



Richland County Council

Regular Session April 19, 2016 - 6:00 PM Council Chambers

Call to Order

- 1** The Honorable Torrey Rush

Invocation

- 2** The Honorable Joyce Dickerson

Pledge of Allegiance

- 3** The Honorable Joyce Dickerson

Presentation of Proclamation

- 4**
 - a. Building Safety Month Proclamation [RUSH]
 - b. "Denim Day" Proclamation [DIXON]

Approval of Minutes

- 5** Regular Session: April 5, 2016 [PAGES 6-18]

Adoption of Agenda

6

Report of the Attorney for Executive Session Items

- 7**
 - a. Employee Grievance
 - b. Department of Revenue Update



Richland County Council

- c. Potential Litigation
- d. Palmetto Utilities
- e. Recreation Commission Update [PAGES 19-23]

Citizen's Input

- 8** For Items on the Agenda Not Requiring a Public Hearing

Report of the County Administrator

- 9**
 - a. Employee Grievance
 - b. Employee Recognition
 - c. Employee Introduction
 - d. Proposed agreement with Palmetto Utilities/Kershaw County/Richland County

Report of the Clerk of Council

- 10**
 - a. REMINDER: Decker Center Renovation Tour, April 21st, 9:00 - 11:00 a.m.
 - b. REMINDER: Sexual Assault Awareness "Denim Day", April 27th

Report of the Chair

Third Reading Items

- 11** An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to add cigar bars as a permitted use with special requirements in the NC, GC, M-1, and LI Zoning Districts [PAGES 24-31]

Second Reading Items

- 12** An Ordinance Amending the Fiscal Year 2015-2016 General Fund Annual Budget to appropriate Sixty-Two Thousand Seven Hundred Fifty One Dollars (\$62,751) to increase funding to the Board of Voter Registration & Elections Department Plans to conduct scheduled elections, operating equipment and inc.



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staffing [PAGES 32-36]

Report of Rules & Appointments Committee

13 Items for Action from Rules and Appointments Committee:

a. Terms of Service

b. Membership Requirements for Business Service Center Appeals Board

1. An Ordinance Amending the Richland County Code of Ordinances; Chapter 2, Administration; Article VII. Boards, Commissions and Committees; Section 2-332. Boards, Commissions and Committees Created; Subsection (L), Richland County Business Service Center Appeals Board; Paragraph (2), Membership; so as to revise the membership requirements of the Business Service Center Appeals Board [FIRST READING] [PAGES 37-42]

Report of the Ordinance Review Committee

- 14 a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-152, Special Exceptions; Subsection (d), Standards; Paragraph (22), Radio, Television and Other Transmitting Towers; Subparagraph c.; Clause 1; so as to amend the setback requirements for towers abutting residentially zoned parcels [RUSH] [FIRST READING] [PAGES 43-45]

Other Items

- 15 a. A Resolution to appoint and commission James T. Harmon, Steve A. Huntley, and Elijah Cousar, Jr. as Code Enforcement Officers for the proper security, general welfare, and convenience of Richland County - [Building Codes Department] [PAGE 46]
- 16 a. Resurfacing Package H Construction Contract [PAGES 47-59]

Citizen's Input

- 17 Must Pertain to Items Not on the Agenda

Executive Session

Motion Period



Richland County Council

- 18 a. The Coroner is reporting a large increase in the number of Hospice agency clients that pass away without funeral arrangements resulting in the County having to bear the expense of disposition of the individual's remains. To combat this problem, the Coroner is requesting that Council consider an Ordinance possibly directed toward Hospice agency business licenses that would require some type of escrow account for use at the time of the clients death. This Motion is for the County Administrator to determine which departments, working with the Coroner, need to craft such an Ordinance and initiate necessary activity to bring an Ordinance back to Council for consideration [PEARCE]
- b. To direct the Administrator to have the Dirt Road program audited to provide transparency, accuracy and accountability [DIXON]
- c. I move that in order to promote fairness in the Penny Tax program that Richland County approve another On-Call team in an attempt to promote diversity and be true to the referendum. [JACKSON]
- d. I move that the HR Department develop a career path for workers in the field in order for employees to have an opportunity to improve and earn better wages for an improved quality of life. Note: There should be no reason an employee in the field work for thirty (30) years and be in the same position when they started their career and only receiving a salary rate increase over the years. [JACKSON]

Adjournment



Richland County Council



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

RICHLAND COUNTY COUNCIL

SOUTH CAROLINA

REGULAR SESSION MEETING

April 5, 2016
6:00 PM
County Council Chambers

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

CALL TO ORDER

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

INVOCATION

The Invocation was led by the Honorable Julie-Ann Dixon

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

- a. **Regular Session: March 15, 2016** – Ms. Dixon moved, seconded by Mr. Pearce, to approve the minutes as distributed.

Mr. Malinowski requested the Clerk's Office to update p. 4 of the minutes to clarify the Council vote on "An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site and Performance Standards; Section 26-172, Density and Dimensional Standards; Subsection (B), Required Setbacks; Allowable Encroachment into Required Setbacks; Paragraph (5), Projections into Required Yards; Subparagraph C., Screening and Retaining Walls and Fences; so as to allow fences and walls not over seven (7) feet in height in side and rear yards".

The minutes were unanimously approved as amended.

- b. **Special Called Meeting: March 22, 2016** – Ms. Dixon moved, seconded by Mr. Malinowski, to approve the minutes as distributed. The vote in favor was unanimous.
- c. **Zoning Public Hearing: March 22, 2016** – Ms. Dixon moved, seconded by Mr. Pearce, to approve the minutes as distributed. The vote in favor was unanimous.



Committee Members Present

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

Others Present:

Tony McDonald
Kimberly Roberts
Daniel Driggers
Kevin Bronson
Larry Smith
Brandon Madden
Quinton Epps
Brad Farrar
Dwight Hanna
Chad Fosnight
Tracy Hegler
Lillian McBride
Beverly Harris
Samuel Selph
Roxanne Ancheta
Amelia Linder
Chris Gossett
Jeff Ruble
Jocelyn Jennings
Nancy Stone-Collum

ADOPTION OF AGENDA

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

REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION

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

- a. Department of Revenue Update**
- b. Pending Litigation: Jones vs. Richland County**
- c. Personnel Matter**
- d. Conservation Department: Purchase of Parcel**
- e. Council Motion Regarding Adherence to County Policies**

POINT OF PERSONAL PRIVILEGE – Mr. Manning recognized Mr. David Shealy, a resident in Mr. Rose’s district, was attending the Council meeting tonight. Mr. Shealy is working on his merit badge for the Boy Scouts.

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson recognized Mr. Rush’s children were in the audience.

CITIZENS’ INPUT

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

No one signed up to speak.

OPEN/CLOSE PUBLIC HEARINGS

- a. An Ordinance Amending the Fiscal Year 2015-2016 General Fund Annual Budget to appropriate \$10,000.00 of General Fund Unassigned Balance to be used for expenses generated for the 2016 Army Ball and Official 100th Anniversary Kick-Off Event** – No one signed up to speak.
- b. An Ordinance Amending the Fiscal Year 2015-2016 General Fund Annual Budget to appropriate Two Hundred Twenty-Nine Thousand, Two Hundred Eight Dollars and Ninety Cents (\$229,208.90) to increase funding to the Board of Voter Registration & Elections Department Plans to conducted scheduled elections, operating equipment and inc. staffing** – No one signed up to speak.

REPORT OF THE COUNTY ADMINISTRATOR

- a. Civil Rights: It Still Matters, April 8-9, 2016** – Ms. Jocelyn Jennings, Community Development Department, gave a brief overview of the Civil Rights: It Still Matters event scheduled for April 8-9, 2016
- b. Staff Recognition** – Mr. McDonald announced Ms. Amelia Linder’s retirement from her position with Richland County and commended her service to the County.

- c. **Richland County Fire Service ISO Rating** – Mr. McDonald announced the City of Columbia and Richland County Fire Service’s ISO rating has improved. The County’s rating improved from a four (4) to a two (2).

POINT OF PERSONAL PRIVILEGE – Ms. Dixon requested Council and the County’s support of the “Walk a Mile in Her Shoes” event on April 14th from 5:30 – 8:00 p.m. Richland County is also encouraged to participate in “Denim Day” on April 27th. Both events are in support of Sexual Trauma Awareness.

REPORT OF THE CLERK OF COUNCIL

No report was given.

REPORT OF THE CHAIR

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

APPROVAL OF CONSENT ITEMS

- **Amendment to FY 14-15 Annual Action Plan**
- **Motion Regarding Future Neighborhood Master Plans**
- **Electronics Recycling – Authorization to Increase Purchase Order Over \$100,000**
- **Council Motion Regarding Outside Agencies using a Fiscal Agent when Receiving Hospitality Grant Funds**
- **Department of Natural Resources – Letter of Support**
- **Conservation Department: Transfer of Grant Funds**
- **Conservation Department: Purchase of Parcel [Executive Session]**

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

THIRD READING

16-03MA, D. R. Horton-Crown, LLC, RU to RS-MD (25.34 Acres), Hollingshed Rd. & Kennerly Rd., 05200-01-13 & 18 – Mr. Malinowski stated for the record, “There have been a lot of questions and concerns about transportation and stormwater runoff as it relates to the rezoning. Those particular items will be addressed at the time of development per County and State regulations. There have also been questions regarding lot size. While the lot sizes can be varied, if the open space code is used the developer cannot build any more units than what would be allowed under the zoning requested. The Planning Commission and staff supported this as being consistent with the objectives of the Comprehensive Plan and in character with the existing residential patterns of development in this area. The rezoning offers an opportunity for infield development, which is supported by the Comprehensive Plan.”

