees will be used by the County to defray funding costs for the approved Richland County fire suppression budget. All fees collected pursuant to this Agreement are to be remitted to the County on a monthly basis. Richland County may request an increase in the fee for City Council's consideration, which is in the sole and exclusive legislative discretion of City Council to approve or not to approve.

e. Except in the event of catastrophic events that were not anticipated in the fiscal year budget, such as natural disasters, mass casualty events, and other unforeseen circumstances, in no event will the City be entitled to additional payments for services provided hereunder that are greater than expected, nor will the County be entitled to a refund for payments made hereunder if the City provides services to satisfy the requirements of this Agreement but are less than expected hereunder.

f. During the term of this Agreement, the City will conduct an indirect cost analysis for services provided through its other departments in support of this Agreement. These costs shall include but not be limited to: human resources, payroll, legal, finance, procurement, fleet services, information technology, risk management, etc. and will be included in subsequent biennial budget requests and, subject to approval of the budget request by Richland County Council, transferred from the County Fire budget to the City General Fund in order to cover such costs incurred by the City.

g. Richland County under the terms of this Agreement will fund one County staff position within the following City of Columbia departments to off-set such costs associated with the management of career and volunteer personnel within the Richland County Service Area; one (1) Human Resources Specialist position and one (1) Payroll Supervisor position within the finance/payroll department, as budget funding becomes available during the term of this Agreement.

13. TERMS:

- a. This Agreement shall be effective as of January 1, 2018.
- b. The term of this Agreement shall be for a period not to exceed five (5) years with both parties reserving the option to explore, during that period of time, alternatives for the provision of fire services in the unincorporated areas of Richland County.
- c. Either party may terminate this Agreement after notifying the other party in writing with no less than six (6) months' notice; however, both parties agree to a consenting transition plan of at least twelve (12) months concluding at the end of a fiscal year (June 30).
- d. Upon termination of this Agreement, all equipment which has been purchased with County funds and owned by the County—including vehicles, small engine equipment, and all other small equipment, tools and electronics purchased with County funds, carried on County-owned vehicles, and/or located in County-owned stations or offices or city-owned stations or offices—will be returned to Richland County and remain under the County's responsibility.

14. INCORPORATION AND MERGER:

- a. This document contains the entire Agreement between the parties and no other representations, either written or oral shall have effect. Any modification of this Agreement shall be by a signed writing between the parties.

15. MISCELLANEOUS:

- a. **BREACH:** In the event either party shall fail to comply with this Agreement, and such failure shall continue for a period of thirty (30) days after written notice of default has been provided by the other party, then the complaining party shall be entitled to pursue any and all remedies provided under South Carolina law and/or terminate this Agreement.
- b. **WAIVER:** The failure of either party to insist upon the strict performance of any provision of this Agreement shall not be deemed to be a waiver of the right to insist upon strict performance of such provisions or of any other provision of this Agreement at any time. Waiver of any breach of this Agreement by either party shall not constitute waiver of subsequent breach.
- c. **NOTICE:** Written notice to the City shall be made by placing such notice in the United States Mail, Certified, Return Receipt Requested, postage prepaid or and addressed to:

City of Columbia
City Manager
Post Office Box 147
Columbia, SC 29217

- d. **NOTICE:** Written notice to the County shall be made by placing such notice in the United States Mail, Certified, Return Receipt Requested, postage prepaid and addressed to:

Richland County
County Administrator
2020 Hampton Street
Post Office Box 192
Columbia, SC 29202

- e. Written notice also may be made by personal hand-delivery to the City Manager or the County Administrator.

f. AGREEMENT INTERPRETATION: Ambiguities in the terms of this Agreement, if any, shall not be construed against the City. This Agreement shall be interpreted pursuant to the laws of the State of South Carolina.

g. SEVERABILITY: If any provision of this Agreement is held to be illegal, invalid, or unenforceable under present or future law, such provision shall be fully severable; this Agreement shall be construed and enforced as if such illegal, invalid, or unenforceable provision were never a part hereof and the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by the illegal, invalid or unenforceable provision or by its severance, except to the extent such remaining provisions constitute obligations of another party to this Agreement corresponding to the unenforceable provision.

h. CAPTIONS AND HEADINGS: The captions and headings throughout this Agreement are for convenience and reference only, and the words contained therein and shall in no way be held or deemed to define, limit, describe, modify, or add to the interpretation, construction, or meaning of any provision of or scope or intent of this Agreement.

i. NON-FUNDING APPROPRIATIONS: Notwithstanding anything in this Agreement to the contrary, the City's and the County's obligations to pay the costs of performing its obligations under this Agreement shall be subject to and dependent upon appropriations being made from time to time by the City Council and County Council for such purposes.

j. APPENDICES: The appendices to this Agreement shall be mutually agreed upon by the City of Columbia and Richland County within thirty (30) days of execution of this Agreement or as soon thereafter as is practicable.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, in duplicate original, as of the day and year of the last signature written herienbelow.

WITNESSES:

[Signature]
[Signature]

[Signature]

Gerald Seals, County Administrator
On behalf of RICHLAND COUNTY

Date: 3/5/18

WITNESSES:

[Signature]
[Signature]

[Signature]

Teresa B. Wilson, City Manager
On behalf of CITY OF COLUMBIA

Date: 12/5/2017

Richland County Attorney's Office 3/1/18
[Signature]
Approved As To LEGAL Form Only.
No Opinion Rendered As To Content.

APPROVED AS TO FORM
[Signature] 1/30/17
Department City of Columbia, SC

APPENDIX A

SUPPORT PERSONNEL (OVERHEAD)

#	POSITION	#	POSITION
1	Fire chief	1	Fire Health & Safety Coordinator
3	Assistant Chief(s)	1	Fire Volunteer Coordinator
1	Fire Administrative Officer	1	Administrative Specialist
3	Division Chief(s) (Suppression)	1	Administrative Coordinator
1	Hazmat Rescue Coordinator	1	Fire Analysis Specialist
1	Fire Staffing Officer	1	Fire Public Education Officer
1	Public Information Officer	1	Fire Recruiting Officer
1	Chief of Training	2	Lead Administrative Assistant(s)
5	Fire Training Officer(s)	1	Fire Logistics Officer
1	Senior Training Coordinator	1	Fire Support Technician
1	Executive Assistant	1	Fire SCBA Technician
		1	Materials Control Clerk
	Total	32a	

FIRE SHIFT PERSONNEL (OVERHEAD)

The following personnel are included and considered overhead and work a 24-hour fire shift schedule and are funded from the appropriate budget as listed in Appendix B.1 & B.2.

#	PERSONNEL
15	Battalion Chief(s)

^a 32 support overhead personnel positions are equally funded by Richland County and the City of Columbia, which includes salaries plus benefits, listed within each party's respective administrative budgets.

APPENDIX A

SUPPORT PERSONNEL (OVERHEAD) VEHICLES^b

#	CITY - FUNDED	#	COUNTY - FUNDED
1	Fire Chief	2	Assistant Chief(s)
1	Assistant Chief	1	Hazmat Rescue Coordinator
1	Fire Administrative Coordinator	1	Fire Staffing Chief
1	Division Chief (Suppression)	1	Training Chief
1	Public Information Officer	1	Fire Volunteer Coordinator
1	Fire Health & Safety Officer	1	Fire Support Technician
1	Fire Logistics Officer	3	Fire Training Officer(s)
1	Fire SCBA Technician	3	Battalion Chief(s) (Suppression)
2	Fire Training Officer(s)	3	Staff Vehicles (Reserve Spares)
1	Fire Recruiting Officer		
2	Battalion Chief(s) (Suppression)		
3	Staff Vehicles (Reserve Spares)		
16		16	

^b The listed vehicles are assigned to emergency response personnel and support staff and will be funded by Richland County and the City of Columbia to include all fuel cost, repairs and maintenance cost and listed within each party's respective budgets. Future replacement vehicles will be requested and funded through each respective budget process.

APPENDIX B B.1

PERSONNEL

Units located in rural areas of the County are staffed with two (2) career personnel and an active volunteer roster. Units located in suburban/urban areas are staffed with four (4) career personnel. The County Rescue units are staffed with three (3) career personnel in order to handle the technical functions they must serve, as well as a centrally located man-power force to augment volunteer response fluctuations.

County – (fire Shift Career Staffing) and volunteer staffing by Station

STATION	STAFFING	UNIT	Career Minimum Daily Staffing	Career Total Staffing	Volunteer Total Staffing
1 - Headquarters	Career	Engine 1/ HazMat 1 Relief Personnelg	2d	6	0
	Career			33	
14 – Dentsville	Career	Engine 14	4	12	0
		Ladder 14	4	12	0
15 – Cedar Creek	Satellite	Engine 15	0	0	10
		Tanker 15	0	0	
		Brush Truck 15	0	0	
17 – Upper Richland	Combination	Engine 17	1	3	20
		Tanker 17	1	3	
		Brush Truck 17	0	0	
18 – Crane Creek	Combination	Engine 18	1	3	20
		Tanker 18	1	3	
		Brush Truck 18	0	0	
19 – Gadsden	Combination	Engine 19	1	3	20
		Tanker 19	1	3	
		Brush Truck 19	0	0	
20 – Ballentine	Combination	Engine 20	1	3	20
		Tanker 20	0	0	
		Brush Truck 20	0	0	

c Relief personnel are listed and funded from the County Station 1 budget for reporting purposes. These 33 positions are for backfill relief during permissive leave and are used to cover staffing exceptions based on the Fire Department staffing ratio (factor).

d Engine/HazMat 1 unit is staffed with four (4) career personnel and is jointly funded equally by Richland County and the City of Columbia.

STATION	STAFFING	UNIT	Career Minimum Daily Staffing	Career Total Staffing	Volunteer Total Staffing
		Rescue 2e	3	9	
21 – Springhill	Satellite	Engine 21 Tanker 21 Brush Truck 21	0 0 0	0 0 0	10
22 – Lower Richland	Career	Engine 22f Tanker 22 Brush Truck 22 Battalion 4	4 0 0 1	12 0 0 3	0
23 – Hopkins	Combination	Engine 23 Tanker 23 Brush Truck 23 Rescue 5e	1 0 0 3	3 0 0 9	20
24 – Sandhill	Career	Engine 24 Brush Truck 24 Battalion 3	4 0 1	12 0 3	0
25 – Bear Creek	Combination	Engine 25 Tanker 25 Brush Truck 25	1 1 0	3 3 0	20
26 – Blythewood	Combination	Engine 26 Tanker 26 Brush Truck 26	1 1 0	3 3 0	20
27 – Killian	Combination	Engine 27 Tanker 27 Brush Truck 27 Rescue 3e	1 0 0 3	3 0 0 9	20
28 – Eastover	Combination	Engine 28 Tanker 28 Brush Truck 28	1 1 0	3 3 0	20
29 – Congaree Run	Combination	Engine 29 Tanker 29 Brush Truck 29 Rescue 4e	1 0 0 3	3 0 0 9	20

e During the term of this Agreement the fourth (4th) career positions on the County Rescue units may be funded by Richland County at one (1) additional position each year or as budget funds become available.

f The three (3) additional career personnel assigned to Engine 22 is currently funded under a two (2) year SAFER Grant.

STATION	STAFFING	UNIT	Career Minimum Daily Staffing	Career Total Staffing	Volunteer Total Staffing
30 – Capital View	Combination	Engine 30	1	3	20
		Tanker 30	1	3	
		Brush Truck 30	0	0	
31 – Leesburg	Career	Engine 31	4	12	0
		Tanker 31	0	0	
		Brush Truck 31	0	0	
32 – Jackson Creek	Career	Engine 32	4	12	0
33 – Gills Creek	Career	Engine 33	4	12	0
34 – Elders Pond	Career	Engine 34	4	12	0
TOTAL			66	231	240

The Appendix listed herein is subject to change as necessary for growth and expansion of approved services with approval by Richland County and the City of Columbia.

