



**RICHLAND COUNTY COUNCIL  
REGULAR SESSION AGENDA**

**OCTOBER 15, 2013  
6:00 PM**

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

**INVOCATION THE HONORABLE TORREY RUSH**

**PLEDGE OF ALLEGIANCE THE HONORABLE TORREY RUSH**

**Presentation Of Resolutions**

1. a. National Friends of the Library Week Proclamation [MANNING]
- b. Resolution honoring EAA Chapter 242 for their completion of 10,000 flights in the Young Eagles program [PEARCE, ROSE and RUSH]

**Approval Of Minutes**

2. Regular Session: October 1, 2013 [PAGES 6-19]

**Adoption Of The Agenda**

**Report Of The Attorney For Executive Session Items**

3. a. Proposed Property Purchase
- b. Carolina Walk/Serrus Litigation Update
- c. Personnel Matter

**Citizen's Input**

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

**Report Of The County Administrator**

5. a. Richland County Soil and Water Conservation District's "Where Does Your Water Shed"

poster contest winners:

- First Place: Jacintha Ravindran, 5th grade, Pontiac Elementary School
  - Second Place: Fiona Aldighieri, 8th grade, Longleaf Middle School
  - Third Place: Joseph Ravindran, 2nd grade, Pontiac Elementary School
- b. Bond Rating Upgrade
- c. Transportation Penny Disbursement

### **Report Of The Clerk Of Council**

6. a. REMINDER: Charleston County Transportation Program Site Visit, October 16th  
**\*\*Depart at 8:00 AM from Administration Bldg.\*\***
- b. Internal Audit Work Session: October 22nd, 4:00 PM
- c. Hospitality Tax Review Committee Meeting: October 28th, 12:00 PM
- d. Proposed 2014 Retreat Dates:
- 1. January 23-24, 2014
  - 2. January 30-31, 2014

### **Report Of The Chairman**

7. a. Planning Commission: Appointee's Absences
- b. Fuel Cell Collaboration-County Participation
- c. ComingSoonSC
- d. SC Equality's "Through the Looking Glass of Equality" Inaugural Gala Sponsorship Request **[PAGE 25]**
- e. Bible Way Church of Atlas Road's "Year of Jubilee" 50th Anniversary Banquet Sponsorship Request **[PAGES 26-27]**
- f. Famously Hot New Year's Celebration [PAGE 28]**
- g. "The Sustainers: Builders and Preservers of Civil Rights sites in the Unites States" Funding Request [PAGES 29-40]**
- h. SICA Funding Request**

### **Approval Of Consent Items**

8. An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, In General; so as to create a new section to handle roadway improvements in the Town of Irmo, South Carolina; and Amending Chapter 21, Roads,

Highways and Bridges; Article I, In General; Section 21-6(A); so as to accommodate the new section **[SECOND READING] [PAGES 41-59]**

9. An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Building and Building Regulations; Article III, Building Codes; Section 6-84, Boarded-Up Structures; so as to provide regulations for commercial boarded-up structures, as well as residential boarded-up structures; and to reference the "Property Maintenance" Division rather than the "Unsafe Housing" Division **[SECOND READING] [PAGES 60-67]**
10. An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 4, Licensing and Bonding of Builders, Contractors and Craftsmen; Section 6-66, so as to delete the requirement of Craftsmen Qualification Cards **[SECOND READING] [PAGES 68-72]**

### **Second Reading Items**

11. An Ordinance Amending the Fiscal Year 2013-2014 Hospitality Tax Budget to appropriate \$100,000 of Hospitality Tax Unassigned Fund Balance for the EdVenture--Next Exhibit Capital **[PAGES 73-84]**
12. An Ordinance Amending the Fiscal Year 2013-2014 Transportation Tax Fund Budget to add one full time position **[PAGES 85-91]**

### **Report Of Development And Services Committee**

13. a. Bagging of Yard Debris in Solid Waste Collection Service Areas 2 and 6 **[PAGES 92-108]**
  - b. An Ordinance Amending the Richland County Code of Ordinances, Chapter 12, Garbage, Trash and Refuse; Article I, In General; and Article II, Collection and Disposal; Section 12-12, Definitions, and Section 12-16, Conditions for Residential and Small Business Solid Waste Collection-Yard Trash and Other Household Articles; so as to remove reference to "Franchise" and so as to require trash to be bagged in a phased-in manner **[FIRST READING]**

### **Citizen's Input**

14. Must Pertain to Items Not on the Agenda

### **Executive Session**

### **Motion Period**

15. a. Place "Hopkins SC" on the water tower in Hopkins community **[WASHINGTON]**
  - b. **ComingSoonSC County Council Ad [WASHINGTON]**
  - c. **SC Equality's "Through the Looking Glass of Equality" Inaugural Gala Sponsorship Request [WASHINGTON]**
  - d. **Bible Way Church of Atlas Road's "Year of Jubilee" 50th Anniversary Banquet Sponsorship Request [WASHINGTON]**

- f. **Famously Hot New Year's Celebration Sponsorship Request [WASHINGTON]**
- g. **"The Sustainers: Builders and Preservers of Civil Rights sites in the United States" Funding Request [WASHINGTON]**
- h. **I move that the Council Meetings schedule for January 2014 only include - the January 7th meeting to Select the Chair, Vice Chair and Seats, Time Sensitive Items and Motions; the Annual Council Retreat and the January 28th Development & Services, Administration & Finance and Zoning meetings [MANNING, WASHINGTON, and MALINOWSKI]**
- i. **SICA Funding Request [WASHINGTON]**

## **Adjournment**



### **Special Accommodations and Interpreter Services**

Citizens may be present during any of the County's meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof.

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.

# Richland County Council Request of Action

## **Subject**

- a. National Friends of the Library Week Proclamation [**MANNING**]
- b. Resolution honoring EAA Chapter 242 for their completion of 10,000 flights in the Young Eagles program [**PEARCE, ROSE and RUSH**]

# Richland County Council Request of Action

**Subject**

Regular Session: October 1, 2013 [PAGES 6-19]



**MINUTES OF  
RICHLAND COUNTY COUNCIL  
REGULAR SESSION  
OCTOBER 1, 2013  
6:00 PM**

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

**MEMBERS PRESENT:**

Chair	Kelvin E. Washington, Sr.
Vice Chair	Greg Pearce
Member	Joyce Dickerson
Member	Julie-Ann Dixon
Member	Norman Jackson
Member	Damon Jeter
Member	Paul Livingston
Member	Bill Malinowski
Member	Jim Manning
Member	Seth Rose
Member	Torrey Rush

**OTHERS PRESENT** – Tony McDonald, Roxanne Ancheta, Sparty Hammett, Warren Harley, Brad Farrar, Amelia Linder, Tracy Hegler, Sara Salley, Buddy Atkins, John Hixon, Geo Price, Dale Welch, Beverly Harris, Justine Jones, Rob Perry, Daniel Driggers, Ray Peterson, Rudy Curtis, Pam Davis, Ismail Ozbek, Nelson Lindsay, Rodolfo Callwood, Monique Walters, Michelle Onley

**CALL TO ORDER**

The meeting was called to order at approximately 6:06 p.m.

**INVOCATION**

The Invocation was given by the Honorable Julie-Ann Dixon

**PLEDGE OF ALLEGIANCE**

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

### APPROVAL OF MINUTES

**Regular Session: September 17, 2013** – Mr. Livingston moved, seconded by Ms. Dickerson, to approve the minutes as distributed. The vote in favor was unanimous.

**Zoning Public Hearing: September 24, 2013** – Mr. Malinowski stated that Case #13-18MA was a First Reading item, but was listed in the minutes as Second Reading.

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

### ADOPTION OF THE AGENDA

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

### REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS

The following were potential Executive Session Items:

- a. **Northwest Sewer Litigation Update**
- b. **Carolina Walk/Serrus Litigation Update**
- c. **Brown/O'Neal Litigation Update**
- d. **Contract Award: Engineering Design Services for the Lower Richland Sanitary Sewer Project**

**POINT OF PERSONAL PRIVILEGE** – Mr. Manning recognized that Richland Two School Board Chair – Dr. Bill Flemming, Richland Two Superintendent of Education – Dr. Debbie Hamm and Mr. Mike Montgomery were in the audience.

### EXECUTIVE SESSION

=====  
**Council went into Executive Session at approximately 6:10 p.m. and came out at approximately 6:58 p.m.**  
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- a. **Northwest Sewer Litigation Update** – Mr. Malinowski, moved, seconded by Mr. Livingston, to direct staff to proceed as was discussed in Executive Session. The vote in favor was unanimous.
- b. **Carolina Walk/Serrus Litigation Update** – No action was taken.



### CITIZENS INPUT

Mr. Richard Jenkins spoke against the proposed changes regarding the “Bagging of Yard Debris”.

Mr. Nigel Sandiford and Mr. Clarence Joseph spoke regarding the “Closing Unlicensed Businesses”

### REPORT OF THE COUNTY ADMINISTRATOR

- a. **Update: An Ordinance Authorizing the Issuance and Sale of not to exceed \$17,200,000 General Obligation Bonds, Series 2013B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; Delegating to the County Administrator certain authority related to the bonds; Providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto** – Mr. McDonald and Coroner Gary Watts gave an update and additional information regarding the need for a Coroner’s facility.

### REPORT OF THE CLERK OF COUNCIL

- a. **York County Sales Tax Program Site Visit, October 11<sup>th</sup>** – Ms. Onley stated that the York County Site Visit is scheduled for October 11<sup>th</sup>. The tour will depart from the Administration Building at 9:00 a.m. Mr. Perry will e-mail additional information to Council members.
- b. **REMINDER: Neighborhood Planning Conference, October 12<sup>th</sup>, 8:00 a.m.-2:30 p.m., Columbia Metropolitan Convention Center** – Ms. Onley reminded Council of the Neighborhood Planning Conference on October 12<sup>th</sup>, 8:00-2:30 p.m. at the Convention Center.

### REPORT OF THE CHAIR

- a. **ComingSoonSC Council Ad** – Mr. Washington stated this item is still in the Economic Development Committee.
- b. **Planning Commission – Letter re: Appointee’s Absences** – Council upheld the Planning Commission ruling. The vacancy is to be advertised immediately.
- c. **Internal Audit Update: Council Work Session** – Mr. Washington stated that he will be scheduling an Internal Audit – Council Work Session.
- d. **Personnel Matter** – This item was taken up in Executive Session.
- e. **Sewer Ad Hoc Committee** – Mr. Washington stated that he will be appointing members to this committee.

## PRESENTATION

**“The Sustainers: Builders and Preservers of Civil Rights Sites in the United States Event” – Catherine Bruce** – Ms. Bruce gave a brief overview of the event that will take place on October 23<sup>rd</sup> and 24<sup>th</sup> at the Columbia Metropolitan Convention Center.

## OPEN/CLOSE PUBLIC HEARINGS

- **An Ordinance Amending the Fiscal Year 2013-2014 Hospitality Tax Budget to appropriate \$517,000 of Hospitality Tax Unassigned Fund Balance for feasibility studies (\$420,000), Olive Branch Network (\$50,000), and Capital City Classic (\$47,000) – No one signed up to speak.**
- **An Ordinance Amending the Fiscal Year 2013-2014 General Fund Budget to Add Six School Resource Officer Positions for Sheriff’s – SRO School District 5 – No one signed up to speak.**
- **Authorizing and Providing for the creation of the Lower Richland Sewer System and for the issuance of Lower Richland Sewer System Improvement Revenue Bonds for Richland County, South Carolina; prescribing the form of bonds; limiting the payment of the bonds solely to the new revenues derived from the operations of the Sewer System and pledging the revenues to such payments; creating certain funds and providing for payments into such funds; and making other covenants and agreements in connection with the foregoing – No one signed up to speak.**
- **Authorizing and Providing for the issuance of Sewer System Improvement Revenue Bond Anticipation Note, Series 2013 (Lower Richland Sewer System Project Phase I), or such other appropriate series designation of Richland County, South Carolina, in an amount not to exceed \$9,359,000; Authorizing the County Administrator to determine certain matters relating to the Note; Providing for form and details of the Note; Providing for payment of the Note; Providing for the disposition of the proceeds thereof; and other matters relating thereto – No one signed up to speak.**

## APPROVAL OF CONSENT ITEMS

- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; so as to Adopt and Codify the 2011 Edition of the International Electrical Code and the 2012 Editions of the International Residential Code, International Building Code, International Fire Code, International Fuel/Gas Code, International Mechanical Code, International Plumbing Code, and International Property Maintenance Code [THIRD READING]**

- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, In General; so as to create a new section to handle roadway improvements in the Town of Irmo, South Carolina; and Amending Chapter 21, Roads, Highways and Bridges; Article I, In General; Section 21-6(A); so as to accommodate the new section [FIRST READING]**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Building and Building Regulations; Article III, Building Codes; Section 6-84, Boarded-Up Structures; so as to provide regulations for commercial boarded-up structures, as well as residential boarded-up structures; and to reference the “Property Maintenance” Division rather than the “Unsafe Housing” Division [FIRST READING]**
- **Proclamation Designating October 2013 as Community Planning Month in Richland County**
- **Enter into a Restrictive Covenant Agreement with John A. Grant Concerning Property Located at 6319 Shakespeare Road, Columbia, SC**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 4, Licensing and Bonding of Builders, Contractors and Craftsmen; Section 6-66, so as to delete the requirement of Craftsmen Qualification Cards [FIRST READING]**
- **Hopkins Farmland Conservation Easement**
- **Direct Staff to Establish Mobile Home Park Regulations that are Enforced by the Building Codes and Inspections Department**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (C), Standards; Paragraph (8), Bars and Other Drinking Places; so as to remove the distance requirement between bars and places of worship in the GC, M-1, and LI Zoning Districts**

Mr. Pearce moved, seconded by Mr. Rush, to approve the Consent Items. The vote in favor was unanimous.

### **THIRD READING**

**Authorizing and Providing for the creation of the Lower Richland Sewer System and for the issuance of Lower Richland Sewer System Improvement Revenue Bonds for Richland County, South Carolina; prescribing the form of bonds; limiting the payment of the bonds solely to the new revenues derived from the operation of the Sewer System**

**and pledging the revenues to such payment; creating certain funds and providing for payments into such funds; and making other covenants and agreements in connection with the foregoing** – Mr. Manning moved, seconded by Mr. Jackson, to defer this item. The vote in favor was unanimous.

**Authorizing and Providing for the Issuance of a Sewer System Improvement Revenue Bond Anticipation Note, Series 2013 (Lower Richland Sewer System Project Phase I), or such other appropriate series designation of Richland County, South Carolina, in an amount not to exceed \$9,359,000; Authorizing the County Administrator to determine certain matters relating to the Note; Providing for form and details of the Note; Providing for the payment of the Note; Providing for the disposition of the proceeds thereof; and other matters relating thereto** – Mr. Manning moved, seconded by Mr. Jackson, to defer this item. The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2013-2014 General Fund Budget to Add Six School Resource Officer Positions for Sheriff's SRO – SRO School District 5** – Mr. Malinowski moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

Mr. Malinowski moved, seconded by Ms. Dickerson, to reconsider this item. The motion failed.

**Millage Presentation** – A discussion took place regarding Richland School District Two's budget.

Mr. Manning moved, seconded by Ms. Dickerson, to approve a millage rate at the cap [understood to be 294.5] to take Richland School District Two as close as possible to the \$132,180,000 originally approved in Council's budget. A discussion took place.

Mr. Pearce made a substitute motion, seconded by Mr. Malinowski, the millage for School District Two Operations be set at 291.5 mills. Further move, that the budget be amended to reflect that the funding for Richland Two be \$130,396,941, less the State reimbursement of \$47,096,623, for a total of \$82,000,203. With the following proviso, should the 291.5 mill assessment yield collections less than \$82,000,203, Richland Two's budget shall automatically be reduced to the amount of the tax collections received and should the 291.5 mill assessment yield collections greater than \$82,000,203, Richland Two's budget shall automatically be increased to the amount of tax collections received. The vote was in favor.

**An Ordinance Authorizing the Levying of Ad Valorem Property Taxes, which, together with the prior year's carryover and other State levies and any additional amount appropriated by the Richland County Council prior to July 1, 2013, will provide sufficient revenues for the operations of Richland County Government during the period from July 1, 2013, through June 30, 2014** – Mr. Livingston moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

Mr. Malinowski moved, seconded by Mr. Jackson, to reconsider this item. The motion failed.

**An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article X, Property Maintenance; so as to codify property maintenance regulations** – Mr. Jackson moved, seconded by Mr. Livingston, to approve this item. A discussion took place.

Mr. Jackson withdrew his motion.

Mr. Rush moved, seconded by Mr. Malinowski, to withdraw this item. The voter in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2013-2014 Hospitality Tax Budget to appropriate up to \$420,000 of Hospitality Tax Unassigned Fund Balance for Feasibility Study** – Ms. Dickerson moved, seconded by Ms. Dixon, to approve up to \$42,000 of H-Tax Unassigned Fund Balance. The vote in favor was unanimous.

Mr. Jackson moved, seconded by Ms. Dickerson, to reconsider this item. The motion failed.

**An Ordinance Amending the Fiscal Year 2013-2014 Hospitality Tax Budget to appropriate \$50,000 of Hospitality Tax Unassigned Fund Balance for Olive Branch** – Mr. Rush moved, seconded by Ms. Dixon, to approve this item. The vote was in favor.

Mr. Rush moved, seconded by Ms. Dickerson, to reconsider this item. The motion failed.

**An Ordinance Amending the Fiscal Year 2013-2014 Hospitality Tax Budget to appropriate \$47,000 of Hospitality Tax Unassigned Fund Balance for the Capital City Classic** – Ms. Dickerson moved, seconded by Mr. Livingston, to approve this item. A discussion took place.

Ms. Dixon made a substitute motion, seconded by Mr. Washington, to appropriate an additional \$13,000 for the Capital City Classic. A discussion took place.

<b><u>For</u></b>	<b><u>Opposed</u></b>
Dixon	Malinowski
Jackson	Rose
Washington	Pearce
Dickerson	Livingston
	Rush
	Manning
	Jeter

The substitute motion failed.

The vote in favor of the motion to appropriate \$47,000 of Hospitality Tax Unassigned Fund Balance was unanimous.

Mr. Jackson moved, seconded by Ms. Dixon, to reconsider this item. The motion failed.

## SECOND READING ITEM

**An Ordinance Authorizing an Easement to School District 5 of Lexington and Richland Counties for a Sanitary Sewer Line across land owned by Richland County; specifically a portion of TMS # 03300-01-06** – Mr. Malinowski moved, seconded by Mr. Livingston, to approve this item. The vote in favor was unanimous.

## FIRST READING

**An Ordinance Amending the Fiscal Year 2013-2014 Hospitality Tax Budget to appropriate \$100,000 of Hospitality Tax Unassigned Fund Balance for the EdVenture—Next Exhibit Capital** – Mr. Manning moved, seconded by Mr. Pearce, to approve this item. A discussion took place.

<b><u>For</u></b>	<b><u>Opposed</u></b>
Rose	Dixon
Pearce	Malinowski
Washington	Jackson
Livingston	
Dickerson	
Rush	
Manning	
Jeter	

The vote was in favor.

## REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

**Bagging of Yard Debris in Solid Waste Collection Service Areas 2 and 6** – Mr. Manning moved, seconded by Ms. Dickerson, to direct staff to research the cost of contracting a polling service to poll the citizens regarding the bagging of yard debris. A discussion took place.

Ms. Dickerson made a substitute motion, seconded by Mr. Livingston, to defer this item. The vote was in favor.

**An Ordinance Amending the Richland County Code of Ordinances, Chapter 12, Garbage, Trash and Refuse; Article I, In General; and Article II, Collection and Disposal; Section 12-12, Definitions, and Section 12-16, Conditions for Residential and Small Business Solid Waste Collection-Yard Trash and Other Household Articles; so as to remove reference to “Franchise” and so as to require trash to be bagged in a phased-in manner [FIRST READING]** – Ms. Dickerson moved, seconded by Mr. Livingston, to defer this item. The vote in favor was unanimous.

**Closing Unlicensed Businesses** – This item was received as information.

**Richland County Community Garden Program** – This item was received as information.

## REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

**Public Defender Attorney Compensation and Retention Plan** – Mr. Malinowski made a motion to send this item back to committee for additional information. The motion died for lack of a second.

Mr. Manning moved, seconded by Ms. Dickerson, to approve this item. The vote was in favor.

**Eastern Federal Lands Access Program Grant** – Mr. Rush moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

**Contract Award: Engineering Design Services for the Lower Richland Sanitary Sewer Project** – This item was taken up in Executive Session.

## REPORT OF RULES AND APPOINTMENTS COMMITTEE

### I. NOTIFICATION OF VACANCIES

- a. **Community Relations Council—1** – Mr. Malinowski stated that the committee recommended advertising for this position. The vote in favor was unanimous.
- b. **Hospitality Tax Committee—2** – Mr. Malinowski stated that the committee recommended advertising for these positions. The vote in favor was unanimous.
- c. **Central Midlands Council of Governments—2** – Mr. Malinowski stated that the committee recommended advertising for these positions. The vote in favor was unanimous.
- d. **Planning Commission—2** – Mr. Malinowski stated that the committee recommended advertising for these positions. The vote in favor was unanimous.