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Mr. Malinowski moved, seconded by Ms. Dixon to approve this item.

Ms. Dickerson expressed concern with this item; therefore, she cannot support the motion.

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

The vote was in favor.

An Ordinance Amending the Fiscal Year 2015-2016 General Fund Annual Budget to appropriate \$10,000.00 of General Fund Unassigned Balance to be used for expenses generated for the 2016 Army Ball and the Official 100th Anniversary Kick-Off Event – Mr. Pearce moved, seconded by Ms. Dickerson, to approve this item.

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

The vote in favor was unanimous.

An Ordinance Amending the Fiscal Year 2015-2016 General Fund Annual Budget to appropriate Two Hundred Twenty-Nine Thousand, Two Hundred Eight Dollars and Ninety Cents (\$229,208.90) to increase funding to the Board of Voter Registration & Elections Department Plans to conduct scheduled elections, operating equipment and inc. staffing – Mr. Livingston moved, seconded by Mr. Jackson, to approve this item.

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

The motion failed.

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Mr. Jeter inquired as to what the \$229,208.90 was to cover.

Mr. McDonald stated it was to cover the recurring costs (i.e. maintenance and license fees) and non-recurring costs (i.e. motherboard batteries, phones, printers, curbside signage, polling location supplies, and related equipment/supplies).

Mr. Jackson inquired as to what will happen since the motion failed.

Mr. McDonald stated the department will likely run a deficit at the end of the year.

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

Mr. Malinowski stated Mr. Jeter was not on the prevailing side; therefore, he could not make a motion for reconsideration.

Mr. Rush ruled the motion for reconsideration out of order.

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

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

The vote was in favor of reconsideration.

Mr. Jeter inquired if the license fee is not approved would we be operating machines without licenses.

Mr. Rush inquired if the license fee would not have been a part of the original budget.

Mr. McDonald stated generally machines and software have to be licensed. If the software is not licensed, you would be in violation.

Mr. Selph stated he believes they would not be able to utilize the machines because the preventative maintenance would not be conducted on them.

Mr. Livingston stated the request originally was for \$1.84 million. He made a motion to extract the request presently before Council because he felt those were essential items to conduct the election.

Mr. Manning moved, seconded by Mr. Jeter, to fund the request at 60% of the \$229,208.90, which would be \$137,524.00.

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Mr. Jackson stated at the end of the day the request is to insure that the public is not underserved due to the election process not being run properly. Therefore, he supports the request.

Ms. Dickerson made a substitute motion, seconded by Mr. Jackson, to fund the request at \$229,000.

Mr. Malinowski stated Council cannot continue to “run scared” because of something that happened four years ago. The other elections held since then have run smoothly with minor problems.

Mr. Selph stated the maintenance and license agreement are due at the beginning of the fiscal year. The amount approved for the licensing fee in the current fiscal year was \$27,000.

Mr. Rush inquired if line items or overall budgets are approved.

Mr. McDonald stated both are in front of Council, but typically overall budgets are approved.

Mr. Pearce inquired about the present amount in the Elections and Voter Registration Department account.

Mr. Selph stated approximately \$200,000 is available in the personnel account and \$2,000 in office supplies, etc.

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

The substitute motion failed.

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

The motion for \$137,524.00 failed.

An Ordinance Authorizing the execution and delivery of a fee-in-lieu of tax agreement by and between Richland County and Arum Composites, LLC [f/k/a Project Oro], whereby Richland County will enter into a fee-in-lieu of tax arrangement with Arum Composites, LLC [f/k/a Project Oro], and providing for payment by Arum Composites, LLC [f/k/a Project Oro] of certain fees-in-lieu of ad valorem taxes; providing for the allocation of fees-in-lieu of taxes payable under the agreement for the establishment of

a multi-county industrial/business park; and other matters relating thereto – Mr. Livingston moved, seconded by Mr. Jeter, to approve this item.

Mr. Malinowski stated the supporting documents for this item does not identify the company and has conflicting information regarding the amount of investment.

Mr. Livingston moved, seconded by Mr. Malinowski, to add this item to the Executive Session. The vote in favor was unanimous.

SECOND READING

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to add cigar bars as a permitted use with special requirements in the NC, GC, M-1 and LI Zoning Districts

– Mr. Jeter moved, seconded by Mr. Jackson, to approve this item.

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

The vote in favor was unanimous.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Intergovernmental Agreement (IGA) between City of Columbia and Richland County for the Hollywood Hills Sewer Project – Ms. Dixon stated the committee forwarded this item to Council without a recommendation.

Mr. Rush moved, seconded by Ms. Dixon, to approve this item. The vote in favor was unanimous.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Council Motion Regarding the Allocation of Funding to Organizations for Multiple Years – Mr. Livingston clarified that this only applies to Discretionary Grants.

Mr. Livingston moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

Bus Shelter Easement Request – Mr. Malinowski stated he believed the agreement needed to be amended to clarify that the easement is in place as long as the transit system is publicly operated.

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Ms. Dickerson stated the bench is already in place at the bus stop. The request is for the County to grant an easement in order to construct a shelter at the same location to provide cover for the citizens during inclement weather conditions.

Mr. Malinowski moved, seconded by Mr. Pearce, to grant the easement and if the bus service is sold to a private company the easement would need to be renegotiated with the County at that time.

Mr. Jackson stated the easement would be a part of the negotiations if the transit system were to be sold in the future.

Mr. Livingston inquired if the agreement could simply state that the easement would not automatically transfer with the purchase of the transit system.

The vote in favor was unanimous.

Council Motion Regarding the Utilization of a Special Tax District – Mr. Pearce stated this item is in regard to utilization of a special tax district for the purpose of dam restoration in Richland County. The committee recommended approval of this item.

Ms. Dixon requested Mr. Pearce and/or Mr. McDonald to explain how this will benefit the citizens of Richland County.

Mr. McDonald stated in a special tax district, a set area of the County (i.e. neighborhood, community) is designated as the special tax district. Those who live or own property in the special tax district have to vote to apply to themselves a higher assessment for their properties. The higher incremental assessment, if approved in a referendum, would be utilized to make improvements the district was set up for (i.e. dam repair/restoration).

Ms. Dixon inquired if this will be open to the entire district or only the portions that were affected by the flood.

Mr. McDonald stated it would apply however the district was designated.

Mr. Pearce stated in this particular case there were 61 parcels. In order to request the referendum, they needed 15% of the 61 parcels to sign the petition for a special tax district.

Ms. Dickerson stated she wants to be sure those affected by the flooding event has the opportunity to participate.

Ms. Dickerson inquired about the length of time the special tax district would be in place.

Mr. Farrar stated the duration of the special tax district is the life of the thing that is being financed (i.e. dam repair/restoration).

The designated parcels will sign the petition for the referendum vote. Then only those designated parcels will be eligible to vote on the referendum. If the referendum is approved the amount of the project will be divided equally among the parcels to be paid for through the special tax district.

Mr. Jeter clarified that by supporting this endeavor the County is not taking ownership and/or responsibility for the maintenance and repair of the private dams.

There would be an agreement between the HOA and the County for the cost of the election. The costs would typically be payable to the County within 30 days of invoicing.

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

The vote was in favor.

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

The motion failed.

Council Motion Regarding Adherence to County Policies – This item was taken up in Executive Session.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

A Second Supplemental Ordinance providing for the issuance and sale of Richland County, South Carolina, Hospitality Tax Revenue Bonds, Taxable Series 2015, or such other appropriate series designation, in the principal amount of not exceeding \$13,500,000; delegating authority to the County Administrator to determine certain matters with respect to the bonds; prescribing the form and details of such bonds; and other matters relating thereto [FIRST READING BY TITLE ONLY] – Mr. Livingston stated the details regarding the timeline of the water park was included in the agenda packet. Also included is an overview of the operations agreement and construction contract.

Mr. Malinowski inquired who is legally responsible if something should occur at the water park since it will be managed, operated and maintained by the consultant.

Mr. Smith stated if there is something that happens related to the operation of the park, the consultant would be responsible.

Mr. Malinowski inquired if the \$170,000 base management fee for the consultant is based on income or will the consultant be paid that amount even if the park does not earn that amount.

Mr. Fosnight stated the consultant will be paid \$170,000 annually regardless of revenue earned.

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Mr. Malinowski also inquired about the annual fee increase based on CPI.

Mr. Fosnight stated that was the way the contract was negotiated and was a request of the consultant.