**APPENDIX B
B.2**

PERSONNEL

City – (Fire Shift Career Staffing) by Station

STATION	STAFFING	UNIT	Career Minimum Daily Staffing	Career Total Staffing
1 – Headquarters	Career	Engine 1/HazMat 1	2h	6
		Rescue 1	4	12
		Rehab 1	1	3
		Relief Personnelg		34
2 – Ferguson	Career	Engine 2	4	12
		Battalion 1	1	3
3- Industrial Park	Career	Engine 3	4	12
4 – Wood Creek	Career	Engine 4	4	12
6 – Saint Andrews	Career	Engine 6	4	12
		Battalion 2	1	3
7 – North Columbia	Career	Ladder 7	4	12
8 – Atlas Road	Career	Engine 8	4	12
		Ladder 8	4	12
9 – Shandon	Career	Engine 9	4	12
		Ladder 9	4	12
11 – Blume Court	Career	Engine 11	4	12
12 – Greenview	Career	Engine 12	4	12
		Battalion 5	1	3
13 – Eau Claire	Career	Engine 13	4	12
16 – Harbison	Career	Engine 16	4	12
TOTAL			62	220

The Appendix listed herein is subject to change as necessary for growth and expansion of approved services with approval by Richland County and the City of Columbia.

g Relief personnel are listed and funded from the County Station 1 budget for reporting purposes. These 34 positions are for backfill relief during permissive leave and are used to cover staffing exceptions based on the Fire Department staffing ratio (factor).
h Engine/HazMat 1 unit is staffed with four (4) career personnel and is jointly funded equally by Richland County and the City of Columbia.

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Aric Jensen	Title:	Assistant County Administrator
Department:	Administration	Division:	Click or tap here to enter text.
Date Prepared:	February 28, 2022	Meeting Date:	March 22, 2022
Legal Review	Patrick Wright via email	Date:	March 2, 2022
Budget Review	Abhijit Deshpande via email	Date:	March 2, 2022
Finance Review	Stacey Hamm via email	Date:	March 1, 2022
Approved for consideration:	Assistant County Administrator	Leonardo Brown, MBA, CPM	
Committee	Administration & Finance		
Subject:	Federal Certifying Officer and Environmental Officer		

RECOMMENDED/REQUESTED ACTION:

Approve the attached resolution designating a Certifying Officer and an Environmental Officer for Richland County, in compliance with the various federal rules and regulations.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

There are no general fund expenditures associated with this action. Any 3rd party costs that may be occurred would be funded by grant administration monies.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

24 CFR Part 58, §570.604 and 40 CFR Part 1500-1508

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	Click or tap here to enter text.
Meeting	Click or tap here to enter text.
Date	Click or tap here to enter text.

STRATEGIC & GENERATIVE DISCUSSION:

The Department of Housing and Urban Development (HUD), the Federal Emergency Management Agency (FEMA), and other federal entities frequently require environmental reviews as part of their financial assistance. In order to comply with established federal rules and regulations, the County Council must appoint a “Certifying Officer” and designate an “Environmental Officer” by resolution. Failure to comply will result in the loss of future funding, and may necessitate the repayment of previously expended federal funds.

The Certifying Officer must be the “chief elected official, chief executive official, or other official designated by formal resolution of the governing body.” Staff is recommending that this person be the County Administrator or his designated Assistant County Administrator. The reasoning is that environmental reviews are often highly technical and time sensitive, and it is in the best interest of the County and the Council that the Certifying Officer be experienced and knowledgeable on this topic and the specifics of each project.

The Environmental Officer can be any qualified individual, and typically is an environmental engineer or environmental planner. As this is a specialized field, the County currently does not have anyone on staff with the necessary training and experience; however, it does have existing contracts with 3rd party engineering firms that can provide this service. Looking forward, existing County staff are being trained with the intention of bringing this function in-house as soon as possible.

ADDITIONAL COMMENTS FOR CONSIDERATION:

Click or tap here to enter text.

ATTACHMENTS:

1. US Department of Housing and Urban Development. (2017, September). Chapter 15: Environmental Review - HUD Exchange. Basically CDBG for Entitlements. Retrieved March 2, 2022, from <https://files.hudexchange.info/resources/documents/Basically-CDBG-Chapter-15-Environmental-Review.pdf>
2. Resolution

CHAPTER 15: ENVIRONMENTAL REVIEW

CHAPTER PURPOSE & CONTENTS

This chapter provides grantees with general information on environmental review. The chapter will provide an overview of the applicable regulations, responsibilities, guidance on classifying the activity and the appropriate level of review. Grantees must consult the regulations (cited within this chapter) and their HUD Environmental Representative for more detailed guidance than this chapter can provide.

SECTION	TOPIC
15.1	Overview of Environmental Requirements

15.1 Overview of the Environmental Requirements

15.1.1 Background and Applicable Regulations

The purpose of the environmental review process is to analyze the effect a proposed project will have on the people and the natural environment within a designated project area and the effect the material and social environment may have on a project.

Grantees who receive CDBG funds are considered responsible entities and must complete an environmental review of all project activities prior to obligating CDBG funds. This requirement also applies to projects funded with CDBG generated program income.

The HUD rules and regulations that govern the environmental review process can be found at 24 CFR Part 58.

The provisions of the National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) regulations in 40 CFR Parts 1500 through 1508 also apply. In addition, a myriad of other Federal and state laws and regulations (some of which are enforced by State agencies) also apply depending upon the type of project and the level of review required.

The following is a summary of applicable statutory and regulatory cites and other reference materials available from HUD:

Key Topics in This Section: Applicable environmental rules, Legal responsibilities, Triggering actions, Classifying the activity

Regulatory/Statutory Citations: 24 CFR Part 58, §570.604, 40 CFR Part 1500-1508

Other Reference Materials on This Topic HUD's Office of Environment and Energy:

<http://www.hud.gov/offices/cpd/environment/> , HUD's Environmental Review Requirements:

<http://www.hud.gov/offices/cpd/environment/review/> HUD's Frequently Asked Environmental

Questions and Answers: <http://www.hud.gov/offices/cpd/environment/library/>, CPD Notice 02-07

15.1.2 The Responsible Entity & Official Designations

Under 24 CFR Part 58, the term “responsible entity” (RE) means the grantee receiving CDBG assistance. The responsible entity must complete the environmental review process. The RE is responsible for ensuring compliance with NEPA and the Federal laws and authorities has been achieved, for issuing the public notification, for submitting the request for release of funds and certification, when required, and for ensuring the Environmental Review Record (ERR) is complete.

In order to fulfill its obligations under 24 CFR Part 58, the RE should designate two responsible parties:

Certifying Officer: The responsible entity must designate a Certifying Officer -- the “responsible Federal official” -- to ensure compliance with the National Environmental Policy Act (NEPA) and the Federal laws and authorities cited at section 58.5 has been achieved. This person is the chief elected official, chief executive official, or other official designated by formal resolution of the governing body. The certifying officer must have the authority to assume legal responsibility for certifying that all environmental requirements have been followed. This function may not be assumed by administering agencies or consultants.

Environmental Officer: The funding recipient should also designate an Environmental Officer. The Environmental Officer is responsible for conducting the environmental review including such tasks as: writing the project narrative, obtaining maps of the project area, soliciting comments from appropriate local, state and federal agencies, and facilitating responses to comments received on the environmental findings.

15.1.3 Environmental Review Record

Each responsible entity must prepare and maintain a written record of the environmental review undertaken for each project. This written record or file is called the Environmental Review Record (ERR), and it must be available for public review upon request.

The ERR shall contain all the environmental review documents, public notices (and proof of their publication), and written determinations or environmental findings required by 24 CFR Part 58 as evidence of review, decision making and actions pertaining to a particular project. The document shall:

- Describe the project and each of the activities comprising the project, regardless of individual activity funding source; and

- Evaluate the effects of the project or the activities on the human environment;

- Document compliance with applicable statutes and authorities; and

- Record the written determinations and other review findings required by 24 CFR Part 58.

The ERR will vary in length and content depending upon the level of review required for the categories of activities.

Public comments, concerns and appropriate resolution by the recipient are extremely important and must be fully documented in the ERR.

15.1.4 Actions Triggering Environmental Review and Limitations Pending Clearance

According to the NEPA (40 CFR 1500-1508) and Part 58, the responsible entity is required to ensure that environmental information is available before decisions are made and before actions are taken. In order to achieve this objective, Part 58 prohibits the commitment or expenditure of CDBG funds until the environmental review process has been completed and, if required, the grantee receives a release of funds.

Grantees may not spend either public or private funds (CDBG, other Federal or non-Federal funds), or execute a legally binding agreement for property acquisition, rehabilitation, conversion, repair or construction pertaining to a specific site until environmental clearance has been achieved.

Grantees must avoid any and all actions that would preclude the selection of alternative choices before a final decision is made – that decision being based upon an understanding of the environmental consequences and actions that can protect, restore and enhance the human environment (i.e., the natural, physical, social and economic environment).

Activities that have physical impacts or which limit the choice of alternatives cannot be undertaken, even with the grantee or other project participant's own funds, prior to obtaining environmental clearance.

For the purposes of the environmental review process, "commitment of funds" includes:

Execution of a legally binding agreement (such as a property purchase or construction contract);

Expenditure of CDBG funds;

Use of non-CDBG funds on actions that would have an adverse impact--- e.g., demolition, dredging, filling, excavating; and

Use of non-CDBG funds on actions that would be "choice limiting"--- e.g., acquisition of real property; leasing property; rehabilitation, demolition, construction of buildings or structures; relocating buildings or structures, conversion of land or buildings/structures.

It is acceptable for grantees to execute non-legally binding agreements prior to completion of the environmental review process. A non-legally binding agreement contains stipulations that ensure the project participant does not have a legal claim to any amount of CDBG funds to be used for the specific project or site until the environmental review process is satisfactorily completed.

15.1.5 Classifying the Activity and Conducting the Appropriate Level of Review

To begin the environmental review process, funding recipients must first determine the environmental classification of the project. The term "project" can be defined as an activity or group of activities geographically, functionally, or integrally related, regardless of funding source, to be undertaken by the CDBG recipient, subrecipient, or a public or private entity in whole or in part to accomplish a specific objective.

Chapter 15: Environmental Review

If various project activities have different classifications, the recipient must follow the review steps required for the most stringent classification.

The four environmental classifications are:

- Exempt Activities,
- Categorically Excluded Activities,
- Activities Requiring an Environment Assessment, or
- Activities Requiring an Environmental Impact Statement.

Regardless of the number of activities associated with a project, a single environmental review is required. Aggregating related activities ensures the recipient adequately addresses and analyzes the separate and combined impacts of a proposed project.

15.1.6 Exempt Activities

Certain activities are by their nature highly unlikely to have any direct impact on the environment. Accordingly, these activities are not subject to most of the procedural requirements of environmental review.

Listed below are examples which may be exempt from environmental review. For complete details refer to the environmental regulations.

- Environmental and other studies;
- Information and financial services;
- Administrative and management activities;
- Engineering and design costs;
- Interim assistance (emergency) activities if the assisted activities do not alter environmental conditions and are for temporary or permanent improvements limited to protection, repair or restoration actions necessary only to control or arrest the effects of disasters or imminent threats to public safety or those resulting from physical deterioration;
- Public service activities that will not have a physical impact or result in any physical changes;
- Inspections and testing of properties for hazards or defects;
- Purchase of tools or insurance;
- Technical assistance or training;
- Payment of principal and interest on loans made or guaranteed by HUD; and
- Any of the categorically excluded activities subject to Part 58.5 (as listed in 58.35(a)) provided there are no circumstances which require compliance with any other Federal laws and authorities listed at Part 58.5 of the regulations. Refer to the section below on categorically excluded activities subject to Part 58.5.

If a project is determined to be exempt the responsible entity is required to document in writing that the project is exempt and meets the conditions for exemption as spelled out in § 58.34.

Chapter 15: Environmental Review

In addition to making a written determination of exemption, the RE must also determine whether any of the requirements of 24 CFR Part § 58.6 are applicable and address as appropriate.

The requirements at 24 CFR § 58.6 include the Flood Disaster Protection Act; the Coastal Barriers Resources Act; and HUD's requirement for disclosure of properties located in airport runway clear zones.