### II. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **Request that the SCAC post the Rules, Regulations, and Bylaws on the SCAC website and that each County and/or County Chair should have the opportunity to make a recommendation to the board regarding their representative when vacancies become available and that the representative should be term limited [DICKERSON]** – This item was held in committee.
- b. **Amended agenda pages will be given a page/letter designation and only those pages will be Xeroxed for distribution. Example: If page 105 has a change for some reason the amended page will be assigned page 105a. This will eliminate the necessity of Xeroxing hundreds of additional pages of new agendas as well as eliminate the need for Council members to change all of their notations on pages already reviewed [MALINOWSKI]** –

Mr. Malinowski stated that the committee recommended “freezing” the agenda after it is initially e-mailed. Additional items will be added to the end of the agenda as an addendum. A discussion took place.

The vote in favor was unanimous.

- c. **Internal Audit Committee – Term Extension** – Mr. Malinowski stated that the committee recommended extending the terms of the members currently on the Internal Audit Committee and review the guidelines in a subsequent Rules & Appointments meeting. The vote in favor was unanimous.

### **OTHER ITEMS**

#### **Report of the Transportation Ad Hoc Committee:**

- a. **Meeting Update** – Mr. Livingston gave a brief overview of the September 23<sup>rd</sup> meeting of the Transportation Ad Hoc Committee meeting. The site visits for York and Charleston Counties have been scheduled. The York visit is scheduled for October 11<sup>th</sup> at 10:30 a.m. and the Charleston visit is scheduled for October 16<sup>th</sup> at 10:30 a.m.
- b. **An Ordinance Amending the Fiscal Year 2013-2014 Transportation Tax Fund Budget to add one full time position [FIRST READING]** – Mr. Jackson moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote was in favor.

#### **Report of the Hospitality Tax Review Committee:**

- a. **Recommend a percentage amount for allowable operating and maintenance expenditures. It was recommended that the County allow organizations that operate tourism facilities be allowed to use a portion of H-Tax funds for facility operations and maintenance as described in the State Statute. It was also recommended that the H-Tax Guidelines be revised to include specifically that H-Tax fund can be used for operations and maintenance of (a) tourism-related buildings, including, but not limited to, civic centers, coliseums, and aquariums and (b) tourism-related cultural, recreational, or historic facilities** – Mr. Manning stated that the committee recommended 20% be allowed for operations and maintenance expenditures. The vote in favor was unanimous.
- b. **Adding New Ordinance Agencies** – This item was held in committee.
  - 1. **Township**
  - 2. **Renaissance Foundation**
- c. **Create a New Funding Category under Community Promotions to be titled “Special County Promotions”. Place organizations that annually receive additional**



funding through the motions process out of the competitive cycle since Council is providing additional funding for these organizations would receive base funding each year at the previous FY level with any funding increases based on CPI. The following organizations will be placed: Olive Branch Network of South Carolina, South East Rural Community Outreach (SERCO) – Mr. Manning stated that the committee recommended that a new funding category entitled “Special County Promotions” be established and that SERCO be added to this category. The vote in favor was unanimous.

**CITIZENS’ INPUT**

Ms. Carol Kososki and Ms. Virginia Sanders spoke regarding the Haile Gold Mine mitigation bank matter.

**EXECUTIVE SESSION**

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**Council went into Executive Session at approximately 9:31 p.m. and came out at approximately 9:45 p.m.**  
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- a. **Brown/O’Neal Litigation Update** – Mr. Malinowski moved, seconded by Mr. Livingston, to direct staff to proceed as directed in Executive Session up to the amount discussed. The vote in favor was unanimous.
  
- b. **Contract Award: Engineering Design Services for the Lower Richland Sanitary Sewer Project** – Mr. Jackson moved, seconded by Mr. Washington, to direct staff to proceed with the contract award.

<b><u>For</u></b>	<b><u>Opposed</u></b>
Dixon	Malinowski
Jackson	Pearce
Rose	
Washington	
Livingston	
Dickerson	
Rush	
Manning	
Jeter	

Ms. Dickerson moved, seconded by Mr. Malinowski, to reconsider this item. The motion failed.

- c. **Carolina Walk/Serrus Litigation Update** – Mr. Jackson moved, seconded by Mr. Rush, to direct the Administrator to evaluate the situation as discussed in Executive Session

with the Assessor's Office and if it's in the best interest of the County to have him settle as discussed. The vote was in favor.

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

#### **MOTION PERIOD**

- a. **Resolution honoring Satch Krantz, Riverbanks Zoo President and CEO, on receiving the R. Marlin Perkins Award for Professional Excellence from the Association of Zoos and Aquariums [LIVINGSTON]** – Mr. Livingston moved, seconded by Mr. Pearce, to adopt a resolution honoring Satch Krantz. The vote in favor was unanimous.
- b. **I move to prohibit sewage sludge spray fields application in Richland County [WASHINGTON]** – This item was referred to the D&S Committee.
- c. **I move that Council give unanimous consent to a resolution honoring the Coroner's Office on receiving national accreditation [PEARCE]** – Mr. Malinowski moved, seconded by Ms. Dixon, to adopt a resolution honoring the Coroner's Office. The vote in favor was unanimous.
- d. **Resolution in honor of the late Senator Giese. In honor of his service to Richland County citizens as a member of the South Carolina Senate and as a member of Richland County Council [ROSE]** – Mr. Rose moved, seconded by Mr. Malinowski, to adopt a resolution honoring the late Senator Warren Giese. The vote in favor was unanimous.
- e. **Any item staff desires to place on a County Council agenda must go through the same process as all other items. They must be sent to a committee for review and recommendation for action by that committee to the full Council. This includes items coming from other agencies and elected officials. This can save a lot of discussion time at Council meetings because all details will have been provided to Council members and questions can be asked and possibly resolved during the committee meeting [MALINOWSKI]** – This item was referred to the Rules & Appointments Committee.
- f. **No elected official is allowed to make outside inquiries about the purchase of property but must submit their request to staff. It will then be placed on the appropriate committee agenda for review and action (possibly as an Executive Session item). Elected officials seeking property without the assistance of staff can tend to pay more once it is learned the "government" is seeking to purchase the property. Many of the properties are also in need of repair/remodeling to fit the needs of the particular official and such outside actions can tend to elevate the prices by not going through the approved bid process [MALINOWSKI]** – This item was referred to the A&F Committee.

- g. To direct staff (Clerk of Council, Public Information) to make recommendations, including costs, on mementos that Council Members can provide to honorees, citizens, and others being formally, or informally, recognized by individual Council Members, or Council as a body [DICKERSON] – This item was referred to the A&F Committee.**

**ADJOURNMENT**

The meeting adjourned at approximately 9:51 p.m.

\_\_\_\_\_  
Kelvin E. Washington, Sr., Chair

\_\_\_\_\_  
L. Gregory Pearce, Jr., Vice-Chair

\_\_\_\_\_  
Joyce Dickerson

\_\_\_\_\_  
Julie-Ann Dixon

\_\_\_\_\_  
Norman Jackson

\_\_\_\_\_  
Damon Jeter

\_\_\_\_\_  
Paul Livingston

\_\_\_\_\_  
Bill Malinowski

\_\_\_\_\_  
Jim Manning

\_\_\_\_\_  
Seth Rose

\_\_\_\_\_  
Torrey Rush

The minutes were transcribed by Michelle M. Onley

# Richland County Council Request of Action

**Subject**

- a. Proposed Property Purchase
- b. Carolina Walk/Serrus Litigation Update
- c. Personnel Matter

# Richland County Council Request of Action

**Subject**

For Items on the Agenda Not Requiring a Public Hearing

# Richland County Council Request of Action

## **Subject**

- a. Richland County Soil and Water Conservation District's "Where Does Your Water Shed" poster contest winners:
  - First Place: Jacintha Ravindran, 5th grade, Pontiac Elementary School
  - Second Place: Fiona Aldighieri, 8th grade, Longleaf Middle School
  - Third Place: Joseph Ravindran, 2nd grade, Pontiac Elementary School
- b. Bond Rating Upgrade
- c. Transportation Penny Disbursement

# Richland County Council Request of Action

## **Subject**

- a. REMINDER: Charleston County Transportation Program Site Visit, October 16th  
\*\*Depart at 8:00 AM from Administration Bldg.\*\*
- b. Internal Audit Work Session: October 22nd, 4:00 PM
- c. Hospitality Tax Review Committee Meeting: October 28th, 12:00 PM
- d. Proposed 2014 Retreat Dates:
  1. January 23-24, 2014
  2. January 30-31, 2014

# Richland County Council Request of Action

## **Subject**

- a. Planning Commission: Appointee's Absences
- b. Fuel Cell Collaboration-County Participation
- c. ComingSoonSC
- d. SC Equality's "Through the Looking Glass of Equality" Inaugural Gala Sponsorship Request [**PAGE 25**]
- e. Bible Way Church of Atlas Road's "Year of Jubilee" 50th Anniversary Banquet Sponsorship Request [**PAGES 26-27**]
- f. Famously Hot New Year's Celebration [**PAGE 28**]
- g. "The Sustainers: Builders and Preservers of Civil Rights sites in the Unites States" Funding Request [**PAGES 29-40**]
- h. SICA Funding Request





September 20, 2013

Richland County  
Jim Manning  
District Eight  
P.O. Box 535  
Chapin, SC 29036

Dear Council Member Manning,

South Carolina Equality would like to formerly invite you and other members of council to our inaugural Gala, *"Through the Looking Glass of Equality"*. The event will be held on the evening of October 26, 2013 between the hours of 6:00pm till 11:00pm in Columbia. We would like to ask Richland county to purchase a table of eight seats for the event at the cost of \$500. Perhaps several of your constituents or community members could be honored with seats at your table.

The SC Equality Gala will be our premiere awareness and fundraising event of the year where lesbian, gay, bisexual, transgender, (LGBT) and straight ally leaders from across South Carolina will gather in Columbia for a night of celebration of diversity and equality in South Carolina. We anticipate attendance from statewide and local elected officials, major donors, community advocates, and youth.

South Carolina Equality was established in 2002 as a statewide non-partisan coalition of social, religious, and political LGBTQ organizations and allies with a mission to secure civil and human rights for all LGBTQ people in South Carolina. As a 501 (c)(3) charitable and educational organization we focus on LGBTQ issues and policies by providing leadership and education to our local community.

Your presence at this event will show the residents of your local community your dedication to diversity and your passion for making this state a better place for all its citizens.

Tickets and tables can be purchased on our website: [www.scequality.org/events](http://www.scequality.org/events)  
Feel free to contact me for more information.

For the cause,

Ryan C. Wilson, M.Ed.  
**Executive Director**, South Carolina Equality  
[ryan@scequality.org](mailto:ryan@scequality.org)  
(803) 256-6500

Thank you for all your  
support of SC Equality  
and LGBT people!

# BIBLE WAY CHURCH

OF ATLAS ROAD



The Honorable Kelvin Washington *To know God, to love and to serve*  
Richland County Council

Dear Mr. Washington:

The Bible Way Church of Atlas Road, in Columbia, South Carolina is celebrating a major milestone this year. 2013 marks our 50<sup>th</sup> year of Christian service to the entire Columbia community.

Bishop Andrew Charles Jackson, founding pastor, issued a clarion call in 1963 and 13 adult men and women embarked on this Christian journey. Our ministry has witnessed phenomenal growth, with more than 12,000 individuals whose membership is with this church. The founding principle of the Bible Way Church is to win the hearts of men and women to Christ.

Our church's mission: To know God, to love, and to serve, is reflected in our outreach efforts, which extend beyond our church walls and directly into the life of our community. Bible Way is making a difference in the lives of people in the Columbia community. With the help of supporters like you we will be able to touch more lives and meet the needs of more families.

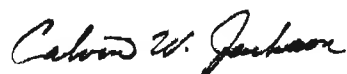
2013 has been declared "The Year of Jubilee" for the Bible Way Church of Atlas Road. This yearlong celebration and campaign will culminate on November 8, 2013 with a 50<sup>th</sup> Year Celebration Banquet held at the Columbia Metropolitan Convention Center. We invite you as a major sponsor to be our guest at this occasion. You will have reserved seating. You will also receive special recognition and be featured in our program, our souvenir journal and inside the Banquet Hall. A full page color advertisement, honoring your support of this ministry will be in our souvenir journal and on our website. Please review the sponsorship levels and submit the completed Sponsorship Form with your camera-ready advertisement.

- **Corporate Platinum Sponsor - \$2,500**
- **Corporate Gold Sponsor - \$2,000**
- **Corporate Silver Sponsor - \$1,500**

I have enclosed a brochure with some highlights of the outreach work we are doing. You will see from the brochure that Bible Way is a wholistic ministry and though this list is not all inclusive, it demonstrates the level of our involvement in the community. We also invite you to visit our website, [www.bwcar.org](http://www.bwcar.org) for more information.

Thank you for your willingness to recognize the high level of work going on in your community and for your desire to want to be a part of this great humanitarian effort.

Sincerely,



Calvin W. Jackson, Chairman  
50<sup>th</sup> Anniversary Planning Committee



*To know God, to love and to serve*

## 50<sup>th</sup> Anniversary Souvenir Journal

### Corporate Sponsorship Form

**Corporate Platinum Sponsor - \$2,500** - A full page color advertisement will be placed in the souvenir journal. Reserved seating for eight will be made available, and the organization will receive recognition at the banquet.

**Corporate Gold Sponsor - \$2,000** - A full page color advertisement will be placed in the souvenir journal. Reserved seating for six will be made available, and the organization will receive recognition at the banquet.

**Corporate Silver Sponsor - \$1,500** - A full page color advertisement will be placed in the souvenir journal. Reserved seating for four will be made available, and the organization will receive recognition at the banquet.

Company Name _____
Address _____
City _____ State _____ Zip Code _____
AD Size _____
(NOTE: Provide camera-ready ad copy. Acceptable formats are: PDF, EPS, TIFF, JPEG)-Email to <a href="mailto:cjackson@bwcar.org">cjackson@bwcar.org</a>
Contact Person _____
Telephone (    ) _____ Email _____

**Checks should be made payable to the Bible Way Church of Atlas Road.**

Mail to: Bible Way Church of Atlas Road  
Calvin Jackson, 50<sup>th</sup> Year Anniversary Committee Chair  
Post Office Box 90309  
Columbia, SC 29290



CITY OF COLUMBIA  
SOUTH CAROLINA  
OFFICE OF THE MAYOR

October 14, 2013

Chairman Kelvin Washington  
Richland County Council  
553 Adams Scott Road  
Gadsden, SC 29052

Dear Chairman Washington:

This previous New Year's Eve, we continued our progress in an exciting new era that has brought growth and new opportunities of engagement for the talented men and women who live and work in our community.

The second annual Famously Hot New Year celebration, which was held on Main Street, the heart of South Carolina, allowed for our community to showcase and celebrate the unique energy and optimism that makes our community such a special place to call home. The celebration allowed our citizens and visitors to enjoy good food, music, and entertainment.

Overall, the celebration was a resounding success, with over 25,000 revelers filling Main Street from more than 29 states and 4 countries, doubling our most optimistic attendance projections. The celebration brings a \$1.2 million economic impact in one night and draws national attention from publications like *U.S. Airways Magazine* and the *Wall Street Journal*.

With such an enormous success we cannot help but to look forward to the upcoming year and the possibilities that this celebration holds. Events like this help set community, region, and state apart. It shows that we have all the benefits of a modern, 21<sup>st</sup> Century metropolis but with the heart of an old fashioned southern town.

I am writing on behalf of the Famously Hot New Year celebration to request Richland County's financial support for the celebration in the amount of \$75,000. Your support is vital as we continue to grow and seek to highlight our community as a bright light in the southeast and the country.

Sincerely,

Sam P. Johnson  
Special Assistant to the Mayor  
Columbia, SC

CC: Mr. Tony McDonald

**Information for Funding Request to Richland County, October 15, 2013**  
**Submitted by Catherine Fleming Bruce, [allsimkins@yahoo.com](mailto:allsimkins@yahoo.com), 803-464-4149**

---

**Project Title:** 'The Sustainers-Builders and Preservers of Civil Rights Sites in the United States'

**Project Funding Request:** \$20,000

**Current sponsors:** Nelson Mullins, South Carolina Conference of Black Mayors, University South Caroliniana Society. **Requested sponsors:** City of Columbia, International Paper.

**Project dates:** Wednesday, October 23 and Thursday October 24, 2013

**Project venues:** Columbia Metropolitan Convention Center and Hilton Columbia Hotel.

**Project Sponsor:** Diachronic Research Foundation (fiscal agent pass-through for Tnovsa)

**Projected number of attendees:** 2000

**Projected number of tourists** (people taking trips outside their home communities for any purpose, except daily commuting to and from work) 800

**Projected number of hotel rooms:** 100

**Projected overnight stays:** 2

**Project description:**

This event is held in conjunction with the 50<sup>th</sup> anniversary commemorating civil rights events that took place in 1963, cities holding events: Columbia, SC; Selma and Montgomery, Alabama; Memphis, TN, Washington DC and Jackson, Mississippi. This event, held at in Columbia, will bring together individuals who led efforts to tell the civil rights story by sustaining and protecting buildings connected to the civil rights movement and allow them to share those stories with the public.

We believe that this project is innovative in that we are bringing together people close to famous civil rights sites, with Columbia sites included, and Columbia serving as the host site. It is innovative in that the public visiting these sites are often focused on the civil rights events and people, while this event will focus on the motivation and the means that individuals and communities used to transform these historic sites into permanent places for interpreting and understanding Civil Rights. Historic sites were selected from each of the cities participating in 1963 celebrations. The variety of these sites will make the presentations more interesting and

make this event a must for tourists: historic houses, a bus station, a national trail, a motel. All are connected with well-known civil rights events and persons, and as such, will have great local, state and regional appeal.

### **Objectives:**

Our objectives are to make Columbia and Richland County a centerpiece for conversation and knowledge about sustaining Civil Rights sites throughout the South. In addition to showcasing our own civil rights sites, we are inviting other builders and sustainers to come to Columbia to tell the story of how they made sure these stories remained strong in their communities. We are contributing to the effort to ensure that Columbia and Richland County are part of the national civil rights narrative.

Our objective is to tell this story as far and as wide as we can.

### **Activities:**

In order to meet these objectives, we will:

Organize and present a two day event that will showcase the story of creating civil rights sites in Columbia, and invite those who can tell the stories of civil rights site creation in Alabama, Tennessee and Mississippi to come here to Richland County to join us.

Market and promote this event to all 46 South Carolina counties, and to all of the Southern states who will send participants

Create local, state and regional partnerships in promoting and carrying out the event that will result in increased tourism levels in Columbia.

Enlist the cooperation of area hotels, restaurants and other hospitality organizations in promoting history and culture during that week, encouraging tourists to choose these hotels.

### **October 23**

Welcome reception

### **October 24**

Civil Rights Sites Presentations (See attachment)

## **BENEFIT TO TOURISM:**

This event will generate great interest and tourists from across several states.

It will help connect Richland County sites to the national civil rights tourism map

It will help increase attendance and revenue at individual sites

It will increase the number of hotel stays and meals purchased in unincorporated areas of the state

One of the primary benefits we see is the contribution to the expansion of civil rights tourism to include Columbia, which currently bypasses us for other Southern cities. We expect that this event, in addition to published documents coming out of the event, will continue to generate increased tourism activity for Columbia.

We will reach out to all tourism and hospitality organizations to help us promote this event, and to encourage them to create incentives for our event participants to stay in with them. We will invite their partnership in the success of the event by communicating with tourists who are staying with them.

We will provide lists of hotels in unincorporated and incorporated areas of Columbia and Richland County to our target audience, and direct them to these hotels.

We have partnered with local organizations, including the University South Caroliniana society and the USC Department of community engagement to further the success of the event.

We will partner with those organizations who have joined together to form the Columbia 63 year-long set of activities, including the City of Columbia, the South Carolina African American Heritage Commission, and others, to benefit from promotion of this event on their website.

We have noted that our site, the Visanska Starks site, is in the Top 20 most viewed Richland County sites on the Historical Marker online Database. This event offers more exposure to this and other Richland County offerings, and will increase our ranking overtime, attracting more tourists.

In summary, benefits include contributions to an increased awareness of Columbia and Richland county offerings, increased visibility for Richland County in the national civil rights tour industry and increased tourism for Richland County.

## **BENEFIT TO COMMUNITY:**

We expect the audience to come from around the state, and from outside the state. This is a year of many commemorations, and we can take advantage of the high level of excitement and interest to bring people to Columbia and show them what we have here, from sites in Lower Richland to downtown sites like the Historic Waverly District.

Hotels and restaurants will benefit from this event, as we will encourage people to use hotels and restaurants in unincorporated areas.

## **MARKETING PLAN**

Radio and television ad buys in regional markets

Invitations created and sent to local, state and regional historical, cultural and civil rights figures.

Website created, for promotion and event registration

Social media promotion, purchasing ads on Facebook, targeting Facebook pages and groups promoting history, culture, civil rights, African American history, tourism and South Carolina history

We will work in partnership with the City of Columbia's 1963 effort, and place information on its website, and will do the same with the other seven cities. We will also work with the Convention and Visitor's Bureau and the hotels to make sure tourists have promotional material about the event. Many of the participants have national and international profiles, and we believe that the national press will pick up news on the event.

Registration done with an on-line process will provide the tracking mechanism for both attendance and cities of origin.

## **MANAGEMENT CAPACITY:**

Tnovsa has presented a number of successful events over the years through work with local and statewide organizations. We also partner with organizations that can support fiscal accountability and additional management capacity to the project.