Mr. Malinowski inquired if the incentive management fee of 20% of the net operating income will be implemented immediately or after the debt service has been paid.

Mr. Fosnight stated the debt service would be paid before the incentive management fee is paid.

Ms. Dickerson inquired how revenue will be generated with only a waterpark, which is seasonal, on this piece of property.

Mr. Jackson questioned this item being properly placed on the agenda.

Mr. Jackson made a substitute motion, seconded by Ms. Dickerson, to deny this item.

Mr. Livingston stated the project was never intended to utilize any more than 25 acres of the property. The remaining property was to be utilized for an additional project. An adventure park was discussed, but was cut from the original proposal due to the cost. The adventure park portion is proposed to be phased in at a later time.

Mr. Livingston further stated this item was deferred at the March 15th Council meeting in order for additional information to be provided to Council. The additional information was obtained and the item was placed on the agenda for action.

In Mr. Livingston's opinion, there is no better use of Hospitality Tax funds whereby there is a project that will significantly generate individuals from outside of the community and will pay for itself.

Mr. Manning inquired about what State Senate District the project is in.

Ms. Dickerson stated she also questioned if this item was properly before Council.

Mr. Smith gave an overview of how items are placed on committee agendas.

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

The vote was in favor of denial.

RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES:

- a. **Community Relations – 3** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- b. **Employee Grievance – 1** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- c. **Board of Assessment Appeals – 1** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- d. **Hospitality Tax – 1** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- e. **Accommodations Tax – 1 (Applicant must have a background in the Lodging Industry)** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- f. **Township Auditorium Board – 1** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- g. **Board of Zoning Appeals – 2** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.

II. NOTIFICATION OF APPOINTMENTS:

- a. **Transportation Penny Advisory Committee (TPAC) – 2** – Mr. Malinowski stated this item was tabled in committee.
- b. **Board of Zoning Appeals – 1** – Mr. Malinowski stated the committee recommended appointing Ms. LaTonya B. Derrick. The vote in favor was unanimous.
- c. **Music Festival Commission – 1** – Mr. Malinowski stated the committee recommended appointing Mr. Derek Riley. The vote in favor was unanimous.

REPORT OF THE TRANSPORTATION AD HOC COMMITTEE

- a. **2016 Bikeway and Sidewalk Projects: PDT Project Development Recommendations** – Mr. Livingston stated the committee recommended approval of this item. The vote in favor was unanimous.

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

Mr. Fred Ange spoke regarding deceptive Planning and Zoning provisions.

Ms. Sabrina Todd spoke regarding updating those individuals that were substantially affected by the flooding event and making it easier to find information.

POINT OF PERSONAL PRIVILEGE – Mr. Manning commended Ms. Todd and Ms. Larratt for attending the Council and flood-related meetings.

Mr. Toney Forrester thanked the County for their assistance with cleaning up his community.

POINT OF PERSONAL PRIVILEGE – Mr. Jackson recognized the Elevations Group from Lower Richland.

EXECUTIVE SESSION

*Council went into Executive Session at approximately 7:54 p.m.
and came out at approximately 9:11 p.m.*

- a. **Department of Revenue Update** – No action was taken.
- b. **Pending Litigation: Jones vs. Richland County** – No action was taken.
- c. **Personnel Matter** – No action was taken.
- d. **Council Motion Regarding Adherence to County Policies** – No action was taken.
- e. **An Agreement Authorizing the execution and delivery of a fee-in-lieu of tax agreement by and between Richland County and Arum Composites, LLC [f/k/a Project Oro], whereby Richland County will enter into a fee-in-lieu of tax arrangement with Arum Composites, LLC [f/k/a Project Oro], and providing for payment by Arum Composites, LLC [f/k/a Project Oro] of certain fees-in-lieu of ad valorem taxes; providing for the allocation of fees-in-lieu of taxes payable under the agreement for the establishment of a multi-county industrial/business park; and other matters relating thereto** – This item was given Third Reading approval.

MOTION PERIOD

- a. **All motion must be posted a minimum of 24 hours before a scheduled Council meeting. Note: When Council made this change it was to eliminate any surprise or intent of secrecy. It eliminated Chairs of committees adding motions to an agenda before the meeting without notice. The change was for all motions not some [JACKSON]** – This item was referred to the Rules & Appointments Committee.
- b. **Based on Richland County guideline and grievance procedure I move that after all grievance committee hearings are held within the required timeline that the Administrator update and notify**

Council at the next available Council meeting. This also include any notices of lawsuits or legal matters. Note: Recently Council was notified of a ruling more than one year later. If there is a timeline for the employee, the chair of the grievance committee and the committee then there must be a timeline to notify Council [JACKSON and MALINOWSKI] – This item was referred to the Rules and Appointments Committee.

- c. I move that Council approve the release of funds being held in the Stormwater fund balance previously allocated for the dredging of silt from Lake Katherine. The City of Columbia has agreed to fudn the balance of this project. [PEARCE] – This item was referred to the A&F Committee.**

ADJOURNMENT

The meeting adjourned at approximately 9:13 PM.

Torrey Rush, Chair

Greg Pearce, Vice-Chair

Joyce Dickerson

Julie-Ann Dixon

Norman Jackson

Damon Jeter

Paul Livingston

Bill Malinowski

Jim Manning

Seth Rose

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

MEMORANDUM

From: Bradley T. Farrar, Chief Deputy Richland County Attorney

To: Richland County Council

Date: April 14, 2016

Re: Richland County Recreation Commission

This memorandum is intended to provide non-attorney-client privileged information through a review of publically accessible documents relative to the composition and manner of appointment of members to the Richland County Recreation Commission. Should further information be sought, please keep in mind that, depending on the nature of that information, we can provide the same either by way of further open discussion, or executive session pursuant to the South Carolina Freedom of Information Act (SC FOIA), at Council's pleasure in the receipt of legal advice.

For purposes of this memorandum, and by way of general background, Act No. 873, passed in 1960, provided for "...[t]he Creation And Establishment Of The Rural Recreation District In Richland County."

Act No. 873 provides at Section 4:

The district shall be governed by a commission to be known as the Rural Recreation Commission of Richland County, hereinafter referred to as the commission, which shall be composed of five resident electors of the district to be appointed by the Governor upon the recommendation of the Richland County Legislative Delegation, including the Senator...

[s]hould vacancies in office occur, successors shall be appointed for the balance of the unexpired term in the same manner as the members, whom they succeed, were

appointed. All commissioners shall hold office for their respective term and until their successors shall have been elected and qualified. (Emphasis supplied herein).

In 2005, the State passed Act No. 207, which, as the South Carolina Supreme Court noted in the case of *Davis et al. v. The Richland County Council et al.* (Opinion No. 26289, March 12, 2007), "...[t]akes the authority to recommend Richland County Recreation Commission members away from the Richland County Legislative Delegation, and gives that authority to the Richland County Council." In *Davis*, the Court held that Act No. 207 "...[i]s unconstitutional special legislation." This then left things *status quo ante*, with Act No. 873, from 1960, governing the appointment of Richland County Recreation Commission members.

With that background, we now address the following questions:

1. The Legislative Delegation appoints the members of the Recreation Commission. Does the Delegation have the authority to remove members of the Commission at will?

Discussion

Act No. 873 makes no provision for the removal of Commission members, either at will or for cause. Therefore, as appointment authority pursuant to Act No. 873 lies with the Governor, this issue may depend upon 1) whether Commission members are considered to be "public officers," and 2) whether the Governor in a given case is willing to exercise the various suspension and removal powers set forth in the South Carolina Constitution and statutes as to such members.

As to the first issue, S.C. Code Ann. Section 8-1-10 provides:

The term "public officers" shall be construed to mean all officers of the State that have heretofore been commissioned and trustees of the various colleges of the State, members of various State boards and other persons whose duties are defined by law. (Emphasis supplied herein).

Act No. 873 defines Recreation Commission members' duties. Therefore, it is likely that such members would be considered "public officers" for purposes of Section 8-1-10.

As to the second issue, the following sources of South Carolina constitutional and statutory authority are relevant:

- a) Article VI, "Officers," Section 8, South Carolina Constitution, provides:

Whenever it appears to the satisfaction of the Governor that probable cause exists to charge any officer of the State or its political subdivisions who has the custody of public or trust funds with embezzlement or the appropriation of public or trust funds to private use, then the Governor shall direct his immediate prosecution by the proper officer, and upon indictment by a grand jury or, upon the waiver of such indictment if permitted by law, the Governor shall suspend such officer and appoint one in his stead, until he shall have been acquitted. In case of conviction, the position shall be declared vacant and the vacancy filled as may be provided by law.

Any officer of the State or its political subdivisions, except members and officers of the Legislative and Judicial Branches, who has been indicted by a grand jury for a crime involving moral turpitude or who has waived such indictment if permitted by law may be suspended by the Governor until he shall have been acquitted. In case of conviction the office shall be declared vacant and the vacancy filled as may be provided by law.

- b) Article VI, "Removal of officers," Section 9, South Carolina Constitution, provides:

Officers shall be removed for incapacity, misconduct, or neglect of duty, in such manner as may be provided by law when no mode of trial or removal is provided in this Constitution.