15.1.7 Categorically Excluded Activities

Categorically Excluded Activities not Subject to 58.5

The following activities, listed at 24 CFR Part 58.35(b), have been determined to be categorically excluded from NEPA requirements and are not subject to Section 58.5 compliance determinations.

Tenant based rental assistance;

Supportive services including but not limited to health care, housing services, permanent housing placement, short term payments for rent/mortgage/utility costs, and assistance in gaining access to local State and Federal government services and services;

Operating costs including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training, recruitment, and other incidental costs;

Economic development activities including but not limited to equipment purchase, inventory financing, interest subsidy, operating expenses and similar costs not associated with construction or expansion of existing operations;

Activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction such as closing costs, down payment assistance, interest buy downs and similar activities that result in the transfer of title to a property; and

Affordable housing predevelopment costs with NO physical impact such as legal, consulting, developer and other costs related to obtaining site options, project financing, administrative costs and fees for loan commitments, zoning approvals, and other related activities which do not have a physical impact.

To complete environmental requirements for Categorically Excluded projects not Subject to 24 CFR Part § 58.5, the responsible entity must take the following steps:

Make a finding of Categorical Exclusion not Subject to § 58.5 and put in the ERR.

The ERR must contain a written determination of the RE's finding that a given activity or program is categorically excluded not subject to § 58.5. When these kinds of activities are undertaken, the RE does not have to issue a public notice or submit a request for release of funds (RROF) to HUD.

In order to document the finding of categorical exclusion not subject to §58.5. The RE must cite the applicable subsection of § 58.35(b), identify and describe the specific activity or activities, and provide information about the estimated amount of CDBG or other funds to be used.

Carry out any applicable requirements of 24 CFR Part § 58.6 and document the ERR as appropriate.

Chapter 15: Environmental Review

The RE must determine whether the activity triggers any of the other requirements at 24 CFR 58.6, which are: the Flood Disaster Protection Act; the Coastal Barriers Resources Act; and HUD's requirement for disclosure of properties located in airport runway clear zones.

Categorically Excluded Activities Subject to 58.5

The list of categorically excluded activities is found at 24 CFR Part 58.35. While the activities listed in 58.35(a) are categorically excluded from NEPA requirements, the grantee must nevertheless demonstrate compliance with the laws, authorities and Executive Orders listed in 58.5.

The following are categorically excluded activities subject to 58.5:

Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size, or capacity of more than 20 percent.

Special projects directed toward the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and disabled persons.

Rehabilitation of buildings and improvements when the following conditions are met:

For residential properties with one to four units:

The density is not increased beyond four units;

The land use is not changed; and

If the building is located in a floodplain or in a wetland, the footprint of the building is not increased.

For multi-family residential buildings (with more than four units):

Unit density is not changed more than 20 percent;

The project does not involve changes in land use from residential to non-residential; and

The estimated cost of rehabilitation is less than 75 percent of the total estimated replacement cost after rehabilitation.

For non-residential structures including commercial, industrial and public buildings:

The facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent; and

The activity does not involve a change in land use, e.g. from commercial to industrial, from non-residential to residential, or from one industrial use to another.

An individual action on up to four-family dwelling where there is a maximum of four units on any one site. "*Individual action*" refers to new construction, development, demolition, acquisition, disposition or refinancing (does not include rehabilitation which is covered previously). The units can be four one-unit buildings or one four-unit building or any combination in between;

Chapter 15: Environmental Review

An individual action on a project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site;

Acquisition (including leasing) or disposition of or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.

Combinations of the above activities.

The ERR must contain a written determination of the RE's finding that a given activity or program is categorically excluded subject to § 58.5. This determination should:

Include a description of the project (including all the related activities, even though HOME funds may not be used for all of them);

Cite the applicable subsection of § 58.35(a);

Provide the total estimated project cost; and

Provide written documentation as to whether or not there were any circumstances which required compliance with any of the Federal laws and authorities cited in §58.5.

The RE must use the HUD recommended Statutory Checklist, or an equivalent format, to document its environmental findings. (Contact the HUD Environmental Representative for a copy of the most current version of the checklist and instructions for its completion.)

The RE's documentation must support its determinations related to compliance with the Federal laws and authorities cited in §58.5, including correspondence with the applicable agencies having jurisdiction over the various areas on the checklist.

Upon completion of the checklist, the RE will make one of three environmental findings:

The project converts to exempt [§ 58.34(a)(12)];

The project invokes compliance with one or more of the laws and/or authorities and, therefore, requires public notification and approval from HUD; or

The unusual circumstances of the project may result in a significant environmental impact and, therefore, compliance with NEPA is required.

If upon completing the Statutory Checklist, the RE determines compliance is required for one or more of the Federal laws and authorities listed in § 58.5, then the RE must publish or post a public notification known as the Notice of Intent to Request Release of Funds (NOI/RROF).

After the seven-day comment period has elapsed, the responsible entity must prepare the Request for Release of Funds (RROF) and Environmental Certification. The Environmental Certification certifies that the RE is in compliance with all the environmental review requirements. The RROF and Certification must be signed by the Certifying Officer and submitted to HUD. The RE must receive the release of funds from HUD before proceeding forward with the project.

15.1.8 Activities Requiring an Environmental Assessment

Activities which are neither exempt nor categorically excluded (under either category) will require an environmental assessment (EA) documenting compliance with NEPA, HUD and with the environmental requirements of other applicable Federal laws.

Chapter 15: Environmental Review

The responsible entity must take the following steps to complete environmental requirements for projects requiring an environmental assessment:

Complete the Modified Format II: Environmental Assessment form completely. The responsible entity must ensure that reliable documentation sources are cited for every item on this assessment checklist. The grantee's HUD Environmental Representative can provide detailed guidance on the Modified Format II, including appropriate documentation for each area of the checklists.

Once the Format II has been completed, including consultation with applicable agencies and persons, the grantee must make a determination as to whether the project will or will not have a significant impact on the environment. This can be done once the review has been completed and any comments have been addressed appropriately. The Responsible Entity must select one of the following two findings/determinations:

The project is not an action that significantly affects the quality of the human environment and, therefore, does not require the preparation of an environmental impact statement; or

The project is an action that significantly affects the quality of the human environment and, therefore, requires the preparation of an environmental impact statement. Both the finding and the environmental assessment must be signed by your environmental certifying officer and included in the ERR.

In most instances, the environmental assessment will result in a finding that the project is not an action that significantly affects the quality of the environment and, therefore, does not require an environmental impact statement. If this is the case, the responsible entity must complete the following:

Publish and distribute a public notice called a Combined/Concurrent Notice of Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds (NOI/RROF).

The RROF and Environmental Certification must be submitted to HUD no sooner than 16 days after publishing the combined/concurrent notice. The Certification must be signed by the Certifying Officer of the jurisdiction.

HUD must hold the Release of Funds for a 15-day period to allow for public comment. If no comments are received during this time, HUD will send back a signed Release of Funds and the project may proceed.

If the environmental assessment will result in a finding that the project will significantly affect the environment and, therefore, requires an environmental impact statement, the grantee should contact its HUD Environmental Representative for guidance.

15.1.9 Environmental Impact Statement

An Environmental Impact Statement (EIS) details the recipient's final analyses and conclusions, according to NEPA, related to potential significant environmental impact of the project. Recipients must follow prescribed steps in the course of preparation, filing and review of an Environmental Impact Statement (See 24 CFR 58, Subpart G, and 40 CFR 1500-1508).

An EIS may be required when:

Chapter 15: Environmental Review

The project is so large that it triggers density thresholds, and common sense suggests it may have a substantial environmental impact.

A Finding of Significant Impact (FOSI) is found as a result of completing an environmental assessment for the project.

Preparation of an EIS is mandatory if the project meets any of these requirements below:

Any project to provide a site or sites for hospitals and nursing homes with a total of at least 2,500 beds.

Any project to remove, destroy, convert or substantially rehabilitate at least 2,500 existing housing units.

Any project to construct, install or provide sites for at least 2,500 housing units.

Any project to provide water and sewer capacity for at least 2,500 housing units.

Any project that exceeds the 2,500-unit threshold for nonresidential housing construction.

EISs are very rare under the CDBG program. Contact your HUD Environmental Officer if there is any indication an EIS may be necessary.



**STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND**

RESOLUTION

A RESOLUTION Appointing the County Administrator or his/her designees as the Richland County Certifying Officer and the Richland County Environmental Officer

WHEREAS, Richland County is a HUD (Dept of Housing and Urban Development) entitlement community and receives an annual allocation of Federal program funding;

WHEREAS, Richland County periodically receives and/or administers the distribution of other federal, state, and local grant funding;

WHEREAS, HUD and many other federal, state, and local agencies require an environmental review and/or certification;

WHEREAS, Federal regulations 24 CFR Part 58, §570.604 and 40 CFR Part 1500-1508 require that Richland County Council formally designate by Resolution a Certifying Officer which cannot be an external party or agency, and an Environmental Officer which cannot be the same individual and;

NOW THEREFORE BE IT RESOLVED, That Richland County Council appoints the County Administrator or his/her designated Assistant County Administrator as the Richland County Certifying Officer for the purposes of complying with 24 CFR Part 58, §570.604 and 40 CFR Part 1500-1508, and authorizes the County Administrator to designate a different qualified individual of his/her choosing as the Richland County Environmental Officer, for the purposes of complying with 24 CFR Part 58, §570.604, 40 CFR Part 1500-1508, and any other applicable regulation.

Sponsoring Councilmember
Richland County Council District #

Overture Walker - Chair
Richland County Council District 8

ATTEST this 1st Day of March 2022

Anette A. Kirylo
Richland County Clerk to Council

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Ashiya A. Myers	Title:	Assistant to the County Administrator	
Department:	Administration	Division:	Click or tap here to enter text.	
Date Prepared:	March 10, 2022	Meeting Date:	March 22, 2022	
Legal Review	Patrick Wright via email	Date:	March 16, 2022	
Budget Review	Abhijit Deshpande via email	Date:	March 15, 2022	
Finance Review	Stacey Hamm via email	Date:	March 15, 2022	
Approved for consideration:	County Administrator	Leonardo Brown MBA, CPM		
Committee	Administration & Finance			
Subject:	Pawmetto Lifeline - Request			

RECOMMENDED/REQUESTED ACTION:

Staff seeks direction from the Council regarding the request to donate its portion of the building and property to Pawmetto Lifeline.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

Richland County invested \$1.5 million for the construction of the Meyer Finlay Pet Adoption Center. Lexington County owns 100% of the land and 50% of the facility; Richland County owns the other 50% of the facility. Richland County does not provide any ongoing operational funding for the Pawmetto Lifeline budget.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	Click or tap here to enter text.
Meeting	Click or tap here to enter text.
Date	Click or tap here to enter text.

STRATEGIC & GENERATIVE DISCUSSION:

Via correspondence dated February 11, 2022, Pawmetto Lifeline has requested Richland County donate its portion of the Meyer Finlay Adoption Center. The adoption center is ten years old and is need of renovations and upgrades to meet the demands of the community and changes in its mission.

By donating its portion of the building, the County will prevent Pawmetto Lifeline from seeking funding from the County in the future for upgrades and renovations to the property.

ADDITIONAL COMMENTS FOR CONSIDERATION:

Click or tap here to enter text.

ATTACHMENTS:

1. Correspondence - Pawmetto Lifeline

Board of Trustees

Date: February 11, 2022

Executive Committee

Deloris Mungo
Chair Emeritus
Dr. Merri Gandhi
Chair
Cindee Bailey
Tai MacIlwain
Co-Vice Chairs
Eddie Bignon
Finance Chair
Dr. Davinder Guram
Nominations Chair
Vera Summers
Secretary
Stewart Mungo
Executive Member
Denise Wilkinson
CEO & Executive
Member
The

To: Overture Walker, Richland County Council Chair
Leonardo Brown, Richland County Administrator

Re: COUNTY REQUEST

Who are we?

Pawmetto Lifeline is a not-for-profit animal welfare organization that was founded in 1999. Its co-founders are Deloris and Stewart Mungo.