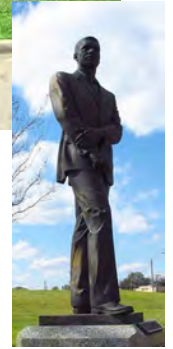




National Civil Rights Museum



Medgar Evers House

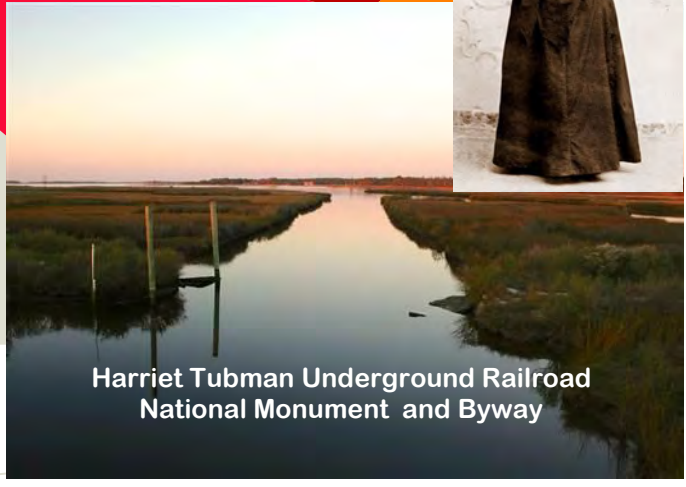


# Sustainers:

*BUILDERS  
AND PRESERVERS OF  
CIVIL RIGHTS SITES  
IN THE UNITED STATES*



**October 23-24, 2013**  
**Columbia Metropolitan**  
**Convention Center**  
**Columbia, South Carolina**



Harriet Tubman Underground Railroad National Monument and Byway



Freedom Riders Museum

This landmark event brings together builders and founders to tell the stories of how the nation's most famed civil rights site developed. The public is often focused on the events and people connected to the site, but the stories behind the transformation of historic sites into permanent places for interpreting and understanding Civil Rights often go untold. Be a part of this unprecedented storytelling in Columbia, South Carolina in 2013!



# THE SUSTAINERS

Builders, Preservers of Civil Rights Sites in the US

Presenters, Left to Right:

**Gerard Eisterhold**  
**D'Army Bailey**

National Civil Rights Museum  
Memphis, Tennessee;

**Barbara Tagger**

Selma to Montgomery Trail  
Selma, Alabama;

Harriet Tubman National  
Monument Park, Maryland;

**Ray Arsenault**

Freedom Rider Bus Museum  
Montgomery, Alabama

**Minnie White Watson**

Medgar Evers  
House Museum

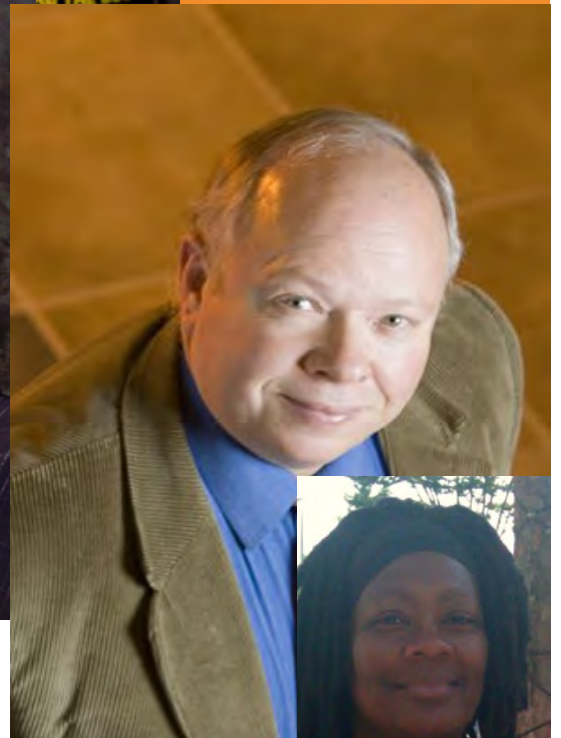
Jackson, Mississippi

**Vernon Burton**

Scholar, 'Age of Lincoln'

**Catherine Fleming Bruce**

Visanska Starks House  
Columbia, South Carolina



Join leaders from the educational and business communities; travel and tourism industries; historical, museum and preservationist communities, and other community actors for a major Southeastern event. Our special guests include Harriet Tubman descendants and nationally recognized historian **Vernon Burton**.

# THE SUSTAINERS

Builders and Preservers of Civil Rights Sites in the United States  
Presenters



**Gerard Eisterhold** has been president, principal designer and project director of EAI since its inception in 1980. His wide ranging expertise includes a thorough understanding of interactive technology and its application in an interpretive environment. Civil Rights projects that EAI have completed include the National Civil Rights Museum, the International Civil Rights Center & Museum, the Rosa Parks Museum and the Rosa Parks Children's Wing, and the Civil Rights Memorial Center in Montgomery. EAI projects also include the Southern Poverty Law Center, the Department of the Interior and Federal Reserve Banks, and Truman Presidential Museum. He will note the contributions of the late **Benjamin Lawless**, who worked with Eisterhold Associates Inc., since 1983.



**Judge D'Army Bailey** joined Wilkes & McHugh, P.A. after retiring from his position as a Circuit Court Judge in Memphis, Tennessee. In 1991, he founded the National Civil Rights Museum at the Lorraine Motel, the site of Dr. Martin Luther King Jr.'s assassination. He is the author of *Mine Eyes Have Seen: Dr. Martin Luther King Jr.'s Final Journey*, and *The Education of a Black Radical; A Southern Civil Rights Activist's Journey, 1959 - 1964*, released in October 2009 by LSU Press. Judge Bailey is a member of the Tennessee Bar Association, the Arkansas Bar Association and State Bar of California. He practiced law in San Francisco, and served on the Berkeley, California, City Council from 1971 to 1973. He returned to Memphis in 1974, where he opened a law practice with his brother, Walter Lee Bailey, Jr. In 1990, he was elected to the position of Circuit Court Judge. Judge Bailey has lectured at several law schools, been a guest analyst on Court TV, and published legal articles in scholarly journals at the law schools of the University of Toledo, Washington and Lee, Howard, and Harvard.



**Vernon Burton** is Creativity Professor of Humanities at Clemson University. From 2008-2010, he was the Burroughs Distinguished Professor of Southern History and Culture at Coastal Carolina University. He was the founding Director of the Institute for Computing in Humanities, Arts, and Social Science (ICHASS) at the University of Illinois, where he is emeritus University Distinguished Teacher/Scholar and Professor of History, African American Studies, and Sociology. At the University of Illinois, he chairs the ICHASS advisory board and is a Senior Research Scientist and Associate Director of Humanities and Social Sciences at the National Center for Supercomputing Applications (NCSA). Burton served as interim president of the Board of Directors of the Congressional National Abraham Lincoln Bicentennial Foundation, and is currently vice-chair. He has 16 authored or edited books and more than two hundred articles. *The Age of Lincoln* (2007) won the Chicago Tribune Heartland Literary Award for Nonfiction. Burton's research interests include the American South, especially race relations and community, and the intersection of humanities and social sciences. He is currently president-elect of the Southern Historical Association. Among his honors are fellowships and grants from the Rockefeller Foundation, the National Endowment for the Humanities, the Pew Foundation, the National Science Foundation, the American Council of Learned Societies, the U.S. Department of Education, and the Carnegie Foundation.



**Minnie White Watson** serves as assistant archivist and curator of the Medgar Wiley Evers Historic (House) Museum and registrar for the Tougaloo Art Colony at Tougaloo College. Her professional career includes Program Assistant/Payroll Officer, Southern Association of Community Health Center (SACHC); and Assistant to Executive Director of Economic Development Corporation, Tougaloo College. Ms. Watson is a community activist, serving as board member of the Bailey Avenue Renewal Coalition, a group charged with revitalizing its main community corridors, including the historic Medgar Evers Boulevard; and the Hinds County Human Resource Agency. Other memberships include National Council of Negro Women; National Association for the Advancement of Colored People (NAACP), and Educators United for Global Awareness, an organization of educators that provides scholarships to young men and women of South Africa.

# THE SUSTAINERS

Builders and Preservers of Civil Rights Sites in the United States

## Presenters



**Barbara Tagger** is Site Manager for the National Park Service Selma to Montgomery National Historic Trail. For more than 30 years, she has served as a National Park Service research historian and historic preservationist, participating in the creation, development, and management of the Martin Luther King, Jr. National Historic Site; the Selma to Montgomery Voting Rights March National Historic Trail; the Tuskegee Airmen National Historic Site; the National Underground Railroad Network to Freedom Program; and the Harriet Tubman Underground Railroad National Monument, established in 2013. She served as acting superintendent for the Tuskegee Institute National Park and the Tuskegee Airmen National Historic Site. In 2007, the Maryland Department of Natural Resources, Maryland Park Service recruited Barbara to act as interim project manager for the Harriet Tubman Underground Railroad State Park Initiative. She was the public face for the state project, assisting with planning and development of interpretive exhibits; oversight of interpretive publications, programming, educational activities, and multimedia programs. Among her honors are the 2013 Harriet Tubman Lifetime Achievement Award presented by the Baltimore African American Tourism Council in Maryland, and the 2002 William C. Everhart award for sustained achievements within the National Park Service. She has taught and lectured in many venues, and has presented on C-Span.



**Catherine Fleming Bruce** is Principal at TNOVSA, focused on media, preservation and global projects. She is restoring the Visanska Starks House, a site combining histories of Antebellum whites, immigrant Jews and African Americans. The Visanska Starks House story aired on HGTV's '[If Walls Could Talk](#)'. Bruce led restoration and preservation efforts of the Modjeska Simkins House, a National Register site and home of the "Matriarch of the South Carolina Civil Rights Movement". Bruce's documentary "A Perfect Equality: Conflicts and Achievements of Historic Black Columbia", won state and national honors. She is historian for Waverly District, an African American National Register of Historic Places District significant to Civil Rights history in South Carolina and the nation, recognized by Congress during its Centennial anniversary celebration in 2013. Bruce is pursuing her doctorate at the University of South Carolina, studying international communication systems and global governance. Her global work includes presentations for USC's Walker Institute; at Les Instituts d'Etudes Politiques (IEP) in France, and serving as UN World Summit for the Information Society observer. She held positions with several statewide organizations, including South Carolina ETV, Claflin University and the South Carolina Humanities Council.



**Ray Arsenault** is the John Hope Franklin Professor of Southern History at the University of South Florida, St. Petersburg, where he has taught since 1980. A specialist in the political, social, and environmental history of the American South, he has also taught at the University of Minnesota, Brandeis University, the University of Chicago, and the Universite d'Angers, in France, where he was a Fulbright Lecturer in 1984-85. Arsenault is the author or editor of seven books, including [Crucible of Liberty: 200 Years of the Bill of Rights](#) (1991); and [Freedom Riders: 1961 and the Struggle for Racial Justice](#) (2006; Abridged Edition 2011). [Freedom Riders](#) was named an Editor's Choice by the [New York Times Book Review](#), a Best Books of 2006 selection by the [Washington Post Bookworld](#); and an Honorable Mention Best Book of 2006 by the Gustavus Myers Center for the Study of Bigotry and Human Rights. The abridged edition of [Freedom Riders](#), published earlier this year, is the companion volume to the PBS Emmy Award winning [American Experience](#) documentary film, [Freedom Riders](#) (2011), directed by Stanley Nelson. Arsenault is currently writing a biography of the legendary African-American tennis star Arthur Ashe.

# THE SUSTAINERS

Builders and Preservers of Civil Rights Sites in the United States

## Program Agenda

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### WEDNESDAY, OCTOBER 23

**6:00 pm**

Presenter reception (invitation only)

### THURSDAY, OCTOBER 24

**9:00 am**

**Dr. Vernon Burton**

Clemson University

Scholar, 'Age of Lincoln'

Opening Remarks: "Steps to freedom" leading from the end of Slavery to the Civil Rights movement."

**10:30 am**

**Minnie White Watson**

Medgar Evers House Museum

Jackson, Mississippi

**11:45 am**

**Remarks from Geraldine Copes and Rita Daniels**

family members of Harriet Tubman 'Moses of her People'

Free time: "50 Years Forward" national Civil Rights traveling exhibit,  
displays of local research on related civil rights themes

**1:30**

**Catherine Fleming Bruce**

Visanska Starks House: antebellum, Jewish, and Black—intertwining contributions to the Civil Rights Movement  
Columbia, South Carolina

**2:30**

**Gerard Eisterhold, Eisterhold Associates**

**The Honorable D'Army Bailey**

Lorraine Motel, National Civil Rights Museum Memphis, Tennessee

**3:30**

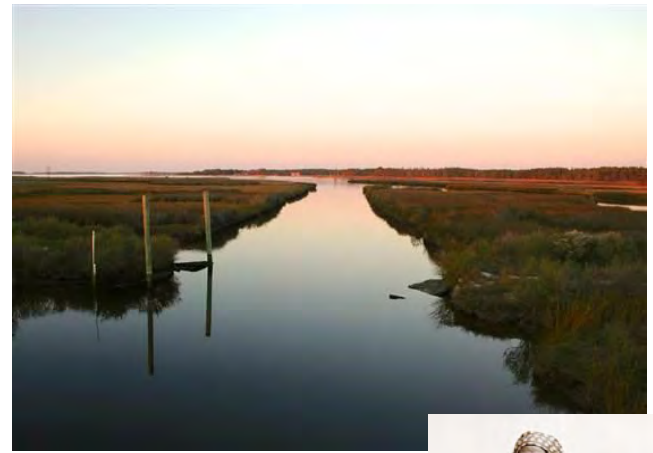
**Dr. Ray Arsenault**

Freedom Rider Bus Museum Montgomery, Alabama

**4:30**

**Barbara Tagger**

Selma to Montgomery Trail Selma, Alabama  
Harriet Tubman National Monument Park, Maryland



# *Sustainers:*

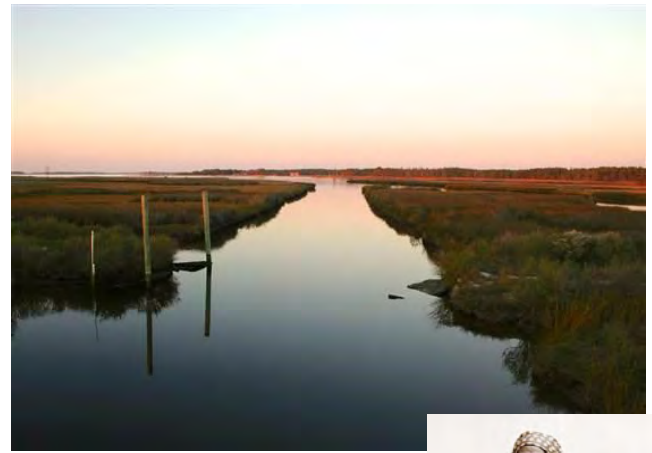
*BUILDERS  
AND PRESERVERS OF  
CIVIL RIGHTS SITES  
IN THE UNITED STATES*

## **What is TNOVSA?**

TNOVSA, Catherine Fleming Bruce, principal, conducts special projects in media, technology, global issues, research and preservation for public audiences. Projects include development of the Visanska Starks House and Carriage House, which has appeared on HGTV; and preservation in Waverly Historic District in Columbia, South Carolina, which has received recognition from Congress.

## **What is the Diachronic Research Foundation?**

The **Diachronic Research Foundation** is a non-profit corporation dedicated to the study of South Carolina's past and people. The Foundation pursues this goal using archaeology, history, technology, geography, geology, folklore, and more, working together under the overall umbrella of anthropology. The Foundation is partnering with Tnovsa on historical, cultural and archaeological projects.



# Sustainers:

*EXPANDING COMMUNITY  
THROUGH COLLABORATION*

◇ **EVENT SPONSORS and PARTNERS**

**Nelson Mullins**  
Nelson Mullins Riley & Scarborough LLP



University  
South  
Caroliniana  
Society



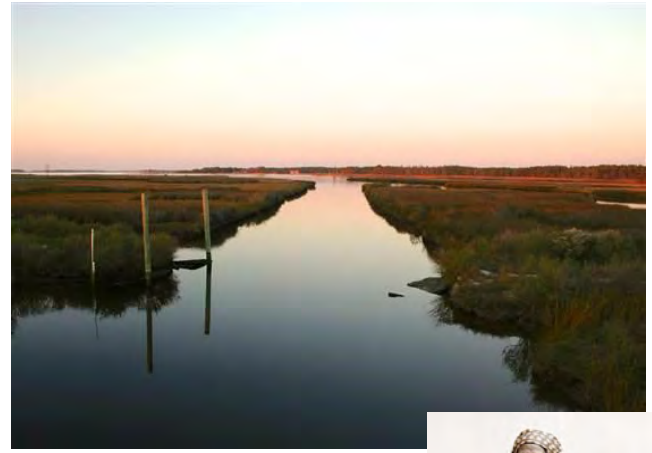
**Harriet Tubman family  
appearance sponsor**

**SCCBM**  
South Carolina Conference of Black Mayors



Diachronic  
Research  
Foundation

**L. Bakari Middleton**



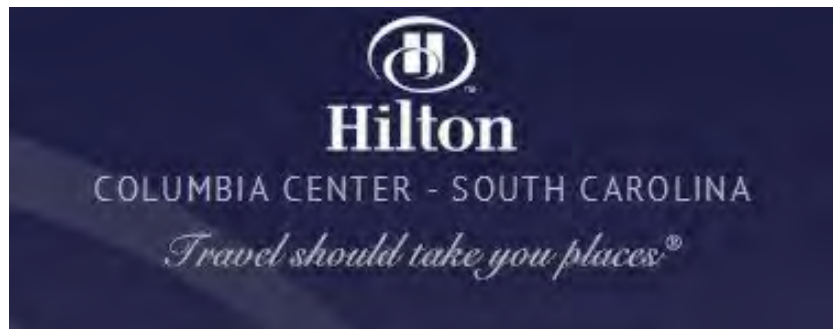
# Sustainers:

*EXPANDING COMMUNITY  
THROUGH COLLABORATION*

◇ **EVENT SPONSORS and PARTNERS**



Office of Student Engagement



For further information on joining our sponsors and partners for this first ever gathering of builders of civil rights sites from across the nation in South Carolina, contact Tnovsa by OCTOBER 17th: [allsimkins@yahoo.com](mailto:allsimkins@yahoo.com) or 803-464-4149.



# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, In General; so as to create a new section to handle roadway improvements in the Town of Irmo, South Carolina; and Amending Chapter 21, Roads, Highways and Bridges; Article I, In General; Section 21-6(A); so as to accommodate the new section **[SECOND READING] [PAGES 41-59]**

## **Notes**

July 23, 2013 - The Committee unanimously approved Mr. McDonald's recommendation to defer the item to the September 24, 2013 Committee meeting.

September 24, 2013 - The Committee unanimously approved the request to amend Ordinance 21-6 that controls acceptance of roadways so that where a development in the Town of Irmo is located in both Richland and Lexington Counties with more than 50% of the development located in Lexington County, the public improvements will be controlled by Lexington County regulations.

First Reading: October 1, 2013

Second Reading:

Third Reading:

Public Hearing:

## Richland County Council Request of Action

**Subject:** Acceptance of Roadways for Maintenance  
in the Town of Irmo

### **A. Purpose**

To amend Ordinance 21-6 that controls acceptance of roadways so that where a development in the Town of Irmo is located in both Richland and Lexington Counties with more than 50% of the development located in Lexington County, the public improvements will be controlled by Lexington County regulations.

### **B. Background / Discussion**

Richland County provides roadway maintenance to the Town of Irmo under an Intergovernmental Agreement approved in 2007 (see Appendix 1). The Intergovernmental Agreement makes Public Works responsible for roadway and drainage maintenance within the incorporated community. Richland County has this type of agreement in effect with every community within the county except the City of Columbia. Many other county services are provided by this method.

The Town of Irmo is located on the boundary line between Richland and Lexington Counties and accepts roads created by land development projects that may be located in both Counties. Richland and Lexington Counties have different standards and processes for accepting roads for public maintenance. The Town of Irmo has requested Richland and Lexington Counties to create a policy that allows for consistent standards within a development.

Below is a summary of the differences in standards and processes as it relates to road construction:

- The average Daily Traffic (ADT) is calculated differently, which is a factor in road design.
- Richland County uses a structural number based on the soil type to design the pavement thickness. Lexington County offers design criteria for pavement thickness based on two options: one with and one without a soils report. In the instances where a soils report is provided, Lexington County's design standards are less than our minimum design standards.
- An important test prior to placing pavement is the proof roll. This is typically accomplished by observing the passage of a loaded dump truck over the area to be paved. Richland County requires density reports from a geotechnical engineer prior to proof roll and Lexington County receives information from the geotechnical technician on site at proof roll.
- Richland County requires asphalt core data, which is used to analyze the integrity of road construction and is a factor in acceptance. Lexington County *may* require this data.
- Richland County regulations require a maximum specified time frame that subgrade and/or stone base can be left exposed to prohibit damage by inclement weather. Lexington County's regulations do not specify a timeframe.

**C. Legislative / Chronological History**

See the Intergovernmental Agreement dated July 2007 in Appendix 1.  
See Section 21-6 of Richland County Code of Ordinances in Appendix 2

**D. Financial Impact**

The differences in standards and processes may result in a thinner pavement section or less rigorous inspection of construction. These conditions could result in a pavement that requires more maintenance or has a shortened life span.

**E. Alternatives**

1. Approve the request to amend Ordinance 21-6 to allow acceptance for maintenance of pavements constructed to Lexington County standards in the Town of Irmo.
2. Do not approve the request to amend Ordinance 21-6 to allow acceptance for maintenance of pavements constructed to Lexington County standards in the Town of Irmo.

**F. Recommendation**

It is recommended that Council approve the request to amend section 21-6 to allow acceptance for maintenance of pavements constructed to Lexington County standards in the Town of Irmo, when more than 50% of the development is located in Lexington. The amendment is included in Appendix 3.