- c) S.C.Code Ann. Section 8-1-100 provides:

Except as provided in Section 8-1-110, any state or county officer who is indicted in any court for any crime may, in the discretion of the Governor, be suspended by the Governor, who in event of suspension shall appoint another in his stead until he shall be acquitted. In case of conviction, the office shall be declared vacant by the Governor and the vacancy filled as provided by law.

- d) S.C.Code Ann. Section 8-1-100 provides:

Whenever it shall be brought to the notice of the Governor by affidavit that any officer who has the custody of public or trust funds is probably guilty of embezzlement or the appropriation of public or trust funds to private use then the

Governor shall direct his immediate prosecution by the proper officer and, upon true bill found, the Governor shall suspend such officer and appoint one in his stead until he shall have been acquitted by the verdict of a jury. In case of conviction the office shall be declared vacant and the vacancy filled as may be provided by law.

2. Is the Richland County Council required to fund the Recreation Commission at a prescribed amount by statute or is funding at County Council's discretion?

Discussion

Act No. 873 provides no requirement for Richland County to fund the Richland County Recreation Commission. Reference should be made to other potential sources of a funding requirement, such as budget bills, to determine if there is authority apart from Act No. 873 where this issue may be addressed.

Act No. 873, at Section 5, "Powers and duties" (of the Recreation Commission), include "(5) [the power to] ...acquire by gift, purchase, or through the exercise of eminent domain, lands or interest thereon whereupon to establish physical education and recreation facilities, including tennis courts, baseball diamonds, football fields, basketball courts, swimming pools, other facilities of like nature and general recreational facilities."

Subsection 5(6) allows the Commission "to expend all moneys which it shall receive, including such portion of any bonds sold pursuant to this act as may be set apart to the commission for its functions."

Subsection (5)(9) permits the Commission "to fix rates and charges for the use of any facilities which might be established through the proceeds of the sale of revenue bonds."

Subsections 5(13) and (14) allow the Commission to issue and sell general obligation and revenue bonds, respectively.

3. Does County Council have any authority to demand that the Recreation Commission respond to inquiries related to any accusations made against the Commission?

Discussion

Richland County certainly can request whatever it likes from the Recreation Commission, and can formally or informally, publically or privately encourage the Commission to provide comments, explanation or clarification on any issue important to the County, but cannot compel any answer or response in an extrajudicial context (*i.e.*, there is no pending court action I am aware of where Richland County is a party that might be able to avail itself of a compelled response mechanism under court rules or a judge's order).

Conclusion

As is the case with many other entities, *e.g.*, the Board of Voter Registration and Elections of Richland County, neither Richland County nor the Richland County Council appoints the members of the Richland County Recreation Commission, nor does either have any operational control over the Recreation Commission or its members. Rather, pursuant to Act No. 873, Recreation Commission members are “appointed by the Governor upon the recommendation of the Richland County Legislative Delegation.”

Again, this review focuses on Act No. 873 from 1960, in light of the unconstitutionality of the 2005 Act No. 207.

Please contact me if you have any questions or need further information. Thank you.

Richland County Council Request of Action

Subject:

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to add cigar bars as a permitted use with special requirements in the NC, GC, M-1, and LI Zoning Districts

FIRST READING: March 22, 2016

SECOND READING: April 5, 2016 {Tentative}

THIRD READING: April 19, 2016 {Tentative}

PUBLIC HEARING: March 22, 2016

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-16HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; SO AS TO ADD CIGAR BARS AS A PERMITTED USE WITH SPECIAL REQUIREMENTS IN THE NC, GC, M-1, AND LI ZONING DISTRICTS.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-22, Definitions; is hereby amended to include in the appropriate alphabetical order, the following definition:

Cigar bars: An establishment that offers a meaningful selection of cigars and tobacco for pipes for smoking on the premises, as well as, retail purposes and which may be licensed for the on-premise consumption of beer, wine, or alcoholic beverages, or some combination of those, as well as, limited food service. The term does not include any establishment which is primarily a bar or restaurant. No bar can be considered a cigar bar unless at least fifty-one (51) percent of its gross revenue can be demonstrated to come from the sale of cigars, pipe tobacco, and other tobacco related products.

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts And District Standards; Section 26-141, Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; Subsection (f), Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; “Retail Trade and Food Services” of Table 26-V-2.; is hereby amended to read as follows:

(ORDINANCE CONTINUES ON NEXT PAGE)

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
Retail Trade and Food Services																	
Antique Stores (See Also Used Merchandise Shops and Pawn Shops)											P	P	P	P	P		
Appliance Stores														P	P		
Art Dealers											P	P	P	P	P		
Arts and Crafts Supply Stores												P	P	P	P		
Auction Houses													P	P	P	P	
Automotive Parts and Accessories Stores													P	P	P	P	
Bakeries, Retail												P	P	P	P	P	
Bars and Other Drinking Places											SE	SE	SR	SR	SR	SR	
Bicycle Sales and Repair												P	P	P	P	P	
Boat and RV Dealers, New and Used														P	P	P	
Book, Periodical, and Music Stores											P	P	P	P	P		
Building Supply Sales with Outside Storage													P	P	P	P	P
Building Supply Sales without Outside Storage													P	P	P	P	P
Camera and Photographic Sales and Service												P	P	P	P		
Candle Shops												P	P	P	P		
Candy Stores (Confectionery, Nuts, Etc.)												P	P	P	P		
Caterers, No On Site Consumption											P	P	P	P	P	P	
<u>Cigar Bars</u>												<u>SR</u>		<u>SR</u>	<u>SR</u>	<u>SR</u>	
Clothing, Shoe, and Accessories Stores												P	P	P	P		
Coin, Stamp, or Similar Collectibles Shops												P	P	P	P		
Computer and Software Stores												P	P	P	P		

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
Convenience Stores (with Gasoline Pumps)												P	P	P	P	P	P
Convenience Stores (without Gasoline Pumps)												P	P	P	P	P	P
Cosmetics, Beauty Supplies, and Perfume Stores												P	P	P	P		
Department, Variety or General Merchandise Stores												P	P	P	P		
Direct Selling Establishments, Not Otherwise Listed														P	P	P	
Drugstores, Pharmacies, with Drive-Thru											P		P	P	P	P	
Drugstores, Pharmacies, without Drive-Thru											P	P	P	P	P	P	
Electronic Shopping and Mail Order Houses														P	P	P	P
Fabric and Piece Goods Stores												P	P	P	P		
Flea Markets, Indoor													P	P	P	P	
Flea Markets, Outdoor													P	P	P	P	
Floor Covering Stores													P	P	P		
Florists												P	P	P	P		
Food Service Contractors												P	P	P	P		
Food Stores, Specialty, Not Otherwise Listed												P	P	P	P		
Formal Wear and Costume Rental												P	P	P	P		
Fruit and Vegetable Markets												P	P	P	P	P	
Fuel Sales (Non- Automotive)															SR		SR
Furniture and Home Furnishings													P	P	P		

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
Garden Centers, Farm Supplies, or Retail Nurseries												P	P	P	P		
Gift, Novelty, Souvenir, or Card Shops												P	P	P	P		
Grocery/Food Stores (Not Including Convenience Stores)												P	P	P	P		
Hardware Stores												P	P	P	P		
Health and Personal Care Stores, Not Otherwise Listed												P	P	P	P		
Hobby, Toy, and Game Stores												P	P	P	P		
Home Centers														P	P		
Home Furnishing Stores, Not Otherwise Listed												P	P	P	P		
Jewelry, Luggage, and Leather Goods (May Include Repair)												P	P	P	P		
Liquor Stores												P	P	P	P		
Manufactured Home Sales														SR	SR	SR	
Meat Markets												P	P	P	P		
Miscellaneous Retail Sales – Where Not Listed Elsewhere, and Where All Sales and Services are Conducted within an Enclosed Building												P	P	P	P		
Motor Vehicle Sales – Car and Truck – New and Used													P	P	P	P	
Motorcycle Dealers, New and Used													P	P	P	P	
Musical Instrument and Supplies Stores (May Include Instrument Repair)												P	P	P	P		
News Dealers and Newsstands												P	P	P	P		
Office Supplies and Stationery Stores											P	P	P	P	P		

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
Optical Goods Stores											P	P	P	P	P		
Outdoor Power Equipment Stores													P	P	P		
Paint, Wallpaper, and Window Treatment Sales												P	P	P	P		
Pawnshops														P	P		
Pet and Pet Supplies Stores												P	P	P	P		
Record, Video Tape, and Disc Stores												P	P	P	P		
Restaurants, Cafeterias											P	P	P	P	P	P	
Restaurants, Full Service (Dine-In Only)											P	P	P	P	P	P	
Restaurants, Limited Service (Delivery, Carry Out)											P	P	P	P	P	P	
Restaurants, Limited Service (Drive-Thru)													P	P	P	P	
Restaurants, Snack and Nonalcoholic Beverage Stores											P	P	P	P	P	P	
Service Stations, Gasoline													P	P	P	P	
Sporting Goods Stores												P	P	P	P		
Television, Radio or Electronic Sales													P	P	P		
Tire Sales													P	P	P		
Tobacco Stores												P	P	P	P		
Truck Stops														P	P	P	P
Used Merchandise Stores												P	P	P	P		
Video Tape and Disc Rental												P	P	P	P		
Warehouse Clubs and Superstores														P	P		

SECTION III. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (b), Permitted Uses with Special Requirements Listed by Zoning District; is hereby amended by the insertion of a new paragraph to read as Paragraph “(17) Cigar Bars – NC, GC, M-1, LI”, the existing Paragraph (17) is renumbered to read as Paragraph (18), and all remaining paragraphs are renumbered in appropriate chronological order.