The organization started out partnering in an unofficial capacity and later entered an official partnership with both Lexington and Richland Counties in 2008. Pawmetto Lifeline originally asked for a “grant for construction.” Richland County Council was agreeable at the time to grant the funding. Lexington County was pressed by another Lexington County based not for profit to split the funding. This caused Council to change the agreement to be as it is today. The agreement requires the following services annually:

- o **1200 annual adoptions**
- o **500 free spay/neuter surgeries annually to residents of Richland County**
- o **Humane Educational Programs for Children and high-risk communities**

Part of the final agreement was Pawmetto Lifeline and both counties would be equal investors putting up \$1,000,000 to construct the new Adoption Medical and Education Center on Bower Parkway. Pawmetto Lifeline also invested an additional \$500,000 to upfit the facility for operations.

Pawmetto Lifeline has provided 1,000 free surgeries annually to residents of Richland County and Lexington County since opening the building on March 7, 2012 for a **total of 25,961 free surgeries**. The value of those services are **\$1.9 million**.

Since the opening of the facility, the organization has pulled **23,483 dogs and cats** from the two shelters and provided all medical services to those animals at no charge to the counties. **The value of these services is \$8,219,000.**

Annually the organization vaccinates over **35,000 dogs and cats**.

The Spay/Neuter Clinic is providing **OVER 12,000 surgeries a year to** dogs and cats.

The annual operational budget is \$6,000,000. (The county does not provide any ongoing operational funds for the Pawmetto Lifeline budget.)

GENEROSITY
*of people like you
is essential for us to
successfully increase
the degree of assistance
we can give to homeless
pets,
as well as pet guardians.*

Trustees

Joseph Berry
Vicki Bignon
Carlynn Cary
Cara Crotty
Janice Dinkel
Natasha Drozdak
Patricia Fortson
Dr. Davinder Guram
Janet Hopkins
Lou Kennedy
Alicia McAngus
Mark Moore
Eric Wells

Honorary Trustees

Charlotte Berry
Fowler Cary
posthumously
Chris Goodall
Peggy McMaster Austin
Meyer
Lane Myer
Cindy Nord, PhD
Bernice Scott



Problem:

The Meyer Finlay Pet Adoption Center is now ten years old. With housing over 150 animals daily in the facility and performing over 12,000 surgeries a year, the building is in need of upgrades/renovations.

While our community has greatly changed over the last ten years, so have the needs of companion pets and families. When we were founded, the Lexington and Richland Shelters were taking in over 20,000 homeless pets and euthanizing over 90% of those pets. (18,000 pets annually were being euthanized in the Richland/Lexington Shelters.) Now the two shelters are taking in less than 7500 pets and euthanizing 15% (1125) of the homeless pets.

THIS PARTERSHIP HAS BEEN A HUGE SUCCESS! WE HAVE ACHIEVED THE GOALS IN THE CONTRACT FAR QUICKER THAN EXPECTED AS IS EVIDENT WITH YOUR SHELTER INTAKE NUMBERS AND EUTHANASIA DATA.

Request:

As the organization continues to evolve to meet the needs of the community, we are asking Richland County to donate its portion of the building and property to Pawmetto Lifeline.

The community and its companion pets' needs are far different in 2022 than in 2008. We need to update the facility to reflect the changes in our mission based on the success of the past 10 years. Supporting families and pets with food, medical services and pet retention is now a huge priority. The goal is pets never enter your shelter.

By funding this request the County will allow the organization to upgrade and renovate the building to better serve the community. A major project with the renovations includes solar panels which will impact energy usage. Your support of this request will prevent the organization from seeking funding from the county in the future for upgrades/renovations of the property which is currently owned by the two counties. While Pawmetto Lifeline was an equal investor in the construction of the building, we own no part of the building.

Thank you for your consideration.

Denise D. Wilkinson, CEO
Pawmetto Lifeline

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Bill Davis	Title:	Director
Department:	Utilities	Division:	Administration
Date Prepared:	February 25, 2022	Meeting Date:	March 22, 2022
Legal Review	Patrick Wright via email	Date:	March 2, 2022
Budget Review	Abhijit Deshpande via email	Date:	March 2, 2022
Finance Review	Stacey Hamm via email	Date:	March 1, 2022
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCCEM	
Committee	Administration & Finance		
Subject:	"Willingness to Serve" Letter for Savannah Wood Amenity (Tax Map Serial # R21900-06-14)		

RECOMMENDED/REQUESTED ACTION:

Staff recommends approval of the attached "Willingness to Serve" letter for Savannah Wood Amenity.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department's current fiscal year budget?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

No funding is needed.

COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

None.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	Click or tap here to enter text.
Meeting	Click or tap here to enter text.
Date	Click or tap here to enter text.

STRATEGIC & GENERATIVE DISCUSSION:

Richland County Utilities (RCU) is an enterprise fund operating under Richland County Government. RCU provides sewer services to portions of Northwest and Southeast Richland County, and we are approved by South Carolina Department of Health and Environmental Control (SCDHEC) as a the Delegated Review Program (DRP). This means that RCU can perform plan reviews and request construction permits to be issued by SCDHEC for new developments within our area as long as the criteria of the DRP are satisfied. In consideration of our ability to serve new sewer customers and meet regulatory obligations of the DRP, we have initiated a Capacity Assurance Program (CAP). When a development requests sewer service for a property, we analyze the property to determine if we have enough capacity to serve them. We issue a unique CAP Identification Number for each request, and if capacity is available, we send the developer a letter stating our "Willingness to Serve" the new development. Each "Willingness to Serve" letter is presented to Council for consideration and general awareness. Once RCU receives approval from County Council, RCU notifies the developer so they can proceed with planning the new development in accordance with the DRP.

RCU staff has evaluated the sewer flow for the proposed development in accordance with our CAP and has determined that we currently have adequate capacity to collect, transmit, and treat the wastewater from this development at our Eastover Wastewater Treatment Plant. See Exhibit 1 for a map of the proposed development location. A letter of "Willingness to Serve" has been sent to the developer, see Exhibit 2.

The table below summarizes the proposed development:

Project Name	Project Address	TMS	Number of Units	Projected Sewer Tap Revenue	Projected Annual Revenue for Sewer	Zoning	Sewer Flow Gallons Per Day
Savannah Wood Amenity	Near the intersection of Lower Richland Blvd and Rabbit Run	R21900-06-14	266	\$1,0640,000	\$229,220	See Exhibit 3	79,800

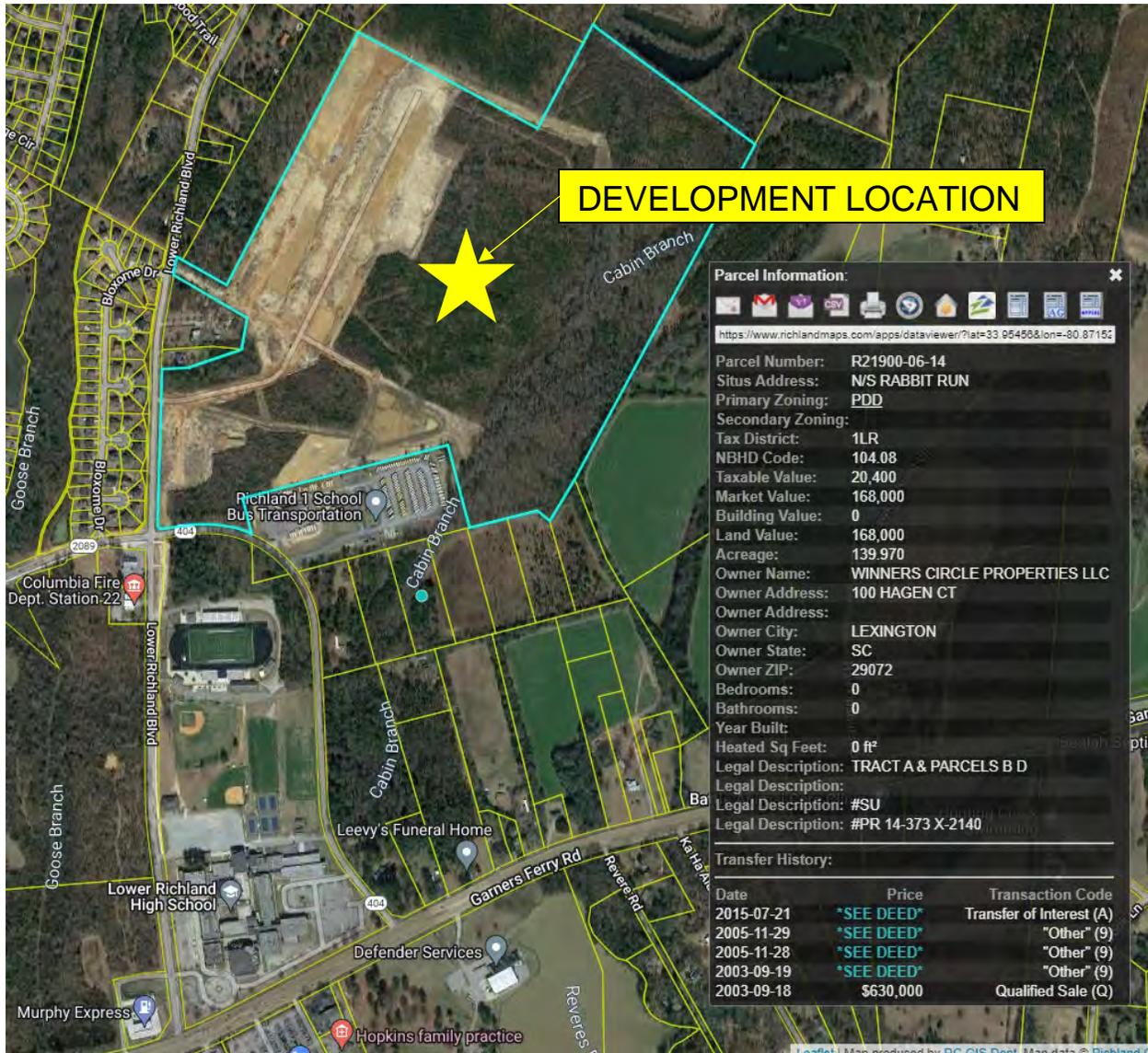
ADDITIONAL COMMENTS FOR CONSIDERATION:

The Willingness to Serve letter for the previous phase of this development was approved by Council on March 2, 2021

ATTACHMENTS:

1. Exhibit 1: Location Map
2. Exhibit 2: Willingness to Serve Letter
3. Exhibit 3: Zoning

EXHIBIT 1: LOCATION MAP



**RICHLAND COUNTY
UTILITIES DEPARTMENT**

7525 Broad River Road
Irmo, SC 29063



February 24, 2022

Elissa Filson
Project Coordinator
CEC
3740-A Fernandina Road
Columbia, SC 29201

Re: "Willingness to Serve Letter"
Savannah Wood Amenity
TMS # R21900-06-14

Dear Elissa,

In response to your request for capacity on February 22, 2022 (previously submitted on 11/13/20), regarding sanitary sewer service for the above-referenced parcel, Richland County Utilities (RCU) currently has capacity to serve 266 REUs (79,8000 gpd) for this property.

Be advised, while sewer capacity may be available, we are not implying requirements for zoning and permitting in accordance with local jurisdictions have been met. RCU has no authority to approve or comment on zoning or other types of permits. This letter pertains only to sewer capacity and our willingness to provide sewer service. Please contact local authorities for any information regarding additional approvals.

Your request has been entered into our Capacity Assurance Program as CAP B-2020005 and will be presented to the Administration and Finance (A&F) Committee for approval of our willingness to serve. If our request to serve is approved by the A&F Committee, it will be moved to the Council for final approval.

Upon Council's approval, you will be able to proceed with design and submit plans and specifications in accordance with our Delegated Review Program (DRP).

The availability is valid for twelve (12) months from the date of council approval. If you have any questions, please contact me at 803-771-1235.