Recommended by: Sparty Hammett, Assistant Administrator, February 28, 2013

**G. Reviews**

**Finance**

Reviewed by: Daniel Driggers	Date: 3/21/13
✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

**Public Works**

Reviewed by: David Hoops	Date: 3/22/13
<input type="checkbox"/> Recommend Council approval	<input type="checkbox"/> Recommend Council denial
✓ Recommend Council Discretion	

Comments regarding recommendation: This request could result in increased future maintenance costs.

**Legal**

Reviewed by: Elizabeth McLean	Date: 3/22/13
<input type="checkbox"/> Recommend Council approval	<input type="checkbox"/> Recommend Council denial

Comments regarding recommendation: Policy decision left to Council’s discretion. It appears as though Lexington’s standards are not quite as stringent as ours, which could over time potentially lead to more liability for accidents due to road flaws. I assume that our ordinances were passed to protect the health, safety and welfare of the citizens of Richland County and it seems somewhat counterintuitive to exempt out the Town of Irmo from those protections.

**Administration**

Reviewed by: Sparty Hammett	Date: 3/22/13
-----------------------------	---------------

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation: This amendment would have minimal financial impact as it would only address residential subdivisions in Irmo that are located in both Lexington and Richland counties. The situation has only occurred on average once every year or two. It is not feasible to construct a road to two different standards. This amendment to have the jurisdiction with the greater percentage of the project serve as the lead is a reasonable compromise to address the issue.

RECEIVED  
OCT 11 2007

STATE OF SOUTH CAROLINA ) INTERGOVERNMENTAL AGREEMENT  
 ) FOR ROADS & MAINTENANCE AND  
COUNTY OF RICHLAND ) NPDES PHASE II COMPLIANCE

This agreement, made and entered into in duplicate originals this \_\_\_ day of July, 2007, by and between the County of Richland, a body politic duly created and existing pursuant to the provisions of the S.C. Code Ann. § 4-9-10 *et seq.*, (hereinafter referred to as "the County"), and the Town of Irmo, a municipal corporation, created and existing pursuant to S.C. Code Ann. § 5-7-10 *et seq.* (hereinafter referred to as "the Municipality");

WITNESSETH:

ARTICLE 1 - ROADS, DRAINAGE, SEDIMENT CONTROL, PLAN REVIEW, AND INSPECTION.

WHEREAS, the Municipality wishes to provide for the maintenance of roads and drainage infrastructure within its corporate limits; and

WHEREAS, the Municipality has no staff or equipment for maintenance of roads or drainage infrastructure; and

WHEREAS, the County has staff and equipment for maintenance of roads and drainage infrastructure and provides these services in the unincorporated parts of Richland County; and

WHEREAS, the Municipality wishes to establish consistency with the County with regard to the design and construction of roads and drainage infrastructure, sediment control, and floodplain management; and

WHEREAS, the County has adopted and administers comprehensive design and construction standards for roads, drainage infrastructure, and sediment control measures constructed under its jurisdiction; and

WHEREAS, both parties hereto are authorized to enter into this agreement by virtue of the provisions of Section 4-9-40 of the South Carolina Code of Laws of 1976.

NOW, THEREFORE, in consideration of the promises, and the mutual understanding and obligations hereinafter set forth, the parties hereto agree as follows:

Section I - County Responsibilities

A. Through its Department of Public Works, the County will provide routine maintenance on all those roads, located within the corporate limits of the Municipality, that have been accepted for maintenance either by the County in accordance with Section 21-7 of the Richland County Code of Ordinances or by the Municipality.

The level of maintenance provided will be subject to the availability of funds, labor,

and equipment for the County's overall road maintenance responsibility. The same level of maintenance will be provided on roads within the corporate limits as on those in unincorporated areas. Maintenance will include, but not be limited to:

- Pavement
- Drainage within the R/W
- Traffic Control signs
- Street name signs
- Shoulders, if necessary

With the exception of street name signs, the County will not provide maintenance on roads that have been taken into the State Highway System. The County will provide name signs on all roads within the corporate limits.

B. The County will incorporate the County maintained roads within the corporate limits into its pavement management system. All roads will be selected and prioritized for resurfacing based on their overall condition relative to all other roads in the pavement management system as measured by their pavement condition rating.

C. The drainage infrastructure located off of road rights-of-way within the corporate limits will be maintained by the County subject to the limitations contained in Chapters 21 & 26 of the Richland County Code of Ordinances. The level of maintenance provided will be subject to the availability of funds, labor, and equipment available for the County's overall drainage maintenance responsibilities and strictly within County's guidelines. The same level of maintenance will be provided within the corporate limits as in unincorporated areas.

Maintenance under the terms of this agreement is comprised of, but not limited to, activities such as:

- Cleaning drainage ditches
- Cleaning and/or repairing closed storm sewers
- Cleaning and/or repairing catch basins, drop inlets, junction boxes, etc.
- Minor ditch excavation
- Minor storm sewer installation that can be accomplished by County maintenance forces.

Maintenance does not include construction of major capital drainage improvement projects. Under the terms of this agreement, a major capital drainage improvement project is one requiring a private construction contract in the judgement of the County's Public Works Director.

D. Beginning September 1, 2007, Municipality will be responsible for plan review. The County recognizes the Municipality as an approved Delegated Entity. The County will accept roads and drainage maintenance for these approved projects in accordance with Chapters 21 & 26 of the Richland County Code of Ordinances. The County may require from time to time

documentation as needed, to insure its standards are being met. In addition, the County reserves the right, at any time, to inspect plan review process or inspection reports of a land disturbance project as necessary for quality assurance purposes. The County will be the final authority of issues related to construction quality of facilities it is expected to maintain.

#### Section II - Municipal Responsibilities

A. As a prerequisite to its authorization for the construction of new developments within the corporate limits involving new roads and/or drainage infrastructure, the Municipality will maintain an approved Delegated Entity.

B. As a prerequisite to its issuance of building permits or land disturbance permits for new commercial buildings within the corporate limits, the Municipality will require the review and approval of site plans with regard to erosion control measures, floodplain management requirements, and road access regulations.

C. As a prerequisite to its acceptance of maintenance responsibilities for new roads and/or drainage systems within the corporate limits, the Municipality will require a certification that they were constructed in accordance with approved plans and specifications.

D. As a prerequisite to its issuance of certificates of occupancy for new commercial buildings within the corporate limits, the Municipality will require the inspection and approval of site improvements related to stormwater management, floodplain management, and road access.

E. The Municipality will submit plans (preliminary plans, approved plans and as-built plans) for developments and commercial buildings within the corporate limits to the County's Engineer's office for Quality Assurance and data management purposes. Municipality will copy to County any of the quality inspection reports during the execution of the project and any other related documentation for County filing purposes.

F. The Municipality, within a reasonable time after the execution of this agreement, shall adopt or amend applicable ordinances as required to make them compatible with the requirements of a Delegated Entity for SC DHBC approval.

#### Section III - Funding

The County will assess the residents of the Municipality the same taxes and fees for the aforementioned services, and at the same rates that are assessed in the unincorporated areas of Richland County. The taxes and fees generated thereby shall be full compensation to the County for the services provided by the County pursuant to this agreement. The provisions of this section are applicable to:

- Real and personal property taxes
- Automobile registration fees
- Subdivision processing fees

"C" funds allocated to Richland County pursuant to State statute will be utilized by the

County for road improvement projects within the corporate limits as well as in the unincorporated parts of Richland County. The County will initiate projects on behalf of the Municipality in accordance with its established capital road improvement programs.

#### Section IV - Capital Drainage Improvements

Capital improvement programs to improve drainage and reduce the impact of flooding in the unincorporated parts of Richland County are occasionally funded by the County through the issuance of bonds. To participate in these programs, the Municipality must request and agree to have the millage for bond debt service levied within the corporate limits. If approved by County Council, capital projects within the corporate limits will be eligible for inclusion in the program. The County would provide program management and project management. Project selection within the corporate limits will be done in consultation with the Municipality.

#### ARTICLE 2 - NPDES STORMWATER PERMIT COVERAGE

**WHEREAS**, the Municipality is responsible for compliance with NPDES stormwater discharge permit requirements within its corporate limits; and

**WHEREAS**, the Municipality and the County have determined that the Municipality will be responsible for providing the services required by the NPDES permit within the corporate limits; and

**WHEREAS**, both parties hereto are authorized to enter into this agreement by virtue of the provisions of Section 4-9-40 of the South Carolina Code of Laws of 1976.

**NOW, THEREFORE**, in consideration of the promises, and the mutual understanding and obligations hereinafter set forth, the parties hereto agree as follows:

#### Section I- Obligation to Comply with Permit

The Municipality shall be responsible for compliance with the NPDES permit and the County shall have no responsibility for compliance. The County shall only be responsible for maintenance of the storm drainage system per Article I.

#### ARTICLE 3 - GENERAL

##### Section I- Severability

The provisions of this Agreement are to be considered joint and severability such that the invalidity of any one section will not invalidate the entire agreement.

##### Section II- Successors and Assigns

Whenever in this Agreement the Municipality or the County is named or referred to, it shall be deemed to include its or their successors and assigns and all covenants and agreements in this



Agreement contained by or on behalf of the Municipality or the County shall bind and inure to the benefit of its or their successors and assigns whether so expressed or not.

**Section III - Extension of Authority**

The parties agree that all authorizations, empowerments, and all rights, titles, and interest referred or referenced to in this Agreement are intended to supplement the authority the County has or may have under any provision of law.

**Section IV - Termination by the County**

The County shall be entitled to terminate this Agreement, and the County shall be released from any obligations under this agreement if: (1) the County is rendered unable to charge or collect the applicable taxes or fees; or (2) the County Council acts to terminate this Agreement with the Municipality due to an adverse court decision affecting the intent of this Agreement.

**Section V- Termination by the Municipality**

The Municipality shall be entitled to terminate this Agreement, and the County shall be released from any obligations under this agreement if the Municipal governing body acts to terminate this Agreement with the County due to an adverse court decision regarding this Agreement or a contrary EPA/SC DHEC regulation.

In the event the Municipality terminates this agreement, the County shall be entitled to continue to collect all applicable taxes and fees within the Municipality for the tax year when the termination occurs. However, the Municipality will be entitled to a pro-rata distribution of such collections based on the percentage of the calendar year such services were provided.

**Section VI- Insurance**

For the duration of this Agreement, each party shall maintain a liability program adequate to meet at least the limits of the South Carolina Tort Claims Act.

**Section VII- Duration**

The duration of this Agreement shall be for a term of five (5) years, and will be automatically renewed for a like term unless one of the parties to the Agreement gives written notice to the other parties of an intent to terminate. Said notices must be given at least sixty (60) days prior to the County Auditor's calculations of the millage rates for the upcoming tax year; or unless otherwise terminated pursuant to Article III, Section IV or V, above.

**Section VIII- Previous Agreements**

This agreement supersedes all previous agreements between the County and the Municipality covering provision of these services.

IN WITNESS WHEREOF, the parties hereto have hereunder caused their names to be affixed

as heretofore duly authorized on the date first above written.

WITNESSES:

Debra Keating  
Tony McDonald

John L. Gibbons  
[Signature]

COUNTY OF RICHLAND

By: [Signature]  
Milton Pope  
County Administrator

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

TOWN OF IRMO

By: [Signature]  
John L. Gibbons  
Mayor

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-13HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 21, ROADS, HIGHWAYS AND BRIDGES; ARTICLE I, IN GENERAL; SO AS TO CREATE A NEW SECTION TO HANDLE ROADWAY IMPROVEMENTS IN THE TOWN OF IRMO, SOUTH CAROLINA; AND AMENDING CHAPTER 21, ROADS, HIGHWAYS AND BRIDGES; ARTICLE I, IN GENERAL; SECTION 21-6 (A); SO AS TO ACCOMMODATE THE NEW SECTION.

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

SECTION I. The Richland County Code of Ordinances, Chapter 21, Roads, Highways, and Bridges; Article I, In General; is hereby amended by the creation of a new Section to read as follows:

**Sec. 21-5.5. Standards for improving roadways in the Town of Irmo, South Carolina.**

On roadways being constructed or improved in the Town of Irmo, South Carolina, which are going to be or are already located in both Richland County and Lexington County, the following regulations shall be followed:

- (1) If more than fifty percent (50%) of the planned roadway improvement for all phases of the approved development are located in Lexington County
  - a. All improvements will be constructed to the standards of Lexington County.
  - b. Upon acceptance of improvements by Lexington County and the Town of Irmo, Richland County will accept the improvements located in Richland County for maintenance.
- (2) If more than fifty percent (50%) of the planned roadway improvements for all phases of the approved development are located in Richland County:
  - a. All improvements will be constructed to the standards of Richland County.
  - b. Upon acceptance of improvements by Richland County and the Town of Irmo, Lexington County will accept the improvements located in Lexington County for maintenance.
- (3) The percentage of planned roadway improvements in each County will be based upon centerline feet of roadway.

- (4) In conformance with Section 21-6 (b) of this Chapter, the provisions of this Section will apply to residential, commercial and industrial subdivisions. Streets and drainage systems serving group developments such as shopping centers, apartment complexes, condominiums, and mobile home parks will not be accepted for maintenance by Richland County.

SECTION II. The Richland County Code of Ordinances, Chapter 21, Roads, Highways, and Bridges; Article I, In General; Section 26-6 (a); is hereby amended to read as follows:

(a) Except as provided for in sections 21-4, ~~and 21-5~~, and 21-5.5 above, only those streets, roads, and drainage systems designed and constructed in accordance with the standards prescribed herein will be accepted for maintenance by the County.

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

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

SECTION V. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2013.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Kelvin E. Washington, Sr., Chair

ATTEST THIS THE \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
**Michelle M. Onley**  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading:  
Second Reading:

Public Hearing:  
Third Reading:

**STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
INTERGOVERNMENTAL AGREEMENT  
FOR ROADS & MAINTENANCE AND  
NPDES PHASE II COMPLIANCE**

This agreement, made and entered into in duplicate originals this \_\_\_\_ day of October, 2013, by and between the **County of Richland**, a body politic duly created and existing pursuant to the provisions of the S.C. Code Ann. § 4-9-10 *et seq.* ( hereinafter referred to as “the County”), and the **Town of Irmo**, a municipal corporation, created and existing pursuant to S.C. Code Ann. § 5-7-10 *et seq.* (hereinafter referred to as “the Municipality”).

**WITNESSETH:**

**ARTICLE 1 – ROADS, DRAINAGE, SEDIMENT CONTROL, PLAN REVIEW, AND INSPECTION.**

**WHEREAS**, the Municipality wishes to provide for the maintenance of roads and drainage infrastructure within its corporate limits; and

**WHEREAS**, the Municipality has no staff or equipment for maintenance of roads or drainage infrastructure; and

**WHEREAS**, the County has staff and equipment for maintenance of roads and drainage infrastructure and provides these services in the unincorporated parts of Richland County, and

**WHEREAS**, the Municipality wishes to establish consistency with the County with regard to the design and construction of roads and drainage infrastructure, sediment control, and floodplain management; and

**WHEREAS**, the County has adopted and administers comprehensive design and construction standards for roads, drainage infrastructure, and sediment control measures constructed under its jurisdiction; and

**WHEREAS**, both parties hereto are authorized to enter into this agreement by virtue of the provisions of Section 4-9-40 of the South Carolina Code of Laws of 1976; and

**WHEREAS**, this agreement modifies the 2007 agreement under which the parties have been operating;

**NOW, THEREFORE**, in consideration of the promises, and the natural understanding and obligations hereinafter set forth, the parties hereto agree as follows:

**Section I. – County Responsibilities**

A. Through its Department of Public Works, the County will provide routine maintenance on all those roads, located within the corporate limits of the Municipality, that have been

accepted for maintenance either by the County in accordance with Section 21-7 of the Richland County Code of Ordinances or by the Municipality.

The level of maintenance will be subject to the availability of funds, labor, and equipment for the County's overall road maintenance responsibility. The same level of maintenance will be provided on roads within the corporate limits as on those in unincorporated areas. Maintenance will include, but not be limited to:

- Pavement
- Drainage within the R/W
- Traffic Control signs
- Street name signs
- Shoulders, if necessary

With the exception of street name signs, the County will not provide maintenance on roads that have been taken into the State Highway System. The County will provide name signs on all roads within the corporate limits.

B. The County will incorporate the County maintained roads within the corporate limits into its pavement management system. All roads will be selected and prioritized for resurfacing based on their overall condition relative to all other roads in the pavement management system as measured by their pavement condition rating.

C. The drainage infrastructure located off of road rights-of-way within the corporate limits will be maintained by the County subject to the limitations contained in Chapters 21 & 26 of the Richland County Code of Ordinances. The level of maintenance provided will be subject to the availability of funds, labor, and equipment available for the County's overall drainage maintenance responsibilities and strictly within County's guidelines. The same level of maintenance will be provided within the corporate limits as in unincorporated areas.

Maintenance under the terms of this agreement is comprised of, but not limited to, activities such as:

- Cleaning drainage ditches
- Cleaning and/or repairing closed storm sewers
- Cleaning and/or repairing catch basins, drop inlets, junction boxes, etc.
- Minor ditch excavation
- Minor storm sewer installation that can be accomplished by County maintenance forces

Maintenance does not include construction of major capital drainage improvement projects. Under the terms of this agreement, a major capital drainage improvement project is one requiring a private construction contract in the judgment of the County's Public Works Director.

D. Beginning September 1, 2007, Municipality will be responsible for plan review. The County recognizes the Municipality as an approved Delegated Entity. The County will accept

roads and drainage maintenance for these approved projects in accordance with Chapters 21 & 26 of the Richland County Code of Ordinances. In accordance with Section 21-5.5. of the Richland County Code of Ordinances, the County will accept roads and drainage maintenance on projects built to Lexington County standards for those portions which are in Richland County. In developments located in both counties and in which more than fifty percent (50%) of the roadway improvements are located in Lexington County. The County may require from time to time documentation as needed, to ensure its standards are being met. In addition, the County reserves the right, at any time, to inspect plan review process or inspection reports of a land disturbance project as necessary for quality assurance purposes. The County will be the final authority of issues related to construction quality of facilities it is expected to maintain.

## **Section II – Municipal Responsibilities**

- A. As a prerequisite to its authorization for the construction of new developments within the corporate limits involving new roads and/or drainage infrastructure, the Municipality will maintain an approved Delegated Entity.
- B. As a prerequisite to its issuance of building permits or land disturbance permits for new commercial buildings within the corporate limits, the Municipality will require the review and approval of site plans with regard to erosion control measures, floodplain management requirements, and road access regulations.
- C. As a prerequisite to its acceptance of maintenance responsibilities for new roads and/or drainage systems within the corporate limits, the Municipality will require a certification that they were constructed in accordance with approved plans and specifications.
- D. As a prerequisite to its issuance of certificates of occupancy for new commercial buildings within the corporate limits, the Municipality will require the inspection and approval of site improvements related to stormwater management, floodplain management, and road access.
- E. The Municipality will submit plans (preliminary plans, approved plans, and as-built plans) for developments and commercial buildings within the corporate limits to the County's Engineer's office for Quality Assurance and data management purposes. Municipality will copy to County any of the quality inspection reports during the execution of the project and any other related documentation for County filing purposes.
- F. The Municipality, within a reasonable time after the execution of this agreement, shall adopt or amend applicable ordinances as required to make them compatible with the requirements of a Delegated Entity for SC DHEC approval.

## **Section III – Funding**

The County will assess the residents of the Municipality the same taxes and fees for the aforementioned services, and at the same rates that are assessed in the unincorporated areas of Richland County. The taxes and fees generated thereby shall be full compensation to the County



for the services provided by the County pursuant to this agreement. The provisions of this section are applicable to:

- Real and personal property taxes
- Automobile registration fees
- Subdivision processing fees

“C” funds allocated to Richland County pursuant to State statute will be utilized by the County for road improvement projects within the corporate limits as well as in the unincorporated parts of Richland County. The County will initiate projects on behalf of the Municipality in accordance with its established capital road improvement program.

#### **Section IV – Capital Drainage Improvements**

Capital improvement programs to improve drainage and reduce the impact of flooding in the unincorporated parts of Richland County are occasionally funded by the County through the issuance of bonds. To participate in these programs, the Municipality must request and agree to have the millage for bond debt service levied within the corporate limits. If approved by County Council, capital projects within the corporate limits will be eligible for inclusion in the program. The County would provide program management and project management. Project selection within the corporate limits will be done in consultation with the Municipality.

#### **ARTICLE 2 – NPDES STORMWATER PERMIT COVERAGE**

**WHEREAS**, the Municipality is responsible for compliance with NPDES stormwater discharge permit requirements within its corporate limits; and

**WHEREAS**, the Municipality and the County have determined that the Municipality will be responsible for providing the services required by the NPDES permit within the corporate limits; and

**WHEREAS**, both parties hereto are authorized to enter into this agreement by virtue of the provisions of Section 4-9-40 of the South Carolina Code of Laws of 1976.

**NOW, THEREFORE**, in consideration of the promises, and the mutual understanding and obligations hereinafter set forth, the parties hereto agree as follows:

#### **Section I – Obligation to Comply with Permit**

The Municipality shall be responsible for compliance with the NPDES permit and the County shall have no responsibility for compliance. The County shall only be responsible for maintenance of the storm drainage system per Article I.

## **ARTICLE 3 – GENERAL**

### **Section I – Severability**

The provisions of this agreement are to be considered joint and severability such that the invalidity of any one section will not invalidate the entire agreement.

### **Section II – Successors and Assigns**

Whenever in this agreement the Municipality or the County is named or referred to, it shall be deemed to include its or their successors and assigns and all covenants and agreements in this agreement contained by or on behalf of the Municipality or the County shall bind and inure to the benefit of its or their successors and assigns whether so expressed or not.