SECTION IV. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (c), Standards; is hereby amended by the insertion of a new paragraph to read as Paragraph “(17) Cigar Bars”, the existing Paragraph (17) is renumbered to read as Paragraph (18), and all remaining paragraphs are renumbered in appropriate chronological order.

(17) *Cigar bars.*

- a. Use districts: Neighborhood Commercial; General Commercial; M-1 Light Industrial; LI Light Industrial.
- b. The smoking of cigarettes is prohibited.
- c. A walk-in humidor must be located within the premises.
- d. Limited food services or alcoholic beverages that are not sold directly by the businesses are prohibited.
- e. At least fifty-one (51) percent of the bar’s revenue must be from the on-site sale of tobacco products.
- f. The bar area shall not cover more than twenty-five (25) percent of floor area, excluding the humidor, kitchen, storage area(s), and offices.
- g. A full floor plan of the cigar bar must be provided to the Richland County Zoning Administrator.

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

SECTION VII. Effective Date. This ordinance shall be enforced from and after _____, 2016.

RICHLAND COUNTY COUNCIL

BY: _____
Torrey Rush, Chair

ATTEST THIS THE _____ DAY

OF _____, 2016

S. Monique McDaniels
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: March 22, 2016
First Reading: March 22, 2016
Second Reading: April 5, 2016 (tentative)
Third Reading:

Richland County Council Request of Action

Subject:

An Ordinance Amending the Fiscal Year 2015-2016 General Fund Annual Budget to appropriate Sixty-Two Thousand Seven Hundred Fifty One Dollars (\$62,751) to increase funding to the Board of Voter Registration & Elections Department Plans to conduct scheduled elections, operating equipment and inc. staffing

FIRST READING: March 22, 2016

SECOND READING: April 19, 2016 {Tentative}

THIRD READING: May 3, 2016 {Tentative}

PUBLIC HEARING: May 3, 2016

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. GF_2

AN ORDINANCE AMENDING THE FISCAL YEAR 2015-2016 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE SIXTY TWO THOUSAND SEVEN HUNDRED FIFTY ONE DOLLARS (\$62,751) TO INCREASE FUNDING TO THE BOARD OF VOTER REGISTRATION & ELECTIONS DEPARTMENT PLANS TO CONDUCT SCHEDULED ELECTIONS, OPERATING EQUIPMENT AND INC. STAFFING.

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. Approval to redirect reimbursement amounts to the Board of Voter Registration Elections Department for scheduled elections, equipment repairs, equipment replacements and additional staffing. Therefore, the Fiscal Year 2015-2016 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2015 as amended:	\$ 1,248.584
Appropriation of General Fund Balance:	\$ <u>62,751</u>
Total General Fund Revenue as Amended:	\$ 1,311,335

EXPENDITURES

Expenditures appropriated July 1, 2015 as amended:	\$ 1,248.584
Increase to Board of Voter Registration Department Budget:	\$ <u>62,751</u>
Total General Fund Expenditures as Amended:	\$ 1,311.335

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 _____, 2015.

RICHLAND COUNTY COUNCIL

BY: _____
Torrey Rush, Chair

ATTEST THIS THE _____ DAY
OF _____, 2015

S. Monique McDaniels
Clerk of Council

RICHLANDCOUNTYATTORNEY'S OFFICE

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

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

**Preliminary Cost Estimate for Conducting the Special Election for County Council District 10
Primary May 31, 2016/ General July 19, 2016**

Number of Precincts: 15
Absentee: 1
Total: 16
Registered Voters: 17,741

Cost Components	Account Number	Account Name	Primary	Run Off	General	Total
Administrative:						
Copies for Poll Managers, Polling Technicians	521300	Copy Machine	\$350.00	\$0.00	\$350.00	\$700.00
Office Supplies	521000	Ballots, Ballot Stock, Office Supplies	\$3,368.90		\$3,368.90	\$6,737.80
Advertisement of Candidate Filing			\$1,099.54		\$1,099.54	\$2,199.08
Postage (PW letters 200 @ .47)(Reply Cards 135 @.27)			\$94.00	\$0.00	\$94.00	\$188.00
Ballots:						
Absentee Application Postage (1,774 @ .49) Central Service			\$870.00	\$870.00	\$870.00	\$2,610.00
Absentee Ballot Postage (1,774 @ 1.30) Central Service			\$2,306.00	\$2,306.00	\$2,306.00	\$6,918.00
Emergency/ Provisional ballots 920 @ .35 (includes 8% tax)	521000	Ballots, Ballot Stock, Office Supplies	\$322.00	\$0.00	\$322.00	\$644.00
Failsafe ballots 560 @ .35 (includes 8% tax)	521000	Ballots, Ballot Stock, Office Supplies	\$196.00	\$0.00	\$196.00	\$392.00
Personnel Costs:						
County Voter Registration & Election Staff	511100		\$18,500.00	\$18,500.00	\$18,500.00	\$55,500.00
Special Service						\$0.00
*** Office Staff (Pre Election) for Absentee/Elections/Precinct	511800	Temp Employment Agency				\$0.00
** Poll Clerks 15 @ \$180 per election	511800	Temp Employment Agency	\$2,700.00	\$2,700.00	\$2,700.00	\$8,100.00
** Assistant Clerk 8 @150	511800	Temp Employment Agency	\$1,200.00	\$1,200.00	\$1,200.00	\$3,600.00
** Poll Managers 82 @ \$120 per election	511800	Temp Employment Agency	\$9,840.00	\$9,840.00	\$9,840.00	\$29,520.00
** Election Day Staff (Call Center, Unloaders, ABS Counters)			\$4,000.00	\$4,000.00	\$4,000.00	\$12,000.00
** Polling Location Technicians 3 @ \$350 at polling locations	511800	Temp Employment Agency	\$1,050.00	\$1,050.00	\$1,050.00	\$3,150.00
Total:			\$45,896.44	\$40,466.00	\$45,896.44	\$132,258.88

****Election Day Workers 11.3.15**

Poll Clerks	15	Office Staff:	Supplies:
Asst. Clerk	8	Precinct: 1 @ 5 days = \$450	Precinct \$200.00
Poll Managers	82	Absentee: 1 @ 5 days \$450	Absentee \$150.00
Office Staff (Equipment loaders/Unloaders, Call Center, ABS Counter)	20	Elections:	Elections
Polling Location Technicians	3	VR:	VR
Election Day Total Workers:	128		

**Preliminary Cost Estimate for Conducting the Special Election for County Council District 10
Primary May 31, 2016/ General July 19, 2016**

Richland County Council Request of Action

Subject:

Items for Action from Rules and Appointments Committee:

a. Terms of Service

b. Membership Requirements for Business Service Center Appeals Board

1. An Ordinance Amending the Richland County Code of Ordinances; Chapter 2, Administration; Article VII. Boards, Commissions and Committees; Section 2-332. Boards, Commissions and Committees Created; Subsection (L), Richland County Business Service Center Appeals Board; Paragraph (2), Membership; so as to revise the membership requirements of the Business Service Center Appeals Board [FIRST READING]

Red-Lined Version

[DRAFT Amendment—Term limits with one (1) year of non-service interval following expiration of member’s term]

Section 2-327. Terms of service

(a) The members of such boards, commissions and committees shall not serve more than two (2) consecutive terms; provided, however, that upon service of two (2) consecutive terms a member may be eligible for reappointment after one ~~day~~ **year of non-service following such member’s term expiring**. ~~Provided, however, that an individual serving in an executive position on a county board, commission, or committee shall be allowed to complete the term for that position when the individual’s term on the board, commission expires prior to the expiration of the executive appointment. Further provided, regional boards, commissions and committees are exempt from the two (2) consecutive term limits requirement whenever the other jurisdiction(s) appointing said members do not limit the number of terms held by their appointee(s).~~

(b) Notwithstanding any other provision of this Article, any member serving on a board, commission or committee may continue to serve until such time as ~~an advertisement has appeared in the local newspaper and a successor has been duly appointed~~; provided, however, the term of an elected member (who is serving on a board, commission or committee) ends when such member’s **term expires**. ~~is no longer serving in the capacity of an elected member.~~
(Ord. No. 015-11HR, § I, 3-1-11)

Richland County Council Request of Action

Subject: Membership Requirements for Business Service Center Appeals Board

A. Purpose

To amend the requirements for the Business Service Center Appeals Board.