Sincerely,

William (Bill) H. Davis, PE
Director of Utilities

Cc: Tariq Hussain, Deputy Director of Utilities
Sahad Khilqa, Ph.D., Sanitary Engineer





2020 Hampton St., 1st Floor
Columbia, SC 29204-1002
Phone: (803) 576-2190
Fax: (803) 576-2182
www.rcgov.us

November 30, 2018

CIVIL ENGINEERING OF COLUMBIA
3740A FERNANDINA RD
COLUMBIA, SC 29210

RE: SAVANNAH WOOD PHASE 1
RCF # SD18-053
TMS # R21900-06-14

Dear CIVIL ENGINEERING OF COLUMBIA:

The above referenced project entitled "SAVANNAH WOOD PHASE 1", dated 9/18/2018 with revisions through 11/13/2018, has been reviewed and APPROVED in accordance with Section 26 of the Richland County Land Development Code.

For a land disturbance permit, go to
<http://www.rcgov.us/DevServ/ConstructionIndustry/EngineeringInspections.aspx>

For subdivision information, go to
<http://www.rcgov.us/DevServ/StepbyStepProcess/PermitsandApprovals/PlanApprovalInfo.aspx>

Sincerely,

Staff
Richland County Development Services



**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Bill Davis	Title:	Director
Department:	Utilities	Division:	Administration
Date Prepared:	March 2, 2022	Meeting Date:	March 22, 2022
Legal Review	Patrick Wright via email	Date:	March 7, 2022
Budget Review	Abhijit Deshpande via email	Date:	March 2, 2022
Finance Review	Stacey Hamm via email	Date:	March 2, 2022
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCCEM	
Committee	Administration & Finance		
Subject:	"Willingness to Serve" Letter for McCords Ferry Phases II and III		

RECOMMENDED/REQUESTED ACTION:

Staff recommends approval of the attached "Willingness to Serve" letter for McCords Ferry Phases II and III.

We request Council Reconsideration due to time sensitive planning and financing requirements surrounding sewer availability tied to real estate transactions.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department's current fiscal year budget?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

No funding is needed.

COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

None.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	Click or tap here to enter text.
Meeting	Click or tap here to enter text.
Date	Click or tap here to enter text.

STRATEGIC & GENERATIVE DISCUSSION:

Richland County Utilities (RCU) is an enterprise fund operating under Richland County Government. RCU provides sewer services to portions of Northwest and Southeast Richland County, and we are approved by the South Carolina Department of Health and Environmental Control (SCDHEC) as a Delegated Review Program (DRP). This means that RCU can perform plan reviews and request construction permits to be issued by SCDHEC for new developments within our area as long as the criteria of the DRP are satisfied. In consideration of our ability to serve new sewer customers and meet regulatory obligations of the DRP, we have initiated a Capacity Assurance Program (CAP). When a development requests sewer service for a property, we analyze the property to determine if we have enough capacity to serve them. We issue a unique CAP Identification Number for each request, and if capacity is available, we send the developer a letter stating our "Willingness to Serve" the new development. Each "Willingness to Serve" letter is presented to Council for consideration and general awareness. Once RCU receives approval from County Council, RCU notifies the developer so they can proceed with planning the new development in accordance with the DRP.

RCU staff has evaluated the sewer flow for the proposed development in accordance with our CAP and has determined that we currently have adequate capacity to collect, transmit, and treat the wastewater from this development at our Eastover Wastewater Treatment Plant. See Exhibit 1 for a map of the proposed development location. A letter of "Willingness to Serve" has been sent to the developer, see Exhibit 2.

The table below summarizes the proposed development:

Project Name	Project Address	TMS	Number of Units	Projected Sewer Tap Revenue	Projected Annual Revenue for Sewer	Zoning	Sewer Flow Gallons Per Day
McCords Ferry	Garners Ferry Road Near Trotter Road	Various	366	\$1,464,000	\$316,356	PDD	109,800

*Note: Planned Development District (PDD) Approved by County Council.

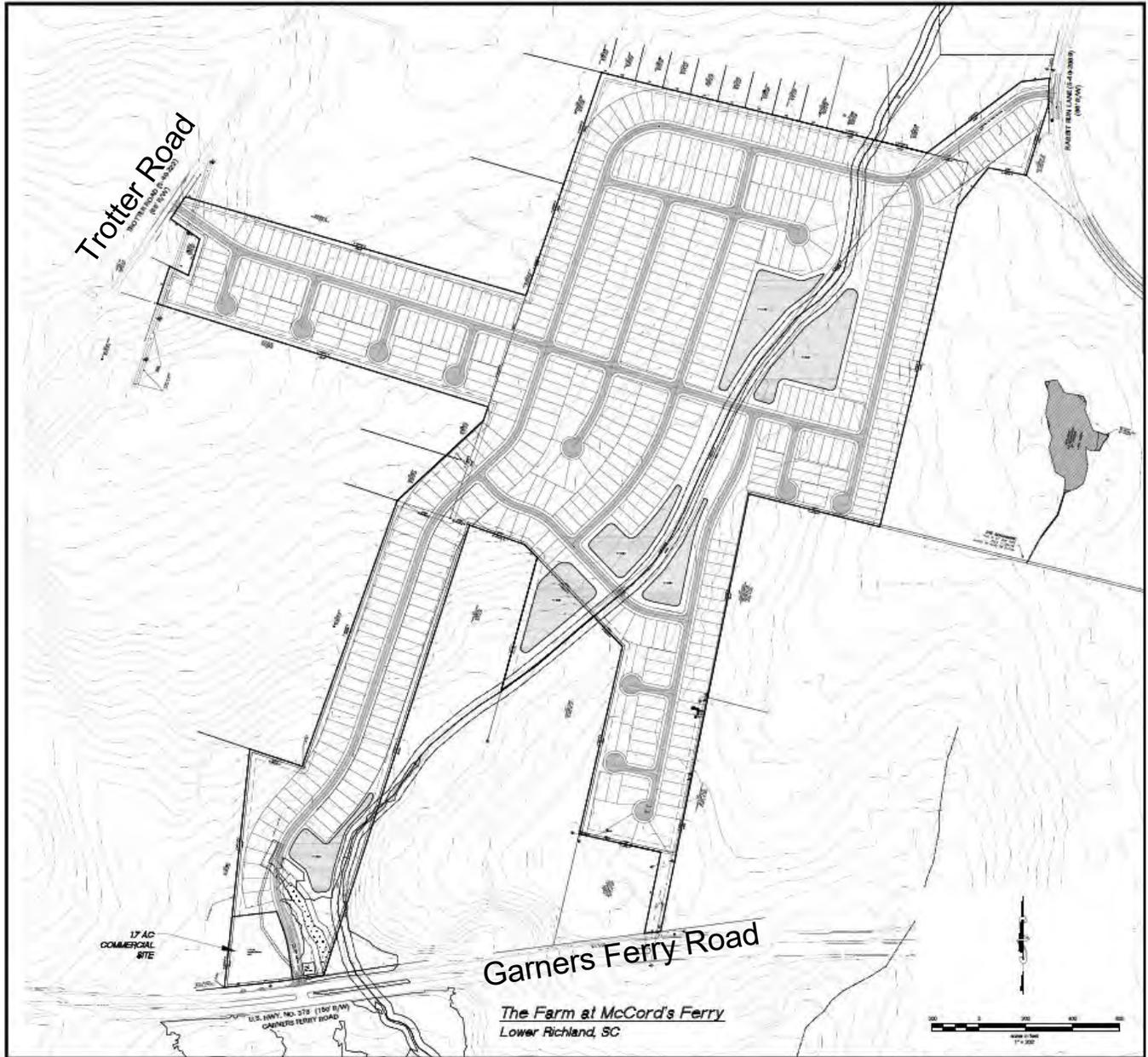
ADDITIONAL COMMENTS FOR CONSIDERATION:

The "Willingness to Serve" letter for the previous phase of this development was approved by Council on October 12, 2020.

ATTACHMENTS:

1. Exhibit 1: Location Map
2. Exhibit 2: Willingness to Serve Letter

EXHIBIT 1: LOCATION MAP



**RICHLAND COUNTY
UTILITIES DEPARTMENT**

7525 Broad River Road
Irmo, SC 29063



March 2, 2022

David K. Brandes, PE
Project Manager
E.L. Robinson Engineering Co.
1301 Gervais Street, Suite 450
Columbia, SC 29201

Re: "Willingness to Serve Letter"

Mccords Ferry Subdivision – Phases II and III

TMS # R21800-01-03, R21800-01-04, R21800-01-14, and R21900-09-08

Dear David,

In response to your request for capacity on February 22, 2022 (previously submitted on 10/05/20 and 6/15/21), regarding sanitary sewer service for the above-referenced parcels, Richland County Utilities (RCU) currently has capacity to serve 366 REUs (109,800 gpd) for this property.

Be advised, while sewer capacity may be available, we are not implying requirements for zoning and permitting in accordance with local jurisdictions have been met. RCU has no authority to approve or comment on zoning or other types of permits. This letter pertains only to sewer capacity and our willingness to provide sewer service. Please contact local authorities for any information regarding additional approvals.

Your request has been entered into our Capacity Assurance Program as CAP E-2021010 and E-2021011 and will be presented to the Administration and Finance (A&F) Committee for approval of our "Willingness to Serve Letter". If our request to serve is approved by the A&F Committee, it will be moved to the Council for final approval.

Upon Council's approval, you will be able to proceed with design and submit plans and specifications in accordance with our Delegated Review Program (DRP).

The availability is valid for twelve (12) months from the date of council approval. If you have any questions, please contact me at 803-771-1235.

Sincerely,

William (Bill) H. Davis, PE
Director of Utilities

Cc: Tariq Hussain, Deputy Director of Utilities
Sahad Khilqa, Ph.D., Sanitary Engineer

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Bill Davis	Title:	Director
Department:	Utilities	Division:	Administration
Date Prepared:	March 2, 2022	Meeting Date:	March 22, 2022
Legal Review	Patrick Wright via email	Date:	March 4, 2022
Budget Review	Abhijit Deshpande via email	Date:	March 3, 2022
Finance Review	Stacey Hamm via email	Date:	March 3, 2022
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCCEM	
Committee	Administration & Finance		
Subject:	"Willingness to Serve" Letter for Laurinton Farms (Tax Map Serial # R24700-02-08)		

RECOMMENDED/REQUESTED ACTION:

Staff recommends approval of the attached "Willingness to Serve" letter for Laurinton Farms.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department's current fiscal year budget?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

No funding is needed.

COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

None.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	Click or tap here to enter text.
Meeting	Click or tap here to enter text.
Date	Click or tap here to enter text.

STRATEGIC & GENERATIVE DISCUSSION:

Richland County Utilities (RCU) is an enterprise fund operating under Richland County Government. RCU provides sewer services to portions of Northwest and Southeast Richland County and we are approved by South Carolina Department of Health and Environmental Control (SCDHEC) as a the Delegated Review Program (DRP). This means that RCU can perform plan reviews and request construction permits to be issued by SCDHEC for new developments within our area as long as the criteria of the DRP is satisfied. In consideration of our ability to serve new sewer customers and meet regulatory obligations of the DRP, we have initiated a Capacity Assurance Program (CAP). When a development requests sewer service for a property, we analyze the property to determine if we have enough capacity to serve them. We issue a unique CAP Identification Number for each request and if capacity is available, we send the developer a letter stating our "Willingness to Serve" the new development. Each "Willingness to Serve" letter is presented to Council for consideration and general awareness. Once RCU receives approval from County Council, RCU notifies the developer so they can proceed with planning the new development in accordance with the DRP.

RCU staff has evaluated the sewer flow for the proposed development in accordance with our CAP and has determined that we currently have adequate capacity to collect, transmit, and treat the wastewater from this development at our Eastover Wastewater Treatment Plant. See Exhibit 1 for a map of the proposed development location. A letter of "Willingness to Serve" has been sent to the developer, see Exhibit 2.

The table below summarizes the proposed development:

Project Name	Project Address	TMS	Number of Units	Projected Sewer Tap Revenue	Projected Annual Revenue for Sewer	Zoning	Sewer Flow Gallons Per Day
Laurinton Farms	Near the intersection of Lower Richland Blvd and Garners Ferry Road	R24700-02-08	553	\$2,212,000	\$477,991	See Exhibit 3	165,900

ADDITIONAL COMMENTS FOR CONSIDERATION:

None.