### **Section III – Extension of Authority**

The parties agree that all authorizations, empowerments, and all rights, titles, and interest referred or referenced to in this agreement are intended to supplement the authority the County has or may have under any provision of law.

### **Section IV – Termination by the County**

The County shall be entitled to terminate this agreement, and the County shall be released from any obligations under this agreement if: (1) the County is rendered unable to charge or collect the applicable taxes or fee; or (2) the County Council acts to terminate this agreement with the Municipality due to an adverse court decision affecting the intent of this agreement.

### **Section V – Termination by the Municipality**

The Municipality shall be entitled to terminate this agreement, and the County shall be released from any obligations under this agreement if the Municipal governing body acts to terminate this agreement with the County due to an adverse court decision regarding this agreement or a contrary EPA/SC DHEC regulation.

In the event the Municipality terminates this agreement, the County shall be entitled to continue to collect all applicable taxes and fees within the Municipality for the tax year when the termination occurs. However, the Municipality will be entitled to a pro-rata distribution of such collections based on the percentage of the calendar year such services were provided.

### **Section VI – Insurance**

For the duration of this agreement, each party shall maintain a liability program adequate to meet at least the limits of the South Carolina Tort Claims Act.

**Section VII – Duration**

The duration of this agreement shall be for a term of five (5) years, and will be automatically renewed for a like term unless one of the parties to the agreement gives written notice to the other parties of an intent to terminate. Said notices must be given at least sixty (60) days prior to the County Auditor’s calculations of the millage rates for the upcoming tax year; or unless otherwise terminated pursuant to Article III, Section IV or V, above.

**Section VIII – Previous Agreements**

This agreement supersedes all previous agreements between the County and the Municipality covering provision of these services.

**IN WITNESS WHEREOF**, the parties hereto caused their names to be affixed as heretofore duly authorized on the date first above written.

WITNESSES:

COUNTY OF RICHLAND

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Tony McDonald  
County Administrator

TOWN OF IRMO

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Hardy King  
Mayor

# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Building and Building Regulations; Article III, Building Codes; Section 6-84, Boarded-Up Structures; so as to provide regulations for commercial boarded-up structures, as well as residential boarded-up structures; and to reference the "Property Maintenance" Division rather than the "Unsafe Housing" Division **[SECOND READING] [PAGES 60-67]**

## **Notes**

July 23, 2013 - The Committee deferred the item to the September 24, 2013 Committee meeting.

September 24, 2013 - The Committee unanimously approved the request to amend Section 6-84, Boarded-up Structures, so as to include commercial structures; and change the name of the "Unsafe Housing Division" to the "Property Maintenance Division."

First Reading: October 1, 2013

Second Reading:

Third Reading:

Public Hearing:

## Richland County Council Request of Action

**Subject:** Amend Section 6-84, Boarded-up Structures, so as to include commercial structures; and change the name of the “Unsafe Housing Division” to the “Property Maintenance Division”.

### **A. Purpose**

County Council is requested to approve an ordinance amendment to the Richland County Code of Ordinances; Chapter 6, Buildings and Building Regulations; so as to provide regulations for commercial boarded-up structures, as well as residential boarded-up structures; and to change the reference from the “Unsafe Housing Division” to the “Property Maintenance Division”.

### **B. Background / Discussion**

Over the past years, Richland County has experienced an increase in the number of dilapidated residential and commercial structures. This trend can be attributed to normal attrition due to generational transition within families, economic downturn, or other varying factors. As result, many of these structures become abandoned, unsecured, and unsafe, thus impacting the quality of life for all Richland County residents who are exposed to the inherent consequences of these conditions.

Currently, provisions in both the International Building and Fire Codes identify the Building Department as the entity charged with the enforcement of “unsafe conditions” and “unsafe structures”. However, no division within the Building Department had been responsible up to this point for the enforcement of unsafe commercial buildings. With this ordinance amendment, it will be clear that the Building Department will now assume this responsibility.

In addition, we are requesting to change the name of the Unsafe Housing Division to the “Property Maintenance Division”. This request will clarify that unsafe housing was only one facet of what this division will be doing.

The Property Maintenance Division will be responsible for ensuring that existing residential and commercial structures and their premises conform to the requirements of the International Property Maintenance Code (IPMC).

We feel the name of the division should reflect the intent of the code, which is to ensure existing structures and premises provide a minimum level of health and safety as required within the International Property Maintenance Code.

### **C. Legislative / Chronological History**

This is a staff-initiated request. Therefore, there is no legislative history.

### **D. Financial Impact**

There is no financial impact associated with this request for FY14. Two Permit Specialist positions were vacated due to employee promotions in June. When the workload was analyzed, it was determined that there was no need to fill both of the positions. The Building Inspections Department filled one of the Permit Specialist positions, and will reclassify the other position to an Inspector to provide additional staffing if Council approves this Request of Action.

Funding for demolition of Unsafe Commercial Structures would then be identified during the FY15 budget process.

**E. Alternatives**

1. Approve the request to amend Section 6-84 to provide regulations for commercial boarded-up structures, as well as residential boarded-up structures; and to reference the Division's new name of "Property Maintenance Division".
2. Do not approve the request to amend Section 6-84 to provide regulations for commercial boarded-up structures, as well as residential boarded-up structures; and to reference the Division's new name of "Property Maintenance Division".

**F. Recommendation**

It is recommended that Council approve the request to amend Section 6-84 to provide regulations for commercial boarded-up structures, as well as residential boarded-up structures; and to reference the Division's new name of "Property Maintenance Division".

Recommended by: Donny Phipps

Date: July 25, 2013

**G. Reviews**

**Finance**

Reviewed by: Daniel Driggers

Date: 9/11/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

**Legal**

Reviewed by: Elizabeth McLean

Date: 9/11/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council's discretion.

**Administration**

Reviewed by: Sparty Hammett

Date: 9/18/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend Council approval to amend Section 6-84 to provide regulations for commercial boarded-up structures, as well as residential boarded-up structures; and to reference the Division's new name of "Property Maintenance Division".

If Council approves this Request of Action, the Building Inspections Department will reclassify a Permit Specialist position to an Inspector to provide additional staffing to support the ordinance amendment. Funding for demolition of Unsafe Commercial Structures would then be identified during the FY15 budget process.

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-13HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 6, BUILDINGS AND BUILDING REGULATIONS; ARTICLE III, BUILDING CODES; SECTION 6-84, BOARDED-UP STRUCTURES; SO AS TO PROVIDE REGULATIONS FOR COMMERCIAL BOARDED-UP STRUCTURES, AS WELL AS RESIDENTIAL BOARDED-UP STRUCTURES; AND TO REFERENCE THE “PROPERTY MAINTENANCE” DIVISION RATHER THAN THE “UNSAFE HOUSING” DIVISION.

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

SECTION I. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article III, Building Codes; Section 6-84, Boarded-up Structures; is hereby amended to read as follows:

**Sec. 6-84. Boarded-up structures.**

- (a) *Purpose.* The purpose of this section is to promote the health, safety and welfare of the citizens of the county by establishing regulations for boarded-up structures in order to prevent their detrimental effects in the county’s neighborhoods.
- (b) *Authority.* The Housing Official or designee(s) shall be responsible for the administration and enforcement of the provisions of this section.
- (c) *Registration.*
  - (1) Any person or owner that intends to board up a commercial structure or a residential structure shall comply with subsection (d) Covering of any means of egress and ingress of structures (see below).
  - (2) An application for registration must be made by the owner ~~of~~ for the boarded up commercial or residential structure on a form prescribed by the building department, and submitted to the division. The completed registration form shall contain at a minimum the following information:
    - a. The full name and mailing address of the owner;
    - b. The full address and tax parcel number of the commercial or residential structure to be boarded;
    - c. Telephone number at which the owner may be reached;

- d. If the owner is a partnership or corporation, the owner shall designate one of its general partners or officers to act as its agent and provide the present residence and business addresses and telephone numbers for the agent;
  - e. The owner's plan for the occupancy, repair or demolition of the commercial structure or residential structure;
  - f. The owner's plan for regular maintenance during the period the commercial or residential structure is boarded-up; and
  - g. Such other information as the department shall from time to time deem necessary.
- (3) The owner, under this section, shall have a continuing duty to promptly supplement registration information required by this section in the event that said information changes in any way from what is stated on the original registration.
- (4) Registration of a boarded up commercial or residential structure does not excuse the owner from compliance with any other applicable ordinance, regulation, or statute, including, without limitation, Chapter 6. By accepting an owner's registration, the Building Department has not determined that the commercial or residential structure being registered is in compliance with any applicable local or state regulation or law.
- (d) *Covering of any means of egress and ingress of structures.*
- (1) It shall be unlawful for any person to cover any means of egress or ingress of a structure so as to secure the structure without first obtaining a permit to do so from the Building Codes and Inspections Department. The permit fee shall be ~~\$25.00~~ \$25.53 for residential buildings and ~~\$50.00~~ \$51.05 for mixed-use and commercial buildings. The permit shall authorize the owner to board the structure in conformance with the "National Arson Prevention Initiative" Board-Up Procedures. No later than five (5) days after boarding the property, the owner shall register the structure with the ~~Unsafe Housing~~ Property Maintenance Division.
  - (2) All boarded material shall be painted so as to match either the dominant color of the exterior of the structure or the color of the trim of the building, if any.
  - (3) Permits issued pursuant to this section shall be valid for no more than ten (10) days.
  - (4) Upon issuance of a permit pursuant to this section, the Housing Official shall list the property on the "Boarded-up Structure Inventory".
  - (5) Notwithstanding any other provision hereunder, it shall be a violation for any person to cover, for a period in excess of one hundred eighty (180) days, any



means of egress or ingress of any structure that is not in compliance with the International Property Maintenance Code or other applicable codes adopted.

- (6) Notwithstanding any other provision hereunder, it shall be a violation for any person to cover any means of egress or ingress of any structure with any material other than materials conforming to the International Residential Code.
- (e) *Requirements; time limit.*
- (1) An owner who registers a boarded up commercial structure or residential structure pursuant to subsection (c), above, must comply with the guidelines for boarding up structures established in subsection (d), above.
  - (2) An owner's registration of a boarded up commercial or residential structure shall expire one hundred eighty (180) days from the date of registration with the department ~~and may not be renewed unless approved by the Housing Official or designee(s).~~ Provided, however, the Housing Official may grant one extension of up to one hundred eighty (180) days if the request is made in writing thirty at least (30) days prior to the original expiration date and if a time line for abatement (either through repair or demolition) is approved.
- (f) Inventory of improperly boarded structures; notification of owners.
- (1) Not less than every sixty (60) days following the adoption of these Procedures, the Housing Official shall update the "Boarded-up Structure Inventory," and shall cause notice of these Procedures and the property owner's obligation to comply with the same, to be mailed by first class certified mail, return receipt requested, to all property owners whose structure is added to the inventory.
  - (2) In the event an owner of a structure that appears on the "Boarded-up Structure Inventory" cannot be located so as to notify the owner of these Procedures, service of notice by publication in the same manner as prescribed by the South Carolina Rules of Civil Procedure is authorized.
- (g) *Violations.*
- (1) It shall be unlawful for the owner of a boarded up commercial or residential structure to fail to register such structure with the department as required by subsection (c), above, except as otherwise provided herein.
  - (2) It shall be unlawful for an owner who has registered a boarded up commercial structure or residential structure to leave the structure boarded up after the expiration of the registration as set forth in subsection (e), above.
  - (3) It shall be unlawful for an owner to board up a commercial or residential structure in a manner that does not comply with this section unless the owner has

obtained the Housing Official's prior written approval for an alternative method of boarding up a commercial or residential structure.

(h) *Notification of violation.*

- (1) The Housing Official shall, on the expiration of one hundred eighty (180) days following the listing of a structure on the "Boarded-up Structure Inventory", give the owner notice of violation of this Section. Such notice shall state that the owner must within thirty (30) days of the notice, remove the non-conforming materials from any means of egress or ingress and replace the same with conforming materials which conform to the International Building Code and that the structure is in compliance with the International Property Maintenance Code.
- (2) Every day of noncompliance shall constitute a separate violation. The covering of any means of egress or ingress as provided under the provisions of this chapter does not stay enforcement of, or compliance with, any orders or notices by the Building Official or designee(s) or relieve any person or owner from complying with all other applicable local and state laws affecting structures and premises.
- (3) Permits shall be obtained by a licensed contractor to abate the commercial or residential structure either through repair or demolition as required by Richland County ordinance and South Carolina rules and regulations.

(i) *Manufactured homes.* Manufactured homes shall only be occupied as a residential structure as set forth by HUD Regulations. All vacant or abandoned manufactured homes shall be in compliance with HUD regulations, the International Property Maintenance Code, and this Chapter. Any repairs shall be made as set forth by HUD Regulations.

**Secs.6-85-6-95.Reserved.**

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

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

SECTION IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2013.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Kelvin E. Washington, Sr., Chair

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2013

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Michelle Onley  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 4, Licensing and Bonding of Builders, Contractors and Craftsmen; Section 6-66, so as to delete the requirement of Craftsmen Qualification Cards **[SECOND READING] [PAGES 68-72]**

## **Notes**

September 24, 2013 - The Committee unanimously approved the request to amend Chapter 6 of the Richland County Code of Ordinances to delete the requirement of Craftsmen Qualification Cards for any plumbing, gas, mechanical (HVAC) or electrical installation work.

First Reading: October 1, 2013

Second Reading:

Third Reading:

Public Hearing:

## Richland County Council Request of Action

**Subject:** Delete the requirement of Craftsmen Qualification Cards.

### **A. Purpose**

County Council is requested to approve an ordinance amendment in Chapter 6 of the Richland County Code of Ordinances to delete the requirement of Craftsmen Qualification Cards for any plumbing, gas, mechanical (HVAC) or electrical installation work.

### **B. Background / Discussion**

The Building Codes and Inspections Department issues craftsmen cards to individuals that have a valid City of Columbia craftsmen card or a certificate from Municipal Association of South Carolina (MASC). The City of Columbia used to administer written exams but they stopped administering exams several years ago. However, the MASC certification card is not a license, nor does it require any bonds, or continued education. Therefore, the issuance of craftsmen cards serves no purpose.

In addition, State law requires a South Carolina Department of Labor, Licensing and Regulation (LLR) issued license appropriate for the scope of work to be done ((plumbing, gas, mechanical (HVAC) or electrical)), and provides no reference or allowance of a craftsman card in lieu of same. The attached ordinance would bring us into compliance with state law.

### **C. Legislative / Chronological History**

This is a staff-initiated request. Therefore, there is no legislative history.

### **D. Financial Impact**

There is currently a fee associated with the craftsmen card. It is \$5 for one year or \$25 for five years. For the past three fiscal years we collected the following revenue:

July 1, 2010 - June 30, 2011	July 1, 2011 - June 30, 2012	July 1, 2012 - June 30, 2013	Average
\$ 3,875.00	\$ 2,815.00	\$ 2,240.00	\$2,976.67

Deleting the requirement for Craftsmen Qualification Cards would result in an average \$2,976.67 revenue reduction.

### **E. Alternatives**

1. Approve the request to amend Chapter 6 to delete the requirement of Craftsmen Qualification Cards.
2. Do not approve the request to amend Chapter 6 to delete the requirement of Craftsmen Qualification Cards.

### **F. Recommendation**

It is recommended that Council approve the request to amend Chapter 6 to delete the requirement of Craftsmen Qualification Cards.

Recommended by: Donny Phipps

Date: July 2, 2013

**G. Reviews**

**Finance**

Reviewed by: Daniel Driggers

Date: 9/5/13

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

**Legal**

Reviewed by: Elizabeth McLean

Date: 9/5/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

**Administration**

Reviewed by: Sparty Hammett

Date: 9/10/13

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-13HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 6, BUILDINGS AND BUILDING REGULATIONS; ARTICLE II, ADMINISTRATION; DIVISION 4, LICENSING AND BONDING OF BUILDERS, CONTRACTORS AND CRAFTSMEN; SECTION 6-66, SO AS TO DELETE THE REQUIREMENT OF CRAFTSMEN QUALIFICATION CARDS.

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

SECTION I. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 4, Licensing and Bonding of Builders, Contractors and Craftsmen Building Codes; Section 6-66, Craftsmen Qualification Cards; is hereby amended to read as follows:

**Sec. 6-66. ~~Craftsmen qualification cards.~~ Reserved.**

~~(a) Where any plumbing, gas, mechanical (HVAC) or electrical installation work is being done, a master with a current qualification card issued by Richland County shall be in actual control and in charge of the work being done.~~

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

~~(c) Qualification cards shall be valid for a period ending December thirty-first of the year of issue, and may either be renewed annually for five dollars (\$5.00), or for a five-year period for twenty five dollars (\$25.00). The purchaser of the qualification card has the election of renewing for one (1) year or five (5) years.~~

~~(d) There shall be no grandfather clause that would permit the licensing of craftsmen on the basis of facts existing prior to February 11, 1974.~~

~~(e) Qualifications for licensing or registration of craftsmen shall be established through written, oral, or field examinations as provided by SC State Licensing Boards.~~

~~(f) Reciprocity shall be extended to other counties and municipalities that have requirements equivalent to those of this county.~~

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

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

SECTION IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2013.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Kelvin E. Washington, Sr., Chair

ATTEST THIS THE \_\_\_\_\_ DAY

OF \_\_\_\_\_, 2013

\_\_\_\_\_  
Michelle Onley  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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



# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Fiscal Year 2013-2014 Hospitality Tax Budget to appropriate \$100,000 of Hospitality Tax Unassigned Fund Balance for the EdVenture--Next Exhibit Capital [**PAGES 73-84**]

## **Notes**

First Reading: October 1, 2013

Second Reading:

Third Reading:

Public Hearing:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. SR\_05

AN ORDINANCE AMENDING THE FISCAL YEAR 2013-2014 HOSPITALITY TAX BUDGET TO APPROPRIATE \$100,000 OF HOSPITALITY TAX UNASSIGNED FUND BALANCE FOR THE EDVENTURE – NEXT EXHIBIT CAPITAL.

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

SECTION I. That the amount of One Hundred Thousand dollars (\$100,000) be appropriated in the Hospitality Tax Fund. Therefore, the Fiscal Year 2013-2014 Hospitality Tax Annual Budget is hereby amended as follows:

HOSPITALITY TAX - REVENUE

Revenue appropriated July 1, 2013 as amended:	\$6,876,992
Appropriation of unassigned fund balance:	<u>\$ 100,000</u>
Total Hospitality Tax Revenue as Amended:	\$6,976,992

HOSPITALITY TAX - EXPENDITURES

Expenditures appropriated July 1, 2013 as amended:	\$6,876,992
For Edventure – Next Generation Exhibit Capital:	<u>\$ 100,000</u>
Total Hospitality Tax Expenditures as Amended:	\$6,976,992

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2012.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Kelvin Washington, Chair

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2013

\_\_\_\_\_

Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

\_\_\_\_\_

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

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



EdVenture children's museum

RECEIVED  
10 MAR 14 AM 11:09  
RICHLAND COUNTY  
ADMINISTRATORS OFFICE

March 4, 2011

Mr. Milton Pope  
County Administrator  
Richland County  
2020 Hampton Street  
Columbia, SC 29201

Dear Milton:

Seven years ago and with great fanfare, downtown Columbia opened its doors to all of its children through the stunning glass entranceway of our new EdVenture Children's Museum. Rarely before had the community come together to build a first-class space for children to explore and discover the world around them with such joy and happiness. After that momentous opening and within our first year of operation, it became apparent that EdVenture was a huge success. Attendance records surpassed all projections, fiscal soundness was achieved, and the museum established itself as one of South Carolina's preeminent family destinations.

Today, EdVenture's impact reaches far beyond the walls of its world-class facility. Educational outreach, community-based after-school programs, professional development, and youth leadership programs have made EdVenture a statewide leader in educational innovation for youth ages 0-18. As South Carolina's best attended museum, more than 200,000 children and adults experience EdVenture's exhibits and education programs on an annual basis. Of that audience, adults constitute 50% and audience diversity exceeds 38% of total audience. We are one of South Carolina's preeminent family destinations with a national, regional, and local impact. Based on industry calculations, EdVenture has impacted the local economy with more than \$75 million since its opening. While we are serving an ever-growing number of visitors, our impact is greatest right here in Richland County where we are transforming the lives of more than 100,000 children, families, and educators every year.

With today's economy increasingly dependent on cutting-edge science and technology, our role in educating the next generation is becoming more and more vital to the economic strength of our community. EdVenture's brand of experiential learning is a key building block for scientific literacy for youth and adults. As a learning environment where children and adults can grow, play, and discover the world, EdVenture enhances the quality of life for families who turn to the museum as the hub of support to teach their children about science, health, engineering, and math. They see EdVenture as the foremost place for resources and information—to make learning an engaging and fun experience.

The time is now for EdVenture to meet the challenges of today's society to ensure that all children are prepared to enter this ever-increasing complex and global society. For this purpose, EdVenture is launching the *Next Generation Initiative* to raise \$5 million to build new teaching laboratories and exhibits, create new educational initiatives for workforce preparation, increase access to EdVenture-type experiences through an innovative partnership with Richland County Public Library in the lower Richland area, secure a scholarship fund for at-risk schools and students, and provide reserve funds for future capital repair and replacement needs. We have competed for and successfully received \$2,250,000 in federal and foundation grants toward this \$5 million goal and we must match those grants with local support.