B. Background / Discussion

The Business Service Center Appeals Board is currently required to have five members: three CPA's, one attorney, and one business person.

In order to provide greater flexibility and thereby enhance the ability to fill vacant Board positions, it is requested that the membership requirements be revised. The new membership requirements requested would maintain the five positions. However, the number of CPA's, attorneys, and business people permitted to be on the Board would be flexible:

- No more than three and no less than two CPA's,
- No more than two and no less than one attorney, and
- No more than two and no less than one business person.

Additionally, the definition of "business person" is added, referring to a person who owns his/her own business or holds an executive role in a business.

Please see the ordinance amendment on the following pages.

C. Legislative / Chronological History

The Business Service Center Appeals Board was established in 2006. (There were seven appeals in 2008, two appeals in 2009, one appeal in 2014, and two appeals in 2015.)

D. Financial Impact

There is no financial impact associated with this request.

E. Alternatives

1. Approve the request to revise the membership as requested.
2. Do not approve the membership revisions and maintain the current membership requirements.

F. Recommendation

This request is at Council's discretion.

Recommended by: Pam Davis
Department: Business Service Center
Date: February 29, 2016

G. Reviews

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

Finance

Reviewed by: Daniel Driggers

Date: 2/29/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

One observation of the ROA is that given the number of appeals over the past three years, the member requirements may be unnecessarily restrictive. However, since I have not been involved in the working process of the board, I will defer the recommendation in support of the BSC Manager’s recommendation.

Business Service Center

Reviewed by: Pam Davis

Date: 3/7/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: This change is at Council’s discretion. However, allowing some flexibility in the membership requirements would seem to make it easier for vacancies to be filled.

Legal

Reviewed by: Brad Farrar

Date: 3/8/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision of Council.

Administration

Reviewed by: Tony McDonald

Date: 3/11/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval as outlined above by the Business Service Center Manager.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-16HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 2, ADMINISTRATION; ARTICLE VII. BOARDS, COMMISSIONS AND COMMITTEES; SECTION 2-332. BOARDS, COMMISSIONS AND COMMITTEES CREATED; SUBSECTION (L), RICHLAND COUNTY BUSINESS SERVICE CENTER APPEALS BOARD; PARAGRAPH (2), MEMBERSHIP; SO AS TO REVISE THE MEMBERSHIP REQUIREMENTS OF THE BUSINESS SERVICE CENTER APPEALS BOARD.

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 2, Administration; Article VII. Boards, Commissions and Committees; Section 2-332. Boards, Commissions and Committees; Subsection (l), Richland County Business Service Center Appeals Board; Paragraph (2), Membership; is hereby amended to read as follows:

(2) *Membership.* The Business Service Center Appeals Board shall consist of five members who shall be appointed by majority vote of the Council. The five-member board shall be comprised of no more than three and no less than two Certified Public Accountants, no more than two and no less than one member of the S.C. Bar Association, and no more than two and no less than one other business person, defined as a person who either owns their own business or has an executive role in a business. All members must be interested citizens residing in Richland County. ~~Not more than one member of the Appeals Board may be an employee of the County.~~

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

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

SECTION IV. Effective Date. All sections of this ordinance shall be effective on and after _____, 2016.

RICHLAND COUNTY COUNCIL

BY: _____
Torrey Rush, Chair

ATTEST this the ____ day of _____, 2016.

S. Monique McDaniels, Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading:
Second Reading:
Third Reading:

Richland County Council Request of Action

Subject:

a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-152, Special Exceptions; Subsection (d), Standards; Paragraph (22), Radio, Television and Other Transmitting Towers; Subparagraph c.; Clause 1; so as to amend the setback requirements for towers abutting residentially zoned parcels [RUSH]

FIRST READING: April 19, 2016 {Tentative}

SECOND READING: May 24, 2016 {Tentative}

THIRD READING: June 7, 2016 {Tentative}

PUBLIC HEARING: May 24, 2016 {Tentative}

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-16HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE VI, SUPPLEMENTAL USE STANDARDS; SECTION 26-152, SPECIAL EXCEPTIONS; SUBSECTION (d), STANDARDS; PARAGRAPH (22), RADIO, TELEVISION AND OTHER TRANSMITTING TOWERS; SUBPARAGRAPH c.; CLAUSE 1; SO AS TO AMEND THE SETBACK REQUIREMENTS FOR TOWERS ABUTTING RESIDENTIALLY ZONED PARCELS.

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 26, Land Development; Article VI, Supplemental Use Standards; Section 26-152, Special Exceptions; Subsection (d), Standards; Paragraph (22), Radio, Television And Other Transmitting Towers; Subparagraph c.; Clause 1; is hereby amended to read as follows:

1. Communication towers abutting a residentially zoned parcel ~~shall have a minimum setback of one (1) foot for each foot of height of the tower as measured from the base of the tower. The maximum required setback shall be two hundred and fifty (250) feet shall have a minimum setback of one (1) foot for every one (1) foot of tower height or one hundred (100) percent of the tower's fall zone, plus a safety factor of ten (10) percent; whichever is less. Fall zones shall be certified in the form of a letter from an engineer, licensed by the State of South Carolina, that includes the engineer's original signature and seal. The fall zone shall not encroach onto structures on any property; nor shall the fall zone encroach onto adjacent properties, unless the owner of the adjacent property signs a waiver. The waiver shall be in a recordable waiver document and shall indemnify and hold the county harmless. In no case shall the fall zone encroach into a public right-of-way. Additionally, the owner of the tower shall agree in writing to indemnify and hold Richland County harmless from and against any liability arising out of damage to real or personal property or injury to any person or in any way connected with the construction of, erection of, and/or maintenance of the communication tower and antenna, including the removal of said communication tower and antenna,~~

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 _____, 2016.

RICHLAND COUNTY COUNCIL

BY: _____
Torrey Rush, Chair

ATTEST THIS THE ____ DAY

OF _____, 2016

Michelle M. Onley
Deputy Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: April 19, 2016 (tentative)
Public Hearing: May 24, 2016 (tentative)
Second Reading: May 24, 2016 (tentative)
Third Reading:

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

**A RESOLUTION OF THE
RICHLAND COUNTY COUNCIL**

**A RESOLUTION TO APPOINT AND COMMISSION JAMES T. HARMON,
STEVE A. HUNTLEY, AND ELIJAH COUSAR JR. AS CODE ENFORCEMENT
OFFICERS FOR THE PROPER SECURITY, GENERAL WELFARE, AND
CONVENIENCE OF RICHLAND COUNTY.**

WHEREAS, the Richland County Council, in the exercise of its general police power, is empowered to protect the health and safety of the residents of Richland County; and

WHEREAS, the Richland County Council is further authorized by Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many code enforcement officers as may be necessary for the proper security, general welfare, and convenience of the County;

NOW, THEREFORE, BE IT RESOLVED THAT James T. Harmon, Steve A. Huntley, and Elijah Cousar Jr. are hereby appointed and commissioned Code Enforcement Officers of Richland County for the purpose of providing for the proper security, general welfare, and convenience of the County, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon them by the governing body of this County, including the enforcement of the County's building regulations and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended. Provided, however, James T. Harmon, Steve A. Huntley, and Elijah Cousar Jr. shall not perform any custodial arrests in the exercise of their duties as code enforcement officers. Each of these appointments shall remain in effect only until such time as the individual so appointed is no longer employed by Richland County to enforce the County's building regulations.

ADOPTED THIS THE ____ DAY OF APRIL, 2016.

Torrey Rush, Chair
Richland County Council

Attest: _____
Michelle M. Onley
Deputy Clerk of Council



Resurfacing Package H, Construction Contract, Richland County Transportation Penny Program

Discussion Point:

Included in your agenda is a recommendation from the PDT to award a contract for approximately 20 miles of resurfacing of County maintained roads that Council approved in the 2016/2017 resurfacing list. This list was produced by utilizing the pavement management study conducted last spring.

Staff recommendation:

The staff recommendation is for award of this contract since it is within 10% of the engineer's estimate and meets the SLBE goal.