ATTACHMENTS:

1. Exhibit 1: Location Map
2. Exhibit 2: Willingness to Serve Letter
3. Exhibit 3: Zoning

EXHIBIT 1: LOCATION MAP



**RICHLAND COUNTY
UTILITIES DEPARTMENT**7525 Broad River Road
Irmo, SC 29063

March 2, 2022

Elissa Filson
Project Coordinator
CEC
3740-A Fernandina Road
Columbia, SC 29201

Re: "Willingness to Serve Letter"

Laurington Farms
TMS # R24700-02-08

Dear Elissa,

In response to your request for capacity on February 22, 2022 (previously submitted on 03/19/21), regarding sanitary sewer service for the above-referenced parcel, Richland County Utilities (RCU) currently has capacity to serve 553 REUs (165,900 gpd) for this property.

Be advised, while sewer capacity may be available, we are not implying requirements for zoning and permitting in accordance with local jurisdictions have been met. RCU has no authority to approve or comment on zoning or other types of permits. This letter pertains only to sewer capacity and our willingness to provide sewer service. Please contact local authorities for any information regarding additional approvals.

Your request has been entered into our Capacity Assurance Program as CAP B-2021008 and will be presented to the Administration and Finance (A&F) Committee for approval of our willingness to serve. If our request to serve is approved by the A&F Committee, it will be moved to the Council for final approval.

Upon Council's approval, you will be able to proceed with design and submit plans and specifications in accordance with our Delegated Review Program (DRP).

The availability is valid for twelve (12) months from the date of council approval. If you have any questions, please contact me at 803-771-1235.

Sincerely,

A handwritten signature in blue ink, appearing to read 'WHD'.

William (Bill) H. Davis, PE
Director of UtilitiesCc: Tariq Hussain, Deputy Director of Utilities
Sahad Khilqa, Ph.D., Sanitary Engineer

**RICHLAND COUNTY
COMMUNITY PLANNING & DEVELOPMENT**

2020 Hampton Street
Columbia, SC 29204

October 12, 2021



Civil Engineering of Columbia
Attn: Josh Rabon
3608 Fernandina Road
Columbia, SC 29210

**RE: Bunch Tract Sketch Plan
RCF #SD21-078
TMS #21800-01-06
478 lots / 176.1 acres**

Dear Mr. Rabon:

Please be advised that the referenced sketch plan has been reviewed by the Development Review Team (DRT). The sketch plan has been determined to be in compliance with the development regulations of Richland County, subject to revisions, which must be addressed upon the submittal of the preliminary plans.

Monica L. Eustace, Land Development Planner II - Planning (803-576-2232):

- 1. Approved.

Kathleen Horsey, Engineering Associate II- Public Works (803-576-2386):

- 2. Conditionally approved until a full Engineering submittal is uploaded.

Heather Brown, Richland County Floodplain Coordinator - Public Works (803-576-2158):

- 3. Approved.

Tina Robinette, Fire Plans Examiner, (803-576-3420):

- 4. Approved.

Alfreda Tindal, Addressing Coordinator Specialist - GIS Services Division (803-576-2147):

- 5. The Bunch Tract Subdivision name is not approved unless it connects with Bunch Lane.
- 6. See attached development and road name application for submittal. To expedite the approval process, please submit names via email prior to preliminary submission.
- 7. The USPS rules have changed regarding mailboxes and centralized boxes. Before construction begins, it's important that you or agent, contact Eric Sigmon, USPS Growth Management Coordinator (803-926-6258 or eric.r.sigmon@usps.gov).

If you have any further questions or concerns, please feel free to contact me at (803)576-2232 or eustacem@rcgov.us.

Sincerely,

Monica L. Eustace
Land Development Planner II

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Bill Davis	Title:	Director
Department:	Utilities	Division:	Administration
Date Prepared:	March 2, 2022	Meeting Date:	March 22, 2022
Legal Review	Patrick Wright via email	Date:	March 4, 2022
Budget Review	Abhijit Deshpande via email	Date:	March 3, 2022
Finance Review	Stacey Hamm via email	Date:	March 3, 2022
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCCEM	
Committee	Administration & Finance		
Subject:	"Willingness to Serve" Letter for Bunch Tract (Hunter's Branch) (Tax Map Serial # R21800-01-06)		

RECOMMENDED/REQUESTED ACTION:

Staff recommends approval of the attached "Willingness to Serve" letter for Bunch Tract (Hunter's Farm).

We request Council Reconsideration due to time sensitive planning and financing requirements surrounding sewer availability tied to real estate transactions.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department's current fiscal year budget?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

No funding is needed.

COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

None.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	Click or tap here to enter text.
Meeting	Click or tap here to enter text.
Date	Click or tap here to enter text.

STRATEGIC & GENERATIVE DISCUSSION:

Richland County Utilities (RCU) is an enterprise fund operating under Richland County Government. RCU provides sewer services to portions of Northwest and Southeast Richland County and we are approved by South Carolina Department of Health and Environmental Control (SCDHEC) as a the Delegated Review Program (DRP). This means that RCU can perform plan reviews and request construction permits to be issued by SCDHEC for new developments within our area as long as the criteria of the DRP is satisfied. In consideration of our ability to serve new sewer customers and meet regulatory obligations of the DRP, we have initiated a Capacity Assurance Program (CAP). When a development requests sewer service for a property, we analyze the property to determine if we have enough capacity to serve them. We issue a unique CAP Identification Number for each request and if capacity is available, we send the developer a letter stating our "Willingness to Serve" the new development. Each "Willingness to Serve" letter is presented to Council for consideration and general awareness. Once RCU receives approval from County Council, RCU notifies the developer so they can proceed with planning the new development in accordance with the DRP.

RCU staff has evaluated the sewer flow for the proposed development in accordance with our CAP and has determined that we currently have adequate capacity to collect, transmit, and treat the wastewater from this development at our Eastover Wastewater Treatment Plant. See Exhibit 1 for a map of the proposed development location. A letter of "Willingness to Serve" has been sent to the developer, see Exhibit 2.

The table below summarizes the proposed development:

Project Name	Project Address	TMS	Number of Units	Projected Sewer Tap Revenue	Projected Annual Revenue for Sewer	Zoning	Sewer Flow Gallons Per Day
Bunch Tract (Hunter's Branch)	Near the intersection of Lower Richland Blvd and Garners Ferry Road	R21800-01-06	345	\$1,380,000	\$298,204	PUD, See Exhibit 3*	103,500

*Note: Planned Unit Development (PUD) approved by County Council.

ADDITIONAL COMMENTS FOR CONSIDERATION:

None.

ATTACHMENTS:

1. Exhibit 1: Location Map
2. Exhibit 2: Willingness to Serve Letter
3. Exhibit 3: Zoning

**RICHLAND COUNTY
UTILITIES DEPARTMENT**

7525 Broad River Road
Irmo, SC 29063



March 2, 2022

Elissa Filson
Project Coordinator
CEC
3740-A Fernandina Road
Columbia, SC 29201

Re: "Willingness to Serve Letter"
Bunch Tract (Hunter's Branch)
TMS # R21800-01-06

Dear Elissa,

In response to your request for capacity on February 22, 2022 (previously submitted on 08/31/21), regarding sanitary sewer service for the above-referenced parcel, Richland County Utilities (RCU) currently has capacity to serve 345 REUs (103,500 gpd) for this property.

Be advised, while sewer capacity may be available, we are not implying requirements for zoning and permitting in accordance with local jurisdictions have been met. RCU has no authority to approve or comment on zoning or other types of permits. This letter pertains only to sewer capacity and our willingness to provide sewer service. Please contact local authorities for any information regarding additional approvals.

Your request has been entered into our Capacity Assurance Program as CAP E-2021012 and will be presented to the Administration and Finance (A&F) Committee for approval of our willingness to serve. If our request to serve is approved by the A&F Committee, it will be moved to the Council for final approval.

Upon Council's approval, you will be able to proceed with design and submit plans and specifications in accordance with our Delegated Review Program (DRP).

The availability is valid for twelve (12) months from the date of council approval. If you have any questions, please contact me at 803-771-1235.

Sincerely,

William (Bill) H. Davis, PE
Director of Utilities

Cc: Tariq Hussain, Deputy Director of Utilities
Sahad Khilqa, Ph.D., Sanitary Engineer



**RICHLAND COUNTY
COMMUNITY PLANNING & DEVELOPMENT**

2020 Hampton Street
Columbia, SC 29204

October 12, 2021



Civil Engineering of Columbia
Attn: Josh Rabon
3608 Fernandina Road
Columbia, SC 29210

**RE: Bunch Tract Sketch Plan
RCF #SD21-078
TMS #21800-01-06
478 lots / 176.1 acres**

Dear Mr. Rabon:

Please be advised that the referenced sketch plan has been reviewed by the Development Review Team (DRT). The sketch plan has been determined to be in compliance with the development regulations of Richland County, subject to revisions, which must be addressed upon the submittal of the preliminary plans.

Monica L. Eustace, Land Development Planner II - Planning (803-576-2232):

1. Approved.

Kathleen Horsey, Engineering Associate II- Public Works (803-576-2386):

2. Conditionally approved until a full Engineering submittal is uploaded.

Heather Brown, Richland County Floodplain Coordinator - Public Works (803-576-2158):

3. Approved.

Tina Robinette, Fire Plans Examiner, (803-576-3420):

4. Approved.

Alfreda Tindal, Addressing Coordinator Specialist - GIS Services Division (803-576-2147):

5. The Bunch Tract Subdivision name is not approved unless it connects with Bunch Lane.
6. See attached development and road name application for submittal. To expedite the approval process, please submit names via email prior to preliminary submission.
7. The USPS rules have changed regarding mailboxes and centralized boxes. Before construction begins, it's important that you or agent, contact Eric Sigmon, USPS Growth Management Coordinator (803-926-6258 or eric.r.sigmon@usps.gov).

If you have any further questions or concerns, please feel free to contact me at (803)576-2232 or eustacem@rcgov.us.

Sincerely,

A handwritten signature in black ink that reads "Monica L. Eustace".

Monica L. Eustace
Land Development Planner II



**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Bill Davis	Title:	Director
Department:	Utilities	Division:	Administration
Date Prepared:	March 2, 2022	Meeting Date:	March 22, 2022
Legal Review	Patrick Wright via email	Date:	March 4, 2022
Budget Review	Abhijit Deshpande via email	Date:	March 3, 2022
Finance Review	Stacey Hamm via email	Date:	March 3, 2022
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCCEM	
Committee	Administration & Finance		
Subject:	"Willingness to Serve" Letter for Bunch Tract - Commercial (Tax Map Serial # R21800-01-06)		

RECOMMENDED/REQUESTED ACTION:

Staff recommends approval of the attached "Willingness to Serve" letter for Bunch Tract - Commercial.

We request Council Reconsideration due to time sensitive planning and financing requirements surrounding sewer availability tied to real estate transactions.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department's current fiscal year budget?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

No funding is needed.

COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

None.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	Click or tap here to enter text.
Meeting	Click or tap here to enter text.
Date	Click or tap here to enter text.

STRATEGIC & GENERATIVE DISCUSSION:

Richland County Utilities (RCU) is an enterprise fund operating under Richland County Government. RCU provides sewer services to portions of Northwest and Southeast Richland County and we are approved by South Carolina Department of Health and Environmental Control (SCDHEC) as a the Delegated Review Program (DRP). This means that RCU can perform plan reviews and request construction permits to be issued by SCDHEC for new developments within our area as long as the criteria of the DRP is satisfied. In consideration of our ability to serve new sewer customers and meet regulatory obligations of the DRP, we have initiated a Capacity Assurance Program (CAP). When a development requests sewer service for a property, we analyze the property to determine if we have enough capacity to serve them. We issue a unique CAP Identification Number for each request and if capacity is available, we send the developer a letter stating our "Willingness to Serve" the new development. Each "Willingness to Serve" letter is presented to Council for consideration and general awareness. Once RCU receives approval from County Council, RCU notifies the developer so they can proceed with planning the new development in accordance with the DRP.