To succeed in this effort, we will need the full support of our elected officials, community leaders, businesses, and individuals. The City of Columbia has already committed to this project with the investment of approximately \$5 million for the construction of a 10,000 square-foot building addition to EdVenture. Our investments will provide educational resources that do not duplicate any existing educational resources in the schools or anywhere in South Carolina while not requiring any additional long-term operational expenses for EdVenture's annual budget. While the following pages detail the overall funding needs and priorities, support from Richland County will be specifically used for an EdVenture exhibit to be housed at the expanded library branch in the lower Richland area and new science and engineering exhibits and labs at EdVenture.

On behalf of the Board of Trustees of EdVenture, we seek the support of Richland County with a commitment of \$1 million payable over a three-to-five year period. We appreciate your consideration of this request and look forward to working with Richland County leadership to identify a funding source and schedule of payments that are appropriate for your budget. Information about *Next Generation* budget and sources of support are enclosed with this letter.

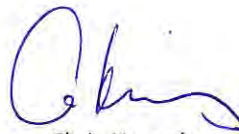
Supporting EdVenture today will ensure that all Richland County residents have the educational resources necessary for success in the 21<sup>st</sup> Century economy and workforce. It is our hope that Richland County will join us in transforming the lives and educational opportunities for all children in our community.

Thank you for your consideration.

Sincerely,



Catherine Wilson Horne  
President and CEO



Chris Kopecky  
Chair, Board of Trustees  
Chief Accounting Officer  
Edens & Avant

Enclosure

**1. NEW TEACHING LABORATORIES AND EXHIBITS**

EdVenture’s new teaching laboratories and exhibits will offer family and school audiences hands-on opportunities to explore critical topics affecting our community. These teaching laboratories and exhibits will focus on three key priority areas: (1) **Biomedical Sciences and Obesity Prevention**, (2) **Environmental Sciences and Sustainability**, and (3) **Engineering**. In the new teaching laboratories, families will learn the science behind chronic disease to make informed choices about their health while students will explore careers in the Biomedical Sciences working alongside researchers. Environmental Science will examine alternative energies and other environmental issues. Engineering laboratories and exhibits will inspire youth and adult audiences to use their ingenuity and creativity into solving simple and complex problems.

**\$3,000,000**

**2. NEW EDUCATION INITIATIVES**

EdVenture’s new education initiatives will be science-based to address the rising achievement gap that exists among our children. With today’s workforce ever-dependent on science and technology, it is imperative that our children are presented with early opportunities to engage in scientific inquiry-based learning to spark an interest and aptitude to pursue the careers of the 21st century. EdVenture will develop after school programming that provides adolescents with opportunities to extend classroom learning, paired with internship and workforce development.

**\$ 750,000**

**3. PARTNERSHIP WITH RICHLAND COUNTY PUBLIC LIBRARY**

While EdVenture has been committed to serving children, teachers, and families across Richland County, we have been working to develop strategies to increase access for children and their families in unincorporated areas of the County. EdVenture and RCPL have developed an innovative strategy to create a pilot project to place a mini-EdVenture inside of the soon-to-be-expanded Eastover Library.

**\$ 150,000**

**4. SCHOLARSHIP FUNDS**

Scholarship Funds provide Learning for All Generations. Today, our loyal donors make it possible for 20,000 at-risk children to experience EdVenture annually. But the need to serve more children and schools is so much greater. And, there is evidence to support our belief that the need will only grow larger in the future.

**\$ 400,000**

**5. CAPITAL RESERVE AND REPLACEMENT FUND**

EdVenture is seeking funding from a national foundation to build a dedicated capital reserve fund to support on-going building and technology needs.

**\$ 700,000**

**EdVenture Children's Museum**  
**Next Generation Educational Investment Plan**  
**Funding Sources (Proposed and Committed)**

**Goal: \$5,000,000**

<b>Source</b>	<b>Purpose/Type of Funds</b>	<b>Amount</b>	<b>Received</b>
Richland County	New Exhibits/Labs Lower Richland Library Exhibit	\$1,000,000	
Lexington County	New Exhibits/Labs	\$ 500,000	
Federal Grants	New Exhibits/Labs Education Initiatives	\$1,500,000	\$1,500,000
Donors			
Foundations	New Exhibits/Labs Education Initiatives Scholarship Funds Capital Reserve Funds	\$1,200,000	\$ 750,000
Corporate	New Exhibits/Labs Education Initiatives Scholarship Funds	\$ 400,000	
Individuals	Education Initiatives Scholarship Funds	\$ 400,000	
<b>Total</b>		<b>\$5,000,000</b>	<b>\$2,250,000</b>

**Note:** Funds raised to date: \$2,250,000

*City of Columbia provided construction costs of \$5,000,000 for Terrace Building addition to EdVenture to provide more educational programming space. These funds are above and beyond the costs described above.*



February 21, 2013

The Honorable Kelvin Washington, Chairman  
Richland County Council  
Richland County Administration Building  
2020 Hampton Street  
Columbia, SC 29201

Dear Kelvin:

On behalf of EdVenture's leadership, I want to thank you for your unwavering commitment to Columbia's children and families who are served by EdVenture every day and your support of EdVenture. The leadership and support from the citizens of Richland County has helped EdVenture provide world-class educational exhibits, programs and outreach right in their home community, AND experience a Children's Museum that ranks in the top ten nationally.

As you know, by 2015, EdVenture Children's Museum intends to complete a \$6 million investment to create new exhibits and educational initiatives designed to prepare our youth for success in the 21<sup>st</sup> century, as part of our Next Generation Plan. To date, we have raised more than \$4 million towards this goal which has already produced the following results:

- Body Detectives Exhibit and BioInvestigations Lab (November 2011)
- Wags and Whiskers Exhibit (November 2011)
- My Backyard Early Childhood Exhibit (April 2011)
- Building Boom and Little Builders Exhibit (April 2011)
- The Green Fork Café (June 2012)
- Farm to Fork Exhibit Gallery (November 2012)
- The Bookmark Library (November 2012)

These projects were made possible by the support of Richland and Lexington Counties, as well as numerous donations from individuals, corporations and foundations across South Carolina and the country.

Today, EdVenture is faced with the urgent need to complete the Next Generation Plan with the final installment of two new permanent exhibits to meet the increased need for educational resources in Science, Technology, Engineering, and Math for our youth to be competitive in the 21<sup>st</sup> century and contribute to our region's economic growth. Together, these exhibits will draw upon the economic development goals and priorities of Richland County, while also serving as a main attraction for tourism.



We respectfully request the remaining \$620,000 of our original \$1 million request to Richland County, to complete these projects now. Together, these two signature exhibits align with our region's economic development goals and will transform the visitor experience today and for years to come.

**Science of Flight Exhibit -**

Honoring local hometown heroes, Charles Bolden, as well as South Carolinian Ron McNair, EdVenture intends to create an Immersive environment where visitors can explore the physics behind why things fly in air and space. Visitors will be able to experiment, design and investigate the principles of aeronautics and flight. Working in partnership with NASA and the Museum of Flight in Everett, Washington, EdVenture will use objects and interactive experiences to enable visitors to learn and discover space and flight through airplanes, hot air balloons and more.

**Energy Exhibit -**

EdVenture will transform the current Great Outdoors Exhibit into a spectacular new outdoor exhibit focused on alternative energy sources such as solar, wind and hydro power. This exhibit will offer children and adults a hands-on opportunity to learn about physical and environmental sciences with nature's most intriguing elements. This two-story interactive display will feature levies, pullies, solar panels and turbines to teach visitors how the sun, water and wind can be harnessed to make power. This exhibit is in a highly visible location – just outside the museum's main entrance and will be a signature new feature of EdVenture, resembling the iconic nature of Eddie®.

Together, the budget for these exhibition projects is estimated to be \$2 million. Costs include the financial resources required to support the design and fabrication of the exhibits, educational programs and audience accessibility that are active components of EdVenture's mission. Grant support from NASA will be sought to specifically support educational components for the flight exhibit.

We appreciate your consideration of this request and look forward to working with Richland County leadership to identify a schedule of payments that are appropriate for your general fund and/or Hospitality Tax revenues budget.

Sincerely,



Catherine Wilson Horne  
President and CEO



Chris Kopecky  
Board Chairman  
Chief Accounting Officer, EDENS

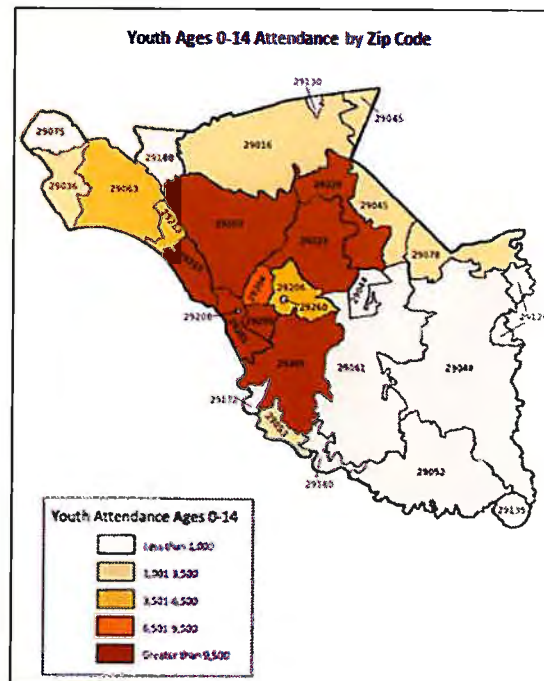
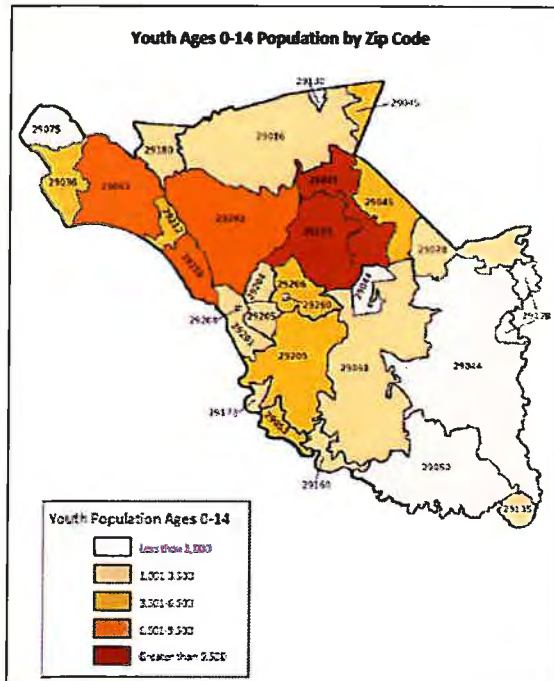
September 16, 2013

## A Request to Richland County Council

On behalf of EdVenture’s leadership, we want to thank you for your unwavering commitment to Columbia’s children and families who are served by EdVenture every day and your support of EdVenture. The leadership and support from the citizens of Richland County has helped EdVenture provide world-class educational exhibits, programs and outreach right in their home community, AND experience a Children’s Museum that ranks in the top ten nationally. Last year alone, EdVenture provided more than \$500,000 in free and/or reduced cost educational services to children in Richland County. And EdVenture’s attendance by zip code in Richland County closely mirrors the County’s population of children, ages 0-14.

The early interest and support of Richland County for the Next Generation Exhibit Investment Plan has enabled EdVenture to invest nearly \$3 million dollars into new exhibits and educational laboratories. The planning for the last two phases of this five-year project are underway and we expect all projects to be completed by 2015. Of the \$1 million dollars requested from Richland County, we have received and invested \$380,000 in new health and nutrition, early childhood and engineering exhibits. This support also has helped EdVenture raise more than \$2.5 million from other sources for these projects.

Today, we have an exciting and urgent opportunity before us for which EdVenture respectfully requests Richland County Council’s support in fulfilling the rest of the \$1 million request (\$620,000) as non-recurring Hospitality Tax funding.

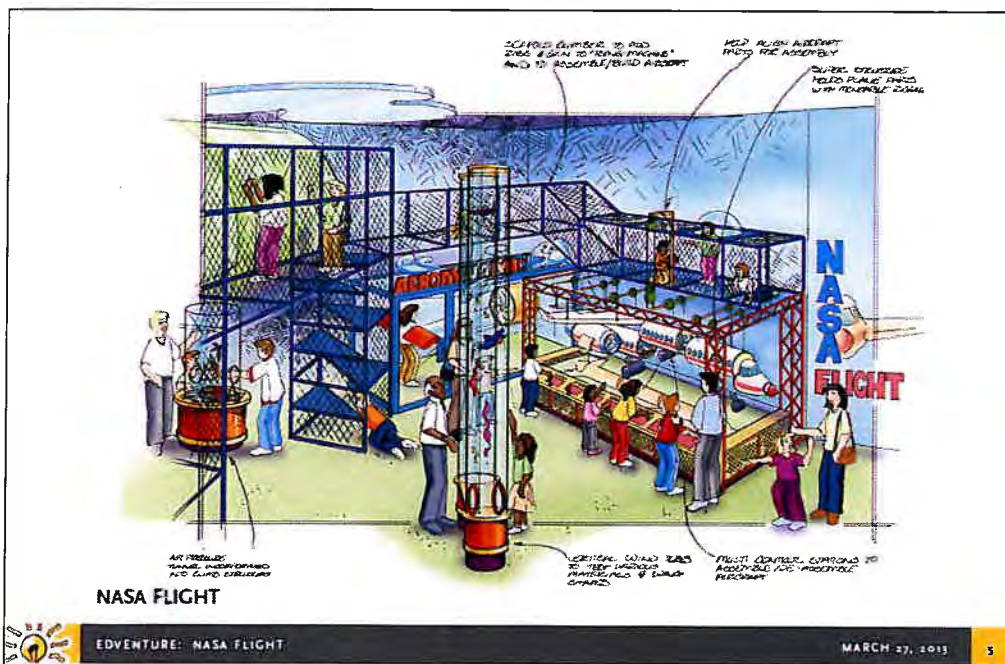
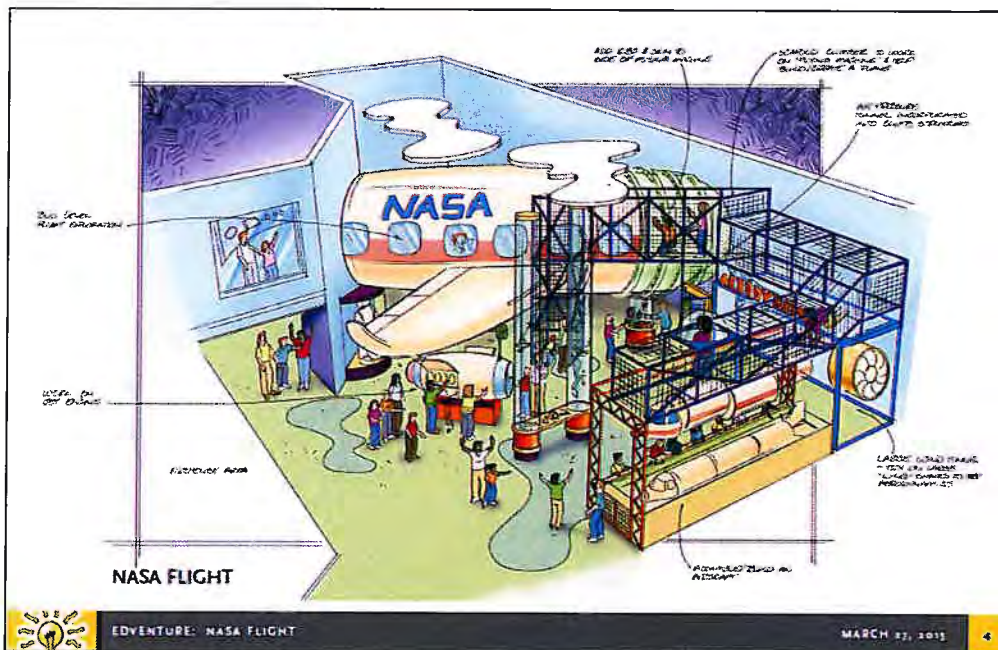


## Exhibit Information:

### Science of Flight Exhibit -

Honoring one of Columbia's hometown heroes, Charles Bolden, as well as South Carolinian Ron McNair, EdVenture intends to create an immersive environment where visitors can explore the physics behind why things fly in air and space. Visitors will be able to experiment, design and investigate why some objects have the potential to fly and other do not. Working in partnership with NASA and the Museum of Flight in Everett, Washington, EdVenture will use objects and interactive experiences to enable visitors to learn and discover space and flight through airplanes, hot air balloons and more.

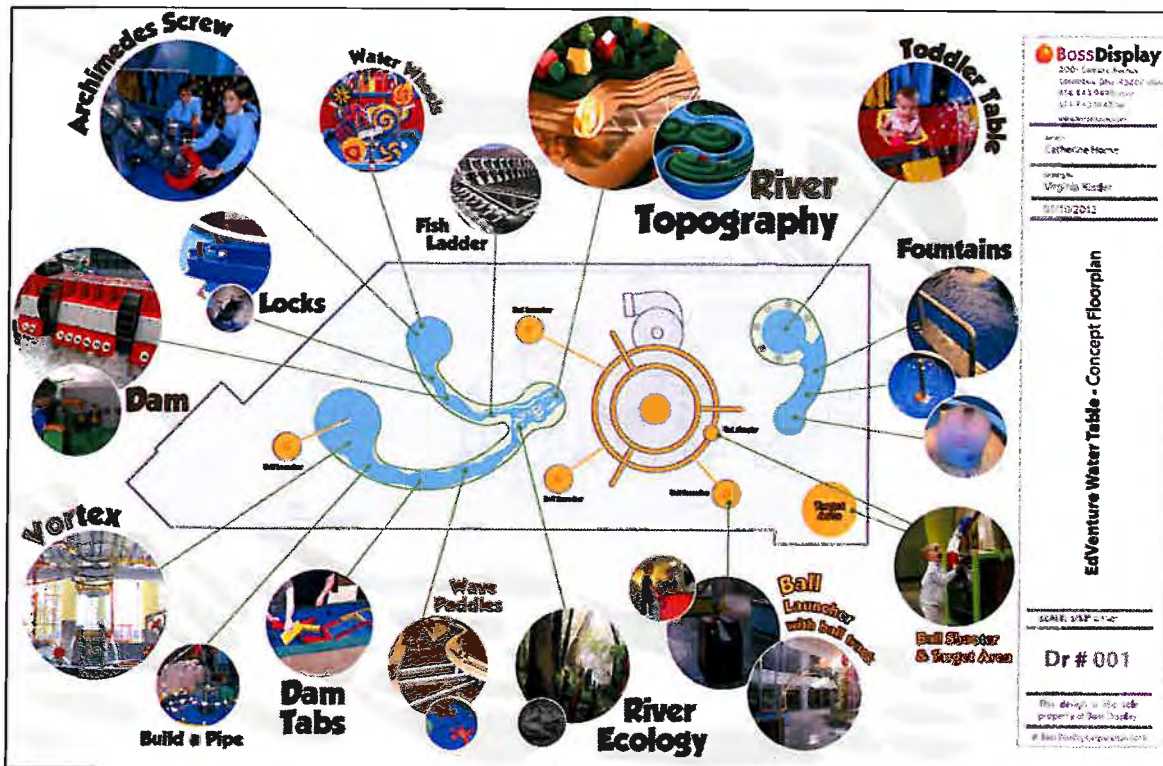
Project Budget: \$900,000  
 Richland County Request: \$400,000



## Energy Exhibit -

EdVenture will transform the current Great Outdoors Exhibit into a spectacular new outdoor exhibit focused on alternative energy sources such as solar, wind and hydro power. This exhibit will offer children and adults a hands-on opportunity to learn about physical and environmental sciences with nature's most intriguing elements. This two-story interactive display will feature levies, pullies, solar panels and turbines to teach visitors how the sun, water and wind can be harnessed to make power. This exhibit is in a highly visible location – just outside the museum's main entrance and will be a signature new feature of EdVenture, resembling the iconic nature of Eddie®.

Project Budget: \$500,000  
 Richland County Request: \$220,000



# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Fiscal Year 2013-2014 Transportation Tax Fund Budget to add one full time position [**PAGES 85-91**]

## **Notes**

First Reading: October 1, 2013

Second Reading:

Third Reading:

Public Hearing:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. SR-03

AN ORDINANCE AMENDING THE FISCAL YEAR 2013-2014  
TRANSPORTATION TAX FUND BUDGET TO ADD ONE FULL TIME  
POSITION.

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

SECTION I. Approve the addition of one full time position. No additional funding is appropriated. Therefore, the Fiscal Year 2013-2014 Transportation Tax Annual Budget is hereby amended as follows:

TRANSPORATION TAX - REVENUE

Revenue appropriated July 1, 2013 as amended:	\$ 65,061,018
Appropriation of unassigned fund balance:	\$ _____ 0
Total Transportation Tax Revenue as Amended:	\$ 65,061,018

TRANSPORTATION TAX - EXPENDITURES

Expenditures appropriated July 1, 2013 as amended:	\$ 65,061,018
Deputy Director:	\$ _____ 0
Total Transportation Tax Expenditures as Amended:	\$ 65,061,018

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2013.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2013

\_\_\_\_\_

Clerk of Council

RICHLAND COUNTY ATTORNEY’S OFFICE

\_\_\_\_\_

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

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

**RICHLAND COUNTY, SOUTH CAROLINA  
CLASS DESCRIPTION  
2013**

**CLASS TITLE: DEPUTY DIRECTOR OF TRANSPORTATION / PRECONSTRUCTION PROJECT  
MANAGER**

**ADMINISTRATION DEPARTMENT**

**GENERAL DESCRIPTION OF CLASS**

The purpose of the class is to manage all new location, widening, intersection, and special projects within the County Penny Transportation Program at the direction of the Director of Transportation. This equates to approximately \$517 million in projects managed. This class shall also work with the Director of Transportation to execute Consultant scopes and contracts. This class has expertise and knowledge of transportation planning, engineering and design, and contract and project / program management, scheduling, cost estimating, right-of-way acquisitions, surveying, plan review and inspection; and performs related professional, administrative and supervisory work as required in support of all Transportation Penny items. This class provides in house project management from design to completion, and performs and/or supervises design work as necessary. This class plans, organizes and implements the aforementioned project types within major organizational policies. This position also serves as Director of Transportation as needed and in the Director's absence.