PROJECT DESCRIPTION:

The project will consist of:

- | | | |
|------------------------|-------------------------|----------------------|
| Abberton Court | Ashbourne Road | Baldur Court |
| Beckton Court | Business Park Blvd | Chimneyridge Drive |
| Chukker Hill Court | Cockspur Road | Commerce Drive NE |
| Corby Court | Cowdray Park | Craigwood Drive |
| Cranley Court | Cranley Road | Creekfield Court |
| Denbeck Road | Doncaster Drive | Durham Creek Court |
| Fairfield Park Road | Finley Road | Flagbury Road |
| Fontaine Center Drive | Foxwood Knl | Freya Court |
| Green Rose Road | Grinder Mill Road | Gristmill Court |
| Halling Court | Halling Drive | Hamilton Drive |
| Hexham Circle | Hurlingham Drive | Lansing Circle |
| Leila Lane | Lindevon Lane | Locklier Road |
| Lowescroft Circle | Midgard Court | Millhouse Circle |
| Millhouse Court | Millstone Court | Moss Field Court |
| Moss Field Road | N Cross Court | N Donar Court |
| N Donar Drive | N Highland Forest Drive | Newworth Court |
| Northbrown Court | Northbrown Road | Northfield Court |
| Oak Brook Court | Oak Brook Drive | Oakleaf Road |
| Odin Court | Ola Street | Ouida Street |
| Paddock Place | Penelope Lane | Ralph Court |
| Roxann Drive | Runnymede Court | Runnymede Drive |
| Saddletrail Road | Shetford Road | Smithfield Road |
| Springwoods Lake Drive | Springwoods Lake Point | St. Albans Court |
| Stanford Ridge Court | Stockport Road | Sweet Thorne Circle |
| Sweet Thorne Court | Thornfield Court | Thornfield Road |
| Timber Knoll Drive | Tomafield Court | Valley End Court |
| Wallbrook Court | Wayland Court | Whiteoak Ridge Road |
| Wildewood Club Court | Willow Bend Court | Winslow Court |
| Winslow Way | Brookwood Drive | Camino Court |
| Cape Lookout Court | Charles Towne Court | Columbia Avenue |
| Crown Point Court | Green Springs Circle | Green Springs Court |
| Lee Hills Drive | Mountain Laurel Court | Mountain Laurel Lane |
| Pioneers Point Court | Pond Ridge Road E | Saddleback Ledge Ct |
| Settlers Way | Sheridan Drive | Split Rock Court |
| Surfwood Drive | Tea Rose Court | Thornridge Road |
| Woodshore Circle | Woodshore Court | Woodshore Drive |
| Esther Circle | Kelly Court | Watts Lane |
| Chanwood Court | Chanwood Drive | Millwood Court |

Milling, full depth patching, and/or resurfacing of approximately 19.95 miles of roadway located within Richland County:



April 13, 2016

Mr. Rob Perry
Director of Transportation
Richland County Government
P.O. Box 192
Columbia, South Carolina 29202

RE: Resurfacing Package H
PDT-586-IFB-2016

Dear Mr. Perry:

A bid opening was held at 2:00 PM on Wednesday, March 30, 2016 at the Richland County Office of Procurement at 2020 Hampton Street for the Resurfacing Package H Project. The Richland Program Development Team has reviewed the two (2) submitted bids for the Richland County 2016 Resurfacing Package H Project and found no irregularities in the lowest bid. The bids were as follows:

Lane Construction Corporation	\$5,640,931.32
Sloan Construction Company	\$6,665,166.52

Lane's bid was more than 10% above the Engineer's Estimate and, with the Richland County Procurement Director's permission, the PDT initiated negotiations with Lane to attempt to lower their bid to within budget constraints of no more than 10% above the Engineer's Estimate without changing units, quality of product or other bid requirements. At no time during this negotiation was the PDT's Engineer's Estimate revealed. Lane responded by revising bid item #4030340 Hot Mix Asphalt Surface Course Type C from \$94.50 to \$93.45, therefore revising their bid to \$5,606,237.69 or 9.9% above the Engineer's Estimate of \$5,101,172.72.

Further review shows that The Lane Construction Corporation is duly licensed in South Carolina to perform this work. A copy of their license is attached.

Attached is a final revised bid tab sheet for your reference which indicates the low bid to be within the ten percent (10%) Engineer Estimated Cost for the project. A review of the contract with the low bid shows a commitment of 12.36% utilization of Small Local Business Enterprise (SLBE) companies which meets the goal for this project.

Richland PDT recommends that a contract be awarded to the lowest responsive and responsible bidder, The Lane Construction Corporation. It is further recommended that the approval of the award also include a 10% contingency of \$560,623.77.

We will schedule the pre-construction conference once we have been notified by you that Council has approved the contract

Sincerely,
RICHLAND PDT, A JOINT VENTURE



Dale Collier
Procurement Manager
Richland PDT, A Joint Venture

Cc: Janet Jones, Richland PDT

Attachments:

Bid Forms-The Lane Construction Corporation

Certified Bid Tab

Disadvantage Business Enterprises (DBE) Participation Sheet

Mandatory Pre-Bid Sign In Sheet

The Lane Construction Corporation License Confirmation

The Lane Construction Corporation SLBE Participation Sheet

2016 RICHLAND COUNTY RESURFACING PROJECT PACKAGE H

ITEM #	DESCRIPTION	UNITS	LENGTH (M.E.)		TOTAL PROJECT QUANTITY	UNIT PRICE	TOTAL PRICE
				19.94			
1031000	MOBILIZATION	LS	NEC.			244,075	244,075.00
1071000	TRAFFIC CONTROL	LS	NEC.			73,500	73,500.00
4012040	FULL DEPTH ASPHALT PATCHING (4" UNIF.)	SY	2028.33		2028.33	38.25	77,583.62
4012060	FULL DEPTH ASPHALT PAVEMENT PATCHING (6" UNIF.)	SY	24233.77		24233.77	60.00	1,454,026.20
4013990	MILLING EXISTING ASPHALT PAVEMENT (VARIABLE)	SY	117219.61		117219.61	3.80	445,434.52
4030340	HOT MIX ASPHALT SURFACE COURSE - TYPE C	TON	33042.16		33042.16	93.45	3,087,789.85
4030350	HOT MIX ASPHALT SURFACE COURSE - TYPE D	TON	797.15		797.15	105.00	83,700.75
6051120	PERMANENT CONSTRUCTION SIGNS (GROUND MOUNTED)	SF	5632.00		5632.00	6.40	37,324.80
6241025	24" WHITE SOLID LINES (STOP/DIAG LINES) PERM. PVT. MARKING	LF	130.00		130.00	6.40	832.00
6241074	4" YELLOW SOLID LINES (PVT. EDGE LINES) PERM. PVT. MARKING	LF	1402.00		1402.00	6.40	8,972.80
6250025	24" WHITE SOLID LINES (STOP/DIAG LINES) FAST DRY PAINT	LF	130.00		130.00	6.40	832.00
6250110	4" YELLOW SOLID LINES (PVT. EDGE LINES) FAST DRY PAINT	LF	1402.00		1402.00	6.40	8,972.80
7203130	CONCRETE CURB AND GUTTER (1'-6") OGEE	LF	370.00		370.00	55.00	20,350.00
8101000	SEEDING (MULCHED)	MSY	28.20		28.20	655.00	18,471.00
8101100	ORGANIC TOPSOIL	CY	806.77		806.77	55.00	44,372.35
	Total					TOTAL	5,606,237.69

2016 RICHLAND COUNTY RESURFACING PROJECT PACKAGE H

ITEM #	DESCRIPTION	LENGTH (MI.)		Engineer's Estimate		Lane Construction		Sloan Construction	
		UNITS	TOTAL PROJECT QUANTITY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1031000	MOBILIZATION	LS	NEC.			\$244,075.00	\$244,075.00	\$330,000.00	\$330,000.00
1071000	TRAFFIC CONTROL	LS	NEC.			\$73,500.00	\$73,500.00	\$337,500.00	\$337,500.00
4012040	FULL DEPTH ASPHALT PATCHING (4" UNIF.)	SY	2028.33			\$38.25	\$77,583.62	\$72.00	\$146,039.76
4012060	FULL DEPTH ASPHALT PAVEMENT PATCHING (6" UNIF.)	SY	24233.77			\$60.00	\$1,454,026.20	\$62.70	\$1,519,457.38
4013990	MILLING EXISTING ASPHALT PAVEMENT (VARIABLE)	SY	117219.61			\$3.80	\$445,434.52	\$5.00	\$586,098.05
4030340	HOT MIX ASPHALT SURFACE COURSE - TYPE C	TON	33042.16			\$93.45	\$3,087,789.85	\$103.00	\$3,403,342.48
4030350	HOT MIX ASPHALT SURFACE COURSE - TYPE D	TON	797.15			\$105.00	\$83,700.75	\$197.00	\$157,038.55
6051120	PERMANENT CONSTRUCTION SIGNS (GROUND MOUNTED)	SF	5932.00			\$6.40	\$37,324.80	\$5.70	\$33,242.40
6241025	24" WHITE SOLID LINES (STOP/DIAG LINES)-PERM.PVMT.MARKING	LF	130.00			\$6.40	\$832.00	\$10.25	\$1,332.50
6241074	4" YELLOW SOLID LINES(PVT.EDGE LINES) PERM.PVMT.MARKING	LF	1402.00			\$6.40	\$8,972.80	\$3.15	\$4,416.30
6250025	24" WHITE SOLID LINES (STOP/DIAG LINES)-FAST DRY PAINT	LF	130.00			\$6.40	\$832.00	\$5.70	\$741.00
6250110	4" YELLOW SOLID LINES(PVT.EDGE LINES) FAST DRY PAINT	LF	1402.00			\$6.40	\$8,972.80	\$2.00	\$2,804.00
7203130	CONCRETE CURB AND GUTTER(1'-6") OGEE	LF	370.00			\$55.00	\$20,350.00	\$60.00	\$22,200.00
8101000	SEEDING (MULCHED)	MSY	28.20			\$655.00	\$18,471.00	\$570.00	\$16,074.00
8101100	ORGANIC TOPSOIL	CY	806.77			\$55.00	\$44,372.35	\$130.00	\$104,880.10
	Total					TOTAL	\$5,101,172.72	TOTAL	\$6,665,166.52

DISADVANTAGED BUSINESS ENTERPRISES (DBE) PARTICIPATION SHEET

There is no DBE Goal for this project, however, the Contractor is to track DBE participation on this form and turn it in on a monthly basis along with the Contractor's Application for Payment.