RCU staff has evaluated the sewer flow for the proposed development in accordance with our CAP and has determined that we currently have adequate capacity to collect, transmit, and treat the wastewater from this development at our Eastover Wastewater Treatment Plant. See Exhibit 1 for a map of the proposed development location. A letter of "Willingness to Serve" has been sent to the developer, see Exhibit 2.

The table below summarizes the proposed development:

Project Name	Project Address	TMS	Number of Units	Projected Sewer Tap Revenue	Projected Annual Revenue for Sewer	Zoning	Sewer Flow Gallons Per Day
Bunch Tract Commercial	Near the intersection of Garners Ferry Road and Lower Richland Blvd	R21800-01-06	526	\$2,104,000	\$454,780	PDD*	157,800

*Note: Planned Development District (PDD) Approved by County Council.

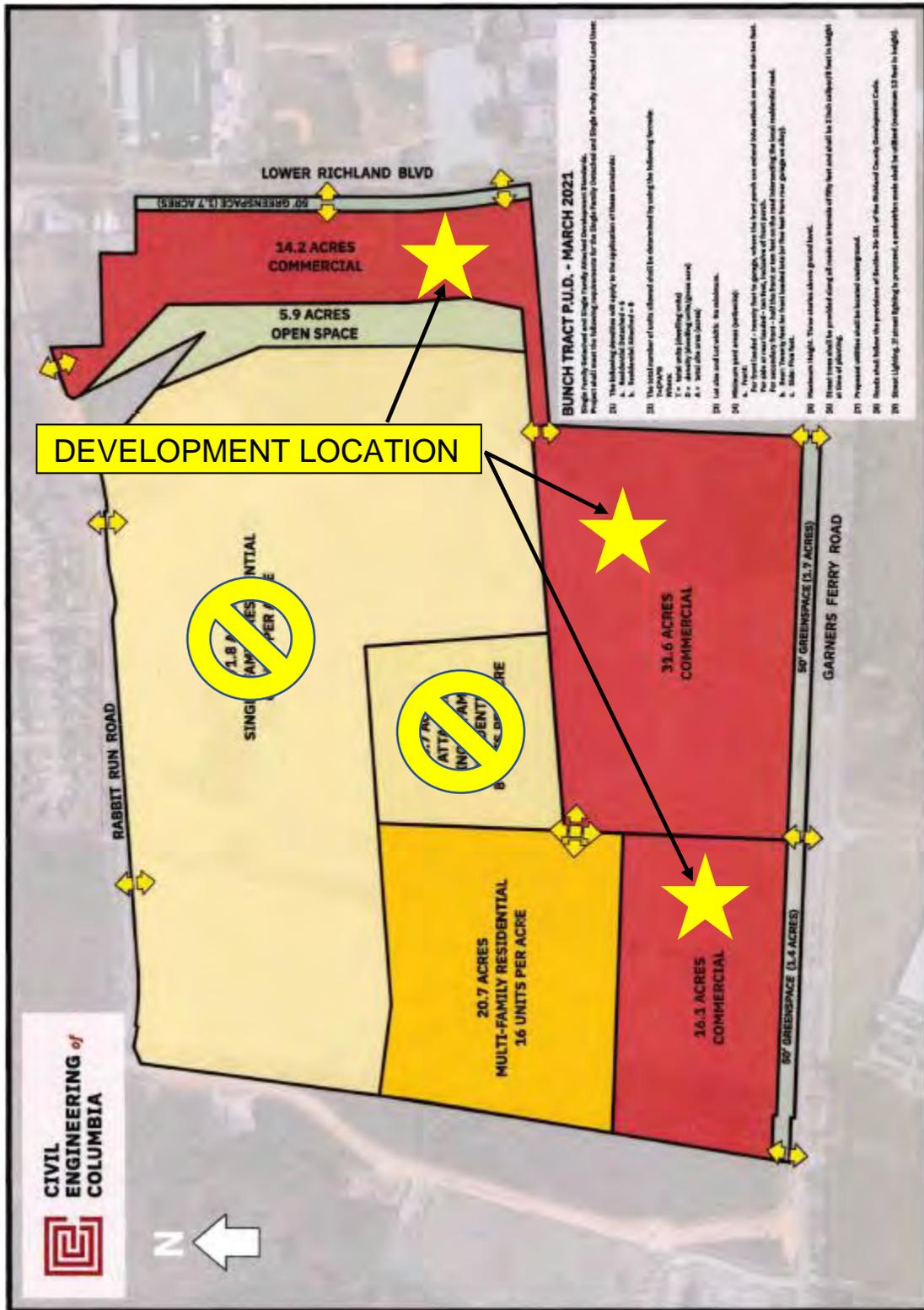
ADDITIONAL COMMENTS FOR CONSIDERATION:

The "Willingness to Serve" letter for the previous phase of this development was approved by Council on October 12, 2020.

ATTACHMENTS:

- 1. Exhibit 1: Location Map
- 2. Exhibit 2: Willingness to Serve Letter

EXHIBIT 1: LOCATION MAP



**RICHLAND COUNTY
UTILITIES DEPARTMENT**7525 Broad River Road
Irmo, SC 29063

March 2, 2022

David K. Brandes, PE
Project Manager
E.L. Robinson Engineering Co.
1301 Gervais Street, Suite 450
Columbia, SC 29201Re: "Willingness to Serve Letter"
Bunch Tract - Commercial
TMS # R21800-01-06

Dear David,

In response to your request for capacity on February 22, 2022, regarding sanitary sewer service for the above-referenced parcels, Richland County Utilities (RCU) currently has capacity to serve 526 REUs (157,800 gpd) for this property.

Be advised, while sewer capacity may be available, we are not implying requirements for zoning and permitting in accordance with local jurisdictions have been met. RCU has no authority to approve or comment on zoning or other types of permits. This letter pertains only to sewer capacity and our willingness to provide sewer service. Please contact local authorities for any information regarding additional approvals.

Your request has been entered into our Capacity Assurance Program as CAP E-2022001 and will be presented to the Administration and Finance (A&F) Committee for approval of our "Willingness to Serve Letter". If our request to serve is approved by the A&F Committee, it will be moved to the Council for final approval.

Upon Council's approval, you will be able to proceed with design and submit plans and specifications in accordance with our Delegated Review Program (DRP).

The availability is valid for twelve (12) months from the date of council approval. If you have any questions, please contact me at 803-771-1235.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Bill Davis'.

William (Bill) H. Davis, PE
Director of UtilitiesCc: Tariq Hussain, Deputy Director of Utilities
Sahad Khilqa, Ph.D., Sanitary Engineer

Revised 01/11/22

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Bill Davis	Title:	Director
Department:	Utilities	Division:	Administration
Date Prepared:	March 2, 2022	Meeting Date:	March 22, 2022
Legal Review	Patrick Wright via email	Date:	March 4, 2022
Budget Review	Abhijit Deshpande via email	Date:	March 3, 2022
Finance Review	Stacey Hamm via email	Date:	March 3, 2022
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCCEM	
Committee	Administration & Finance		
Subject:	"Willingness to Serve" Letter for Alexander Point (Tax Map Serial # R21900-04-26)		

RECOMMENDED/REQUESTED ACTION:

Staff recommends approval of the attached "Willingness to Serve" letter for Alexander Point.

We request Council Reconsideration due to time sensitive planning and financing requirements surrounding sewer availability tied to real estate transactions.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department's current fiscal year budget?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

No funding is needed.

COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

None.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	Click or tap here to enter text.
Meeting	Click or tap here to enter text.
Date	Click or tap here to enter text.

STRATEGIC & GENERATIVE DISCUSSION:

Richland County Utilities (RCU) is an enterprise fund operating under Richland County Government. RCU provides sewer services to portions of Northwest and Southeast Richland County and we are approved by South Carolina Department of Health and Environmental Control (SCDHEC) as a the Delegated Review Program (DRP). This means that RCU can perform plan reviews and request construction permits to be issued by SCDHEC for new developments within our area as long as the criteria of the DRP is satisfied. In consideration of our ability to serve new sewer customers and meet regulatory obligations of the DRP, we have initiated a Capacity Assurance Program (CAP). When a development requests sewer service for a property, we analyze the property to determine if we have enough capacity to serve them. We issue a unique CAP Identification Number for each request and if capacity is available, we send the developer a letter stating our "Willingness to Serve" the new development. Each "Willingness to Serve" letter is presented to Council for consideration and general awareness. Once RCU receives approval from County Council, RCU notifies the developer so they can proceed with planning the new development in accordance with the DRP.

RCU staff has evaluated the sewer flow for the proposed development in accordance with our CAP and has determined that we currently have adequate capacity to collect, transmit, and treat the wastewater from this development at our Eastover Wastewater Treatment Plant. See Exhibit 1 for a map of the proposed development location. A letter of "Willingness to Serve" has been sent to the developer, see Exhibit 2.

The table below summarizes the proposed development;

Project Name	Project Address	TMS	Number of Units	Projected Sewer Tap Revenue	Projected Annual Revenue for Sewer	Zoning	Sewer Flow Gallons Per Day
Alexander Point	Rabbit Run	R21900-04-26	171	\$684,000	\$147,806		51,300

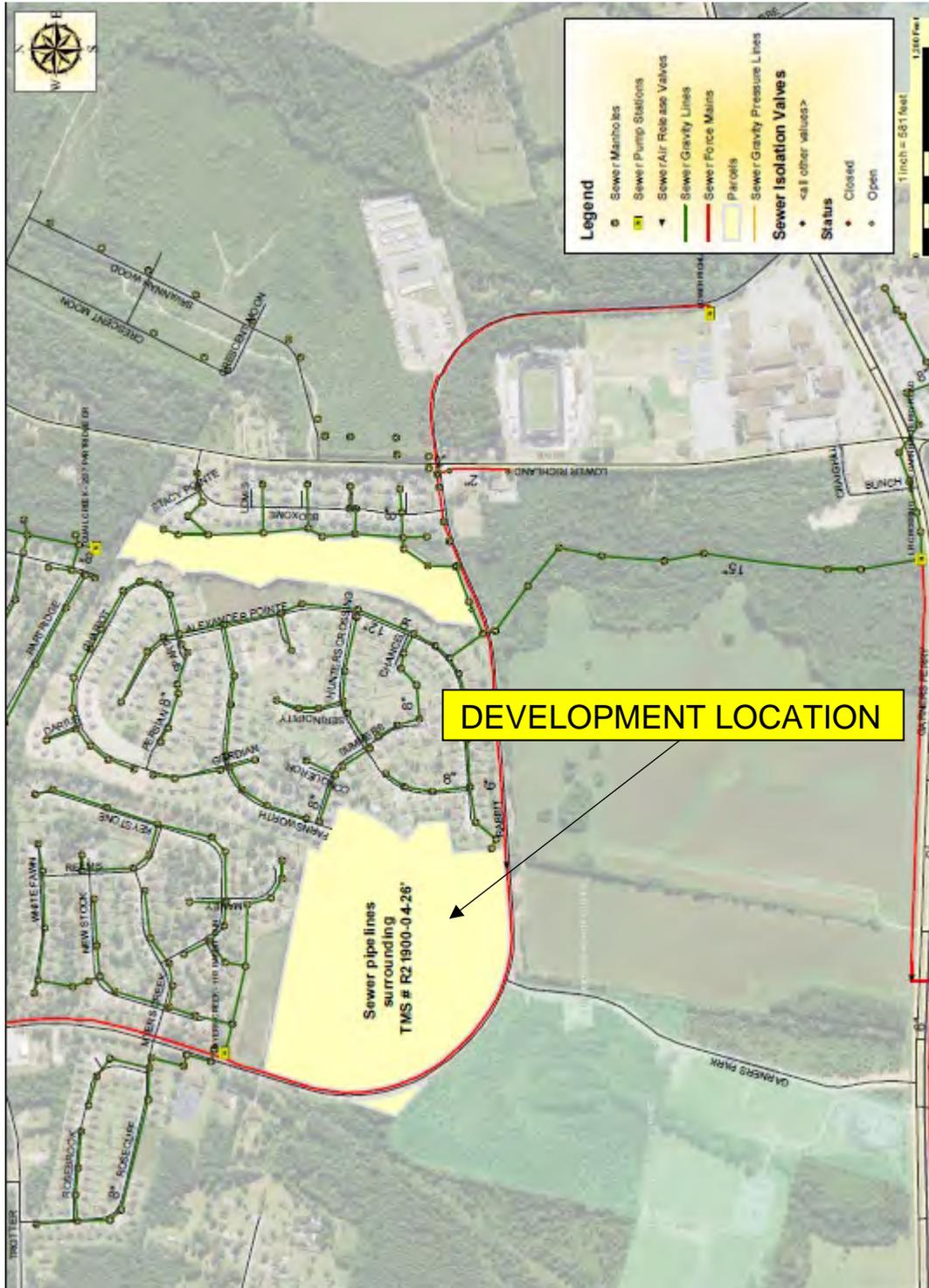
ADDITIONAL COMMENTS FOR CONSIDERATION:

None.