This position reports directly to the County Director of Transportation.

**ESSENTIAL TASKS**

The tasks listed below are those that represent the majority of the time spent working in this class. Management may assign additional tasks related to the type of work of the class as necessary.

Manages all new location, widening, intersection, and special projects within the County Penny Transportation Program, ensuring projects are completed appropriately, on time, and within budget.

Serves as the Director of Transportation as needed and in the Director's absence.

Understands DOT and County standard roadway design practices and procedures.

Understands permitting (environmental, land disturbance, etc)

Reviews consultant(s) design plans.

Administers contracts and provides in house project management from design to completion, and performs design work as necessary.

Manages and oversees the program management firm(s).

Coordinates the bidding process for projects.

Prepares scopes of work; reviews plans and specifications as submitted for compliance with established codes, ordinances and standards.

Ensures compliance with applicable federal, state and local laws and regulations, County policies and procedures, and standards of quality and safety.

Directs and provides engineering expertise in the planning, design and project management of the construction of managed projects.

Develops and designs various solutions to engineering problems; seeks alternatives to designs and submits plans for approval.



**CLASS TITLE: DEPUTY DIRECTOR OF TRANSPORTATION / PRECONSTRUCTION  
PROJECT MANAGER**

Oversees the preparation of plans, specifications and contract documents for projects; develops and implements long-range resurfacing and paving plans and financing for Transportation Projects.

Processes change orders as appropriate.

Processes contractor pay requests.

Coordinates projects with local, state and federal agencies, as well as other County and municipal departments, contractors, developers, engineers, land surveyors, architects, attorneys, environmental agencies / special interest groups, and other parties as necessary. Supervises subordinate supervisory and support staff, if applicable. Supervisory duties include instructing; assigning, reviewing and planning work of others; maintaining standards; coordinating activities; selecting new employees; acting on employee problems; approving employee discipline and discharge.

Reviews the work of subordinates for completeness and accuracy; evaluates and makes recommendations as appropriate; offers advice and assistance as needed.

Provides for adequate staff training and development opportunities.

Manages and oversees the project budgets; ensures effective and efficient use of budgeted funds, personnel, materials, facilities and time.

Assists with the preparation of applications and implementation of received state and federal funding opportunities (grants, TIGER, etc.).

Supervises and participates in the inspection of construction work in progress and at completion for compliance with established policies, procedures, regulations, codes, contracts, and standards of quality and safety.

Meets with County officials, residents and citizen groups to discuss and resolve problems related to the Transportation Penny program.

Prepares a variety of studies, reports and related information for decision-making purposes and as required by the County and regulatory agencies.

Attends and participates in County Council and Committee meetings.

Receives and responds to inquiries, concerns, complaints and requests for assistance regarding areas of responsibility.

Performs general administrative / clerical work as required, including but not limited to preparing reports and correspondence, copying and filing documents, entering and retrieving computer data, attending and conducting meetings, etc.

Attends meetings, workshops, conferences, etc., as appropriate to maintain knowledge of current legislation, trends and technology in assigned areas of responsibility.

Prepares and updates status reports for PIO use in public education.

Staffs and/or assists Transportation Penny Advisory Committee.

**INVOLVEMENT WITH DATA, PEOPLE, AND THINGS**

**DATA INVOLVEMENT:**

Requires developing new approaches or methodologies to solve problems not previously encountered by analyzing, synthesizing or evaluating data or information using unconventional or untried methods.

**CLASS TITLE: DEPUTY DIRECTOR OF TRANSPORTATION / PRECONSTRUCTION  
PROJECT MANAGER**

**PEOPLE INVOLVEMENT:**

Requires negotiating, exchanging ideas, information, and opinions with others to formulate policy and programs or arrive jointly at decisions, conclusions, or solutions.

**INVOLVEMENT WITH THINGS:**

Requires establishing long-range plans and programs, identifying funding resources, allocating funds for and implementing long-range capital improvements, major construction projects, major equipment, rolling stock, and new technology systems which support goals and objectives of the organization.

**COGNITIVE REQUIREMENTS**

**REASONING REQUIREMENTS:**

Requires performing work involving the application of principles of logical thinking to diagnose or define problems, collect data and solve abstract problems with widespread unit or organizational impact.

**MATHEMATICAL REQUIREMENTS:**

Requires using mathematics involving the practical application of fractions, percentages, ratios and proportions; or measurements, logarithmic or geometric construction. May use algebraic solutions of equations and inequalities; descriptive statistics; deductive geometry, plane and solid, and rectangular coordinates; mathematical classifications or schemes.

**LANGUAGE REQUIREMENTS:**

Requires reading professional literature and technical manuals; speaking to groups of employees, other public and private groups; writing manuals and complex reports.

**MENTAL REQUIREMENTS:**

Requires using advanced professional-level work methods and practices in the analysis, coordination or interpretation of work of a professional, engineering, fiscal, legal, managerial or scientific nature and the ability for formulate important recommendations or make technical decisions that have an organization-wide impact. Requires sustained, intense concentration for accurate results and continuous exposure to sustained, unusual pressure.

**VOCATIONAL/EDUCATIONAL AND EXPERIENCE PREPARATION**

**VOCATIONAL/EDUCATIONAL PREPARATION:**

Requires Bachelor's degree in civil engineering, project management or a related field.

**SPECIAL CERTIFICATIONS AND LICENSES:**

Registered Professional Engineer in the State of South Carolina preferred.

Must possess a valid state driver's license.

**EXPERIENCE REQUIREMENTS:**

Requires a minimum of six years of relevant experience.

SCDOT experience preferred.

**CLASS TITLE: DEPUTY DIRECTOR OF TRANSPORTATION / PRECONSTRUCTION  
PROJECT MANAGER**

**AMERICANS WITH DISABILITIES ACT REQUIREMENTS**

**PHYSICAL AND DEXTERITY REQUIREMENTS:**

Requires light work that involves walking or standing some of the time and involves exerting up to 20 pounds of force on a recurring basis, or skill, adeptness and speed in the use of fingers, hands or limbs on repetitive operation of mechanical or electronic office or shop machines or tools within moderate tolerances or limits of accuracy.

**ENVIRONMENTAL HAZARDS:**

The job may risk exposure to bright/dim light, dusts and pollen, extreme noise levels, vibration, fumes and/or noxious odors, moving machinery, electrical shock, toxic/caustic chemicals.

**SENSORY REQUIREMENTS:**

The job requires normal visual acuity, depth perception, and field of vision, hearing and speaking abilities.

**JUDGMENTS AND DECISIONS**

**JUDGMENTS AND DECISIONS:**

Decision-making is primary to the job, affecting the organization, related organizations and major segments of the general population; works in an evolving environment with emerging knowledge and technologies, competing priorities, and changing politics. Responsible for long-range goals, planning and methodologies.

**ADA COMPLIANCE**

Richland County is an Equal Opportunity Employer. ADA requires the County to provide reasonable accommodations to qualified individuals with disabilities. Prospective and current employees are invited to discuss accommodations.

# Richland County Council Request of Action

## **Subject**

- a. Bagging of Yard Debris in Solid Waste Collection Service Areas 2 and 6 [**PAGES 92-108**]
- b. An Ordinance Amending the Richland County Code of Ordinances, Chapter 12, Garbage, Trash and Refuse; Article I, In General; and Article II, Collection and Disposal; Section 12-12, Definitions, and Section 12-16, Conditions for Residential and Small Business Solid Waste Collection-Yard Trash and Other Household Articles; so as to remove reference to "Franchise" and so as to require trash to be bagged in a phased-in manner [**FIRST READING**]

## **Notes**

July 23, 2013 - The Committee unanimously approved the recommendation that Council approve alternative yard debris management protocol that reduces the burden on the citizen with the adoption of the following addendum (provided in part herein): "Special services for YARD WASTE shall be provided to any household in where no occupant is capable of containerizing and/or bagging yard waste. 'Therefore, households who for medical reasons cannot bag or containerize their yard debris may be granted a variance from bagging and bundling. Resident may also be eligible to receive a large roll cart for yard waste use if they provide a written medical excuse from a licensed South Carolina doctor stating the citizen is not physically able to bag their yard waste. The county may require reimbursement for the actual cost of the yard waste roll cart. The Contacting Officer's Representative shall make the determination if this special service is justified.' Additionally, staff was directed to identify storm drainage areas and non-storm drainage areas that currently exist in the county prior to the first Council meeting in September 2013.

September 10, 2013 - A motion was unanimously approved to defer to the September 24, 2013 D&S Committee meeting.

September 24, 2013 - A substitute motion to forward this item to Council without a recommendation failed. A motion for reconsideration was passed. A second substitute motion passed to forward this item to Council without a recommendation.

## Richland County Council Request of Action

**Subject: Bagging Yard Debris in Solid Waste Collection Service Areas 2 and 6 Update**

### **A. Purpose**

“Review the ordinance on trash bagging on yard waste. Early results from constituents are the cost of purchasing trash bags is costly and the additional physical work for some residents bagging the leaves is problematic” [JACKSON].

### **B. Background / Discussion**

- Hauler contracts for Collection Service Areas 2 and 6 were scheduled to expire December 31, 2012.
- Administration under the direction of Council negotiated new hauler contracts with the existing service providers during the summer and fall of 2012. Waste Industries has Area 2 and Advanced Disposal has Area 6.
- A portion of the negotiation related to yard debris.
- The negotiated price per household was based on yard debris being bagged.
- The new contracts came into force January 1, 2013.
- Removing the contract provision for bagging yard debris would require agreement from the haulers to renegotiate their standing contracts
- These contracts affected about 19,000 households.
- Solid Waste staff has been to numerous community meetings since the bagging requirement went into effect. The positive comments have been equal to or greater than the negative comments with regard to bagging.
- The total number of complaints for bagging that Solid Waste staff has encountered is now estimated to be 1%.
- The D&S Committee discussed this matter during their April 23<sup>rd</sup> meeting. The Committee requested that the matter be further evaluated by staff and a potential alternative be brought back to Committee.
- The D&S Committee discussed this matter again during their July 23<sup>rd</sup> meeting. According to the published minutes the Committee unanimously approved the recommendation that Council approve alternative yard debris management protocol that reduces the burden on the citizen with the adoption of the following addendum:

“Special services for YARD WASTE shall be provided to any household in where no occupant is capable of containerizing and/or bagging yard waste. ‘Therefore, households who for medical reasons cannot bag or containerize their yard debris may be granted a variance from bagging and bundling. Resident may also be eligible to receive a large roll cart for yard waste use if they provide a written medical excuse from a licensed South Carolina doctor stating the citizen is not physically able to bag their yard waste. The county may require reimbursement for the actual cost of the yard waste roll cart. The Contacting Officer’s Representative shall make the determination if this special service is justified.’

Additionally, staff was directed to identify storm drainage areas and non-storm drainage areas that currently exist in the county prior to the first Council meeting in September 2013.

On September 10, 2013, Council unanimously approved deferring and returning the item to the September 24, 2013 D&S Committee for further discussion and consideration.

### **C. Legislative / Chronological History**

- The contract for Areas 2 was executed September 5, 2012
- The contract for Area 6 was executed October 31, 2012

### **D. Financial Impact**

The financial is dependent upon:

- Whether the haulers for Areas 2 and 6 agree to renegotiate the new 5-year contracts.
- The change in the per-household rate negotiated with a new contract should the haulers agree to renegotiate. The estimated increased costs for removing the bagging provision is attached - see Exhibit A.

Implementing the alternative yard debris procedure per the recommended addendum would have no impact on the monthly household contract hauler fee.

### **E. Alternatives**

1. Leave the existing contracts in place which require bagging yard debris (containerizing is acceptable).
2. Attempt to renegotiate the 2 hauling contracts to remove the bagging of yard debris provision with the expectation that if renegotiated the curbside rate per household would increase.
3. Accept the alternative yard debris management protocol that reduces the burden on the citizen and can be accommodated within the terms of the existing hauler contracts for Service Areas 2 and 6 as defined in the proposed addendum.

### **F. Recommendation**

Based on the factors discussed herein it is recommended that we keep the bagging provision in place and approve the proposed addendum below which removes the bundling provision and provides a waiver from bagging where citizens have legitimate medical issues. The hauler contracts would not have to be renegotiated, the contractual costs to the county would remain the same, the additional level of service would remain and the favorable impact to the environment could be realized.

#### **Discussion:**

Note that approximately 19,000 households are covered by the two new hauling contracts which have a bagging provision. A very small percentage of those affected have voiced a complaint to the Solid Waste Department. Also note that the bagging provision is actually an enhanced level of service in that the hauler must pick up all the yard debris placed at curbside instead of 2 roll cart volumes as was the case under the old contracts.

Per Council's request, Solid Waste staff investigated the feasibility of providing a different level of service (no bagging) to the rural areas of the county where there are no underground stormwater management systems. County Stormwater Department and GIS staff were engaged in the discussion. We determined that we have no reasonable way to define those areas at this time. And the consensus was it would be both time consuming and expensive to delineate the county in such a manner. Those discussions also led to the conclusion that the potential adverse impact to stormwater was just as significant in the rural areas as anywhere else. Considering the aforementioned facts we would not recommend approaching yard debris management from the stormwater management perspective.

To provide more information on the potential financial impact to the Solid Waste Department budget we asked Waste Industries and Advanced Disposal to submit estimated increased contractual costs under two scenarios. Scenario 1, collect two roll cart volumes of loose yard debris per week and Scenario 2, collect all loose yard debris each week piled at curbside. Both haulers submitted estimated increased cost both Scenario 1 and Scenario 2. The data was tabulated for Council's review - See Exhibit A. The data shown for the other haulers and service areas was derived by averaging and extrapolation. The data suggests that the increased costs to the county would range from \$1.6M for Scenario 1 to \$2.6M for Scenario 2. Our conclusion is that the county cannot absorb the potential additional cost without increasing the solid waste fee in the near future.

In an effort to better meet the special needs of the citizens and to avoid renegotiating the hauler contract for Service Areas 2 & 6, Advanced Disposal, Waste Industries and the Solid Waste staff propose the following addendum to both hauler contracts:

#### ***Yard Debris Addendum***

- A. Special services for YARD DEBRIS shall be provided to any household where no occupant is capable of containerizing and/or bagging yard debris. Therefore, households who for medical reasons cannot bag or containerize their yard debris may be granted a variance from bagging. Residents may also be eligible to receive a large roll cart for yard debris use if they provide a written medical excuse from a licensed South Carolina doctor stating the citizen is not physically able to bag their yard debris. The county may require reimbursement for the actual cost of the yard debris roll cart. The Contacting Officer's Representative shall make the determination if this special service is justified.***

***The Solid Waste Collection Office shall notify in writing any Contractor of those addresses for which special services have been approved. Un-containerized or Un-bagged yard debris shall be placed curbside and collection provided on a once-a-week basis with the collection made on the regular day of collection as designated. The maximum amount of loose yard debris to be collected by the contractor is 2 hopper loads; the equivalent of 2 - large roll carts. All efforts shall be made by the Solid Waste Collection Department to limit the total***

***number of households serviced in this manner. The Solid Waste Department will track the variances granted.***

***B. The bundling provision shall be waived for all households.***

***C. Households may also make appointments for the collection of semi-annual or annual yard clean-ups. Yard debris collected during scheduled appointments does not need to be containerized and cannot be mixed with any other type materials.***

Recommended by: Rudy Curtis

Department: Solid Waste

Date: July 1, 2013

## **G. Reviews**

### **Finance**

Reviewed by: Daniel Driggers

Date: 9/19/13

Recommend Council approval

Recommend Council denial

Recommend Council discretion

Comments regarding recommendation:

This is a policy decision for Council on the level of service to be provided. Next steps associated with the two current contracts (area 2 & 6) would be determined once the desired level of service to be provided is approved. The remaining contracts would need to be addressed during future contract negotiations. Three areas (5a, 5b, 7) will end December 2013 and three areas (1, 3, 4) will end December 2014.

Based on the data provided, alternative 1, 2 or 3 could be approved and not require an increase to the Solid Waste fee for the remainder of FY14. Approval of alternative 2 or 3 would not require an increase in the fee for FY14 but may require an increase in future years as the additional incremental cost is added. The fee would be evaluated and recommendations provided during the normal annual budget process. This only relates to this service and does not include normal increases due to the hauler cost of providing the service, changes in service level or anticipated contract negotiations.

### **Legal**

Reviewed by: Elizabeth McLean

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council's discretion.

### **Administration**

Reviewed by: Warren Harley

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Staff also recommends a proposed ordinance that amends Chapter 12 of our Code of Ordinances. The ordinance amends definitions and adds a section that makes the bagging requirement consistent with what we are requiring in the current Collection Services



Agreements. Staff recommends a two year phased-in approach. For existing Service Areas 2 and 6 the ordinance will immediately go into effect upon passage. Service Areas 5A, 5B and 7 would become effective January 1, 2014. The remaining services areas 1, 3 and 4 would become effective January 1, 2015. This proposed ordinance is attached as Exhibit B.

## Exhibit A

### Yard Waste Management - Increased Cost Analysis (Estimated)

Hauler / Service Area	# Of Households Served	Rate/Household/Month (p/h/m)	Projected Increase Cost p/h/m - Loose - 2 Roll Cart Quantity	Projected Increase Cost p/h/m - Loose - Unlimited Quantity	Annual Increase Cost - 2 Roll Carts Loose	Annual Increase Cost - Unlimited Loose	5-Year Contract Increased Cost - 2 Roll Carts Loose	5-Year Increased Cost - Unlimited Loose
Allwaste - Area 1	16,240	\$16.42	\$1.81	2.55	\$313,757	\$498,944	\$1,568,784	\$2,484,720
Ascot - Back Yard	429	\$41.05	\$1.81	2.55	\$8,288	\$13,127	\$41,441	\$65,637
Waste Industries - Area 2	8,885	\$14.89	\$1.28	2.78	\$138,474	\$285,404	\$682,368	\$1,482,078
Cobblestone - Back Yard	106	\$28.09	\$1.28	2.78	\$1,628	\$3,536	\$8,141	\$17,681
Advanced - Area 3	13,883	\$16.53	\$1.94	2.31	\$323,196	\$384,837	\$1,615,981	\$1,924,184
Waste Industries - Area 4	15,883	\$16.60	\$1.28	2.78	\$243,963	\$529,857	\$1,219,814	\$2,649,284
Spring Valley - Back Yard	1,107	\$41.50	\$1.28	2.78	\$17,004	\$36,930	\$85,018	\$184,648
Woodlake - Back Yard	352	\$41.50	\$1.28	2.78	\$5,868	\$12,744	\$29,338	\$63,718
Ard - Area 5A	7,986	\$14.83	\$1.61	2.55	\$154,290	\$244,372	\$771,448	\$1,221,858
Wildewood - Back Yard	1,551	\$37.08	\$1.61	2.55	\$29,965	\$47,461	\$149,827	\$237,303
Johnson - Area 5B	1,728	\$16.38	\$1.61	2.55	\$33,385	\$52,877	\$166,925	\$284,384
Advanced - Area 6	10,597	\$14.59	\$1.94	2.31	\$246,698	\$283,749	\$1,233,491	\$1,468,744
Johnson - Area 7	6,276	\$16.38	\$1.61	2.55	\$121,252	\$192,048	\$606,262	\$960,228
	85,053			Totals	\$1,835,767	\$2,604,881	\$8,178,838	\$13,024,406
September 10, 2013								

Advanced & Waste Industry provided the per household per month (p/h/m) cost highlighted in green. The other data highlighted in green was calculated using the supplied rate p/h/m.

WI Area 2 cost data was used for WI Area 4 estimates; AD Area 6 cost data was used for AD Area 3 estimates.

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-13HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 12, GARBAGE, TRASH AND REFUSE; ARTICLE I, IN GENERAL; AND ARTICLE II, COLLECTION AND DISPOSAL; SECTION 12-12, DEFINITIONS, AND SECTION 12-16, CONDITIONS FOR RESIDENTIAL AND SMALL BUSINESS SOLID WASTE COLLECTION – YARD TRASH AND OTHER HOUSEHOLD ARTICLES; SO AS REMOVE REFERENCE TO “FRANCHISE” AND SO AS TO REQUIRE TRASH TO BE BAGGED IN A PHASED-IN MANNER.

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

SECTION I. The Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; Article I, In General; Section 12-1, Dumping Within Rights-of-Way Prohibited; is hereby amended to read as follows:

**Sec. 12-1. Dumping within rights-of-way prohibited.**

It shall be unlawful for any person to dump, throw, drop, leave, or in any way deposit any garbage, ashes, rubbish, paper, trash, litter, refuse, building materials, glass bottles, glass or cans on any property belonging to another on or along any street, road, highway, curb, sidewalk, or public right-of-way, except as required by the authorized ~~and franchised~~ garbage collector for that district; nor shall any person throw or deposit any refuse in any stream or other body of water within the boundaries of the county.