1 Name & Address of DBE's 2 Percent (Subcontractor or Supplier)	3 Description of Work and Approximate			4 Dollar Value
List	Qty.	Unit	Unit Price	Total
Herndon Inc 367 Somter Hwy Camden, SC 29020	28.20	MSY	516.00	14,551.00

1. The designation of Firm A and/or B is not considered acceptable. I hereby certify that this company has communicated with and received quotes from the DBE's listed above and that they are willing to perform the work as listed above and that this company is committed to utilizing the above firm(s) on this contract.
2. Percent - show percent of total contract amount committed to each DBE listed.
3. All information requested must be included unless item is listed in proposal on a lump sum basis.
4. Unit Price - show unit price quoted by DBE.
5. Dollar Value - extended amount based on Quantity and Unit Price.
6. Applies to lump sum items only.

This form may be reproduced or additional sheets added in order to provide all requested information.

I declare under penalty of perjury that the information provided herein is true and correct.

SWORN to before me this 12th
day of April, 2016

Lane Construction
Company
Lead Estimator / Project Manager
Title
Tripp Owings




Pre-Bid Sign-In Sheet

Project: 2016 Resurfacing Project Package H

Date: 03/09/2016

Meeting Time: 11:00 A.M.

	NAME	ORGANIZATION	EMAIL	PHONE
1	Dale Collier	Richland PDT	dcollier@richlandpennny.com	803-917-6258
2	Trent Barrack	LANE Construction	TABarrack@laneconstruct.com	803-543-7283
3	Spencer Warner	LANE Construction	Suburner@laneconstruct.com	(803) 242-4465
4	Karen Jackson	P. B. Jackson Inc	KRJackson@pbjackson.com	803-752-6002
5	Samantha Latta	SZ Engineering ? Consulting	sesavage@szec.com	(803) 407-0600
6	Scott Jordan	Armstrong Cont.	Scott@armstrong contractors.com	513-9254



Pre-Bid Sign-In Sheet

Project: 2016 Resurfacing Project Package H
 Date: 03/09/2016
 Meeting Time: 11:00 A.M.

	NAME	ORGANIZATION	EMAIL	PHONE
7	GERALD WALKER	RICHMOND PDT	gwalker@richland-penny.com	726-6151
8	Brian Lewis	"	blewis@richland-penny.com	726-3614
9	CLER WATSON	"	CWATSON@RICHMONDPENNY.COM	726-6157
10	David Beatty	PDT		
11				
12				



Pre-Bid Sign-In Sheet

Project: 2016 Resurfacing Project Package H
 Date: 03/09/2016
 Meeting Time: 11:00 A.M.

	NAME	ORGANIZATION	EMAIL	PHONE
13	Shawn Salley	Richland County	salleySZ@rcgov.us	726-6149
14	MIKE EPTING	SLOAN	EPTINGM@SLOAN.CO. NET	960-8230
15	ROSS HILTON	RICHLAND FERT	Hilton@richlandfertility.com	726-6152
16	Shirley Jones	11	Jones@richlandfertility.com	
17	Brenda Parnell	RC 0580	Parnellb@rcgov.us	
18				

Print this page

Board: Commercial Contractors

THE LANE CONSTRUCTION CORPORATION
90 FIELDSTONE COURT
CHESHIRE, CT 06410-1212
(203) 235-3351

License number: 10752
License type: GENERAL CONTRACTOR
Status: ACTIVE
Expiration: 10/31/2016
First Issuance Date: 01/01/1992
Classification: BD5 AP5 CP5 CT5 BR5 GD5 WL5 WP5
President / Owner: ROBERT E ALGER

[Click here for Classification definitions and licensee's contract dollar limit](#)

Supervises

[THOMAS LEE BARRACK - \(COG\)](#)
[DAVID J RANKIN - \(COG\)](#)
[DAVID W GREY - \(COG\)](#)

[File a Complaint against this licensee](#)

Board Public Action History:

View Orders View Other License for this Person
No Orders Found

CURRENT CLASSIFICATION ABBREVIATIONS and PROJECT/DOLLAR LIMITATIONS

The two-letters on a license indicates the designated classification(s) of work (i.e. **BD3**); the number behind the letters indicates their designated dollar limit per contract (i.e. **BD3**); see classifications & project/dollar limits below:

GENERAL CONTRACTOR classifications	MECHANICAL CONTRACTOR classifications
→ Asphalt Paving AP	Air Conditioning AC
Boiler Installation BL	Electrical EL
Boring & Tunneling (no technical exam) BT	Heating HT
→ Bridges BR	Lightning Protection LP
→ Building (BD, LB, UB) * BD	Packaged Equipment PK
→ Concrete CT	Plumbing PB
→ Concrete Paving CP	Process Piping **** 1P/2P
General Roofing GR	Refrigeration RG
Glass & Glazing GG	
→ Grading GD	
Highway ** HY	
Highway Incidental (no technical exam) HI	
Interior Renovation (no technical exam) IR	
Marine MR	
Masonry (no technical exam) MS	
Pipelines PL	
Pre-Engineered Metal Buildings MB	
Public Utility Electrical *** 1U/2U	
Railroad (no technical exam) RR	
Specialty Roofing SR	
Structural Framing SF	
Structural Shapes SS	
Swimming Pools SP	
→ Water & Sewer Lines WL	
→ Water & Sewer Plants WP	
Wood Frame Structures WF	

- * **Building (BD)** classification - includes GR, IR, MB, MS, SS, WF (see above).
 "LB" qualifiers took the Limited Building exam; can only be licensed at Group #1, #2, or #3 dollar limitation; cannot work over 3 stories in a building.
 "UB" qualifiers took the Unlimited Building exam (no restrictions except dollar limitation).
- ** **Highway (HY)** classification - includes AP, CP, BR, GD, HI (see above).
- *** **Public Utility Electrical (1U/2U)** classification - 1U given to those licensed prior to 4/1/99 and can engage in stadium lighting work; 2U given to those licensed after 4/1/99 and cannot engage in stadium lighting work.
- **** **Process Piping (1P/2P)** classification - 1P given to those licensed prior to 4/1/99 and can engage in boiler work; 2P given to those licensed after 4/1/99 and cannot engage in boiler work.

PROJECT/DOLLAR LIMITATIONS PER PROJECT

GENERAL CONTRACTORS		MECHANICAL CONTRACTORS	
Group#	\$ Limitation per project	Group#	\$ Limitation per project
Group #1	\$30,000	Group #1	\$17,500
Group #2	\$100,000	Group #2	\$30,000
Group #3	\$350,000	Group #3	\$50,000
Group #4	\$750,000	Group #4	\$125,000
Group #5	\$Unlimited	Group #5	\$Unlimited

Revised 06/2014

SMALL LOCAL BUSINESS ENTERPRISE (SLBE) PARTICIPATION SHEET

Small Local Business Enterprises

The BIDDER is encouraged to utilize firms from the COUNTY's SLBE list or firms with the potential to qualify as an SLBE under the COUNTY's ordinance. Information on the COUNTY's SLBE ordinance and firm certification may be found on the COUNTY's website at: <http://www.richlandonline.com/Government/Departments/BusinessOperations/SmallLocalBusinessEnterprises.aspx>

The goal for contracting work to SLBE subcontractors is ~~5.00%~~ *12.36 per Addendum three.*

BIDDER is required to complete the SBLE Identification Forms and submit it with the Proposal. Any SLBE company identified must be certified in accordance with the certification program of the Richland County Government. A listing of currently certified firms can be found on the County's website:

<http://www.regov.us/Government/Departments/BusinessOperations/SmallLocalBusinessEnterprises.aspx>

Information must be shown on this sheet and submitted with bid/proposal.

1. Name & Address of SLBE (Subcontractor or Supplier)	SLBE Firm	Scope/Type of Work	2. Estimated Percentage of Total Contract
<i>Armstrong Contractors</i>	<i>Armstrong CONTRACTORS</i>	<i>Full Depth Patching 6" Surface T4C,</i>	<i>12.36%</i>
<i>600 Longtown Rd Columbia SC 29229</i>		<i>Surface T4 D.</i>	

¹ The designation of Firm A and/or B is not considered acceptable. I hereby certify that this company has communicated with and received quotes from the SLBE's listed above and that they are willing to perform the work as listed above and that this company is committed to utilizing the above firm(s) on this contract.

² Percent - show percent of total contract amount committed to each SLBE listed.

This form may be reproduced or additional sheets added in order to provide all requested information.

I declare under penalty of perjury that the information provided herein is true and correct.

SWORN to before me this *30th* day of *March*, 20*16*

[Signature]
PLANT MANAGER