ATTACHMENTS:

1. Exhibit 1: Location Map
2. Exhibit 2: Willingness to Serve Letter

EXHIBIT 1: LOCATION MAP



**RICHLAND COUNTY
UTILITIES DEPARTMENT**

7525 Broad River Road
Irmo, SC 29063



March 2, 2022

Keith E. Utheim, PE
Hussey Gay Bell
1219 Assembly Street, Suite 300
Columbia, SC 29201

Re: "Willingness to Serve Letter"
Alexander Point
TMS # R21900-04-26

Dear Elissa,

In response to your request for capacity on February 22, 2022 (previously submitted on 09/22/21), regarding sanitary sewer service for the above-referenced parcel, Richland County Utilities (RCU) currently has capacity to serve 171 REUs (51,300 gpd) for this property.

Be advised, while sewer capacity may be available, we are not implying requirements for zoning and permitting in accordance with local jurisdictions have been met. RCU has no authority to approve or comment on zoning or other types of permits. This letter pertains only to sewer capacity and our willingness to provide sewer service. Please contact local authorities for any information regarding additional approvals.

Your request has been entered into our Capacity Assurance Program as CAP E-2021013 and will be presented to the Administration and Finance (A&F) Committee for approval of our willingness to serve. If our request to serve is approved by the A&F Committee, it will be moved to the Council for final approval.

Upon Council's approval, you will be able to proceed with design and submit plans and specifications in accordance with our Delegated Review Program (DRP).

The availability is valid for twelve (12) months from the date of council approval. If you have any questions, please contact me at 803-771-1235.

Sincerely,

William (Bill) H. Davis, PE
Director of Utilities

Cc: Tariq Hussain, Deputy Director of Utilities
Sahad Khilqa, Ph.D., Sanitary Engineer

Revised 01/11/22



Acquisition, Lease, and Disposal of County Real Property

I. Purpose

The purpose of this document is to establish a framework through which the County Administrator may consider its real property assets and make recommendations to Council for real property acquisition and disposal.

Authority

S.C. Code Ann. Section 4-9-30 provides that a county governing body has the power “(2) to acquire real property by purchase or gift; to lease, sell or otherwise dispose of real and personal property; and to acquire tangible personal property and supplies;” and “(3) to make and execute contracts.”

Nothing herein shall diminish County Council’s authority to acquire, lease, purchase, sell or otherwise dispose of real property, or to enter into contracts. Real property disposition normally should be handled by County Council or the County Administrator, although other officials may be designated by the Administrator to assist in the disposition of real property.

II. Acquisition of Real Property

The County may acquire property for such purposes as, including but not limited to, the following:

1. When County Council authorizes a construction project through the Capital Improvement Program (CIP) and the County does not have a suitable real property for it; or
2. For economic development projects through the Economic Development Department; or
3. For the acquisition of rights-of-ways through the Penny Transportation Program; or
4. Conservation easements.

Procedures

Real property acquisition should be based upon fair market value, unless circumstances indicate an acquisition can be made for a lesser value. Absent extraordinary circumstances (such as an unusual time exigency), at least one appraisal by a certified appraiser should be received to determine the fair market value of the real property, conforming to the Uniform Standard of Professional Appraisal Practices.

Real estate contracts, deeds and related legal instruments should be prepared by or reviewed by the County Legal Department before execution by the County.

Consultation should be made with the Finance and Budget and Grants Management directors, or their designees, to confirm:

- a. That the purchase or acquisition is specifically authorized in the CIP budget; and
- b. The availability of funds to pay for the interest in real property according to proposed contract terms.

All recommended real property transactions require a real property disposition summary prepared for review by approval authorities to include such information as:

- a. A property name or designator
- b. Property Address
- c. Acreage, plus or minus
- d. Intended Use
- e. Total acquisition cost
 - i. Must include the purchase price and any additional costs of acquiring the real property such as title work, survey, closing costs, earnest money, etc.
- f. Total cost to Use the real property
 - i. Any related costs required to prepare the real property for its intended use, such as major or incidental construction or renovation, site preparation, professional fees, and utility connection fees
- g. Funding Source
- h. Due Diligence Period Expires
- i. Closing Date
- j. "Point of No Return" Date (NOTE: may be different from the expiration of the due diligence, feasibility or inspection period).

III. Disposal of Real Property

The County may dispose of surplus real property by sale or lease for, including but not limited to, the following purposes:

1. When the County does not intend to use or have a need for the real property; or
2. Upon request from a political subdivision or local government agency such as, but not limited to, state agency, municipality, board, commission, etc.; or
3. Upon request from a non-profit organization serving the public interest such as, but not limited to, health care, housing, social services, recreational activities, education; or
4. Upon request from a community development corporation for urban or suburban redevelopment such as, but limited to, affordable/workforce housing, mixed use development, or to provide social services; or
5. Economic development.

Procedures

There is hereby created a list to be known as the Surplus Real Property List (SRPL), the same to be maintained by the County Administrator and published for the public. The SPL will include real properties approved for sale, trade, encumbrance, or other action divesting Richland County of an ownership interest. All real properties on the surplus list shall be approved by the Administrator and sent to County Council for concurrence.

Surplus real property shall remain on the Surplus Real Property List until disposed of, unless the County Administration decides otherwise or the County Council removes the real property from the list. If the County Administrator decides to remove a property from the SRPL, the Administrator will notify County Council.

Surplus real property shall be disposed of by one of the following methods:

- a. Sealed bid process for real property valued up to \$25,000;
- b. Listing the property with a Procurement qualified private broker for real property valued at more than \$25,000;

- c. Listing the property for auction when a selected, Procurement qualified broker recommends that this method is the most advantageous for the County; or
- d. Any other method determined by the County Administrator, with the approval of County Council, to be commercially reasonable considering the type and location of property involved.

Prior to the disposal of real property, the Procurement Manager shall publish a notice online on the County's website, in the South Carolina Business Opportunities Newsletter (SCBO), and any other newspaper of general circulation, as deemed appropriate. The failure to provide the notice described herein shall not compromise the County governing body's power to dispose of property under the Home Rule portions of State law cited herein.

Unless otherwise directed provided by resolution, real property on the SRPL is approved by the County Council for sale and may be sold for:

- a. Not less than the fair market value, with fair market value being determined by:
 - i. Not less than one (1) certified real estate appraiser if the fair market value is determined to be less than two hundred fifty thousand dollars (\$250,000.00); or
 - ii. Not less than two (2) certified real estate appraiser if the fair market value is determined to be two hundred fifty thousand dollars (\$250,000.00) or more.

The general terms of sale shall be within the discretion of County Council.

All properties, independent of their values, shall be subject to disposition process as outlined in this policy.

The County Administrator, through the Finance Department (Procurement Division), shall provide to the County Council an annual report in the month of January, detailing all real properties sold, traded, encumbered, or divested by the administration over the past fiscal year ending on June 30th, which report shall contain:

- a. Property names and addresses;
- b. The approximate size of each real property;
- c. The acquisition amount paid for each real property and acquisition date;
- d. Surplus date;
- e. All appraisals and estimates, if any;
- f. The consideration received in the sale of each property;
- g. The names of buyer(s) involved in each transaction; and
- h. The date of sale.

Proceeds from the sale of surplus real property will be credited as follows:

- a. If purchased with General Fund funds or previously donated to the County: proceeds will be credited to the General Fund Capital Project Fund 1308 RC Property Sales to be used to finance capital projects.
- b. If purchased with Special Revenue funds: proceeds will be credited to the respective fund with which the purchase was paid from such Accommodations Tax, Hospitality Tax, Emergency Telephone, Economic Development, Transportation funds, etc.

- c. If purchased with Enterprise funds: proceeds will be credited to the respective fund with which the purchase was paid from such as Utilities, Solid Waste, Airport, etc.

IV. Real Property Asset Classifications

The following real property asset classifications will be considered to assess each real property asset owned by Richland County.

- a. General Government
- b. Public Safety
- c. Public Works
- d. Economic Development
- e. Health and Social Services

V. Use of an Agent or Broker

When listing the real property with a private broker as appropriate and necessary, the County Administrator may solicit and contract with a real-estate broker to represent the County for purchase and divestiture of real property greater than \$25,000. The broker must be from and familiar with the area in which the property is being sold. The Procurement Division will establish a list of qualified brokers for use by the County Administrator in selecting the broker who will best meet the needs of the County.

The commission paid to said broker would align with the Economic Development Committee recommended commissions (Exhibit A). Minor transactions under \$25,000 may not require the professional services of a real-estate broker and may be disposed of through a sealed bid process.

VI. Relevant State Laws and County Ordinances

The disposition or purchase of real property owned by Richland County is under the authority of the county's governing body. S.C. Code Ann. Section 4-9-30 provides in part:

“...each county government within the authority granted by the Constitution and subject to the general law of this State shall have the following enumerated powers which shall be exercised by the respective governing bodies thereof:

- a. to acquire real property by purchase or gift; to lease, sell or otherwise dispose of real and personal property...”

Richland County Ordinance 2-29 states:

“Public hearings, upon giving a reasonable public notice shall be held before final council action is taken to:

- a. ...Sell, lease or contract to sell or lease real property owned by the County”

Richland County Ordinance 2-143 states:

“Procurement...

- a. ...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”

VII. Definitions

As used in this policy, the following term shall mean:

Real property or Property. The term “real property” or “property” shall include lands, tenements, and hereditaments.

Real Estate Broker. A person who has taken education beyond the agent level as required by state laws and has passed a broker’s license exam. Brokers can work alone or can hire agents to work for them.

Real Estate Commissions
Economic Development Committee Meeting

February 5 2019

Overview

Richland County has added more than 500 acres to its inventory in the past five years. The goal in adding these properties is

Recommendation

Staff recommends the adoption of commissions as a practice with the following policies and procedures:

- 1) **Client Registration**: Commercial/industrial real estate brokers/agents shall submit to the Department of Economic Development a copy of an executed buyer/tenant representation agreement wherein the effective dates of such agreement are clearly spelled out. The registration shall clearly indicate which tract(s) of County-owned real estate are being exposed to the specific client. The Department will notify the broker/agent that the representation agreement has been received and accepted and placed in a confidential file in the Department's offices. Unless the Department receives a copy of an executed extension agreement from the broker/agent, then the registration will be voided by the Department as of the ending date in the original agreement.
- 2) **Raw Land Sales Commissions**: The County shall pay at the closing of the sale a commission of 3% on raw land where the total sales price or value is \geq \$1 million. The County shall pay at the closing of the sale a commission of 4% on raw land where the total sales price or value is $<$ \$1 million.
- 3) **Building Sales**: The County shall pay at the closing of the sale a commission of 3.5% on the total sales price or value of a building, to include the land upon which it is situated and all improvements thereto. In the case of County-owned "speculative" or "shell" buildings, the 3.5% commission shall be payable on the "as built" price or value, including the land and improvements thereto, as opposed to the "finished out" cost or value of the building.
- 4) **Building Leases**: The County shall pay a commission of 4% of the total cash-out value of a lease. The payment schedule of the commission shall be negotiated with by the broker on a case by case basis.

Assemblage: The County retains the right to contract with a single member of the industrial/commercial brokerage community on the assemblage of tracts of land, with or without multiple ownerships, as may be required for major economic development projects and-or for future business parks or other economic development purposes. The commissions paid for this service shall be negotiated on a case-by-case basis.