SECTION II. The Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; Article II, Collection and Disposal; Section 12-12, Definitions; is hereby amended to delete the definition of “Garden and yard trash” and the definition of “Franchise collector” in their entireties and to include in the appropriate alphabetical order, the following definitions:

*Brush:* Bulky trimming and pruning waste generated from routine tree and shrubbery maintenance in the immediate area around a residential property or a small business. Brush does not include waste generated from the removal of a tree, as defined under Section 26-22 of Chapter 26.

*Roll cart:* ~~Garbage e~~Containers, mounted on wheels, which are issued to citizens by the county. Containers are used to store recyclables or garbage solid waste between collections by ~~franchise collectors~~ contractors.

*Trash:* Unless specifically provided to the contrary, shall include and mean household trash ~~and garden, yard debris, and~~ yard trash waste, and brush, as defined herein.

Yard debris: Grass clippings, loose leaves, loose pine straw, and/or small clippings generated from routine landscape maintenance in the immediate area around a residential property or a small business.

Yard waste: Limbs and sticks not exceeding four (4) inches in diameter or four (4) feet in length generated from routine landscape maintenance in the immediate area around a residential property or a small business, which are not easily bagged or containerized.

SECTION III. The Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; Article II, Collection and Disposal; Section 12-14, General Conditions for Granting Contracts for Residential and Small Business Solid Waste Collection; Subsection (b); Paragraph (3) is hereby amended to read as follows:

- (3) A lone bid or proposal for a specific service area shall not warrant automatic award of the ~~franchise~~ contract to the lone bidder or proposer.

SECTION IV. The Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; Article II, Collection and Disposal; Section 12-14, General Conditions for Granting Contracts for Residential and Small Business Solid Waste Collection; Subsection (b); Paragraph (7); Subparagraph b. is hereby amended to read as follows:

- b. In the event that a contractor is a partnership, corporation, or entity other than an individual, and such contractor anticipates a sale or transfer of the ownership and/or management of the business to a third party, then the county administrator shall, at his discretion, give written approval or denial of the assignment of the contractor's contract rights ~~under the contractor's franchise~~ to the third party. Written approval of the county administrator shall be obtained prior to the third party's assumption of the contractor's duties in the service area.

SECTION V. The Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; Article II, Collection and Disposal; Section 12-14, General Conditions for Granting Contracts for Residential and Small Business Solid Waste Collection; Subsection (f); is hereby amended to read as follows:

- (f) All bonds, insurance and other contractual obligations shall be adhered to by all contractors. Such contract requirements shall be reviewed and/or evaluated on a routine basis, and if, at any time, a collector is found to be in violation of any contract requirement, the collector shall be given fifteen (15) days to correct the violation. Should the collector fail to show compliance with the contract after the fifteen-day grace period, he or she shall automatically forfeit his or her ~~franchise~~ contract.

SECTION VI. The Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; Article II, Collection and Disposal; Section 12-14, General Conditions for Granting Contracts for Residential and Small Business Solid Waste Collection; Subsection (i); is hereby amended to read as follows:

- (i) Contracts ~~with the franchise~~ shall be for a period not to exceed five (5) years.

SECTION VII. The Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; Article II, Collection and Disposal; Section 12-15, Conditions for Residential and Small Business Solid Waste Collection – Garbage; Subsection (a); is hereby amended to read as follows:

- (a) ~~Garbage~~ Recyclables and solid waste shall be collected only by collectors who ~~are franchised by~~ have a contract with the county.

SECTION VIII. The Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; Article II, Collection and Disposal; Section 12-15, Conditions for Residential and Small Business Solid Waste Collection – Garbage; Subsection (b); Paragraph (2); is hereby amended to read as follows:

- (2) A small business may request up to two (2) county-issued roll-carts for use in scheduled solid waste collection by the ~~franchise collector~~ contractor. The roll carts remain the property of the county for use by the small business to which they are issued. Anyone who damages a roll cart that is issued to them shall pay for repairing the carts or purchase replacement carts from the county. Carts that are damaged through normal use as a result of being emptied by contractors will be repaired at county's expense. Collection will be suspended at any location at which a roll cart is missing or at which a roll cart is damaged to such an extent as to interfere with normal collection methods.

SECTION IX. The Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; Article II, Collection and Disposal; Section 12-16, Conditions for Residential and Small Business Solid Waste Collection – Yard Trash and Other Household Articles; is hereby amended to read as follows:

**Sec. 12-16. Conditions for residential and small business solid waste collection – Yard ~~trash debris, yard waste, brush,~~ and other household articles.**

(a) Refuse shall be collected only by contractors who ~~are franchised by the county~~ have entered into a contract with the county to perform solid waste collection.

(b) Yard ~~trash~~ debris, yard waste, brush, and other household articles shall be collected in the entire unincorporated portion of the county ~~under~~ with the following ~~conditions~~ provisions:

- (1) Yard ~~trash~~ debris, which is including all bagged or ~~boxed trash and~~ containerized up to the equivalent of two (2) roll carts ~~of loose trash,~~ and placed at curbside of the nearest public road, shall be collected once each week. ~~This article does not intend to require that yard trash be bagged, boxed or bundles; however, such practice will be encouraged. Richland County requires that all yard debris must be bagged or~~

containerized. This requirement will be phased in across Richland County as follows:

- a. Service Areas 2 and 6, as referenced in Collection Services agreements that took effect on January 1, 2013 and are on file with the Richland County Procurement Office, must bag or containerize all yard debris as of this date; and
  - b. Service Areas 5A, 5B, and 7 must bag or containerize all yard debris as of January 1, 2014; and
  - c. Service Areas 1, 3, and 4 must bag or containerize all yard debris as of January 1, 2015.
- (2) ~~Yard trash waste, which does not exceed four (4) inches in diameter, shall be cut in lengths not exceeding four (4) feet and shall be stacked in a compact pile in front of the residential property or small business, adjacent to the curb; provided that such piles shall not extend into the street, and other household/business articles not suitable for placement in a roll cart, plastic bag or trash container sack may be placed for collection as follows:~~
- a. ~~Tree branches and heavy brush which do not exceed four (4) inches in diameter shall be cut in lengths not exceeding four (4) feet in length and stacked in a compact pile in front of the residence adjacent to the curb, but such piles shall not extend into the streets;~~
  - b. ~~Sticks, hedge clippings, small brush and leaves shall be placed in neat piles at curbside.~~
- (3) ~~Within~~ During one (1) week of each month, contractors shall remove all household/business furnishings, appliances, large yard toys and other large household/business articles, when placed in front of the residence or business at the nearest public road. All large appliances shall have doors removed prior to placement at the curb. Provided, however, pick-up of these items shall change to “by appointment only” once the phased in schedules of the service areas described in subparagraphs 1.a., b., and c., above, become effective.
- (4) Brush shall be picked-up “by appointment only” once the phased in schedules of the service areas described in subparagraphs 1.a., b., and c., above, become effective.

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

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

SECTION XII. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2013.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Kelvin E. Washington, Sr., Chair

ATTEST THIS THE \_\_\_\_\_ DAY

OF \_\_\_\_\_, 2013

\_\_\_\_\_  
Michelle Onley  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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



## *Richland County Conservation Department*

2020 Hampton Street, Rm. 3063A  
Columbia, South Carolina 29204

### **TECHNICAL MEMORANDUM**

**TO:** Tony McDonald, RC Administrator

**FROM:** James B. Atkins, Ph.D., Director, RC Conservation Dept.

**SUBJECT:** Water Quality and Flooding Implications of Yard Waste Transport to Stormwater Conveyances and Stream Systems

**DATE:** October 10, 2013

This technical memorandum is in response to your request at the October 1, 2013 County Council meeting. Specifically, you requested I provide you information concerning the water quality implications of yard waste entering stormwater conveyances and stream systems.

### **SUMMARY**

Yard waste contains a number of potential water quality contaminants which can adversely impact receiving water quality and the health of aquatic life. These pollutants include organic matter, nutrients, metals and herbicides. When transported to streams via storm drains or ditches, each pollutant impairs water quality and aquatic life differently based on a number of interdependent physical, biological, geological and chemical factors. Bagging or containerizing yard waste reduces the transport of "loose" yard waste such as leaves, straw, small limbs, grass clippings and soil during rainfall events therefore reducing potential water quality impacts. However, the water impacts or benefits of bagging or containerizing yard waste vary significantly, both spatially and temporally, across Richland County. Therefore, the exact water quality benefit or impact cannot be easily quantified due to the complexity of the problem.

Richland County's NPDES Municipal Separate Storm System (MS4) Permit<sup>1</sup> requires the development of a Stormwater Water Management Program (SWMP). The SWMP shall include controls necessary to effectively reduce the discharge of pollutants from the MS4 to the Maximum Extent Practicable (MEP). The County is required to address potential watershed, in stream water quality concerns and water quality problems due to roadway runoff from existing paved, or unpaved roads; accomplish water quality improvements needed including but not limited to, roadway capture runoff; and specify Best Management Practices (BMPs) to be used for the design, construction and maintenance of roadways<sup>2</sup>.

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<sup>1</sup> NPDES Permit No. SCS400001

<sup>2</sup> NPDES Permit No. SCS400001, Part II., P. 20.



An internet search indicates numerous municipalities and counties require bagging or containerizing yard waste trash to protect water quality as a part of their MS4 Permit. This is a progressive approach to not only protect water quality and drinking water sources, but also to improve streams which are already impaired and do not meet the State Water Classifications and Standards, R61-68. Therefore, reducing the transport of “loose” yard waste is consistent with the County’s MS4 Permit.

Looking forward, the US Environmental Protection Agency (EPA) and the SC Department of Health and Environmental Control (SCDHEC) will issue a new MS4 Permit to the County in the near future. New MS4 Permits issued around the nation include numeric water quality criteria related to dissolved oxygen, nutrients, metals and organic compounds such as herbicides. It is likely the County’s new MS4 Permit will also contain numeric standards. Transport of yard waste into stormwater conveyances and streams may negatively affect the County’s ability to meet these numeric water quality criteria.

In addition to various environmental factors, water quality and flooding impacts are highly dependent on a number of solid waste operational considerations. These costs must be considered in any cost analysis comparing any yard waste hauling alternative and include:

- Hauling costs to the County and citizens associated with bagging v. not bagging alternatives
- Cost savings to individual citizens for the no bagging alternative (no bag purchase)
- Hauling costs comparison between bagging, no bagging and container alternatives
- Costs to the County and developers to meet the new MS4 numeric water quality standards
- Cost to the County to purchase, operate and maintain vacuum trucks and street sweepers
- Net cost savings between current disposal practices of yard waste v. composting at the RC C&D landfill
- Net cost savings between various hauling policy alternatives for “loose” yard waste which reduce hauling of leaves and grass clippings.

## **RECOMMENDATION**

I recommend County Council give serious consideration to continuing the requirement to either bag or containerize “loose” yard waste to protect and improve water quality and reduce localized flooding. Two impaired streams (watersheds) in particular – Gills Creek and Twenty-five Mile Creek – would benefit from additional “loose” yard waste not being transported into stormwater conveyance systems or roadside drainage ditches. This recommendation is based on well-established scientific and engineering principles which are provided in the Discussion Section which follows. In addition to the water quality benefits, reductions in flooding can be realized. Importantly, policies which protect water quality and reduce flooding also result in significant cost savings to Richland County and its citizens.

## DISCUSSION

### *Water Quality*

Potential yard waste pollutants which are transported to storm drains and streams include organic matter, nutrients, metals and herbicides. Each pollutant causes a different water quality impact.

Organic Matter (Carbon) – The decomposition of organic matter (leaves, sticks, etc.) by bacteria and decomposers removes oxygen from water exerting a (carbonaceous) biological oxygen demand (BOD) which lowers the dissolved oxygen concentration. Gills Creek, for example, is impaired due to low dissolved oxygen concentrations which do not meet State Water Quality Standards.

Nutrients – The two main nutrients of concern are nitrogen and phosphorus. Yard waste contains both *organic* nitrogen and phosphorus. As the organic matter in yard waste is decomposed, the organic nitrogen and phosphorus are “released” to the water via two separate processes:

The nitrogen cycle is shown in Figure 1. Bacteria and decomposers convert organic nitrogen in yard waste to ammonium ( $\text{NH}_4^+$ ), a process called ammonification or mineralization. Ammonia is toxic to aquatic life and is strictly regulated under R61-68. Ammonium is then oxidized to nitrites and eventually nitrates ( $\text{NO}_3^-$ ). Nitrate enriched water contributes to eutrophication, resulting in algal blooms. The oxidation of ammonia to nitrates in water also depletes dissolved oxygen (nitrogenous oxygen demand) which can result in hypoxic and anoxic conditions especially in lakes.

The phosphorus cycle is shown in Figure 2. Organic phosphorus in yard waste is decomposed into various forms including dissolved organic phosphorus and dissolved orthophosphate which can be used by aquatic plants and algae. Phosphorus is the limiting nutrient in freshwater systems and excess phosphorus leads to eutrophication and potentially to algal blooms. R.61-68 contains specific numeric standards for total phosphorus concentrations “to protect and maintain lakes and other waters of the State.” Further, R61-68 provides “discharges of nutrients from all sources, including point and nonpoint, to waters of the State shall be prohibited or limited if the discharge would result in or if the waters experience growths of microscopic or macroscopic vegetation such that the water quality standards would be violated or the existing or classified uses of the waters would be impaired.” As mentioned previously, Gills Creek and Twenty-five Mile Creek are impaired waters which should be afforded additional protections.

Metals – Various metals can exist in yard waste and be transported via stormwater conveyances to stream systems. In a Florida study<sup>3</sup>, 11 different metals were present in yard waste including arsenic (As), cadmium (Cd), chromium (Cr), copper (Cu), and lead (Pb) and selenium (Se). Arsenic [mass] concentrations exceeded the Florida Department of Environmental Protection’s (FDEP) residential Soil Cleanup Target Levels (SCTLs). Most of the metal concentrations were low compared with soil concentrations. However, the State Water Classifications and Standards

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<sup>3</sup> Ma, Lena and Uttam Saha, Chemical Characteristics of Yard Waste in Florida, Dept. of Soil and Water Science, Univ. of Florida, March 2009.

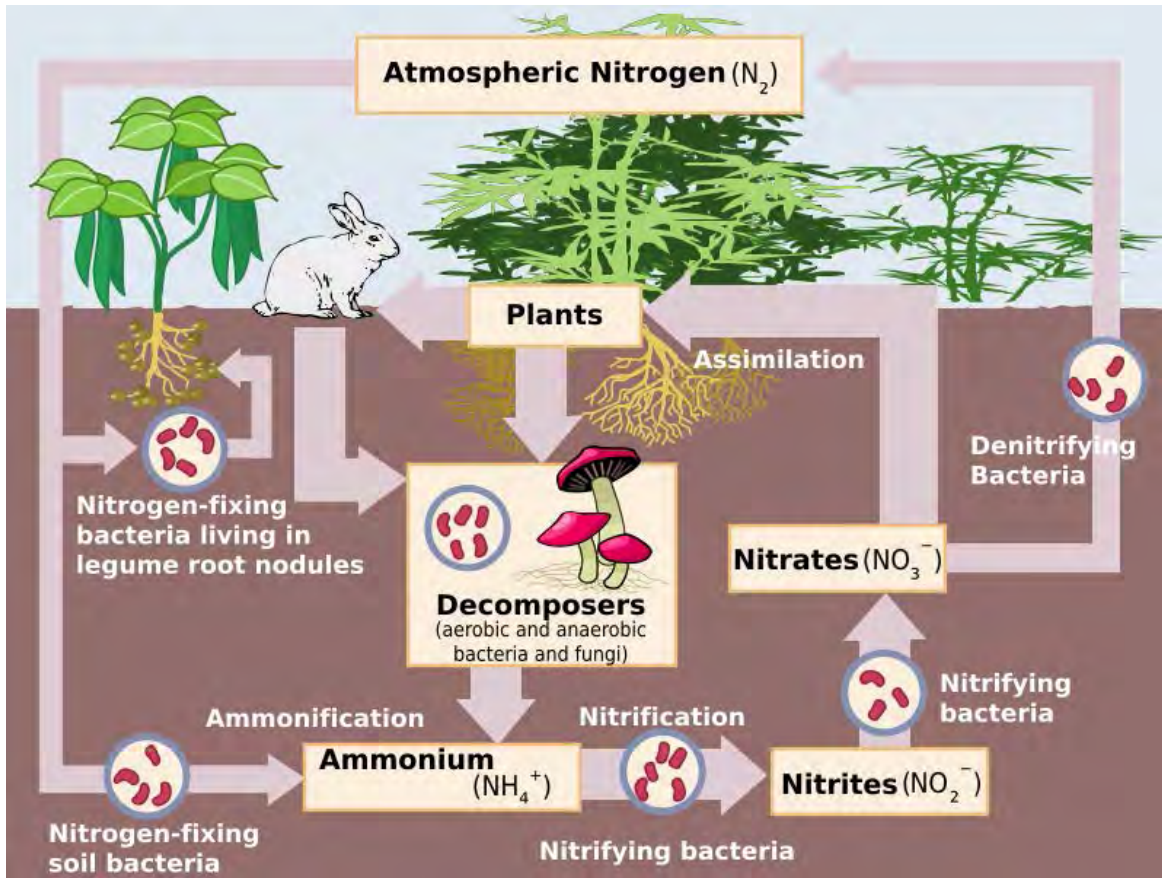


Figure 1. The nitrogen cycle.

R61-68 contain specific limits for all the above metals to protect human health and aquatic life. Further, the National Primary Drinking Water Regulations set both a maximum contaminant level (MCL) and maximum contaminant level goals (MCLG) for all the above metals to protect drinking water.

Herbicides – In the same Florida study, a total of 14 chlorinated herbicides were detected. Most of the herbicide concentrations were low compared to Florida residential SCTLs. However, as with the metals, the State Water Classifications and Standards R61-68 contain specific limits for many of the herbicides in order to protect human health and aquatic life. The National Primary Drinking Water Regulations also set both a MCL and MCLG for these herbicides to protect drinking water.

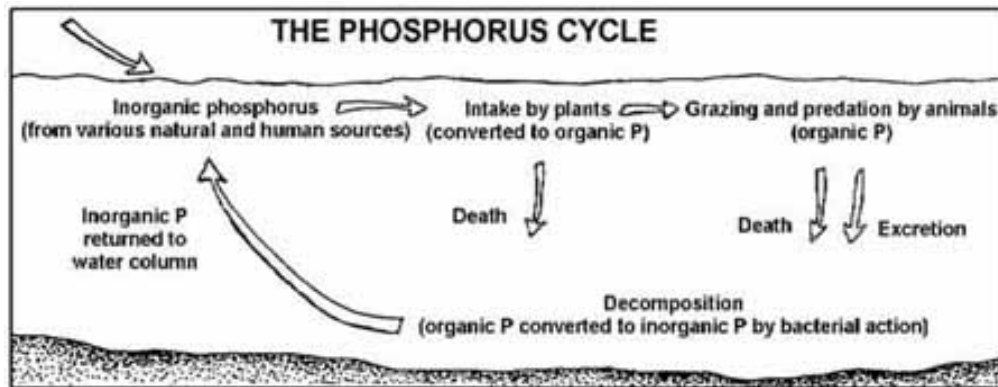


Fig 2. The phosphorus cycle.

### ***Flooding***

According to FEMA, yard waste clogs drainage systems and is a major source of flooding throughout the nation. In other states, drain surveys show yard debris (leaves and grass) were the most commonly found items in drainage systems. For example, a survey in Fair Lawn, N.J., of 951 drains found 78 percent contained leaves and 28 percent grass.

In an effort to reduce flooding due to clogged stormwater conveyances and to protect water quality under the County’s MS4 Permit, Richland County Public Works Roads & Drainage and Stormwater Division staff spend significant funds and time cleaning out ditches and drains throughout the County. This is particularly true during sustained periods of rainy weather as observed during the Summer of 2013.

From October 2012 through October 2013, staff responded to 455 One Stop complaints for drainage problems. Roads & Drainage currently has two (2) vacuum trucks which are used nearly exclusively for cleaning out drainage systems. Each vehicle costs approximately \$345,000. Currently, these trucks are used largely on a reactive basis and are operated about 75 percent of the year. Public Works is moving away from a reactive to a more proactive approach to include routine proactive inspection and cleaning schedules. A street sweeper is also being purchased for approximately \$225,000 to remove yard debris, sediment and trash from County roads. Capital expenditures for the Vacuum Trucks and Street sweeper total approximately \$1,005,000, not including staff time (typically 6 FTE staff) and annual maintenance and equipment operating costs. In summary, the County spends a considerable amount of money annually to address flooding and water quality issues associated with stormwater conveyances, roads and drainage.

# Richland County Council Request of Action

## **Subject**

- a. Place "Hopkins SC" on the water tower in Hopkins community **[WASHINGTON]**
- b. ComingSoonSC County Council Ad **[WASHINGTON]**
- c. SC Equality's "Through the Looking Glass of Equality" Inaugural Gala Sponsorship Request **[WASHINGTON]**
- d. Bible Way Church of Atlas Road's "Year of Jubilee" 50th Anniversary Banquet Sponsorship Request **[WASHINGTON]**
- f. Famously Hot New Year's Celebration Sponsorship Request **[WASHINGTON]**
- g. "The Sustainers: Builders and Preservers of Civil Rights sites in the United States" Funding Request **[WASHINGTON]**
- h. I move that the Council Meetings schedule for January 2014 only include - the January 7th meeting to Select the Chair, Vice Chair and Seats, Time Sensitive Items and Motions; the Annual Council Retreat and the January 28th Development & Services, Administration & Finance and Zoning meetings **[MANNING, WASHINGTON, and MALINOWSKI]**
- i. SICA Funding Request **[WASHINGTON]**

# Richland County Council Request of Action

**Subject**

Must Pertain to Items Not on the Agenda